

Members

Sen. Ron Alting, Chairperson  
Sen. Robert Jackman  
Sen. Rose Antich  
Sen. Allie Craycraft  
Rep. Claire Leuck  
Rep. Dan Stevenson  
Rep. Robert Alderman  
Rep. P. Eric Turner



# RAIL CORRIDOR SAFETY COMMITTEE

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Authority: P.L. 28-2000

## MEETING MINUTES<sup>1</sup>

**Meeting Date:** October 18, 2002  
**Meeting Time:** 11:00 A.M.  
**Meeting Place:** State House, 200 W. Washington St., Room 233  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 2

**Members Present:** Sen. Ron Alting, Chairperson; Sen. Robert Jackman; Sen. Allie Craycraft; Rep. Claire Leuck; Rep. Dan Stevenson.

**Members Absent:** Sen. Rose Antich; Rep. Robert Alderman; Rep. P. Eric Turner.

### Short line railroad issues

Sen. Alting called the meeting to order at 11:10 a.m. After the introduction of Committee members and staff, Mr. Tom Fruechtenicht, consultant for the Indiana Rail Transportation Group (IRTG), addressed the Committee. Mr. Fruechtenicht presented the Committee with a brochure concerning Indiana's freight railroads (Exhibit 1). Mr. Fruechtenicht described the importance of short line railroads, explaining that the short line railroads are some counties' only access to the major rail lines. Mr. Fruechtenicht introduced Ms. Cathy Hale, CEO of the Madison Railroad. Ms. Hale distributed to

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Committee members a packet of information. (See Exhibit 2). Ms. Hale stated that Indiana's short line railroads are facing the "286 crisis" which involves "heavy axle loads" or "HAL". She explained that freight railroads are moving to larger cars with gross rail loads of 286,000 lbs., and that short line track cannot transport the heavier cars unless they are upgraded. She reported that \$100 million is required to upgrade the railroad track to address the 286 crisis, while nationally, \$10 billion is required in upgrades. Ms. Hale stated that the state's Industrial Rail Service Fund has been depleted to deal with the excepted track issue for short line railroads, and currently there are no funds to deal with the HAL issue. Mr. Larry Goode, Division Chief, Multimodal Transportation, Indiana Department of Transportation (InDOT) confirmed that the \$1.4 million balance of the Industrial Rail Service Fund is completely encumbered. Ms. Hale pointed out that many of the clients served by the short line railroads are farms, and that grain loads are a product that are particularly suited to the larger car loads.

Mr. Dick Neumann, Hoosier Southern Railroad, IRTG, gave an example of the upgrades needed by the short line railroads, stating that 14 of the trestles on the short line system are timber trestles. He said that most short lines were acquired from the major railroads after the major railroads stopped making capital improvements for many years. He stated that it already appears that the industry may be moving to box cars with gross rail loads of 315,000 lbs. He agreed that some counties are dependent upon the short line railroads, pointing out that the Hoosier Southern Railroad is the only railroad serving Perry County. Ms. Hale, IRTG, concluded that the short line railroads need state assistance. Rep. Leuck asked for more information regarding the 286 crisis. Ms. Hale explained that the freight companies own the box cars. If the freight companies put an order into the short line to carry the 286 cars, the short line will have to refuse the order because they are incapable of accommodating the heavier load. As a result, the freight companies will go to other railroads that can carry the load.

### **Law enforcement at grade crossings**

Members of the Indiana State Police addressed the Committee on the project created by the members of the Pendleton State Police post to improve the enforcement of railroad grade crossing violations. (Exhibit 3) Sergeant Robert Kozlowski, Indiana State Police (ISP), described the origins of the project, stating that the post squad came together to see how they could impact railroad grade crossing crashes. The project has been successful, and with the help of the Federal Railroad Administration (FRA), they want to take this program around the state to help other areas with railroad grade crossing enforcement. Master Trooper Don Farris, ISP, explained that ISP troopers were provided with two way radios from CSXT railroad to allow the troopers to patrol more efficiently and be alerted as to when a train is approaching a crossing. When the enforcement project began, the troopers observed five to six violations each time they monitored a crossing and these violations occurred at crossings where there were lights and gates. The ISP began to write citations for the violations and worked with the prosecutor. The Pendleton post squad then put together an educational program for the schools that is targeted at teenage drivers. Master Trooper Farris showed the Committee the video they produced entitled "The Madison County Solution". He said that the video is shown in a lot of high schools and that other states have requested copies of the video. He stated that in 2000, the troopers wrote 415 citations for railroad grade crossing violations, and that accidents have been decreased 94%. Sgt. Kozlowski stated that a total of 1100 citations have been written since the project began in 2000. Sen. Craycraft stated that the video should be shown in every driver's education class in Indiana schools. Rep. Stevenson asked how could he make the video available to the schools in his district. Master Trooper Farris stated that he would provide Rep. Stevenson with the address of the producer of the video. Ms. Cathy Hale, Madison Railroad, stated that she would like to be involved with the

educational program that travels to high schools around the state.

