

1 HOUSE BILL NO. 105

2 INTRODUCED BY P. GREEN

3 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE FUNDING REQUIREMENTS FOR RAILROAD
6 PROTECTIVE DEVICES; AND AMENDING SECTION 15-70-102, MCA."7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:9
10 **Section 1.** Section 15-70-102, MCA, is amended to read:11 **"15-70-102. Allocation of funds -- participation in railroad grade crossing protection.** (1) The
12 amount determined necessary may be allocated from the highway restricted account provided for in 15-70-126
13 for each fiscal year for expenditures and commitments made for participation by the department of
14 transportation with railroads in construction of railroad grade crossing protection on any public highway or road,
15 except those designated on the national, primary, or urban highway systems, as defined in 60-1-103, within the
16 state. The department of transportation shall select those grade crossings in the state that, in the opinion of the
17 department, are most in need of additional crossing protection and shall finance the cost of the improvements
18 solely from this allocation.19 (2) Signal protection provided under this section is limited to electric or automatic flashing lights or
20 gates, depending on the amount and nature of the hazards present at the crossing, and participation in
21 construction of the signals must be on the same basis and under the same standards as are applicable and
22 used in connection with protection of grade crossings on commission-designated highway systems, as defined
23 in 60-1-103, within the state. ~~The highway restricted account may not be used for protection of grade crossings~~
24 ~~on the secondary system where the protection is considered necessary and when the cost is financed in part~~
25 ~~with federal aid highway funds.~~26 (3) In addition to the funds allocated, counties and cities may authorize the use of funds available
27 to counties and cities under the provisions of 15-70-101 for participation in the installation in grade crossing
28 protection within the county or city."

