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A MEMORIAL

REQUESTING A STUDY OF THE SAFETY OF NEW MEXICO RAILROAD
CROSSINGS, ESPECIALLY AS TRAIN TRAVEL EXPANDS THROUGH THE
CENTER OF THE STATE.

WHEREAS, the history of the railroad is closely
intertwined with the history of New Mexico as a state; and

WHEREAS, New Mexico has long been a state traversed by
rail for freight and passengers and, as of this year, for
commuters; and

WHEREAS, in 2005, the state of New Mexico bought all of
the Burlington Northern Santa Fe rail lines between Belen and
Trinidad, Colorado, while maintaining freight easements on
the line for payments, including forty-five million dollars
(\$45,000,000) in cash; and

WHEREAS, this legislature has heard proposals to extend
the Railrunner commuter line southward to Las Cruces; and

WHEREAS, it is likely that passenger travel will
continue to increase along the Rio Grande corridor with
improved train service, and ridership has already topped one
million in the short time the Railrunner service has been
open; and

WHEREAS, increasing the miles of tracks throughout this
state will increase the numbers of train crossings, known as
"grade crossings", in New Mexico; and

1 WHEREAS, there were eight fatalities on railroad
2 crossings in the state in 2007, according to the federal
3 railroad administration, and a total of fourteen collisions
4 involving trains; and

5 WHEREAS, the nation's estimated two hundred forty
6 thousand grade crossings are the most likely sites for train
7 fatalities; and

8 WHEREAS, nationally, approximately five hundred persons
9 die each year while trespassing on railroad rights of way;
10 and

11 WHEREAS, more than ninety-eight percent of train
12 fatalities in New Mexico on the Union Pacific railroad in
13 2006 involved either highway-rail grade crossing incidents or
14 trespassing on the railroad tracks; and

15 WHEREAS, the rates of train collisions increased by
16 thirty-one percent between the years 1995 and 2005; and

17 WHEREAS, the department of transportation has stepped up
18 safety efforts with the extension of the Railrunner commuter
19 train from Belen to Santa Fe; and

20 WHEREAS, the mid-region council of governments has been
21 making concerted efforts to close crossings on private lands
22 and to improve safety signals on public crossings involving
23 Railrunner routes; and

24 WHEREAS, in the ten-year period between 1995 and 2005,
25 collisions at grade crossings were reduced through safety

1 efforts of the federal railroad administration, but in 2007,
2 the number of fatalities jumped by seven percent; and

3 WHEREAS, the federal railroad administration recommends
4 addressing sight obstructions at all grade crossings that do
5 not have automated warning devices; and

6 WHEREAS, current federal railroad administration
7 regulations require railroads only to address vegetation
8 growth at public crossings, and only to the extent that the
9 vegetation reduces the visibility of road signs and signals;
10 and

11 WHEREAS, only thirteen states have laws or rules
12 addressing the full range of sight obstructions, including
13 equipment and topography; and

14 WHEREAS, immediate safety benefits could be achieved if
15 laws mandate clear line-of-sight distances of one thousand
16 five hundred feet for crossings without automated warning
17 devices; and

18 WHEREAS, while train travel is demonstrably safer for
19 riders than driving a car is for a driver, train travel
20 threatens the lives of pedestrians, drivers and animals near
21 train tracks or while crossing them; and

22 WHEREAS, trains also endanger lives when they carry
23 hazardous materials and are involved in accidents; and

24 WHEREAS, between the years 2003 and 2006, there were one
25 hundred forty-five rail incidents involving hazardous

1 materials that resulted in nineteen fatalities and four
2 hundred twenty-three injuries, and these incidents forced the
3 evacuation of seventeen thousand three hundred eighty-four
4 persons from their homes and businesses;

5 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE
6 STATE OF NEW MEXICO that the department of transportation be
7 requested to convene a working group of persons representing
8 all major railways operating in New Mexico, including
9 Burlington Northern Santa Fe and Union Pacific, as well as
10 the mid-region council of governments, that plans for and
11 operates the Railrunner and that also includes
12 representatives of county governments that are along routes
13 proposed for inclusion in a commuter train service from
14 southern to northern New Mexico; and

15 BE IT FURTHER RESOLVED that the working group establish
16 minimum standards for safe grade crossings throughout the
17 state and report on problems with implementing such
18 standards; and

19 BE IT FURTHER RESOLVED that members of the working group
20 and department of transportation staff report to an
21 appropriate interim legislative committee prior to the second
22 session of the forty-ninth legislature in January 2010; and

23 BE IT FURTHER RESOLVED that copies of this memorial be
24 transmitted to the co-chairs of the New Mexico legislative
25 council, the secretary of transportation, the executive

1 director of the mid-region council of governments and the
2 directors of each railway operating within the boundaries of
3 the state of New Mexico. _____

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