

**Summary of SCH2887A82 and Comparison to S.F. 3187**

The rail safety provisions in the Senate transportation omnibus addresses (1) a modification in the state’s emergency preparedness laws; (2) railroad training requirements; (3) expanding training requirements to emergency managers and incident commanders; (4) providing a timeline of response during a rail incident involving the transport of hazardous substances or oil; (5) includes the Governor’s recommendations to add two additional rail safety inspectors via an assessment on rail companies; and (6) reinstates assessments to railroads and pipeline companies to pay for emergency preparedness activities and grade safety improvements.

<b><u>Page and Line on Side-by-Side</u></b>	<b><u>Section</u></b>	<b><u>Description</u></b>	<b><u>Changes?</u></b>
R5 – 127.17	4	Provides the classification for data on oil and hazardous substances transported by rail and post-incident review.	<b>None</b>
	5 <sup>1</sup>	Definition section	<b>SCH2887A82 adds a new section by:</b> <ul style="list-style-type: none"> <li>▪ Creating a new definitions subdivision in the oil and hazardous substances preparedness chapter of law for railroads. Defines exercise, full-scale exercise, functional exercise, table-top exercise, walkthroughs.</li> </ul>
R5 – 127.24	5	Amends the training requirements for railroads to (1) include a local emergency management organization and (2) provide the training to the applicable jurisdictions along routes where hazardous substances are transported by rail. The training must address the methods to identify rail cards and hazardous substances, responder safety issues, rail response tactics, notification and evacuation concerns, environmental contamination, railroad response personnel and coordination at an incident, and other protocols for safe initial local response including the notification requirements established in	<b>None</b>
R6 – 128.14	6	Establishes coordination requirements for emergency response planning between emergency responders and railroads. Requires the commissioner of public safety to publish the list of emergency managers and fire chiefs every other year rather than annually.	<b>None</b>

<sup>1</sup> Newly created section by A82 amendment

R7 – 129.3	7	Amends the time limits and emergency response responsibilities of a railroad after an incident involving oil or hazardous substances.	<b>None</b>
R8 – 130.28	8	Modifies the requirements for containment, recovery, and sensitive area protection exercises.	<p><b>SCH2887A82 makes the following changes:</b></p> <ul style="list-style-type: none"> <li>▪ Amending the railroad exercise drill requirements for railroads. Each railroad operating unit trains in Minnesota must conduct at least one oil containment, recovery, and sensitive area protection walkthrough, table-top exercise, or functional exercise every year. Requires a full-scale exercise from railroads operating unit trains every five years.</li> <li>▪ Requires the response exercises to work through the emergency response plans established in section 6 and coordinated with federal law.</li> <li>▪ Requires the commissioner of the MPCA to consult with the Division of Homeland Security, the state fire marshal, and local emergency management to determine the appropriate exercise.</li> <li>▪ Full scale exercises must include the response capability requirements under current law and operate under the newly established time limits established in subdivision 4. Requires the MPCA to coordinate with other agencies and railroad union safety representatives for determining where and when the exercise is to take place</li> <li>▪ Requires local emergency management, local fire departments, and local units of government to participate in these exercises.</li> </ul>
R8 – 131.6	9	Makes changes to the submission requirements of prevention and response plans for railroads.	<b>None</b>
R51-167.1	47	Incident emergency response – Subdivisions 1 to 4	<b>No changes</b>
R52-168.26	47	Incident emergency response – Subdivision 5 – Real-time emergency information	<p><b>SCH2887A82 makes the following changes:</b></p> <ul style="list-style-type: none"> <li>▪ Directs the state fire marshal the Division of Homeland Security to encourage adoption of AskRail app to disseminate emergency information.</li> <li>▪ Requires legislative report on adoption of AskRail app</li> </ul>
R52-169.4	47	Incident emergency response – Subdivision 6 – Table-top public safety exercises.	<p><b>SCH2887A82 makes the following changes:</b></p> <ul style="list-style-type: none"> <li>▪ Requires each rail carrier to conduct one table-top public safety emergency exercise in each Division of Homeland Security and Emergency Management emergency management</li> </ul>

			region where the carrier transports oil or hazardous substances by July 1, 2025. After July 1, 2025, the requirement is to conduct one exercise every other year and alternate where the exercise takes place.
R53-169.22	47	Incident emergency response – Subdivision 7 – Incident commander response	<p><b>SCH2887A82 makes the following changes:</b></p> <ul style="list-style-type: none"> <li>▪ Requires each rail carrier to conduct one table-top incident site commander emergency exercise in each Division of Homeland Security and Emergency Management emergency management region where the carrier transports oil or hazardous substances by July 1, 2025. After July 1, 2025, the requirement is to conduct one exercise every other year and alternate where the exercise takes place.</li> <li>▪ The exercise must operate under the time constraints established in 115E.042, subdivision 4.</li> <li>▪ The exercises in subdivisions 6 and 7 may be run concurrently.</li> <li>▪ Sets sequencing for table-top and full-scale exercises to avoid duplication</li> </ul>
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R59-175.16	--	Railroad and Pipeline Safety – allocation of funds, subd. 3.	<p><b>SCH2887A82 makes the following changes:</b></p> <ul style="list-style-type: none"> <li>▪ Requires a legislative report on the revenues gathered from the assessment and the expenditures from the account.</li> <li>▪ Provides that if the balance in the railroad and pipeline safety account at the end of the biennium is greater than \$2,000,000, the amount above \$2,000,000 must be transferred to the grade crossing safety account.</li> </ul>