



Reprinted
April 15, 2015

ENGROSSED SENATE BILL No. 27

DIGEST OF SB 27 (Updated April 14, 2015 11:46 am - DI 103)

Citations Affected: IC 8-6.

Synopsis: Obstructions at railroad-highway grade crossings. Imposes a minimum judgment of \$200 for blocking a railroad-highway grade crossing. Deposits funds collected as judgments in the industrial rail service fund. Urges the legislative council to assign to an interim study committee for the 2015 interim period the topic of blocked railroad grade crossings.

Effective: July 1, 2015.

**Kruse, Yoder, Hershman, Rogers,
Mrvan, Randolph**

(HOUSE SPONSORS — SMALTZ, COX, MOED)

January 6, 2015, read first time and referred to Committee on Homeland Security & Transportation.

February 3, 2015, amended, reported favorably — Do Pass.

February 5, 2015, read second time, ordered engrossed. Engrossed.

February 9, 2015, read third time, passed. Yeas 44, nays 4.

HOUSE ACTION

March 2, 2015, read first time and referred to Committee on Roads and Transportation.

April 9, 2015, reported — Do Pass.

April 13, 2015, read second time, ordered engrossed. Returned to second reading.

April 14, 2015, re-read second time, amended, ordered engrossed.

ES 27—LS 6091/DI 103



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First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

ENGROSSED SENATE BILL No. 27

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 8-6-7.5-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. **(a)** A railroad
3 corporation ~~conductor, or engineer who that~~ violates this chapter
4 commits a Class C infraction. ~~However, no conductor or engineer~~
5 ~~acting under the rules or orders of the railroad corporation or its~~
6 ~~supervisory personnel may be prosecuted for such a violation. The~~
7 **minimum judgment that may be entered for a Class C infraction**
8 **under this section is two hundred dollars (\$200).**

9 **(b) Notwithstanding IC 34-28-5-5(c), funds collected as**
10 **judgments for violations of this section must be deposited in the**
11 **industrial rail service fund established by IC 8-3-1.7-2.**

12 SECTION 2. IC 8-6-7.5-4 IS ADDED TO THE INDIANA CODE
13 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
14 1, 2015]: Sec. 4. **(a) The general assembly urges the legislative**
15 **council to assign to the interim study committee on roads and**
16 **transportation or another appropriate interim study committee for**

ES 27—LS 6091/DI 103



1 the 2015 interim period the topic of blocked railroad grade
2 crossings.

3 (b) This section expires December 31, 2015.



COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill No. 27, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 7 through 16, begin a new paragraph and insert:

"(b) The minimum judgment that may be entered for a violation described in subsection (a) is two hundred dollars (\$200)."

Page 2, delete lines 1 through 10, begin a new paragraph and insert:

"SECTION 2. IC 8-6-7.5-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 4. (a) The general assembly urges the legislative council to assign to the interim study committee on roads and transportation or another appropriate interim study committee for the 2015 interim period the topic of blocked railroad grade crossings.**

(b) This section expires December 31, 2015."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 27 as introduced.)

YODER, Chairperson

Committee Vote: Yeas 7, Nays 0.

 COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 27, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 27 as printed February 4, 2015.)

SOLIDAY

Committee Vote: Yeas 9, Nays 2

ES 27—LS 6091/DI 103



HOUSE MOTION

Mr. Speaker: I move that SB 27 be returned to the second reading calendar forthwith for the purpose of amendment.

SMALTZ

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 27 be amended to read as follows:

Page 1, delete lines 1 through 8, begin a new paragraph and insert: "SECTION 1. IC 8-6-7.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. A railroad corporation ~~conductor, or engineer who~~ **that** violates this chapter commits a Class C infraction. ~~However, no conductor or engineer acting under the rules or orders of the railroad corporation or its supervisory personnel may be prosecuted for such a violation. The minimum judgment that may be entered for a Class C infraction under this section is two hundred dollars (\$200).~~"

Renumber all SECTIONS consecutively.

(Reference is to ESB 27 as printed April 10, 2015.)

MORRIS

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 27 be amended to read as follows:

Page 1, between lines 8 and 9, begin a new paragraph and insert:

"(c) Notwithstanding IC 34-28-5-5(c), funds collected as judgments for violations of this section must be deposited in the industrial rail service fund established by IC 8-3-1.7-2."

(Reference is to ESB 27 as printed April 10, 2015.)

MORRIS

