

**RCW 81.53.281 Crossing signals, warning devices—Grade crossing protective fund—Use and transfer of funds—Allocation of costs—Procedure—Federal funding.** There is hereby created in the state treasury a "grade crossing protective fund" to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, 81.53.291, and 81.53.295; for grants and/or subsidies to public, private, and nonprofit entities for rail safety projects authorized or ordered by the commission; and for personnel and associated costs related to supervising and administering rail safety grants and/or subsidies. During the 2013-2015 fiscal biennium, funds in this account may also be used to conduct the study required under section 102, chapter 222, Laws of 2014. The commission shall transfer from the public service revolving fund's miscellaneous fees and penalties accounts moneys appropriated for these purposes as needed. At the time the commission makes each allocation of cost to said grade crossing protective fund, it shall certify that such cost shall be payable out of said fund. When federal-aid highway funds are involved, the department of transportation shall, upon entry of an order by the commission requiring the installation or upgrading of a grade crossing protective device, submit to the commission an estimate for the cost of the proposed installation and related work. Upon receipt of the estimate the commission shall pay to the department of transportation the percentage of the estimate specified in RCW 81.53.295, as now or hereafter amended, to be used as the grade crossing protective fund portion of the cost of the installation and related work.

The commission may adopt rules for the allocation of money from the grade crossing protective fund. During the 2015-2017 and 2017-2019 fiscal biennia, the commission may waive rules regarding local matching fund requirements, maximum awards for individual projects, and other application requirements as necessary to expedite the allocation of money from the grade crossing protective fund to address underprotected grade crossings as identified by the commission. [2017 c 313 s 715; 2016 c 14 s 701; 2014 c 222 s 702; 2003 c 190 s 3; 1998 c 245 s 166; 1987 c 257 s 1; 1985 c 405 s 509; 1982 c 94 s 3; 1975 1st ex.s. c 189 s 2; 1973 c 115 s 4; 1969 c 134 s 3.]

**Effective date—2017 c 313:** See note following RCW 43.19.642.

**Effective date—2016 c 14:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 25, 2016]." [2016 c 14 s 802.]

**Effective date—2014 c 222:** See note following RCW 47.28.030.

**Findings—2003 c 190:** See note following RCW 81.53.271.

**Severability—1985 c 405:** See note following RCW 9.46.100.

**Application—1982 c 94:** See note following RCW 81.53.261.