

127. TRANSPORTATION -- RAILWAYS

Finance

We support:

1. Strengthening of existing state laws so the Illinois Commerce Commission (ICC) can deal effectively with unfair rent increases imposed by railroads upon their tenants, and unrealistic sale prices for land offered by the railroads to tenants or other prospective buyers of railroad property.
2. Legislation requiring full disclosure of the railroad grain transportation bidding process to the individuals who participate in the process after all bids have been made and rail cars have been allocated.

We oppose diversion of railroad earnings to holding companies or non-railroad businesses at the expense of maintaining a viable railroad.

Infrastructure

We support efforts to have more at-grade highway/railroad crossings signalized with warning lights and gates. Where closure of the crossing would impose undue hardships on users of the road, greater flexibility should be shown by the ICC on safety considerations. Efforts should be made to ensure that the ICC considers accident history and emergency access along with other locally important issues in decisions on petitions to close railroad crossings.

We support protocols that maintain public safety by requiring railroads to give a minimum of two weeks advance notice of construction intentions to local residents and local government bodies prior to taking formal action on permit applications and prior to temporary railroad crossing closures.

We oppose parallel branch line mergers of rail systems and the granting of railroad abandonments which tend to lessen overall transportation competition or where there is or could be proven traffic potential.

Land Use

We support legislation and regulations to provide that in the case of a railroad abandonment, the current owner of the tract of land from which the railroad right-of-way was obtained be given the right of first refusal for such land, including mineral rights, based upon the fair market value for comparable property rights in the area. If the current owner fails to exercise such option, the adjacent landowners will be offered the next right of refusal.

Access

We support:

1. Expedient placement of "exempt" postings at public road crossings on railroads which are abandoned.
2. A requirement that a notice of proposed crossing closure be posted at crossings 30 days in advance of a hearing to consider closure of the crossing.
3. The prompt communication, assessment of damages, cleanup and processing of claims incurred by both private landowners and units of local government following a train derailment.
4. Oversight by the ICC of median barriers and crossing safety devices placed in the approach to grade crossings which prohibit and/or hinder the flow of agricultural equipment through grade crossings.
5. Legislation that will allow the Surface Transportation Board, on petition of a state, to declare all or part of a state to be an area of inadequate rail competition, with special rail customer remedies that would apply in such areas.

Other

We support:

1. Giving authority to the state to force a railroad to temporarily cease operations on a given stretch of track due to emergency conditions.
2. Maintaining state oversight of railroads under the purview of the ICC.

We will:

1. Work with the railroad industry and the ICC to establish regulations that require parked trains to maintain a 500-foot distance from ungated and/or unsignaled at-grade crossings in unincorporated areas to provide safe visibility for motorists. Trains parked at businesses should be exempt from this requirement when it is necessary while loading or unloading, but still maintain the maximum setback distance possible.
2. Meet with railroad officials to determine ways to improve rail service to agriculture across Illinois.
3. Encourage rail passenger services to maintain or improve service and increase efforts to become self-sufficient.
4. Continue to monitor high speed rail projects. We will oppose the implementation of these projects unless the following conditions are included:
 - A. Safe and convenient public access is provided across the railroad.
 - B. Owners of private crossings are provided continued access.
 - C. Landowners are fairly compensated for any takings associated with the project.