


Colorado Legislative Council Staff Fiscal Note
STATE
FISCAL IMPACT

Drafting Number: LLS 07-0058
Prime Sponsor(s): Sen. Johnson
 Rep. Kefalas

Date: January 9, 2007
Bill Status: Senate Transportation
Fiscal Analyst: Brad Denning (303-866-4777)

TITLE: CONCERNING LIMITATIONS ON THE CONDUCT OF RAIL OPERATIONS AT GRADE CROSSINGS.

| Fiscal Impact Summary | FY 2007-2008 | FY 2008-2009 |
|--|-------------------|-------------------|
| NET TOTAL | | |
| State Revenue | Less than \$5,000 | Less than \$5,000 |
| State Expenditures | \$0 | \$0 |
| FTE Position Change | 0.0 FTE | 0.0 FTE |
| State Revenue Detail | | |
| Cash Funds - Fines Collection Cash Fund | Less than \$5,000 | Less than \$5,000 |
| Effective Date: Upon signature of the Governor. | | |
| Local Government Impact: None. | | |

Summary of Legislation

The bill prohibits a railroad carrier from permitting any train, railroad car, or engine to block public travel at a railroad-highway crossing for more than 10 minutes, unless these railroad vehicles cannot be moved for circumstances beyond the carrier’s control. It also prohibits the carrier from permitting successive trains to block travel until all previously delayed traffic has been cleared or five minutes has elapsed between trains.

It makes it a misdemeanor for an engineer, conductor, or someone in charge of running any train, railroad car, or engine to obstruct public travel at a railroad-highway crossing, punishable by a fine between \$500 and \$1,000.

State Revenue

The bill may increase state revenue from fines, penalties, and surcharges, but the revenue is expected to be minimal. Fine revenue is collected by each judicial district and transmitted to the Fines Collection Cash Fund for administrative and personnel costs incurred in the collection and administration of these fines. A similar misdemeanor for a statute repealed in 2000 required railroad carriers to stop immediately before reaching a railroad crossing where two railroads crossed each

other and to proceed across the intersection track at 4 miles per hour or less (Section 40-28-101, C.R.S., 1999). Data for this misdemeanor for calendar years 1998 through 2000 showed that it did not initiate any criminal case for this violation prior to its repeal.

Departments Contacted

Judicial
Local Affairs
Public Safety

Regulatory Agencies
Revenue
Transportation