

SENATE CONCURRENT RESOLUTION NO. 20

BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to hold public meetings prior to proposed closure of a public railroad grade crossing on non-state maintained parish and municipal roadways.

WHEREAS, R. S. 48:390.1 authorizes the Department of Transportation and Development to evaluate the need to close any public railroad grade crossing on a non-state maintained highway within the territorial jurisdiction of any local governing authority in compliance with the Federal Railroad Crossing Safety Program; and

WHEREAS, if the department's evaluation suggests closure of such public railroad grade crossing is necessary for safety and in the best interest of the public, the department must encourage public participation, by doing the following:

(1) Providing written notice to the local governing authority with jurisdiction over the non-state maintained highway, the railroad company whose railroad tracks are crossed at grade by such highways, and any other party deemed by the department to be interested in the necessity to close such crossing;

(2) Establishing in such notice a set time period of not less than thirty days for such local governing authority, railroad, or other interested party to respond to the department; and

(3) Attempting to address concerns of such local governing authority, the railroad, or other interested party timely communicated to the department in writing or received at any public hearing held by the local governing authority relative to the closure; and

WHEREAS, R.S. 48:390 requires the Department of Transportation and Development to complete a study of all public railroad crossings to establish priorities for improvement, relocation, or closure and to develop a prioritized plan to implement railroad grade crossing improvements, relocations, or closures pursuant to the Federal Railroad Crossing Safety Program; and

WHEREAS, the department holds public meetings on proposed closures of public railroad grade crossings on state maintained highways pursuant to the department-adopted procedures entitled "Public Meeting Procedures for Highway/Rail Grade Crossing Consolidation and Closure on State Maintained Highways" adopted in September 2011; and

WHEREAS, such public meeting procedures provide for department notification and explanation of proposed closures on state maintained highways; and

WHEREAS, at such public meetings the department accepts written comments and requests for additional information; and

WHEREAS, the department does not hold such public meetings prior to proposed closure of a public railroad grade crossing on non-state maintained parish and municipal roadways.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Department of Transportation and Development to hold public meetings prior to a proposed closure of a public railroad grade crossing on non-state maintained parish and municipal roadways.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Department of Transportation and Development.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES