



AN ACT REVISING THE FUNDING REQUIREMENTS FOR RAILROAD PROTECTIVE DEVICES; AND AMENDING SECTION 15-70-102, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 15-70-102, MCA, is amended to read:

**"15-70-102. Allocation of funds -- participation in railroad grade crossing protection.** (1) The amount determined necessary may be allocated from the highway restricted account provided for in 15-70-126 for each fiscal year for expenditures and commitments made for participation by the department of transportation with railroads in construction of railroad grade crossing protection on any public highway or road, except those designated on the national, primary, or urban highway systems, as defined in 60-1-103, within the state. The department of transportation shall select those grade crossings in the state that, in the opinion of the department, are most in need of additional crossing protection and shall finance the cost of the improvements solely from this allocation.

(2) Signal protection provided under this section is limited to electric or automatic flashing lights or gates, depending on the amount and nature of the hazards present at the crossing, and participation in construction of the signals must be on the same basis and under the same standards as are applicable and used in connection with protection of grade crossings on commission-designated highway systems, as defined in 60-1-103, within the state. ~~The highway restricted account may not be used for protection of grade crossings on the secondary system where the protection is considered necessary and when the cost is financed in part with federal aid highway funds.~~

(3) In addition to the funds allocated, counties and cities may authorize the use of funds available to counties and cities under the provisions of 15-70-101 for participation in the installation in grade crossing protection within the county or city."

- END -

I hereby certify that the within bill,  
HB 105, originated in the House.

---

Chief Clerk of the House

---

Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2023.

---

President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2023.

HOUSE BILL NO. 105

INTRODUCED BY P. GREEN

BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

AN ACT REVISING THE FUNDING REQUIREMENTS FOR RAILROAD PROTECTIVE DEVICES; AND  
AMENDING SECTION 15-70-102, MCA.