

1 AN ACT relating to vegetation around railroad crossings and declaring an  
2 emergency.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 277 IS CREATED TO  
5 READ AS FOLLOWS:

6 *(1) A railroad company shall destroy or remove plants, trees, brush, or other*  
7 *obstructive vegetation upon and within the geographical bounds of its right-of-*  
8 *way at each intersection with a public road or highway for a distance of three*  
9 *hundred (300) feet from the edge of each side of the public road or highway.*

10 *(2) If a railroad company fails to maintain vegetation within the geographical*  
11 *bounds of its right-of-way at any intersection with a public road or highway as*  
12 *required in subsection (1) of this section:*

13 *(a) The Transportation Cabinet shall destroy or remove the plants, trees, brush,*  
14 *or other obstructive vegetation; and*

15 *(b) The railroad company shall be responsible for reimbursing the*  
16 *Transportation Cabinet for the costs of the destruction or removal within*  
17 *thirty (30) days of receiving notification from the Transportation Cabinet by*  
18 *certified mail.*

19 *(3) The Transportation Cabinet shall promulgate administrative regulations in*  
20 *accordance with KRS Chapter 13A relating to vegetation removal surrounding*  
21 *railroad crossings pursuant to this section.*

22 ➔Section 2. Whereas vegetation surrounding railroad crossings causes dangerous  
23 driving conditions for motor vehicle operators and pedestrians, an emergency is declared  
24 to exist, and this Act takes effect upon its passage and approval by the Governor or upon  
25 its otherwise becoming a law.