### **State funding for high speed rail**

Sen. Alting addressed the next item on the agenda concerning a discussion about state funding sources for high speed rail. Ms. Liz Solberg, Indiana High Speed Rail Association (IHSRA), distributed to the Committee a handout that summarizes what other states have spent on high speed rail development. (Exhibit 4). Ms. Solberg introduced two other IHSRA board members, Mr. Bill Schlosser and Ms. Carol Erickson. Referring to the handout, Ms. Solberg stated that other states have surpassed Indiana in devoting funds to high speed rail development and as a result, these other states will be ahead of Indiana for receiving distributions of federal funds. Ms. Solberg stated that IHSRA would like to have .04% of the state sales tax allocated to high speed rail. She stated that IHSRA does not want to take funding away from the short line railroads. Ms. Kathy Noland, Director of Communications, InDOT, said that the Committee asked InDOT after the first meeting what it would do first toward high speed rail development if it received \$1.5 million. Mr. Tom Beck, Rail Planner Multimodal Transportation, InDOT, stated that the first priority would be to perform an environmental impact study which is a federal requirement for receiving federal funds. In addition, InDOT could spend another \$60 million in improvements to prepare for high speed rail including track upgrade and rail grade crossing improvements. Mr. Larry Goode, InDOT, explained that Illinois and Wisconsin will get the federal money first because they've already completed their environmental studies. Mr. Beck estimated the cost of the environmental study at \$1 million.

Mr. John Gerni, Lincoln Financial Group, stated that Lincoln Financial Group has an interest in high speed rail development, explaining that Lincoln has 2000 employees in Fort Wayne who often commute to Lincoln Group's other companies in Chicago. He stated that he wants the Committee to consider the request for funding for the environmental impact study. Mr. Gerni stated that the public support is there for high speed rail, explaining that when InDOT held the high speed rail meetings in Fort Wayne, the meeting was well attended. He said that he wants to hear about the details of the funding options in other states. Mr. Gerni stated that high speed rail advocates need to come up with a comprehensive plan with proposed steps to achieving the goal. Rep. Leuck said that the problem is that the steps require money. She stated that there would be some justification for using a portion of the gas tax for high speed rail because it would take some of the burden off of the streets. However, any legislator making this proposal would have to defend raising taxes in their campaign. Sen. Craycraft indicated that adding an additional one cent to the gas tax would result in about \$33 million per year. Ms. Kathy Noland confirmed that of the \$1.2 billion in dedicated funds that InDOT requested at the October budget hearing, InDOT did not request any funds for high speed rail development. She indicated that the \$1.2 billion request included no increases. Sen. Jackman pointed out that \$10 million was allocated to high speed rail development in 1999 but the Governor vetoed it. Sen. Jackman expressed an interest in getting together with InDOT to discuss high speed rail development. Sen. Craycraft stated that while everyone supports high speed rail, he doesn't see it receiving any money in the upcoming legislative session. Sen. Alting stated that the high speed rail issue needs to remain alive. He stated that in order for it to happen, it will require private sector involvement.

### **Grade crossing improvements**

Ms. Venetta Keefe, Project Manager, InDOT, addressed the Committee on InDOT's expenditures from the railroad grade crossing fund. Ms. Keefe explained that the money from the fund is spent on improvements to passive crossings, which are crossings

without lights and gates. The improvements consist of erecting signs, adding pavement markings, brush removal, and the installation of streetlights. She explained that InDOT's code enforcement officers inspect the passive crossings and send letters to responsible parties indicating that the crossings must be brought into compliance. She explained that 75% of the responsible parties are local units of government and 25% are railroads. She indicated that she would provide a statement of expenditures from the fund to the Committee.

Mr. Steve Hull, Engineering Services Manager, Design Division, InDOT, explained that Indiana has 6400 public crossings and that only 25% of these have lights and gates. He stated that InDOT receives sufficient federal funds to install lights and gates at 80 to 100 of these crossings annually. Crossings are prioritized, and those with the highest risk factor receive gates and lights first. He stated that Indiana is always second to fourth in the nation in rail crossing accidents because Indiana ranks fifth in the number of railroad crossings. He stated that last year Indiana was fourth in railroad crossing accidents and seventh in the nation in fatalities. He explained that the trend for rail crossing accidents has been downward since the 1970's when Indiana experienced about 800 crossing accidents compared to last year when Indiana had 152 crossing accidents. He explained that Indiana receives \$5 million annually in Federal funds that are dedicated only for railroad safety. In addition, Indiana uses some of the funds that are also used for highway improvements on rail safety. He stated that statistics show that over half of the railroad crossing accidents occur at crossings that have lights and gates, which emphasizes the need for education and enforcement. Mr. Hull stated that he would provide the Committee with information regarding the funds available for rail crossing safety.

Sen. Alting adjourned the meeting at 12:25 p.m.