

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION PROVIDING THAT NO RAILROAD SHALL OPERATE REMOTE CONTROLLED LOCOMOTIVES WITHIN THE BOUNDARIES OF PINE BLUFF, ARKANSAS, UNTIL CERTAIN SAFETY CONSIDERATIONS ARE MET**

**WHEREAS**, the City of Pine Bluff has a duty to provide for the public safety of its citizens; and,

**WHEREAS**, railroads operate within the geographic boundaries of Pine Bluff over public and private highway rail crossings and on property accessible to persons of all ages and abilities; and,

**WHEREAS**, railroad equipment is known to present significant danger to persons and property from collision and derailment which can result in possible release of hazardous materials; and,

**WHEREAS**, the United States Government has issued a safety alert against vandalism and terrorist threats to railroads;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PINE BLUFF, ARKANSAS:**

**SECTION 1:** That no railroad shall operate remote controlled locomotives within the boundaries of Pine Bluff until all of the following safety considerations are met:

1. Any railroad operating a remote control locomotive must notify the office of the Mayor before implementing such operation.
2. Remote control locomotives cannot be used to transport hazardous materials, switch cars containing hazardous materials, or switch other cars on or near tracks occupied by hazardous materials.
3. Remote control locomotives cannot be operated over a public or private highway rail crossing without a person occupying the cab of the locomotive who has the required skills to stop the locomotive and its attached equipment.
4. A railroad must provide effective and reliable protection at the point of movement in any location accessible to the general public for any remote control operation.

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SECTION 2: That the City of Pine Bluff requests that in the interest of the safety of the citizens of Pine Bluff that the Federal Railroad Administration (FRA) develop comprehensive regulations for the use of remote control locomotives.

SECTION 3: That <sup>*The City of Pine Bluff requests that*</sup> all remote control operations in Pine Bluff cease and desist until such time as the City of Pine Bluff, its agent or assignee can study and have a plan in place for evacuation before such remote control is implemented.

SECTION 4: That if any item or provision of this resolution or the application thereof is held invalid, such invalidity shall not effect the remaining provisions, and to this end, the provisions of this resolution are hereby declared severable.

PASSED AND APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_, 2003.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

APPROVED AS TO FORM:

*David Phillips*  
CITY ATTORNEY

*Dale Dixon* (CDR)  
SPONSOR