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 DATE PREPARED: April 09, 2008
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LB 837

Revision: 01

Revised to reflect the adoption of AM1767.

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2008-09		FY 2009-10	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS	(See below)		(See below)	
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

Current statute provides that any public railroad crossing *without* gates or other warning devices shall be closed if located within one-quarter mile from a public railroad crossing *with* gates and warning devices. An exemption to closure is allowed if a written request is submitted to the Department of Roads by a professional engineer stating, among other things, that the crossing is safe as designed and should not be closed. The approval of this request is left up to the department. LB 837, as amended, would require the department to exempt a crossing from being closed if such a written request is made.

The passage of LB 837 will likely result in the closure of fewer railroad crossings. By statute, any political subdivision which eliminates a crossing by closing the street is paid a minimum of \$5,000 from the Grade Crossing Protection Fund and \$5,000 from the railroad involved. Any political subdivision which eliminates a crossing by removal of the rail will be paid a minimum of \$2,000 from the Grade Crossing Protection Fund. If fewer crossings are closed as a result of LB 837 there will be a savings to the Grade Crossing Protection Fund (and a reduction in revenue to political subdivisions). Such savings will be dependent on the number of written exemption requests received by the department.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	David J. Spatz	DATE	2/20/2008	PHONE	471-2526
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COMMENTS

DEPARTMENT OF ROADS: Concur with Department of Roads' analysis of LB 837 as amended and the indeterminate fiscal impact.