

RESOLUTION 19-08

A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION IN SUPPORT OF HOUSE BILL 1090 FEBRUARY 21, 2019

WHEREAS, the Northwestern Indiana Regional Planning Commission is a regional Council of Governments whose purpose is to institute and maintain a comprehensive planning and programming process for transportation, economic development, and environmental policy and provide a coordinative management process for Lake, Porter, and LaPorte Counties; and

WHEREAS, the *2040 Comprehensive Regional Plan: A Vision for Northwest Indiana* promotes the safety and security of the residents of Northwest Indiana and contains a framework for region-wide mobility as well as safety-related goals and objectives; and

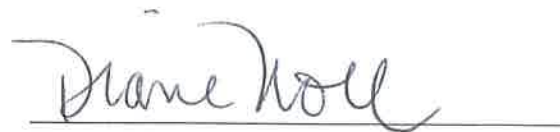
WHEREAS, the Indiana Supreme Court in Case No. 18S-IF-193 in September of 2018 struck down the ability to ticket trains blocking rail crossings in excess of 10 minutes; and

WHEREAS, since that decision, there has been a notable increase in observable blockages of rail crossings in Northwest Indiana communities for prolonged periods of times, cutting off access to emergency services, blocking access to schools and hospitals, increasing vehicle emissions from idling, and sparking incidents of reckless driving as drivers seek alternate paths; and

WHEREAS, House Bill 1090 would require railroad companies to inform local law enforcement of a crossing blockage by a train of more than 10 minutes which would allow first responders to reroute, thus helping to insure potentially life-saving aid to emergency callers;

NOW THEREFORE BE IT RESOLVED, that the Commission supports House Bill 1090.

Duly adopted by the Northwestern Indiana Regional Planning Commission this twenty-first day of February 2019.



Diane Noll
Chairperson

ATTEST:



George Topoll
Secretary

February 5, 2019

Rep. Holli Sullivan
Chair, Committee on Roads and Transportation
200 W. Washington Street
Indianapolis, IN 46204

RE: House Bill 1090

Dear Rep. Sullivan:

As the Council of Governments for the municipalities within Lake, Porter, and LaPorte Counties, the Northwestern Indiana Regional Planning Commission's members -- composed of elected officials from those cities, towns, and counties -- have been acutely aware of the problems and issues caused by excessive train blockages at rail intersections. These incidents of blockage have become excessive since the Indiana Supreme Court struck down the ticketing provision of I.C. § 8- 6-7.5-3(a), which had previously enabled communities to ticket train operators for prolonged blockages which cause threats to safety and which disrupt the functioning of communities.

It was brought to the attention of the NIRPC Commission's membership at their last meeting that House Bill 1090 was being filed as a possible means of addressing this important and timely issue. As the Commission at the time of their last meeting did not have the actual language of the bill, the Commission nevertheless unanimously voted to lend its support to the bill in concept, and to communicate the same to the state legislature in hopes the bill will receive a hearing. The Commission's Legislative Committee subsequently reviewed the specifics of House Bill 1090 and is recommending more formal endorsement of the proposed legislation to the Commission at their next meeting.

Thank you for sharing the Commission's deep concern for the safety of our residents and the difficulties imposed on our communities by excessive train blockages. NIRPC encourages House Bill 1090 to receive a full hearing and supports efforts to address this critical challenge.

Sincerely,



Ty Warner AICP
Executive Director

cc: Rep. Carolyn B. Jackson and members of the Northwest Indiana Delegation