

By: Shapleigh

S.B. No. 897

A BILL TO BE ENTITLED

1 AN ACT
2 relating to certain reporting requirements in connection with the
3 transportation of hazardous materials by a railroad company.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subdivision (1), Section 1, Chapter 350 (S.B.
6 1101), Acts of the 71st Legislature, Regular Session, 1989 (Article
7 6419c, Vernon's Texas Civil Statutes), is amended to read as
8 follows:

9 (1) "Department" [~~"Commission"~~] means the Texas
10 Department of Transportation [~~Railroad Commission of Texas~~].

11 SECTION 2. Subsections (a) and (b), Section 2, Chapter 350
12 (S.B. 1101), Acts of the 71st Legislature, Regular Session, 1989
13 (Article 6419c, Vernon's Texas Civil Statutes), are amended to read
14 as follows:

15 (a) A railroad company that transports hazardous materials
16 in or through the state shall file with the department [~~commission~~]
17 a copy of each hazardous materials incident report that the company
18 files with the federal Department of Transportation in accordance
19 with 49 C.F.R. 171.16, not later than the 15th day after the date
20 that the incident that forms the basis of the report is discovered.

21 (b) Not later than April 1 of each year, a railroad company
22 that transports hazardous materials in or through the state shall
23 provide to the department [~~commission~~]:

24 (1) a map depicting the location of each railroad main

1 line and branch line that the company owns, leases, or operates in
2 the state;

3 (2) a map delineating the geographical limits of the
4 railroad company operating divisions or districts and the principal
5 operating officer for the railroad company in each operating
6 division or district;

7 (3) a primary and secondary telephone number for the
8 railroad company dispatcher responsible for train operations in
9 each operating division or district;

10 (4) a list of each type of hazardous material by hazard
11 class and the quantity of the material transported over each
12 railroad line owned, leased, or operated by the railroad company
13 during the preceding year; and

14 (5) the name and address of the railroad company
15 employee in charge of training persons to handle an incident
16 related to hazardous materials.

17 SECTION 3. Section 3, Chapter 350 (S.B. 1101), Acts of the
18 71st Legislature, Regular Session, 1989 (Article 6419c, Vernon's
19 Texas Civil Statutes), is amended to read as follows:

20 Sec. 3. DISTRIBUTION. (a) The department [~~commission~~]
21 shall compile information submitted to the department [~~commission~~]
22 under this Act for distribution to:

23 (1) local emergency management agencies located in
24 jurisdictions containing reported railroad operations; and

25 (2) the metropolitan planning organizations for those
26 jurisdictions.

27 (b) At least once each year the division of emergency

1 management shall distribute the information compiled by the
2 department [~~commission~~] to the appropriate officials for inclusion
3 in local emergency management plans.

4 SECTION 4. This Act takes effect September 1, 2009.