

State of Vermont
House of Representatives
Montpelier, Vermont



House Resolution

H.R. 23

House resolution requesting Congress to amend exiting federal law to grant states and municipalities broader jurisdiction over the location, construction, and operation of railroad facilities

Offered by: Representatives Lenes of Shelburne, Webb of Shelburne, and Yantachka of Charlotte

Whereas, rail freight transportation and operations impact thousands of localities across the United States, including in Vermont, that have developed along railroad lines, and

Whereas, communities rely on rail freight companies and their trains to deliver necessary commodities and goods in a safe and timely manner, and

Whereas, rail is a transportation mode that deserves priority as a means of reducing greenhouse gas emissions, and a stricter regulatory framework is necessary in order to make this development possible, and

Whereas, safe rail operations and judicious location of rail infrastructure, including yards, buildings, and equipment, are of critical importance to municipalities given these jurisdictions' emergency response obligations, and

Whereas, the business decisions of railroad companies and the vendors who use the rails for shipping goods, including chemicals and oil and gas products, impact the environment, the public's safety, and the emergency response systems in the communities in which rail infrastructure is located, and

Whereas, however, the legal authority for state and local governments to regulate rail infrastructure is limited due to the exclusive jurisdiction granted on this subject to the Surface Transportation Board in 49 U.S.C. § 10501(b) as well as the corresponding definition of the term transportation in 49 U.S.C. § 10102(9), which includes a railroad's warehouse, property, or facility, now therefore be it

Resolved by the House of Representatives:

That this legislative body requests that Congress amend existing federal law to grant states and municipalities broader jurisdiction over the location, construction, and operation of railroad facilities to the extent that this expanded legal authority does not interfere with the intended functional use of rail, and be it further

Resolved: That the Clerk of the House be directed to send a copy of this resolution to the Vermont Secretary of Transportation, the Surface Transportation Board, and to the Vermont Congressional Delegation.