



Introduced Version

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## SENATE RESOLUTION No. 14

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### DIGEST OF INTRODUCED RESOLUTION

A SENATE RESOLUTION urging the legislative council to establish a study committee to study issues related to the regulation of railroad crossings.

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**Randolph Lonnie M**

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January 16, 2019, read first time and referred to Committee on Homeland Security and Transportation.

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Introduced

First Regular Session 121st General Assembly (2019)

## SENATE RESOLUTION No. 14

MADAM PRESIDENT:

I offer the following resolution and move its adoption:

1           A SENATE RESOLUTION urging the legislative council  
2 to establish a study committee to study issues related to the  
3 regulation of railroad crossings.

4           *Whereas, Indiana is known colloquially as "The*  
5 *Crossroads of America" and is home to more than four*  
6 *thousand miles of track;*

7           *Whereas, There are 5,693 public railroad-highway grade*  
8 *crossings in Indiana, giving our state the highest concentration*  
9 *in the country;*

10           *Whereas, Indiana has a state interest in aiding public travel*  
11 *and this legislative body has previously passed legislation that*  
12 *statutorily fines railroad companies for impeding traffic at*  
13 *railroad crossings for more than a reasonable amount of time*  
14 *found in Ind. Code § 8-6-7-5.1 (2018);*

15           *Whereas, On September 24, 2018 the Indiana Supreme*  
16 *Court affirmed a trial court decision that the Interstate*  
17 *Commerce Commission Termination Act, a Federal law*  
18 *enacted in 1995, preempts the aforementioned blocked-crossing*  
19 *statute;*

2019

SR 14—DR 3828/DI AM



1           *Whereas, Future legislation of railroads is inevitable in*  
2           *Indiana because of our far-reaching and continually growing*  
3           *railroad track network; and*

4           *Whereas, In order to fulfill our obligation to responsibly*  
5           *regulate traffic and transportation to aid public travel in*  
6           *Indiana, the members of the Indiana General Assembly must*  
7           *have current and thorough information on both the regulation*  
8           *of railroad crossings and pertinent concerns about state*  
9           *sovereignty brought by federal preemption of state law:*  
10          *Therefore,*

11                           *Be it resolved by the Senate of the*  
12                           *General Assembly of the State of Indiana:*

13           SECTION 1. That the legislative council is urged to assign to the  
14           appropriate study committee issues related to the regulation of railroad  
15           crossings.

