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RAILROAD IMPROVEMENT COSTS

House Bill 6044

Sponsor: Rep. Robert Gosselin

Committee: Transportation

Complete to 10-9-00

A SUMMARY OF HOUSE BILL 6044 AS INTRODUCED 9-28-00

House Bill 6044 would amend the Railroad Code of 1993 to revise the manner of payment for certain railroad improvements.

Under the law, the full cost of constructing a new street or highway across an existing railroad, or of a new railroad track across an existing street or highway, is borne by the party requesting the crossing. Under House Bill 6044, the costs would be borne 50 percent by the railroad and 50 percent by the road authority.

Similarly, under the law, temporary grade crossing are constructed, maintained, and removed at the sole expense of the parties requesting them. Under House Bill 6044, these expenses would be shared equally by the railroad and the road authority.

Finally, under the law a road authority can request of a railroad, or a railroad can request of a road authority, in writing, that it reconstruct, change, widen, or alter a portion of an existing grade crossing. If the party that is requested to make changes refuses, the Department of Transportation makes a determination, after a hearing. In these disputes, the full cost of the reconstruction, change, widening, or alteration is borne 50 percent by the party requesting it. House Bill 6044 specifies instead that in these disputes the costs would be borne 50 percent by the party requesting the change and 50 percent by the other party, unless otherwise agreed to by the parties or as determined in the department's order.

MCL 462.307

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