

BRIAN HIGGINS  
27TH DISTRICT, NEW YORK

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**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-3227

September 27, 2011

WASHINGTON OFFICE:  
2459 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-3306  
(202) 226-0347 (FAX)

WESTERN NEW YORK OFFICES:  
LARKIN BUILDING  
726 EXCHANGE STREET  
SUITE 601  
BUFFALO, NY 14210  
(716) 852-3501  
(716) 852-3929 (FAX)

FENTON BUILDING  
2 EAST 2ND STREET  
SUITE 300  
JAMESTOWN, NY 14701  
(716) 484-0729  
(716) 484-1049 (FAX)  
higgins.house.gov

The Honorable Joseph C.Szabo  
Administrator  
Federal Railroad Administration  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

Dear Administrator Szabo,

I write you today out of concern for the safety of motorists and pedestrians crossing a public at grade motor vehicle crossing at Van Buren Road in Dunkirk, New York (Crossing IDs 471774X and 519449R). I respectfully request that the Federal Railroad Administration conduct a review to determine what improvements could be made at this crossing to ensure that the highest level of safety procedures are used and to further provide confidence to area residents that the crossing is indeed safe and functioning properly.

According to the accounts of my constituents in the area, the Van Buren Road crossing is subject to functioning abnormalities. Accounts suggest that crossing gates have been known to come down even though no train is coming and crossing gates are known to go up while trains are crossing. A video of these abnormalities at the discussed crossing is attached.

Of significant concern is the impact this situation has had on area residents. Many do not have confidence that the rail crossing is working or not, and it has become a dangerous custom for motorists to simply by-pass the crossing gates altogether by driving around them. I think we could all agree that this type of custom should be avoided and aggressively discouraged, particularly as the crossing has been the site of a deadly crash in the very recent past.

Again, to ensure that this crossing is maintained at the highest possible levels of safety for motorists and pedestrians, I urge you to conduct an expeditious review of the efficacy of the current rail safety infrastructure at the site. I look forward to working with you on this matter.

Sincerely,



BRIAN HIGGINS  
Member of Congress