

Resolution

Northeast Florida Regional Council

2018-04

Supporting the Town of Baldwin's Life Safety Concerns Regarding Extended Roadway Blockage by Trains

WHEREAS, the Northeast Florida Regional Council's (NEFRC) geographical area is comprised of Baker, Clay, Duval, Flagler, Nassau, Putnam and St. Johns Counties and the 26 Municipalities contained therein, and

WHEREAS, the NEFRC is a multi-purpose regional governmental entity with policy responsibility in the areas of affordable housing, economic development, emergency preparedness, energy, regional health, natural resources and regional transportation, and

WHEREAS, changes in railroad transportation, especially those employing longer trains have caused key roadways to be blocked more frequently and for longer periods of time, and

WHEREAS, the increased length of trains employed in rail transportation has not, in all cases, been accompanied by increased length and capacity of rail yards, and

WHEREAS, the effect of longer trains and inadequate rail yard length and capacity is acutely manifested in the Town of Baldwin on US 90 and US 301 causing inordinate delays and becoming a public safety issue.

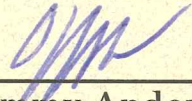
NOW, THEREFORE, BE IT RESOLVED that:

1. The Northeast Florida Regional Council implores CSX to be a good corporate citizen and neighbor with the Town of Baldwin and immediately increase the length / capacity of the Baldwin Yard necessary to alleviate the blockage caused by its trains on US 90 and US 301.
2. Failing timely relief by CSX, the Northeast Florida Regional Council respectfully requests the Florida Legislature to consider and pass Legislation in the 2019 Session amending Section 351.03, Florida Statutes, to prohibit railroad train stoppage blocking a public road for more than 15 minutes unless such stoppage is due to mechanical failure or for a safety-related emergency.
3. The Northeast Florida Regional Council respectfully requests the Florida Legislature include provisions in any such amendment that provide that any corporation violating section 2 shall be fined, \$250 if the blocking is for more than 15 minutes but less than 20 minutes; \$300 if the blocking is for more than 20 minutes but less than 30 minutes; \$600 if the blocking is for 30 minutes and \$600 for each additional 30 minutes if the blocking is for more than 30 minutes, after one hour the fine will be \$1000 per every 15 minutes. No member of a railroad train, yard, or engine crew shall be held personally responsible or found guilty of violating any state laws or any municipal ordinances

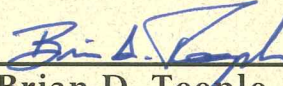
regulating or intended to regulate the occupying or blocking of any street, road or highway crossing-at-grade by trains or passenger or freight cars upon reasonable proof that such person's action was necessary due to circumstances beyond such person's control, or to comply with the order or instructions, either written or verbal, of the person's employer or officers or supervisory officials. Nothing in this section shall relieve the employer or railroad from any responsibility placed upon such employer or railroad by any such state law or any municipal ordinance.

Unanimously adopted by the Northeast Florida Regional Council in a regular meeting assembled in the City of Jacksonville, on the 5th day of July, 2018.





Jimmy Anderson
President



Brian D. Teeple
CEO