

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

194B0827

SENATE CONCURRENT RESOLUTION NO.

4

Introduced by: Senators Kloucek, Flowers, Frederick, Hunhoff, Hutmacher, Lange, Reedy, and Symens and Representatives Weber, Chicoine, Collier, Davis, Duxbury, Fischer-Clemens, Jaspers, Kazmerzak, Lee, Lockner, Putnam, Schrempp, and Van Gerpen

1 A CONCURRENT RESOLUTION, Requesting the United States Congress and certain federal
2 agencies to require reflectors on interstate railroad cars.

3 WHEREAS, numerous accidents causing fatalities or serious injuries in South Dakota and
4 throughout the nation have resulted from the inability of motor vehicle drivers to see moving or
5 stationary railroad engines and cars at unlighted, rural railroad crossings; and

6 WHEREAS, the use of reflective devices or materials on the sides of stationary or moving
7 railroad engines and cars would greatly increase their nighttime visibility to motor vehicle drivers;
8 and

9 WHEREAS, the State of South Dakota is powerless to require such reflectors since these
10 railroad engines and cars are involved in interstate commerce and are not subject to regulation
11 by state law; and

12 WHEREAS, this problem has existed for a number of years and has not been resolved
13 despite previous requests of the Legislature to the United States Congress and the appropriate
14 federal agencies to require reflectors on railroad engines and cars; and

1 WHEREAS, this problem needs immediate attention to save lives and prevent serious
2 injuries:

3 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Seventy-third Legislature
4 of the State of South Dakota, the House of Representatives concurring therein, that the South
5 Dakota Legislature request that the United States Congress, the United States Department of
6 Transportation, and the Surface Transportation Board take immediate action to require that
7 reflective devices or materials be used on all railroad engines and cars involved in interstate
8 commerce.