

1 AN ACT relating to railroad crossings.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 277 IS CREATED TO
4 READ AS FOLLOWS:

- 5 *(1) Every railroad company shall destroy or remove plants, trees, brush, or other*
6 *obstructive vegetation upon its right-of-way at each intersection with a public*
7 *road or highway, for a:*
8 *(a) Distance of six hundred (600) feet; or*
9 *(b) Reasonably safe distance from the roadway of the public road or highway,*
10 *as determined by the Transportation Cabinet.*
- 11 *(2) If a railroad company fails to destroy or remove plants, trees, brush, or other*
12 *obstructive vegetation, the Transportation Cabinet, or the local government*
13 *maintaining the public road or highway, may send a written notice to the railroad*
14 *company's local agent that the vegetation must be removed within ten (10) days of*
15 *receiving the written notice.*
- 16 *(3) If a railroad company fails to remove the obstructive vegetation after receiving*
17 *this written notice, the Transportation Cabinet or local government shall:*
18 *(a) Remove the obstructive vegetation; and*
19 *(b) Recover the cost of the vegetation removal from the responsible railroad*
20 *company.*
- 21 *(4) The Transportation Cabinet or local government shall notify the responsible*
22 *railroad company of the amount due for vegetation removal by certified mail. If*
23 *the railroad company fails to pay the amount demanded within thirty (30) days,*
24 *the Transportation Cabinet or local government may take appropriate legal*
25 *action to collect the amount owed.*