

STATEMENT OF PURPOSE

RS28441 / H0130

Currently Idaho Code Section 62-306 requires railroads to construct and maintain roads and highways at crossings only between the rails and not less than two feet outside the outer rails. Railroads typically possess right-of-way significantly beyond the outer rails and in order to construct and maintain roads and highways within this railroad right-of-way, the state and public road agencies must obtain permission of the railroad, often subject to onerous and burdensome terms and conditions. This legislation makes it the responsibility of railroads to construct and maintains roads and highways at crossings, the full width of their right-of-way.

FISCAL NOTE

There may be savings to the state and local public road agencies as railroads will be responsible to construct and maintain portions of roads and highways within railroad right-of-way that otherwise would have been constructed and maintained by the state and local public road agencies.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).