

HOUSE BILL NO. HB0108

Railroad quiet zones.

Sponsored by: Representative(s) Buchanan

A BILL

for

1 AN ACT relating to railroads and public highway crossings;
2 providing for the transportation commission to administer a
3 program for the establishment of railroad quiet zones or
4 wayside horns in the vicinity of grade crossings in
5 populated areas as specified; creating a subaccount within
6 the highway fund; requiring reports; providing an
7 appropriation; providing for reimbursement of the general
8 fund appropriation as specified; and providing for an
9 effective date.

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11 *Be It Enacted by the Legislature of the State of Wyoming:*

12

13 **Section 1.** W.S. 37-10-106 is created to read:

14

15 **37-10-106. Quiet zone and wayside horn program.**

16

1 (a) The commission shall administer a program, in
2 conformity with the standards prescribed in 49 C.F.R. 222,
3 for the establishment of quiet zones or the installation of
4 wayside horns to minimize the sounding of locomotive horns
5 in populated areas.

6
7 (b) Funds appropriated by the legislature for the
8 program created by this section shall be maintained in a
9 subaccount within the account established pursuant to W.S.
10 37-10-101 and shall be used only for the quiet zone and
11 wayside horn program, but may be combined with other state
12 and federal funds when a quiet zone or wayside horn is
13 included as one of the safety devices to be installed in a
14 grade crossing improvement project.

15
16 (c) The commission shall establish a priority rating
17 system for the establishment of quiet zones or the
18 installation of wayside horns at grade crossings, giving
19 due consideration from the applications or evidence before
20 the commission to safety, the population density in the
21 area where locomotive horns must be sounded before grade
22 crossings, the number and scheduling of trains using the
23 affected grade crossing, anticipated increases in
24 population and rail traffic volume, the cost effectiveness

1 of required improvements and other factors deemed relevant
2 by the commission.

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4 (d) Except as provided in this section, expenditures
5 from the wayside horn subaccount shall be subject to the
6 provisions of this chapter.

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8 (e) The department of transportation shall annually
9 report to the joint transportation, highways and military
10 affairs interim committee by October 1 regarding the
11 expenditure of funds from the subaccount created by this
12 section, the number of quiet zones established and wayside
13 horns installed and the status of the priority list and
14 schedule for future quiet zone establishment and wayside
15 horn installations.

16

17 **Section 2.**

18

19 (a) There is appropriated one million dollars
20 (\$1,000,000.00) from the general fund to the subaccount
21 created by W.S. 37-10-106(b). This appropriation shall be
22 for the period beginning with the effective date of this
23 act and ending June 30, 2010. This appropriation shall
24 only be expended for the purpose of the quiet zone and

1 wayside horn program established by this act.
2 Notwithstanding any other provision of law, this
3 appropriation shall not be transferred or expended for any
4 other purpose and any unexpended, unobligated funds
5 remaining from this appropriation shall revert as provided
6 by law on June 30, 2010.

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8 (b) The department of transportation shall report
9 annual expenditures made pursuant to subsection (a) of this
10 section to the state treasurer on June 30, 2009 and 2010.
11 Upon receiving the reports, the state treasurer shall
12 transfer from funds available in the abandoned mine land
13 funds reserve account to the general fund an amount equal
14 to the amounts of the expenditure reported.

15

16 (c) The department of transportation shall include a
17 request for funds in its 2011-2012 budget request to
18 continue funding for the quiet zone and wayside horn
19 program at levels provided under this act from funds
20 deposited in the abandoned mine land funds reserve account.

21

22 **Section 3.** This act is effective July 1, 2008.

23

24

(END)