

MORE REASON.
WE ARE LEFT WITH
NO RECOURSE WHEN
TRAINS GET BACKED
UP ON BARRINGTON'S
POOR RAIL SYSTEM.

Mitchell Mazur

1/24/08



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Surface Transportation Board
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Towns can't limit wait at rail crossings

By Richard Wronski
TRIBUNE REPORTER

An Illinois law aimed at untangling blocked railroad crossings—long the bane of frustrated motorists and emergency responders—was thrown out by the state Supreme Court on Friday, raising fears that what little control towns have had over the problem will now be lost.

The court ruled that the state law and similar local ordinances, such as those in Mundelein and other communities, can't prevent trains from sitting at grade crossings for long periods because federal authority trumps such restrictions, even though there is no U.S. law limiting blockages.

The state law, passed in 1999 and incorporated in local ordinances across the state, prohibited trains from blocking a grade crossing for more than 10 minutes unless the train was moving or could not be cleared from the crossing for reasons beyond its control.

In 2005, Mundelein took the Wisconsin Central railroad to Lake County court and won a \$14,000 fine after one of its trains blocked the Hawley Street crossing for more than 2 1/2 hours.

But both the Illinois Appellate Court and the Supreme Court said the local law and ordinance had overstepped federal authority.

The court said a 1994 federal law gave the U.S. secretary of transportation oversight of train movement.

"The fact that there is no specific federal regulation governing the amount of time a standing train may block a highway grade crossing is irrelevant to our analysis," Justice Thomas Kilbride wrote in the court's opinion.

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