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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 2468

03/20/2017 Authored by Hornstein
The bill was read for the first time and referred to the Committee on Transportation and Regional Governance Policy

1.1 A bill for an act
1.2 relating to transportation; establishing requirements governing colocation of light
1.3 rail transit and freight rail operations; amending Minnesota Statutes 2016, section
1.4 473.3994, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 473.3994, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 15. Project development requirements; colocation. The council must establish
1.9 light rail transit project development standards and criteria for colocation of freight rail and
1.10 light rail transit on shared track or on adjacent track in a joint or shared use rail corridor.

1.11 The standards and criteria must:

1.12 (1) specify project design elements to address safety considerations resulting from
1.13 colocation;

1.14 (2) identify project costs resulting from colocation safety considerations;

1.15 (3) provide for emergency response training of fire department and emergency
1.16 management personnel with jurisdiction over the colocation corridor to prepare to respond
1.17 to collisions, derailments, or spills creating environmental hazards and threats to public
1.18 safety and public and private property;

1.19 (4) coordinate emergency response plans and activities between freight rail carriers and
1.20 local responders in the colocation corridor;

2.1 (5) adopt a process for the railroad to report to emergency managers and fire department
2.2 personnel concerning planned train routes, schedule, and cargo transported through the
2.3 colocation corridor;

2.4 (6) require all freight rail carriers operating in the colocation corridor to furnish proof
2.5 of the railroad's financial ability to pay for damages that may arise in connection with freight
2.6 rail operations within the colocation corridor, provided that damages under this clause must
2.7 account for a worst case discharge, as defined in section 115E.01, subdivision 13, including
2.8 property damage from a catastrophic incident involving fire or explosions, personal injury,
2.9 deaths, environmental response and mitigation costs, and other liabilities;

2.10 (7) limit freight operation in the colocation corridor to nonpeak light rail transit operating
2.11 hours;

2.12 (8) prohibit, as agreed to by all rail carriers utilizing the colocation corridor, the
2.13 transportation of oil and other hazardous substances, as those terms are defined in section
2.14 115E.01, subdivisions 6 and 8, and including ethanol;

2.15 (9) set a maximum freight train speed of ten miles per hour for operations in the
2.16 colocation corridor;

2.17 (10) require the Metropolitan Council to adopt and implement measures to reduce the
2.18 risk of interaction between electrical sparks and freight cargo; and

2.19 (11) for adjacent track in a joint or shared use rail corridor, ensure sufficient track spacing
2.20 separation to minimize the likelihood of impacts on track operations due to a train derailment
2.21 on the adjacent track.

2.22 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
2.23 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
2.24 Scott, and Washington.

2.25 **Sec. 2. REQUIREMENTS FOR CERTAIN LIGHT RAIL TRANSIT PROJECTS.**

2.26 The requirements established under Minnesota Statutes, section 473.3994, subdivision
2.27 15, apply to any light rail transit construction or expansion project that is in project
2.28 development, including but not limited to design or engineering, on or after the effective
2.29 date of this section.

2.30 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
2.31 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
2.32 Scott, and Washington.