

Introduced by

Senators Lyson, Armstrong, Cook

Representatives Glassheim, Sanford, Schatz

1 A BILL for an Act to create and enact a new section to chapter 24-02 of the North Dakota  
2 Century Code, relating to highway-rail grade crossing safety grants; and to amend and reenact  
3 section 57-43.2-19 of the North Dakota Century Code, relating to the highway-rail grade  
4 crossing safety projects fund; and to provide a continuing appropriation.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new section to chapter 24-02 of the North Dakota Century Code is created  
7 and enacted as follows:

8 **Highway-rail grade crossing safety grants.**

9 The director shall administer the highway-rail grade crossing safety projects fund for  
10 qualifying projects. Grants under this section by the director for highway-rail grade crossing  
11 safety projects to political subdivisions are subject to the following requirements:

- 12 1. A political subdivision must file an application with the department of transportation for  
13 a grant.
- 14 2. A political subdivision grant applicant must provide ten percent matching funds for the  
15 project costs but no local matching funds are required for a highway-rail grade  
16 crossing on a state highway.
- 17 3. Grant funds may be allocated for development of railroad quiet zones, installation or  
18 upgrading of active warning devices, resurfacing crossings, building of grade  
19 separations, and other costs associated with these improvements.
- 20 4. An applicant for grant approval for development of a railroad quiet zone shall provide  
21 the department of transportation a copy of the notice of intent filed with the federal  
22 railroad administration regarding establishment of a proposed quiet zone and copies of  
23 any subsequent filings with or orders from the federal railroad administration relating to  
24 the notice of intent.

1        5. Grants for a single crossing may not exceed seventy-five thousand dollars and grants  
2            for all crossings within a city may not exceed a cumulative amount of two hundred  
3            twenty-five thousand dollars.

4        **SECTION 2. AMENDMENT.** Section 57-43.2-19 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6        **57-43.2-19. Transfer, deposit, and distribution of funds - Continuing appropriation.**

7        All taxes, license fees, penalties, and interest collected under this chapter must be  
8 transferred to the state treasurer who shall deposit moneys in a highway tax distribution fund,  
9 except all special fuels excise taxes collected on sales of diesel fuel to a railroad under section  
10 57-43.2-03 must be transferred to the state treasurer who shall deposit the moneys in the  
11 highway-rail grade crossing safety projects fund. Moneys in the highway-rail grade crossing  
12 safety projects fund are appropriated on a continuing basis to the department of transportation  
13 to provide grants to political subdivisions for highway-rail grade crossing safety projects. The  
14 highway tax distribution fund must be distributed in the manner as prescribed by section  
15 54-27-19.