

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6601

BILL NUMBER: HB 1429

NOTE PREPARED: Dec 28, 2023

BILL AMENDED:

SUBJECT: Low Water Crossings.

FIRST AUTHOR: Rep. Patterson

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill defines "low water crossing" as a place where a road crosses a stream having a water level that is normally well below the level of the road but may in times of heavy rain rise above the level of the road to a depth that is difficult for the driver of an oncoming automobile to judge, creating the risk that the driver will attempt to cross at the crossing and the driver's automobile will become buoyant and be swept off the road.

The bill also defines "low water crossing project" as a project that consists of installing appropriate road signs to warn automobile drivers as they approach a low water crossing, replacing damaged or undersized road culverts in a low water crossing with culverts that will accommodate a greater quantity of stream flow under the road, or replacing a low water crossing with a bridge.

The bill authorizes a local county road and bridge board to undertake low water crossing projects. It requires the Commissioner of the Department of Transportation (INDOT) to ensure that the Department makes information available to county boards of commissioners and county highway departments about funding from federal and private sources that might be available to the counties for low water crossing projects.

The bill also amends the law on the Local Road and Bridge Matching Grant Fund: (1) to allow grants to local units to be used for low water crossing projects; and (2) to provide that funds allocated for grants to local units having a population of less than 50,000 can be used to make grants to counties below the population limit as well as to municipalities located in counties that are below the population limit.

Effective Date: July 1, 2024.

Explanation of State Expenditures: This bill will increase the workload of the Indiana Department of Transportation (INDOT) to provide (1) information to county boards of commissioners and county highway departments concerning funds available and (2) assistance to counties in applying for federal and private grant funding for low water crossing projects. Increases in workload are within the routine administrative function of the agency and are expected to be implemented within existing resource and funding levels.

The bill also expands projects eligible to participate in the Local Road and Bridge Matching Grant program to include low water crossings. Expanding program eligibility may not necessarily increase state expenditures as awards are contingent upon the project being selected by INDOT for state matching funds as well as program funding availability.

Additional Information - Since inception in 2016, the Local Road and Bridge Matching Grant Fund has awarded approximately \$1.4 B in state funds to local units of government for infrastructure projects. For FY 2023, INDOT awarded a total of \$224.9 M to local units of government.

The bill changes to annual awards from the Local Road and Bridge Matching Grant Fund for counties with populations less than 50,000 residents. Currently 50% of annual awards from the Local Matching Grant Fund are designated for local units located within counties that have a population of less than 50,000. The bill specifies that these awards are to be set aside for both the county unit and municipalities within these counties, which is current practice. This change is expected to have no fiscal impact.

Explanation of State Revenues:

Explanation of Local Expenditures: By expanding projects eligible to participate in the Local Road and Bridge Matching Grant program, this bill could increase local expenditures to provide the match required for program participation. Increases in local expenditures to meet the match would ultimately depend on the decision of county commissioners to apply for state grants as well as the decision of INDOT administrators to select the project for an award.

Additional Information - For counties with populations greater than 50,000 residents, the local match requirement is 50% of program costs, whereas for counties with populations less than 50,000 residents, the local match requirement is 25% of program costs.

Explanation of Local Revenues:

State Agencies Affected: INDOT.

Local Agencies Affected: Counties and municipalities

Information Sources: INDOT.

<https://www.in.gov/indot/doing-business-with-indot/local-public-agency-programs/community-crossing-matching-grant-program/>

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