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SENATE MEMORIAL 27

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Pete Campos

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

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1 the Railrunner commuter line southward to Las Cruces; and

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

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

9 WHEREAS, there were eight fatalities on railroad crossings
10 in the state in 2007, according to the federal railroad
11 administration, and a total of fourteen collisions involving
12 trains; and

13 WHEREAS, the nation's estimated two hundred forty thousand
14 grade crossings are the most likely sites for train fatalities;
15 and

16 WHEREAS, nationally, approximately five hundred persons
17 die each year while trespassing on railroad rights of way; and

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

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

24 WHEREAS, the department of transportation has stepped up
25 safety efforts with the extension of the Railrunner commuter

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1 train from Belen to Santa Fe; and

2 WHEREAS, the mid-region council of governments has been
3 making concerted efforts to close crossings on private lands
4 and to improve safety signals on public crossings involving
5 Railrunner routes; and

6 WHEREAS, in the ten-year period between 1995 and 2005,
7 collisions at grade crossings were reduced through safety
8 efforts of the federal railroad administration, but in 2007,
9 the number of fatalities jumped by seven percent; and

10 WHEREAS, the federal railroad administration recommends
11 addressing sight obstructions at all grade crossings that do
12 not have automated warning devices; and

13 WHEREAS, current federal railroad administration
14 regulations require railroads only to address vegetation growth
15 at public crossings, and only to the extent that the vegetation
16 reduces the visibility of road signs and signals; and

17 WHEREAS, only thirteen states have laws or rules
18 addressing the full range of sight obstructions, including
19 equipment and topography; and

20 WHEREAS, immediate safety benefits could be achieved if
21 laws mandate clear line-of-sight distances of one thousand five
22 hundred feet for crossings without automated warning devices;
23 and

24 WHEREAS, while train travel is demonstrably safer for
25 riders than driving a car is for a driver, train travel

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1 threatens the lives of pedestrians, drivers and animals near
2 train tracks or while crossing them; and

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

5 WHEREAS, between the years 2003 and 2006, there were one
6 hundred forty-five rail incidents involving hazardous materials
7 that resulted in nineteen fatalities and four hundred
8 twenty-three injuries, and these incidents forced the
9 evacuation of seventeen thousand three hundred eighty-four
10 persons from their homes and businesses;

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

21 BE IT FURTHER RESOLVED that the working group establish
22 minimum standards for safe grade crossings throughout the state
23 and report on problems with implementing such standards; and

24 BE IT FURTHER RESOLVED that members of the working group
25 and department of transportation staff report to an appropriate

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1 interim legislative committee prior to the second session of
2 the forty-ninth legislature in January 2010; and

3 BE IT FURTHER RESOLVED that copies of this memorial be
4 transmitted to the co-chairs of the New Mexico legislative
5 council, the secretary of transportation, the executive
6 director of the mid-region council of governments and the
7 directors of each railway operating within the boundaries of
8 the state of New Mexico.

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