



Recommendation for Action

File #: 20-3344, **Agenda Item #:** 39.

9/2/2021

Posting Language

Approve an ordinance amending City Code Title 12 (*Traffic Regulations*) to add a new Chapter 8 establishing routes and procedures for the transportation of non-radioactive hazardous materials, repealing City Code Section 12-1-28 (*Transporting Hazardous Material*), creating offenses and establishing a penalty.

Lead Department

Austin Transportation Department.

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

Resolution No. 20191114-063 - approving the staff recommended route for the transportation of non-radioactive hazardous materials, formalizing it as the designated non-radioactive hazardous materials route, and directing the City Manager to submit the designated route to the Texas Department of Transportation (TxDOT) for a final public hearing and approval; directing the City Manager to create a signage plan for the designated route, which will include a plan for funding, purchase, and installation of necessary signage to implement and enforce the designated route; directing the City Manager to create an ordinance for enforcement of the designated route, which will include detail on authority and fines associated with not following the designated route was approved on an 11-0 vote.

Resolution No. 20131212-075 - directing the City Manager to launch the formal process to designate Hazardous Materials routes in Austin was approved on consent on a 7-0 vote.

Resolution No. 20130620-055 - directing the City Manager to assess the public health risk from the transport of hazardous materials through Austin was approved on consent on a 7-0 vote.

For More Information:

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Council Committee, Boards and Commission Action:

September 26, 2016, presentation to the Public Safety Commission - no action taken.

October 5, 2016, presentation to the Council Mobility Committee - no action taken.

January 29, 2019, presentation to the Travis County Commissioners' Court - no action taken.

April 8, 2019, presentation to the Capital Area Metropolitan Planning Organization Policy Board (CAMPO) - no action taken.

Additional Backup Information:

Due to the size of its population, the City of Austin is required by Texas law to designate a Non-Radioactive

Hazardous Materials (NRHM) route for transportation of non-radioactive, hazardous cargo through Austin. The City is responsible for designating the route within Austin city limits. Examples of the types of materials being transported include basic household chemicals, gasoline, paint products, automotive and machinery products, etc., and this effort is focused on establishing through-routes for NRHM cargo trucks passing through Austin rather than trucks making stops at destinations within Austin.

The Austin Transportation Department initiated a study to determine the recommended route. The purpose of the study was to identify an NRHM route that will achieve the following goals without unduly burdening commerce:

- Minimize potential for vehicular incidents involving NRHM
- Minimize consequences to the community should an NRHM incident occur
- Maximize public safety in relation to NRHM transport

A public hearing was held during the regular City Council meeting on November 14, 2019 to gather feedback about the draft recommended route designation. After the public hearing, City Council approved a resolution endorsing a recommended route and directing the City Manager to submit the route recommendations to the Texas Department of Transportation (TxDOT) for final review and approval. TxDOT's review process included a separate public hearing on June 16, 2021 and public comment period ending on June 23, 2021.

Prior public involvement and outreach included two stand-alone open houses, two presentations to local emergency planning committees, other presentations (CAMPO Technical Advisory Council-TAC, CAMPO Transportation Policy Board, Travis County Commissioners' Court, Council Mobility Committee, Public Safety Commission), as well as extensive public outreach through the Austin Strategic Mobility Plan public events.

The route designation crosses through Council districts 1, 2, 3, 5, and 8.

Strategic Outcome(s):

Mobility, Safety, Health and Environment.