

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. Bill Number: HB385

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Simonds

3. Committee: Labor and Commerce

4. Title: Railroad safety; civil penalties.

5. Summary: Adds various requirements for railroad companies, including (i) prohibiting placing stationary cars or trains on its track within 1,500 feet on both sides of any crossing of a railroad with a highway; (ii) prohibiting trains that exceed 8,500 feet in length on any mainline or branch line; (iii) requiring a crew of at least two qualified individuals on all trains, locomotives, or light engines used in connection with moving freight; (iv) requiring warning signs or devices for certain track obstructions that could endanger a railroad company employee; and (v) requiring walkways adjacent to yard tracks where employees regularly perform switching service. The bill requires that fines for a violation of the train-length requirement be deposited in the Shortline Railway Preservation and Development Fund for railway safety projects.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See item 8.

8. Fiscal Implications: The bill would create several new civil penalties for railroad companies related to new safety regulations. By statute, all revenue collected by the Commonwealth from fines for civil penalties are deposited to the Literary Fund, unless otherwise specified. Literary Fund revenues must be used to support public school purposes, including school construction and the teachers retirement fund. This bill would deposit civil penalties for violations of §56-425.1 related to maximum train length to the Shortline Railway Preservation and Development Fund with a priority for railroad crossing safety projects. The number of railroad companies found to be in violation of these provisions is unknown; as a result, the impacts to the Literary Fund and the Shortline Railway Preservation and Development Fund are indeterminate.

The Department of Rail and Public Transportation (DRPT) administers the Shortline Railway Preservation and Development Fund. This bill would increase funding for railway safety projects by an indeterminate amount. DRPT does not enforce these safety standards, so there is not an expenditure impact on the agency.

9. Specific Agency or Political Subdivisions Affected: Department of Rail and Public Transportation.

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is a companion bill to SB143.