

BILL ANALYSIS

C.S.H.B. 1546
By: McClendon
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

From January through November of 2004 Union Pacific reported 21 accidents in Bexar County, one of which resulted in the deaths of five people. On two occasions hazardous materials were released. In San Marcos 200 people were evacuated when seven cars of a 109 car train headed for San Antonio derailed; four of the derailed cars contained 118 gallons of sulfuric acid and 278 gallons of xylene. Railroad tracks that route train cars through populated areas can and do cause harm to Texas residents in the occurrence of train accidents.

CSHB 1546 amends the Transportation Code to provide for the administration of the Texas Rail Relocation and Improvement Fund.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

CSHB 1546 amends the Transportation Code to require the comptroller of public accounts to hold the Texas rail relocation and improvement fund, and the Texas Transportation Commission, through the Texas Department of Transportation, to manage, invest, use, and administer the fund. The bill authorizes the commission to issue obligations and enter into credit agreements related to the obligations. Obligations may be issued for purposes related to rail relocation and fund management with a goal of moving freight rail lines carrying hazardous materials through urban areas for the purpose of enhancing public safety, expanding economic opportunity, converting freight rail lines to commuter rail lines for the purpose of relieving congestion on public highways, and improving air quality. The bill prohibits the commission from issuing obligations before TxDOT has developed a strategic plan that outlines how the money will be used and the benefit the state will derive from use of money in the fund.

EFFECTIVE DATE

The date on which the constitutional amendment proposed by CSHJR 54 takes effect, if that amendment is approved by the voters.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute clarifies that the goal of relieving congestion on public highways will be accomplished by converting freight rail lines to commuter rail and that the goal of enhancing public safety will be accomplished by moving freight lines carrying hazardous materials out of urban areas.