

Transportation Interim

October 11, 2023

Railroad Update

- **HB 51 - Railroad Right of Way Amendments**
 - Gives a government entity authority to assess a railroad for any portion of the cost of right of way infrastructure improvement if the improvement provides a benefit to the railroad.
 - Effective March 31, 2024
 - UDOT is researching what constitutes a benefit to the railroad along with defining assessments.

- **SB 61 - Livestock Collision Amendments**
 - Enacts provisions related to railroads, fencing of railroad rights-of-way, and liability for damage to livestock.
 - Effective April 1, 2024
 - The Department of Agriculture and Food is required to coordinate with UDOT when livestock collisions occur.
 - UDOT is currently working with the Department of Agriculture and Food to define what this coordination will look like. Our next meeting is scheduled for November 7.

Railroad Update

- **HB 63 - Office of Rail Safety**
 - Creates the Office of Rail Safety within the Department of Transportation.
 - Effective March 31, 2024
 - UDOT is coordinating with the Federal Rail Administration to participate in the State Safety Participation Regulations.
 - UDOT has reviewed the agreement to participate in the program.
 - Discussed options for hiring inspectors and getting them certified as quickly as possible including grant opportunities.
 - Initial implementation will be inspections on Operating Practices and Grade Crossings.
 - Currently researching fees and penalties to be paid by each railroad, including research on crossing blocking practices of the railroads.
- **HB 232 - Railroad Crossing Maintenance Amendments**
 - Moved the Regulations of highway-railroad grade crossings from Title 54 (Public Utilities) to Title 72 (Transportation Code).
 - Technical updates to HB 181 from the 2022 Legislative session
 - Provides that the Department has the authority to determine assignment of maintenance fees

