

BILL ANALYSIS

Senate Research Center

C.S.H.B. 160
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Transportation & Homeland Security
5/18/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Last year, a total of 342 train accidents occurred in Texas. Bexar County had the third highest number of such incidents among counties in Texas, behind Harris County and Tarrant County. In 2004, a collision of two trains near San Antonio spewed chlorine, killing four people and hospitalizing at least 30 people. In October of 2006, another derailment in San Antonio destroyed two homes after 17 boxcars jumped the tracks. These train accidents are putting Texas families in unnecessary danger in their own backyards.

C.S.H.B. 160 requires the Texas Department of Transportation to conduct a study to determine the economic feasibility of relocating tracks that carry freight trains with hazardous materials away from residential areas of this state.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 386.109, Health and Safety Code, to include a project to reduce air pollution and engine idling by relieving congestion through rail relocation or improvement at a rail intersection that is located in a nonattainment area at an intersection of two interstate highways, that is an intersection of two mainline tracks, and that handles more than 100 daily train movements, including passenger, freight, and military cars and hazardous waste shipments, among the considerations of the Texas Commission on Environmental Quality (TCEQ) in funding under Section 386.108 (Infrastructure Projects).

SECTION 2. Reenacts and amends Section 386.252(a), Health and Safety Code, as amended by Section 3, Chapter 766, Section 3, Chapter 1095, and Section 11, Chapter 1125, Acts of the 79th Legislature, Regular Session, 2005, to require the first \$25 million in the Texas emissions reduction plan fund on September 1 of each year to be transferred to the Texas rail relocation and improvement fund. Authorizes money remaining in the fund to be used only to implement and administer programs established under the plan and sets forth the allocation of such funds.

SECTION 3. Reenacts and amends Section 386.252(a), Health and Safety Code, as amended by Section 3, Chapter 766, Section 3, Chapter 1095, and Section 12, Chapter 1125, Acts of the 79th Legislature, Regular Session, 2005, effective September 1, 2008, to make conforming changes.

SECTION 4. Amends Section 91.071(b), Transportation Code, to include money awarded from the Texas Enterprise Fund under Section 481.078, Government Code and money appropriated to the Texas rail relocation and improvement fund, in addition to pursuant to a line-item appropriation, as exceptions to the prohibitions against the Texas Department of Transportation (TxDOT) spending money from the general revenue fund to implement this chapter

SECTION 5. Effective date: upon passage or September 1, 2007.