

COMMUNITY RAIL SAFETY ADVISORY COMMITTEE

MEETING AGENDA

Information of Meeting

Date: Thursday, November 14, 2024

Time: 11:00 am -1:00 pm

Location: Virtual via Zoom

Note: This meeting will be recorded

Facilitator: Sheryl Trent

Join Zoom Meeting

<https://us06web.zoom.us/j/84670808123?pwd=VcTiRVJCYdbsK0F5B3e8RqVa4jPFRn.1>

Meeting ID: 846 7080 8123

Passcode: 498524

Agenda

11:00 am Welcome

11:02 am Housekeeping/Administrative Items (*Information*)

- Review and Approval of Community Committee Minutes from 11.7.24
- Industry Committee Minutes from 10.31.24

11:10 am Review of Final Language

Section VII: An Assessment of Best Practices For Ensuring Financial Responsibility For Response, Cleanup, And Damages From Major Rail Events, Which Assessment Reviews Best Practices From Other States; (*Approval of Language*)

While there are state statutes that adequately address the issues of ensuring financial responsibility for response, cleanup and damages, the main concerns of the Committee fall into four areas:

- 1) The amount of funding available for a worst-case scenario event, the ongoing cleanup and long-term monitoring after the event;
- 2) The gaps in coordination and communication before, during and after an event in particular the coordination and command of efforts during an incident;
- 3) The need for data collection, surveying and analysis for people, the environment, the economy, and infrastructure that is at risk; and
- 4) The establishment of concrete preparedness plans and mitigation plans.

Section IX (A): A Legislative Proposal Concerning The Creation Of A Fee Structure Or Other Revenue Source, An Assessment, And A Governance Body And An Office Of Rail Safety To Address The Needs Described In Subsections (L 3)(A)(I) To (13)(A)(viii) Of This Section, Which Fee Structure, Assessment, And Governance Body Can Be Introduced As Legislation As Soon As The 2025 Regular Legislative Session And Begin Operating No Later Than January 1, 2027.
(Approval of Language)

The Committee recommends an appointed board of directors with positions defined in statute to govern the Office of Rail Safety. The positions should specifically include expertise in freight, rail, environmental impacts, and public safety. The Office of Rail Safety should be required to report to the legislature, the Community Rail Safety Advisory Committee and the Industry Rail Safety Advisory Committee on a recurring basis.

An enterprise fund should be established for the Office of Rail Safety, with railroads and possibly shippers assessed a fee for the services provided. Potential revenue sources to be evaluated and established through ongoing research and recommendations.

11:25 am **Section II**, An Indication that Public Data Not Subject To Exceptions Under the “Colorado Open Records Act”, Part 2 of Article 72 of Title 24, Will BE Shared with the Community Rail Safety Advisory Committee and the Rail Industry Safety Advisory Committee *(Discussion and Direction for Final Language)*

Note: This is the current draft language from the Industry Committee:

Public data not subject to exceptions under the “Colorado Open Records Act” Part 2 of Article 72 of Title 24, will be shared with the Community Rail Safety Advisory Committee and the Rail Industry Safety Advisory Committee. Data that might have confidential considerations will have to be processed through the CORA process. For additional public data sharing that will be created moving forward, resources may be necessary to provide that data in the most accessible way possible, and further refinement and discussions about what data exists, what data can be shared, and how that data should be shared is needed.

11:55 am **Section III**, An Assessment Of Data Collection And Reporting Needs To Ensure Annual Reporting On Rail Safety, Including Train Length, For Covered Railroads And Facilities; *(Presentation, Discussion and Direction for Final Language)*

12:30 pm Next Steps

12:45 pm Open Discussion