



**Representative Michele Lepore-Hagan
58th Ohio House District**

**Sponsor Testimony – House Bill 190
Transportation and Public Safety Committee
Wednesday, May 24 2017**

Chairman Green, Vice Chair Greenspan, Ranking Member Sheehy, fellow Members of the House Transportation and Public Safety Committee, and guests who are here today; thank you for allowing me the opportunity to provide sponsor testimony on House Bill 190 (HB 190). I would like to thank you Speaker Pro-Tempore, Kirk Schuring, for agreeing to be a joint sponsor on this important safety legislation about railroad crossing laws pertaining to motorists' responsibilities at railroad crossings. Very similar Legislation has been passed in in Illinois, Indiana, Iowa, Massachusetts, Montana Tennessee, Virginia, Wisconsin and Wyoming.

The safety issue that this legislation points out is that maintenance of way, railroad contractors and other on-track equipment are not included in (state) Statute that mandates a motorists' responsibilities when approaching a crossing. In other words, when the gates are down, or when there is a train approaching or a flagman or stop sign, etc. present, a motorist is responsible to stop so many feet away before moving over the crossing.

The issue is on-track maintenance equipment has evolved into "train like" machines that present the same dangers of a train engine/train with cars of not being able to stop on a dime. In addition, not every piece of equipment activates the crossing gates where crossing gates are utilized. Similarly, trains are currently included in the statute in addition to what a motorist's responsibilities are when a crossing gate is down, or there is a stop sign or flagman because not every railroad crossing has a gate or stop sign or flagman. In addition, crossing gates are mechanical and do occasionally fail to activate when a train or other on track equipment is approaching.

The fix is easy and is supported by rail labor, the railroads themselves, railroad contractors. And in fact I have found no opposition because it's truly a public safety issue and the fix is simple language "or other on-track equipment" being inserted into current law anywhere it says 'when a train is approaching'.

There is no cost to the state or ODOT, but there are cost to people. In 2016 there were over 2000 collisions on railroad crossings and 265 deaths and close to 800 injuries, with 16 deaths in Ohio.

Committees:

Economic Development, Commerce & Labor, Ranking Member
Health
Transportation & Infrastructure

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This is truly a public safety issue. The public is well aware that trains occupy the tracks in their respective neighborhoods but not everyone is aware of the on track maintenance and construction machines that travel on the track infrastructure in our country. Clarifying that there are other pieces of equipment that travel on tracks and present the same dangers to motorists as trains will help to educate the public of this fact.

Thank you Chairman Green, Vice Chairman Greenspan, Ranking Member Sheehy, and members of the Transportation and Public Safety committee. I will be glad to answer any questions you might have or will have someone that deals with Rail Crossings answer questions that I may not be able to answer.

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