

HOUSE BILL NO. 301

INTRODUCED BY J. SCHILLINGER

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING ADDITIONAL ILLUMINATION AT RAIL CROSSINGS; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Illuminated crossings.** (1) (a) Each fiscal year the department of transportation shall install lighting at no fewer than 15 public, at grade highway rail crossings in the state to provide for the safety and protection of the public.

(b) This requirement does not apply to highway rail crossings where automatic, active warning devices are properly functioning or at which there is adequate illumination.

(c) The department shall:

(i) prioritize which passive crossings should be illuminated each fiscal year based on accident history at the site, additional safety concerns, funding, and other related rail projects at the crossing; and

(ii) use the most cost-effective means available to provide for lighting, which may include but are not limited to solar electricity.

(2) The department shall use available federal highway safety funds to pay for lighting. If adequate federal funds are not available, the department may work with the railroad owning or operating the tracks to cover the expenses of the lighting.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 61, chapter 8, part 3, and the provisions of Title 61, chapter 8, part 3, apply to [section 1].

NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2021.

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