

Resolution of the Borough of Carteret, N. J.

No. 04-46

Date of Adoption February 5, 2004

RESOLUTION OPPOSING THE USE OF REMOTE CONTROL LOCOMOTIVES WITHIN THE BOROUGH OF CARTERET

WHEREAS, railroads operate throughout the Borough of Carteret (the "Borough") over numerous public and private rail crossings accessible to persons of all ages; 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, an enormous amount of rail cargo traveling through the township consists of potentially lethal chemicals and hazardous materials; and

WHEREAS, in addition to accidental derailments, collisions and spills, the United States government has issued a safety alert against vandalism and terrorist threats against railroads; and

WHEREAS, operation of a railroad is traditionally conducted with the use of locomotives manned by experienced, trained individuals who are required to be certified prior to operating the locomotive; and

WHEREAS, railroads have been granted permission from the Federal Railroad Administrations ("FRA") to operate unmanned (remote controlled) locomotives by less trained, tested and qualified individuals; and

WHEREAS, the FRA has only established guidelines and not regulations in connection with such remote controlled operations; and

WHEREAS, the Governing Body of the Borough of Carteret are charged with protecting the health, safety and welfare of the people of the Borough; and

WHEREAS, the Mayor and Council of the Borough of Carteret believes that significant safety risks exist which must be eliminated before "remote control" trains are permitted to operate in the Borough;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CARTERET, that the Federal Railroad Administration is hereby urged to ban the use of "remote controlled" trains within the Borough of Carteret until the following safety concerns are met:


1. Remote controlled locomotives be barred from transporting chemicals and hazardous materials; and be prohibited from operating on or near (i) tracks occupied by hazardous materials; or (ii) facilities which house hazardous materials.
2. Railroads operating a remote control locomotive be required to notify the Office of the Mayor before implementing such operations.
3. Remote control locomotives be barred from operating over a public or private highway rail crossing without a person occupying the cab of the locomotive who has the required skill to stop the locomotive and its attached equipment.
4. The railroad be required to provide effective and reliable protection at the point of movement in any location accessible to the general public for any remote control operation.
5. Remote controlled locomotives have sufficiently secured operating cabs and controls to prevent against terrorists, vandals and other unauthorized persons.
6. Railroad be required to install a track related device to stop a remote control locomotive in the event of a runaway

BE IT FURTHER RESOLVED, that the FRA develop comprehensive regulations for the use of remote control locomotives and those who operate them; and

BE IT FURTHER RESOLVED, that the FRA order an immediate halt to operation of remote controlled trains within the Borough of Carteret, New Jersey; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Honorable Congressman Robert Menendez and the Federal Railroad Administration.

Adopted this 5th day of February, 2004 and certified as a true copy of the original on February 8, 2004.


 KATHLEEN M. BARNEY, RMC/CMC
 Municipal Clerk

RECORD OF COUNCIL VOTE

TL

COUNCILMAN	YES	NO	NV	A.B.	COUNCILMAN	YES	NO	NV	A.B.
KRUM	X				RIOS	X			
NAPLES	X				SITARZ	X			
PARISI	X				SOSNOWSKI				X

X - Indicate Vote AB - Absent NV - Not Voting XOR - Indicates Vote to Overrule Veto

Adopted at a meeting of the Municipal Council

February 5, 2004


 KATHLEEN M. BARNEY
 CLERK