



February 13, 2019

SENATE BILL No. 42

DIGEST OF SB 42 (Updated February 12, 2019 10:15 am - DI 132)

Citations Affected: IC 8-6.

Synopsis: Railroad crossings. Subject to available funding, requires the department of transportation to construct, in locations where practical, lanes and signs at railroad crossings on state highways.

Effective: July 1, 2019.

**Doriot, Head, Crider, Melton,
Tomes, Boots, Garten, Merritt,
Niemeyer**

January 3, 2019, read first time and referred to Committee on Rules and Legislative Procedure.

January 29, 2019, amended; reassigned to Committee on Homeland Security and Transportation.

February 12, 2019, amended, reported favorably — Do Pass.

SB 42—LS 6125/DI 13



February 13, 2019

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 42

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 8-6-6.5 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2019]:

4 **Chapter 6.5. Railroad Crossing Lanes**

5 **Sec. 1. As used in this chapter, "department" means the Indiana**
6 **department of transportation established by IC 8-23-2-1.**

7 **Sec. 2. Subject to section 3 of this chapter and to available**
8 **funding, the department shall in locations where practical**
9 **construct the following at each railroad crossing on all state**
10 **highways under the department's jurisdiction with a speed limit of**
11 **forty-five (45) miles per hour or greater:**

12 **(1) An additional lane for the purpose of allowing a vehicle**
13 **that is required by law to stop at a railroad crossing to stop**
14 **and not impede traffic.**

15 **(2) An additional lane for the purpose of allowing a vehicle**
16 **that has stopped at a railroad crossing to accelerate and safely**
17 **merge back into traffic.**

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- 1 **(3) Signs to instruct traffic on the existence and proper use of**
2 **lanes constructed under this chapter.**
- 3 **Sec. 3. (a) The department shall give priority to the following**
4 **railroad crossings located on a state highway under the**
5 **department's jurisdiction when constructing lanes and signs under**
6 **this chapter:**
- 7 **(1) A railroad crossing located on a state highway with a**
8 **speed limit of sixty (60) miles per hour or greater.**
- 9 **(2) A railroad crossing located on a state highway with a high**
10 **vehicle per day count.**
- 11 **(3) A railroad crossing with a high number of accidents or**
12 **fatalities.**
- 13 **(4) A railroad crossing with poor sight distance.**
- 14 **(b) The department may use any other information related to**
15 **the safety of a railroad crossing to determine the priority of**
16 **construction under subsection (a).**
- 17 **Sec. 4. (a) A lane constructed under this chapter may be used**
18 **only by a person required to stop at a railroad crossing under the**
19 **following:**
- 20 **(1) 49 CFR 392.10.**
- 21 **(2) IC 9-21-8-40.**
- 22 **(3) IC 9-21-12-5.**
- 23 **(b) A person not listed under subsection (a) may use a lane**
24 **constructed under this chapter for emergency purposes.**
- 25 **(c) Except as provided in subsection (b), a person who is not**
26 **listed under subsection (a) and who uses a lane constructed under**
27 **this chapter commits a Class C infraction.**



COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 42, 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:

Delete title and insert the following:

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

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Homeland Security and Transportation.

(Reference is to SB 42 as introduced.)

BRAY, Chairperson

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill No. 42, 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, line 11, delete "forty (40)" and insert "**forty-five (45)**".

and when so amended that said bill do pass.

(Reference is to SB 42 as printed January 30, 2019.)

CRIDER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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