

Congressman John D. Dingell



Serving Michigan's 15th Congressional District

FOR IMMEDIATE RELEASE
February 9, 2001

Contact: Adam Benson
202/225-4071
202/271-8587

Dingell Train-Crossing Legislation Would Reduce Delays

Dearborn, MI – Congressman John D. Dingell (MI-16), today, unveiled new legislation to reduce delays at railroad crossings and protect public safety. The announcement came at a roundtable meeting with police chiefs, fire chiefs, mayors, supervisors and state officials from the Downriver region and Western Wayne County, who were assembled to discuss the dangers associated with excessive delays at rail crossings.

"Emergency services in our communities are held hostage when trains block traffic. We've all experienced the excessive delays. Traffic flow can back up for three-quarters of a mile, and fire engines and ambulances experience life-threatening delays," said Dingell. "This is not a simple matter of inconvenienced motorists; it's a matter of public safety."

Dingell's legislation, the Railroad Crossing Delay Safety Assurance Act (H.R. 432) will give the regulatory authority over blocked crossings back to the states and local governments. Congressional action is necessary because of a recent Federal District Court decision in Detroit, which struck down as unconstitutional a Michigan state statute limiting delays at rail crossings.

"For too long, motorists have been tormented by the scourge of long trains blocking traffic and communities are at risk. Local governments should have the authority to protect the health, safety and well being of their citizens," commented Dingell.

-30-

Background on the Railroad Crossing Delay Safety Assurance Act (H.R. 432)

Trains blocking traffic at railroad grade crossings (where roads and train tracks come together) is a longstanding, nationwide problem, but is acutely problematic in Southeast Michigan.

The Federal Railroad Administration's policy has been to let states and local jurisdictions regulate this issue. In 2000, sixteen States, including Michigan, had laws limiting the amount of time a train can block a crossing.

On April 12, 2000, the United States District Court, Eastern District of Michigan, Southern Division struck down Michigan's state statute regulating the length of time trains could block crossings. The court cited the Commerce Clause of the U.S. Constitution in making its decision.

On October 6, 2000, Congressman John D. Dingell introduced H.R. 5413, a bill requiring the Secretary of Transportation to issue regulations to address safety concerns and to minimize delay for automobile traffic on our nation's roads with respect to trains blocking traffic.

On February 6, 2001, Congressman Dingell introduced H.R. 432, The Railroad Crossing Delay Safety Assurance Act, which would give the regulatory authority over blocked crossings back to the states and local governments. Congressman Dingell also reintroduced H.R. 5413, now H.R. 433 on February 6th.

The Problem:

- Recent mega-mergers in the railroad industry and the booming economy have resulted in more and more trains blocking traffic.
- Since 1989 in Trenton, there have been 12 railroad crossing related accidents involving 10 injuries and 2 fatalities. The last fatality occurred in 1996, when a motorist struck a train blocking a crossing.
- 568 residential dwellings in the city of Monroe can have their emergency service blocked when trains stop at local crossings.
- Many children walking to Lincoln Elementary School in Monroe have to cross at least one rail line to reach the school. Children are tempted to climb through stopped trains.
- Some accidents occur because drivers speed through intersections ahead of trains because the drivers fear they will be delayed for an extended period if they do not beat the train through the crossing
- A train blocked a crossing in Ohio for 18 hours (1999).
- In Lenox Township, Michigan, the town has been cut in half by trains for up to 11 hours.
- In Delta Township, Michigan, fire and EMS units, were blocked by a train for a few extra minutes as a boy burned to death on the other side of the crossing.
- Although it is important to reach accident and heart attack victims immediately, emergency crews frequently spend extra time responding to calls because trains are blocking traffic at certain railroad crossings.
- A fire doubles in size every 20 seconds – In 1997, three homes in West Virginia were destroyed as firefighters responding to the blaze were blocked for 15 minutes at a railroad crossing.