



Office of  
**INDIAN RIVER COUNTY  
ATTORNEY**

Dylan Reingold, County Attorney  
William K. DeBraal, Deputy County Attorney  
Kate Pingolt Cotner, Assistant County Attorney

**MEMORANDUM**

**TO:** Board of County Commissioners  
**FROM:** Dylan Reingold, County Attorney *DR*  
**DATE:** March 13, 2018  
**SUBJECT:** Resolution Supporting Rail Safety Study

**BACKGROUND.**

As the Indian River County Board of County Commissioners is well aware, the new All Aboard Florida/Brightline train has experienced several incidents of accidents involving vehicles, pedestrians and bicycle riders. Some of these incidents have resulted in fatalities. Indian River County has been demanding that the State of Florida take a more active role in addressing safety issues associated with higher speed passenger rail. To that end, line item 2673 of House Bill 5001 (Conference Report on 5001), directs the Office of Program Policy Analysis and Government Accountability (OPPAGA) to commission a study that includes the following:

- An overview of the Florida Rail System, including existing and planned passenger rail and high-speed passenger rail operations in Florida, and identification of existing and planned passenger rail and high-speed passenger rail stations, corridors, and associated railroad-highway crossings.
- An overview of the jurisdiction of federal, state, and local governments to regulate passenger rail and high-speed passenger rail operations.
- A review of data relating to incidents, including resulting injuries and fatalities, involving passenger rail and high-speed passenger rail operations in Florida.
- Recommendations to further enhance passenger rail and high-speed passenger rail safety in this state, including a review of current crossing signalization, grade crossings and separations, corridor protection, public education and awareness, and coordination with local law enforcement and emergency management officials.
- Recommendations to further improve passenger rail and high-speed passenger rail in Florida.

In the attached resolution, the Indian River County Board of County Commissioners respectfully requests Governor Rick Scott to support and not veto line item 2673 of House Bill 5001, which is important not just for All Aboard Florida/Brightline, but for any future planned higher speed passenger rail system.

A certified copy of the resolution will be sent to Governor Rick Scott, Florida State Senators Debbie Mayfield and Joe Negron, and Florida State Representatives Erin Grall, and MaryLynn Magar, United States Senators Marco Rubio and Bill Nelson, United States Congressmen Bill Posey and Brian Mast and Florida Department of Transportation Secretary Mike Dew.

**FUNDING.**

There is no funding associated with this agenda item.

**RECOMMENDATION.**

The County Attorney's Office recommends that the Chair allow for public comment on this matter and then have the Board vote whether to accept the resolution as drafted or amend the resolution.

**ATTACHMENT(S).**

Proposed resolution.