

**Subject** Hazardous Substances Transportation Safety Act

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## Overview

This bill draft relates to rail safety and transportation incident response preparedness. Among its provision, the bill draft would:

- modify requirements for the state rail safety inspection program administered by the Minnesota Department of Transportation (MnDOT), which includes allowing additional inspector and supervisor positions in the program as well as broadening the scope of inspections;
- expand the eligible uses of funds for a railroad and pipeline safety preparedness program administered by the Department of Public Safety; and
- appropriate an amount to be determined for hazardous substances transportation incident response preparedness.

**State rail safety inspection program background.** MnDOT administers the state rail safety inspection program through a partnership with the Federal Railroad Administration that authorizes state inspection and enforcement of federal law on rail safety and standards. Funding for the state program is provided through a proportionally allocated assessment on Class I and Class II railroads in Minnesota. Revenue from the assessment goes into a state rail safety inspection account, and is statutorily appropriated to MnDOT for the rail inspection program. An increase in the permitted staffing complement for the program has the effect of increasing the assessment on the railroads (to cover increased staffing and program costs), subject to assessment limits that are set in current law and the bill draft.

## Summary

Section	Description
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1	<b>Title.</b> Titles the act as the “Hazardous Substances Transportation Safety Act.”
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Section	Description
2	<p><b>Program established; inspector powers and duties.</b></p> <p>Eliminates a cap on state rail inspection program positions, broadens the inspection categories, and makes the list of inspection categories permissive. Makes technical changes.</p>
3	<p><b>Railroad company assessment; account; appropriation.</b></p> <p>Revises the railroad company assessment calculation, including to allow for assessment of all program costs to support up to six state rail safety inspector positions (increased from four under current law), not counting supervisors. Makes technical changes.</p>
4	<p><b>Grade crossing safety account.</b></p> <p>Clarifies permissible uses of funds in a grade crossing safety account, to explicitly allow for associated administrative and program delivery costs of grade crossing safety projects.</p>
5	<p><b>Allocation of funds.</b></p> <p>Adds to a list of fund uses for preparedness and response to an incident involving a discharge of oil or other hazardous substances transported by rail or pipeline, so that the list includes community education as well as funding to local community organizations for community-based emergency preparedness. Adds risks to the general public as one of the prioritization criteria in allocating funds.</p>
6	<p><b>Community-based preparedness.</b></p> <p>Authorizes local community organizations to receive hazardous substances transportation incident preparedness funds. Identifies some of the eligible uses of the funds.</p>
7	<p><b>Hazardous substances transportation incident response preparedness; appropriation.</b></p> <p>Appropriates an amount to be specified from the general fund to the Department of Public Safety for emergency response preparedness and planning activities in response to hazardous substances transportation incidents. Makes the funds available for three years.</p>



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