

Good morning, Chairperson and members of the Committee. I'm Chad M. Orn, Deputy Director for Planning for the North Dakota Department of Transportation (NDDOT). I'm here to introduce and provide supporting testimony for SB 2061.

SB 2061 clarifies the NDDOT director's authority to designate "Exempt" rail crossings for the purpose of not requiring certain vehicles to stop at rail crossings. Currently, unless a track is abandoned or discontinued and signed, certain trucks and school buses must stop at all highway-rail grade crossings to ensure a train or other rail equipment is not approaching.

In this case, federal regulations are less restrictive than North Dakota law. State law limits designation of exempt crossings to those that are abandoned or discontinued, while federal regulations allow designation of exempt crossings also at an industrial or spur line railroad grade crossing that is open to train traffic.

Some of the most dangerous situations on highways are unexpected stops by other vehicles. Therefore, at certain high-traffic crossings, the NDDOT may spend over a million dollars to install additional pull-out lanes. These lanes allow those vehicles that are required to stop to do so outside the mainline or high-speed traffic. However, in a few places, these high-traffic roadways intersect with railroad crossings that have extremely low-volume train activity, sometimes fewer than one train per day. Given the high traffic, these crossings generally already have railroad crossing arms installed as an added safety feature. In some cases, it would be a more efficient use of funding and potentially safer to simply mark these active crossings "Exempt" to reduce the risk of rear-end collisions at these crossings rather than spend money installing pull-out lanes.

Most highway-rail grade crossing improvements are determined by a field diagnostic team made up of NDDOT, the local road authority if not on a state highway, the operating railroad, and other interested partners (e.g., school district, city with zoning authority, track owner – such as an elevator, etc.). If SB 2061 passes it would provide another safety improvement option that the field diagnostic team could consider when reviewing at-grade highway-rail crossings.

The NDDOT recommends a "do pass" vote on SB 2061. This concludes my testimony. Thank You.