

HCS HB 396 -- VISUAL OBSTRUCTIONS AT RAILROAD CROSSINGS

SPONSOR: Peters

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Corrections and Public Institutions by a vote of 11 to 0.

The following is a summary of the House Committee Substitute for HB 396.

This bill specifies that every corporation or person owning or operating a railroad in this State must maintain a minimum distance of at least 500 feet from the near edge railroad crossings to the railroad rolling stock stored on the sidings, unless a crossing has gates or barriers and lights to protect cars, in which case, the minimum distance is 250 feet. The Department of Transportation can determine a lesser or greater distance is necessary at a particular location. If physical conditions require the use of track temporarily or minimum distances cannot be obtained, the requirements do not apply to certain rail cars.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that the difference between 250 and 500 feet is enough to allow drivers to see and react to approaching trains. Drivers are not always protected by train whistles, as something as simple as a window defroster can drown out the noise. There have been multiple tragic incidents of individuals being injured or killed in preventable railroad crossing accidents. The people involved in these accidents did nothing wrong, and simply lacked sufficient visual warning to protect themselves.

Testifying in person for the bill were Representative Peters; Amanda Smith; Gene Deluca; Courtney Cale; Arnie Dienoff; and Alicia Chick.

OPPOSERS: Those who oppose the bill say that the exemptions within the bill are insufficient to allow railroad companies to operate effectively. This would have a heavy financial impact and could lead to blocked railroad crossings where the distance between two nearby crossings is insufficient to maintain a 500 foot minimum distance on either side of an already mile-long or longer train.

Testifying in person against the bill were Associated Industries of Missouri; and Jeff Davis, BNSF Railway Company.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.