

Senate Resolution 383

By: Senators Williams of the 25th, Orrock of the 36th, Albers of the 56th, McLaurin of the 14th, Robertson of the 29th and others

A RESOLUTION

1 Creating the Senate Study Committee on Railway Safety; and for other purposes.

2 WHEREAS, Georgia's economy and the well-being of its citizens relies on a safe and
3 efficient Rail Industry and there are 4,700 miles of active rail lines and 27 freight railroads,
4 carrying over 190 million tons of freight each year through communities across the State of
5 Georgia; and

6 WHEREAS, it is important to study and assess the needs for improvement in many areas of
7 safe rail operation and determine which areas of safety regulations the State of Georgia will
8 enact to protect its citizens and which areas will be expedited to the federal government for
9 handling; and

10 WHEREAS, the Federal Railroad Administration is the regulatory authority on rail safety
11 matters except for instances where there is a need to eliminate a local safety hazard, at which
12 time a state has explicit authority to regulate rail safety; and

13 WHEREAS, a study is needed to establish a priority list of recommended rail safety
14 improvements that are not already covered by the Federal Railroad Administration, so that

15 the State of Georgia may use its authority to regulate shortfalls and deficiencies in the safety
16 of railroad operations; and

17 WHEREAS, such a study is imperative in light of the horrific train accidents that have
18 recently occurred across the country and the many deficiencies in safety practices that have
19 been highlighted throughout the rail industry and the transportation of hazardous materials
20 by rail; and

21 WHEREAS, there is growing concern of Georgia citizens regarding the safety of railroads
22 carrying hazardous materials through their communities, and much needed congestion relief
23 at highway-rail grade crossings; and

24 WHEREAS, a study of railroad safety should include evaluation of the impact of length and
25 weight of trains, maintenance of equipment and railways, staffing levels of railroad
26 companies, and accident records of railroad companies on public safety; and

27 WHEREAS, it is imperative to study the handling of different hazardous chemicals that
28 trains haul through communities, including, but not limited to, anhydrous ammonia, chlorine,
29 ethanol, gasoline, hydrochloric acid, sodium hydroxide, and sulfuric acid, which, if not
30 handled properly, could pose a threat to the safety of the public and national security; and

31 WHEREAS, it is important to study the effectiveness of a notification system in communities
32 that will create direct coordination between railroad companies and first responders,
33 providing detailed information on hazardous shipments, and an adequate emergency response
34 plan in place for train accidents and mitigation of hazardous materials spills; and

35 WHEREAS, a study of the training on rail accident response and hazardous materials
36 handling for emergency personnel and first responders will help formulate enhanced
37 improvements in emergency response; and

38 WHEREAS, it would be beneficial to this state to conduct a study to analyze and recommend
39 proactive rail safety improvements and regulations to the General Assembly, including
40 specifying which rail safety regulations can be enacted by the state and which are in the
41 purview of the Federal Railroad Administration and Congress.

42 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

43 (1) **Creation of Senate study committee.** There is created the Senate Study Committee
44 on Railway Safety.

45 (2) **Members and officers.** The committee shall be composed of 16 members as follows:

46 (A) Seven members of the Senate appointed by the President of the Senate, which shall
47 include at least one member of the Senate Public Safety Committee and at least one
48 member of the Senate Transportation Committee; and which shall include four
49 members of the majority party and three members of the minority party;

50 (B) Six nonlegislative members appointed by the President of the Senate, which shall
51 include:

52 (i) Two members who possess expertise in emergency services, one of whom is a
53 firefighter and one of whom is a police officer;

54 (ii) Two members who possess expertise in railroad safety and operations, one of
55 whom is a member of the National Transportation Board (NTSB) Rail Accident
56 Investigation team and one of whom is a certified locomotive engineer or conductor;
57 and

58 (iii) Two members who each serve as a local government official;

59 (C) A representative from the Georgia Department of Public Safety;

60 (D) A representative from the Georgia Municipal Association; and

61 (E) A representative from the Association County Commissioners of Georgia.

62 The President of the Senate shall designate a legislative member of the committee as
63 chairperson of the committee.

64 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
65 issues, and problems mentioned above or related thereto and recommend any action or
66 legislation which the committee deems necessary or appropriate.

67 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
68 may conduct such meetings at such places and at such times as it may deem necessary or
69 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
70 accomplish the objectives and purposes of this resolution.

71 (5) **Allowances, expenses, and funding.**

72 (A) The legislative members of the committee shall receive the allowances provided
73 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

74 (B) Members of the committee who are state officials, other than legislative members,
75 or who are state employees shall receive no compensation for their services on the
76 committee, but they may be reimbursed for expenses incurred by them in the
77 performance of their duties as members of the committee in the same manner as they
78 are reimbursed for expenses in their capacities as state officials or employees.

79 (C) Members of the committee who are not legislators, state officials, or state
80 employees shall receive a daily expense allowance in an amount the same as that
81 specified in subsection (b) of Code Section 45-7-21 of the Official Code of Georgia
82 Annotated, as well as the mileage or transportation allowance authorized for state
83 employees.

84 (D) The allowances authorized by this resolution shall not be received by any member
85 of the committee for more than five days unless additional days are authorized. Funds
86 necessary to carry out the provisions of this resolution shall come from funds

87 appropriated to the Senate; except that funds for the reimbursement of the expenses of
88 state officials, other than legislative members, and for the reimbursement of the
89 expenses of state employees shall come from funds appropriated to or otherwise
90 available to their respective agencies.

91 (6) **Report.** The committee shall adopt specific findings and recommendations,
92 including recommendations for proposed legislation. The report shall be approved by
93 majority vote of a quorum of the committee, signed by the chairperson of the committee,
94 and filed with the Secretary of the Senate no later than December 20, 2023.

95 (7) **Abolishment.** The committee shall stand abolished on December 20, 2023.