

City of Houston Resolution No. 2004-_____

A RESOLUTION OPPOSING THE OPERATION OF REMOTE CONTROL LOCOMOTIVES ON PUBLIC OR PRIVATE HIGHWAY RAIL CROSSINGS, STREETS, AND RAILROADS WITHING THE CITY LIMITS OF HOUSTON; AND PROVIDING AN EFFECTIVE DATE

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WHEREAS, the City of Houston has worked diligently to provide for the public safety and welfare of its Citizens; and

WHEREAS, railroads operate within the geographic boundaries of the City, over public and private highway rail crossings, public water supplies, and on property accessible to persons of all ages and abilities; and

WHEREAS, a significant amount of rail cargo within the City contains petrochemical and hazardous materials; and

WHEREAS, railroad equipment is known to present significant danger to persons and property from collision, derailment, and possible release of hazardous materials; and

WHEREAS, the United States government has issued a safety alert with respect to vandalism and terrorist threats against railroads; **NOW THEREFORE, BE**

IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOUSTON:

Section 1. That the City Council opposes the use and operation of remote control locomotives over and across any public or private streets or highway rail crossings, public water supplies, and other property within the City of Houston.

Section 2. That the City Council requests that the Federal Railroad Administration develop comprehensive regulations to govern the use of remote control locomotives that will ensure the highest level of training, skill, experience, and qualifications for all persons operating remote control locomotives.

Section 3. That the City Council also requests that the Federal Railroad Administration prohibit the use of remote control locomotives to transport petrochemical and hazardous materials, switch cars containing hazardous materials, or switch other cars on or near tracks occupied by hazardous materials.

Section 4. That the City Council requests that the Federal Railroad Administration prohibit the use of remote control locomotives on public streets, highways, bridges, and thoroughfares and restrict use of remote control locomotives to railroad switching yards.

Section 5. That the City Council requests that the Federal Railroad Administration prohibit any use of remote control locomotives within the City of Houston pending development of a plan for evacuation in the event of an emergency resulting from a remote control locomotive incident.

Section 6. That the City Secretary is requested to forward a certified copy of this Resolution to the Federal Railroad Administration, Surface Transportation Board, and the Local Offices of Galveston, Houston & Henderson Railroad Company, Galveston Railroad, L.P., Missouri-Kansas-Texas Railroad Company, Port Terminal Railroad Association, Texas & New Mexico Railroad, Texas City Terminal Railroad Company, Texas Mexican Railway Company, The Burlington Northern and Santa Fe Railway Company, Union Pacific Railroad Company, and Western Railroad.

Section 7. That this resolution shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Resolution within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this _____ day of _____, 2004

APPROVED this _____ day of _____, 2004

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing resolution is _____.

City Secretary