

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 669 - SB 1293**

March 26, 2017

**SUMMARY OF BILL:** Prohibits routine railroad maintenance activities from being conducted at railroad crossings between 6:00 a.m. and 9:00 a.m. and between 3:00 p.m. and 6:00 p.m. if such activity obstructs streets and highways that serve as the sole ingress and egress to a residential neighborhood or occupied residence. Authorizes the Commissioner of the Department of Transportation (TDOT) to impose a civil penalty for violations. Creates a civil penalty of \$5,000 for first offenses; if a second or subsequent violation occurs at the same railroad crossing within 18 months from the date of the first occurrence, any such violation would be subject to a civil penalty of \$15,000. Requires TDOT to retain 15 percent of all civil penalties for costs of administering the provisions of this legislation, and distribute 85 percent to the county or municipality to be used for railroad crossing projects in which the violation occurred.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- It is assumed that TDOT will not require any additional resources due to the anticipated infrequency of occurrences where a train is blocking roadways that are used exclusively as an ingress and egress to a residential neighborhood or occupied residence. It is further assumed that the majority of times that these problems occur are within more commercial type areas and not in the vicinity of neighborhoods. The number of anticipated reports is estimated to be not significant.
- The proposed legislation requires TDOT to retain 15 percent of any civil penalties for costs of administering the provisions of this legislation, and to distribute 85 percent to the county or municipality to be used for railroad crossing projects in which the violation occurred.
- It is assumed that the proposed legislation will not result in a significant number of civil penalties. Any increase in civil penalty revenue to the state or local government will not be significant.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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