

# FLETCHER & SIPPEL ALERT

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## ILLINOIS SUPREME COURT ISSUES FAVORABLE OPINIONS

Today, the Illinois Supreme Court issued two decisions which held that the Federal Railroad Safety Act ("FRSA") preempts state and local blocked crossing enactments. In Village of Mundelein v. Wisconsin Central Railroad, the State's high court held that the FRSA preempted a local ordinance that was based on Illinois' blocked crossing statute. The case involved a train that experienced a drawbar failure in cold weather and blocked a crossing while the crew was trying to get the train underway again safely after making repairs. Michael J. Barron, Jr. was the railroad attorney for this case from the trial all the way up through the Illinois Supreme Court. Then, relying on the decision in Village of Mundelein, the State Supreme Court, in Eagle Marine Industries, Inc. v. Union Pacific Railroad Company, held the State blocked crossing statute preempted by the FRSA.

Please contact [Michael J. Barron, Jr.](#) at (312) 252-1511 if you have any questions.