

HOUSE BILL No. 1206

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-6-14-1.

Synopsis: Railroad track crossings. Provides that a railroad company must make, maintain, and repair certain of its crossings at its expense unless certain conditions are met.

Effective: July 1, 2022.

Young J

January 6, 2022, read first time and referred to Committee on Roads and Transportation.



Introduced

Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-6-14-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2022]: Sec. 1. Owners of tracts of land
3 separated by the right of way of a railway company, or owner of a tract
4 or tracts of land separated by the right of way of a railway company
5 from a public highway or road, lying and situated immediately
6 contiguous to and adjoining said right of way, may, if such right of way
7 has been or shall hereafter be acquired by condemnation and
8 appropriation, or by purchase or donation, construct and maintain
9 wagon and driveways over and across such right of way leading from
10 one of such tracts to another on the opposite side of such right of way,
11 or leading from such tract or tracts of land on one (1) side to the
12 highway on the other side of the right of way, at any point most
13 convenient to such owner. For this purpose, such owner may enter
14 upon such right of way and construct such embankment, or make such
15 excavation, on one (1) or both sides of the track of such railway as may
16 be necessary to establish easy grades from one (1) tract of land to the
17 opposite tract or highway, and may spike planks on the ties of such

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1 railway on the line of such way for the space of the width of such way,
2 of such thickness as not to be elevated above the top of the rails of such
3 railway, and may also bridge the gutters at the sides of such railway
4 track in such manner as not to obstruct the flow of water therein.
5 ~~Provided~~, The railroad company shall make, **maintain, and repair** the
6 crossing **at the railroad company's expense unless the owner or**
7 **owners of the tract of land separated by the right of way of the**
8 **railroad company are responsible for damage done to the crossing**
9 **that requires repairs, or the owner or owners of the tract of land**
10 **separated by the right of way of the railroad company request**
11 **maintenance or repairs to the crossing.**

