

By the Fiscal Responsibility Council and Representative  
Johnson

1                                   A bill to be entitled  
2           An act relating to the Department of  
3           Transportation; amending s. 341.302, F.S.;  
4           deleting provisions relating to the  
5           department's responsibility for the handling of  
6           hazardous materials under the statewide rail  
7           program; providing an effective date.

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9   Be It Enacted by the Legislature of the State of Florida:

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11           Section 1. Subsections (7) and (8) of section 341.302,  
12   Florida Statutes, are amended to read:

13           341.302 Rail program, duties and responsibilities of  
14   the department.--The department, in conjunction with other  
15   governmental units and the private sector, shall develop and  
16   implement a rail program of statewide application designed to  
17   ensure the proper maintenance, safety, revitalization, and  
18   expansion of the rail system to assure its continued and  
19   increased availability to respond to statewide mobility needs.  
20   Within the resources provided pursuant to chapter 216, and as  
21   authorized under Title 49 C.F.R. part 212, the department  
22   shall:

23           (7) Develop and administer state standards concerning  
24   the safety and performance of rail systems, ~~hazardous material~~  
25   ~~handling~~, and operations. Such standards shall be developed  
26   jointly with representatives of affected rail systems, with  
27   full consideration given to nationwide industry norms, and  
28   shall define the minimum acceptable standards for safety and  
29   performance.

30           (8) Conduct, at a minimum, inspections of track and  
31   rolling stock; train signals and related equipment; ~~hazardous~~

1 ~~materials transportation, including the loading, unloading,~~  
2 ~~and labeling of hazardous materials at shippers', receivers',~~  
3 ~~and transfer points, and train operating practices to~~  
4 determine adherence to state and federal standards.  
5 Department personnel may enforce any safety regulation issued  
6 under the Federal Government's preemptive authority over  
7 interstate commerce.

8 Section 2. This act shall take effect July 1, 2001.

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11 HOUSE SUMMARY

12 Revises provisions relating to responsibility of the  
13 Department of Transportation, under the statewide rail  
14 program, to develop and administer state standards  
15 concerning the handling of hazardous materials and to  
16 conduct inspections of hazardous materials  
17 transportation.

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