

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

HR 1030

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5 By: Representative Bolin  
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## 8 HOUSE RESOLUTION

9 REQUESTING AN INTERIM STUDY BY THE HOUSE INTERIM  
10 COMMITTEE ON PUBLIC TRANSPORTATION ON THE ISSUE  
11 OF HIGHWAY-RAILROAD CROSSING SAFETY IN ARKANSAS  
12 TO DETERMINE THE PROPER BALANCE OF PRIVATE AND  
13 PUBLIC FUNDS, INCLUDING STATE REVENUES IN  
14 ADDITION TO FEDERAL FUNDS, FOR RAILROAD CROSSING  
15 GATES AND WARNING SIGNALS FOR IMPROVEMENTS AT  
16 HIGHWAY-RAILROAD CROSSINGS.  
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### 18 Subtitle

19 REQUESTING AN INTERIM STUDY BY THE HOUSE  
20 INTERIM COMMITTEE ON PUBLIC  
21 TRANSPORTATION ON THE ISSUE OF HIGHWAY-  
22 RAILROAD CROSSING SAFETY.  
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25 WHEREAS, on February 19, 2005, we were reminded of the extremely  
26 dangerous nature of highway-railroad crossings when three (3) ambulance  
27 attendants were killed on a Saturday afternoon in broad daylight at a  
28 railroad crossing in Hempstead County, Arkansas, which contained no warning  
29 devices or crossing gates and which had been the scene of many fatal  
30 accidents in the previous years; and  
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32 WHEREAS, the extreme danger of highway-railroad crossings continues to  
33 be one of the significant issues in highway safety in Arkansas where on a  
34 ten-year average at least sixteen (16) Arkansas residents will die each year  
35 and another fifty (50) Arkansas residents will suffer nonfatal injuries  
36 annually at highway-railroad crossings in accidents between trains and



1 automobiles; and

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3 WHEREAS, the railroad tracks of the various private railroad companies  
 4 intersect with state highways, county roads, and city streets at  
 5 approximately three thousand (3,000) at-grade highway-railroad crossings in  
 6 Arkansas, and the private railroad companies have a stake in the costs and  
 7 responsibility for rail crossing improvements for crossing gates and warning  
 8 signals; and

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10 WHEREAS, the State of Arkansas receives only two million four hundred  
 11 thousand dollars (\$2,400,000) annually in federal funds for railroad crossing  
 12 safety where the average cost of a set of railroad crossing gates and signals  
 13 can easily cost as much as two hundred twenty thousand dollars (\$220,000) per  
 14 highway-railroad crossing, a railroad underpass can cost over five million  
 15 dollars (\$5,000,000), and a highway bridge and overpass can vary in cost from  
 16 five hundred thousand dollars (\$500,000) in rural areas to over forty million  
 17 dollars (\$40,000,000) in heavily urbanized areas; and

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19 WHEREAS, the Arkansas State Highway and Transportation Department  
 20 currently spends no state funds for railroad crossing warning signals or  
 21 crossing gates while most other states devote additional amounts of state  
 22 revenues to improvements at highway-railroad crossings; and

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24 WHEREAS, special fuels and petroleum products used by railroads are  
 25 currently exempt from the Arkansas sales tax under Arkansas Code § 26-52-  
 26 401(11)(A)(ii) and these or other funds could be a source of revenues for a  
 27 state program of installing railroad crossing gates and safety warning  
 28 systems at railroad and highway crossings in Arkansas; and

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30 WHEREAS, aviation fuel sold in Arkansas is not exempt from Arkansas  
 31 sales tax and the revenues from this tax are deposited into the State  
 32 Treasury as special revenues for use by the Arkansas Department of  
 33 Aeronautics as grants to local airports and airfields to match federal funds  
 34 for airport improvements and navigation aids,

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36 NOW THEREFORE,

1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-FIFTH GENERAL  
2 ASSEMBLY:

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4 THAT the House Interim Committee on Public Transportation is requested  
5 to conduct a study of the issue of highway-railroad crossing safety in  
6 Arkansas to determine the amount of private funds that railroad companies  
7 devote annually to the improvement of highway-railroad crossings in Arkansas  
8 and to determine a proper balance of private and public funds, including the  
9 expenditure of state revenues in addition to federal funds, for railroad  
10 crossing warning signals or crossing gates for improvements at highway-  
11 railroad crossings in Arkansas.

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13 BE IT FURTHER RESOLVED that to study the feasibility of removing the  
14 sales tax exemption from special fuels and other petroleum products sold for  
15 consumption by railroads to be used by the Arkansas State Highway and  
16 Transportation Department for supplementing federal funds used to install  
17 railroad crossing gates and safety warning systems at highway-railroad  
18 crossings in Arkansas.

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