

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SUPPORTING PASSAGE OF THE RAILWAY SAFETY ACT OF 2023 (S.576/H.R.1674) TO SUPPORT AMERICA'S FIRST RESPONDERS AND KEEP TRAINS MOVING SAFELY IN COMMUNITIES.

WHEREAS, three times every day America's local first responders are called on to be the first line of defense for local communities when a train leaves its tracks with potentially devastating consequences, particularly when trains are carrying hazardous materials; and

WHEREAS, the local responders who responded to the train derailment in East Palestine, Ohio, in February of 2023, were not able to confirm the contents of the derailed train cars due to failures in the emergency communication chain between railroads, state emergency response, and local first responders leaving them unnecessarily exposed to hazardous chemicals and unable to know how to best protect their community's health and safety; and

WHEREAS, more than 1,100 trains derail across the U.S. annually and many communities have experienced multiple incidents concerning derailments and deaths as shown clearly in NLC's Rail Safety Map; and

WHEREAS, local governments employ, train, and prepare critical first responders nationally from limited local budgets for all types of emergency response including hazardous material spills from train derailments and also blocked crossing incidents; and

WHEREAS, the ongoing costs to respond to the East Palestine derailment have surpassed \$1.1 billion, but even low-speed train derailments in rail yards create safety issues with over 300 deaths and injuries reported and over a billion dollars in damages reported in the last decade; and

WHEREAS, Congress remains responsible for rail interstate commerce safety and failure to update and improve rail safety practices and penalties is becoming an unnecessary burden on local governments who are bearing the costs of emergency response for derailments and the economic losses from extensive blocked crossings; and

WHEREAS, America's local governments recognize that rail is an essential public infrastructure that can be a safe method to transport sensitive materials when proper maintenance is consistently prioritized and that railroads and their shareholders benefit financially when trains stay on their tracks and continue operating safely.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the City Council of the City of Mesquite hereby calls on Congress to pass the bipartisan *Railway Safety Act of 2023 (S.576/H.R.1674)* and address the impact of train derailments on the lives of America's local first responders, the unnecessary costs being passed along to local governments of all sizes, and the safety of communities in their districts.

SECTION 2. That Congress should enable the Federal Railroad Administration to fulfill the rail safety recommendations provided by the experts from the National Transportation Safety Board in response to the hazardous material spills that occurred in East Palestine, OH, and other previous train derailments recommendations where hazardous materials were involved such as Paulsboro, NJ, and Maryville, TN, among others.

SECTION 3. That Congress must reauthorize the National Transportation Safety Board on behalf of the American people to continuously respond to transportation safety emergencies, review the data and science behind transportation deaths and incidents objectively, and make appropriate specific recommendations.

SECTION 4. That Congress should fund the National Transportation Safety Board recommendations included within each Presidential transportation budget request as a matter of practice to continue reducing the cost burden of transportation deaths on communities and the nation by making a safer transportation system.

SECTION 5. That Congress should allow the Federal Railroad Administration to collect and act on data provided to them by local officials and members of the public related to blocked crossings, which have led to children climbing over blocked trains as well as ambulances and firefighters being prevented from reaching residents in emergencies, resulting in lost lives.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 15th day of April 2024.

Daniel Alemán, Jr.
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

Sonja Land
City Secretary

David L. Paschall
City Attorney