

### Fiscal Estimate - 2005 Session

Original       Updated       Corrected       Supplemental

<b>LRB Number</b> <b>05-3278/1</b>	<b>Introduction Number</b> <b>AB-588</b>
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**Subject**

Railroad chapters revision

**Fiscal Effect**

**State:**

- No State Fiscal Effect
- Indeterminate
  - Increase Existing Appropriations
  - Decrease Existing Appropriations
  - Create New Appropriations
- Increase Existing Revenues
- Decrease Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget
  - Yes
  - No
- Decrease Costs

**Local:**

- No Local Government Costs
- Indeterminate
- 1.  Increase Costs
- 2.  Decrease Costs
  - Permissive  Mandatory
- 3.  Increase Revenue
- 4.  Decrease Revenue
  - Permissive  Mandatory
- 5. Types of Local Government Units Affected
  - Towns
  - Villages
  - Cities
  - Counties
  - Others
  - School Districts
  - WTCS Districts

**Fund Sources Affected**

**Affected Ch. 20 Appropriations**

GPR     FED     PRO     PRS     SEG     SEGS

**Agency/Prepared By**

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**Date**

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8/11/2005

## Fiscal Estimate Narratives

RRC 8/11/2005

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### Assumptions Used in Arriving at Fiscal Estimate

AB 588 updates state railroad regulatory statutes by repealing obsolete provisions and modernizing other provisions. The provisions repealed (with one notable exception) have clearly been preempted by federal law. The exception is the repeal of s. 192.292, which establishes a penalty for the blockage of public crossings outside of cities by trains. Federal law has not clearly preempted the state's ability to regulate the amount of time a train blocks crossings.

AB 588 forgoes an opportunity to increase state and local revenue by failing to increase the amount of forfeitures. AB 588 converts the penalties for violating many railroad statutes from fines to forfeitures, which should make recovery easier, but does not increase the amount of the penalties. In most cases these penalties have not been increased in decades.

### Long-Range Fiscal Implications