

HOUSE BILL NO. HB0125

Railroad-fence repairs.

Sponsored by: Representative(s) Hines and Senator(s)
Barton

A BILL

for

1 AN ACT relating to railroads; modifying notification
2 provisions regarding the condition and repair of fences;
3 allowing the department of transportation to authorize
4 repairs pursuant to certain conditions; and providing for
5 an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 37-9-312(a)(intro), (i), (ii) and by
10 creating a new subsection (c) is amended to read:

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12 **37-9-312. Immediate or urgent fence repairs.**

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14 (a) After notification to the railroad ~~and~~by the
15 department of transportation ~~by~~or the landowner concerning
16 any damaged fence or a fence in disrepair, the landowner

1 shall have the right to be reimbursed by the railroad for
2 the reasonable and customary costs for such repairs,
3 provided:

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5 (i) The landowner or the department of
6 transportation gives the railroad specific information
7 concerning the location of the damage;

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9 (ii) Following the notice by the landowner or
10 the department of transportation, the railroad fails to
11 commit that it will make the repairs within three (3)
12 business days of the initial notice by the landowner or the
13 department of transportation or fails to complete the
14 repairs within five (5) business days of the initial notice
15 by the landowner or the department of transportation; and

16
17 (c) In extreme circumstances, the department of
18 transportation may authorize temporary repairs by the
19 landowner without complying with subsection (a) of this
20 section. The landowner shall have the right to be
21 reimbursed by the railroad for the reasonable and customary
22 costs for the temporary repairs.

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1 **Section 2.** This act is effective July 1, 2002.

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3

(END)