

Testimony to the

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Prepared September 7, 2011 by the North Dakota Association of Counties

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CONCERNING POSSIBLE STUDY TOPIC

Chairman Klemin and members of the committee, the North Dakota Association of Counties is here today to offer a suggestion of a study topic, Quiet Rail.

In the last few years, the Federal Government has mandated an increase in train whistle strength. This decision was based on safety concerns for the general public which is a good thing. However, for those living near (and even those not so near) rail crossing it has imposed a significant burden.

Train companies are required to comply with such regulations and failure to do so is a significant violation. The Federal Government has created an exemption which would allow trains to not blow their whistles but in order to meet this exemption the rail crossing must have significant upgrades. Those upgrades are expensive.

In the last two legislative sessions bills were introduced in an attempt to help fund these upgrades. (See SB 2338 in 2009 and HB 1012 in 2011) While NDACo is not opposed to quiet rail projects, we have objected to funding such projects by raiding the Highway Distribution Fund which helps all counties state wide.

If you choose to study this issue we would be happy to work with this committee and all other interested parties which would include cities, railroads companies, contractors and members of the public to name a few.

Thank you for your time.