

1-1 By: Shapleigh S.B. No. 897
1-2 (In the Senate - Filed February 17, 2009; March 9, 2009,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; April 8, 2009, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; April 8, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to certain reporting requirements in connection with the
1-9 transportation of hazardous materials by a railroad company.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subdivision (1), Section 1, Chapter 350 (S.B.
1-12 1101), Acts of the 71st Legislature, Regular Session, 1989 (Article
1-13 6419c, Vernon's Texas Civil Statutes), is amended to read as
1-14 follows:

1-15 (1) "Department" [~~"Commission"~~] means the Texas
1-16 Department of Transportation [~~Railroad Commission of Texas~~].

1-17 SECTION 2. Subsections (a) and (b), Section 2, Chapter 350
1-18 (S.B. 1101), Acts of the 71st Legislature, Regular Session, 1989
1-19 (Article 6419c, Vernon's Texas Civil Statutes), are amended to read
1-20 as follows:

1-21 (a) A railroad company that transports hazardous materials
1-22 in or through the state shall file with the department [~~commission~~]
1-23 a copy of each hazardous materials incident report that the company
1-24 files with the federal Department of Transportation in accordance
1-25 with 49 C.F.R. 171.16, not later than the 15th day after the date
1-26 that the incident that forms the basis of the report is discovered.

1-27 (b) Not later than April 1 of each year, a railroad company
1-28 that transports hazardous materials in or through the state shall
1-29 provide to the department [~~commission~~]:

1-30 (1) a map depicting the location of each railroad main
1-31 line and branch line that the company owns, leases, or operates in
1-32 the state;

1-33 (2) a map delineating the geographical limits of the
1-34 railroad company operating divisions or districts and the principal
1-35 operating officer for the railroad company in each operating
1-36 division or district;

1-37 (3) a primary and secondary telephone number for the
1-38 railroad company dispatcher responsible for train operations in
1-39 each operating division or district;

1-40 (4) a list of each type of hazardous material by hazard
1-41 class and the quantity of the material transported over each
1-42 railroad line owned, leased, or operated by the railroad company
1-43 during the preceding year; and

1-44 (5) the name and address of the railroad company
1-45 employee in charge of training persons to handle an incident
1-46 related to hazardous materials.

1-47 SECTION 3. Section 3, Chapter 350 (S.B. 1101), Acts of the
1-48 71st Legislature, Regular Session, 1989 (Article 6419c, Vernon's
1-49 Texas Civil Statutes), is amended to read as follows:

1-50 Sec. 3. DISTRIBUTION. (a) The department [~~commission~~]
1-51 shall compile information submitted to the department [~~commission~~]
1-52 under this Act for distribution to:

1-53 (1) local emergency management agencies located in
1-54 jurisdictions containing reported railroad operations; and

1-55 (2) the metropolitan planning organizations for those
1-56 jurisdictions.

1-57 (b) At least once each year the division of emergency
1-58 management shall distribute the information compiled by the
1-59 department [~~commission~~] to the appropriate officials for inclusion
1-60 in local emergency management plans.

1-61 SECTION 4. This Act takes effect September 1, 2009.

1-62 * * * * *