

BILL ANALYSIS

Senate Research Center
78R1801 JTS-F

S.B. 344
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Infrastructure Development and Security
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DIGEST AND PURPOSE

Currently, the Texas Department of Public Safety (DPS) maintains a statewide toll-free telephone service through which citizens report malfunctioning railroad crossing signals. Railroad companies are not required to inform DPS when they trade or sell crossings, causing difficulty for DPS operators charged with contacting the companies to report malfunctioning crossing signals. As proposed, S.B. 344 requires a railroad company to provide DPS with a list of its railroad crossings by October 1, 2003, and to inform DPS of any changes within a certain timeframe. This bill also establishes an administrative penalty for a violation.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 471, Transportation Code, by adding Sections 471.009 and 471.010, as follows:

Sec. 471.009. REPORTING OF RAILROAD CROSSING INFORMATION TO DEPARTMENT. (a) Requires a railway company to provide to the Texas Department of Transportation (TxDOT) a list of all that company's railroad crossings that cross a first or second class public road in this state. Requires the list to include certain information.

(b) Requires railway companies to supplement the information required in Subsection (a) not later than the fifth day after certain changes occur regarding the company's railroad crossings of first or second class public roads.

(c) Requires railway companies to inform TxDOT not later than 24 hours with a change in the telephone number required under Subsection (a)(3).

(d) Requires TxDOT to provide the information received under this section to certain governmental entities as soon as practicable.

(e) Provides that a railway company in violation of this section is subject to an administrative penalty of \$2,000 per violation. Specifies that each day a violation occurs is a separate violation. Authorizes certain governmental entities to initiate enforcement of this section.

Sec. 471.010. APPLICABILITY TO LIGHT RAIL. Redefines "railway company."

SECTION 2. (a) Effective date: September 1, 2003.

(b) Requires railway companies to provide the information required under Section 471.009, Transportation Code, as added by this Act, to TxDOT not later than October 1, 2003.