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**New Jersey Association of Railroad Passengers**

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## **Proposed Rail Rights-Of-Way Legislation**

The New Jersey Association of Railroad Passengers is seeking sponsorship from members of the State Senate and Assembly to introduce two pieces of related legislation which would:

First - Direct the New Jersey Department of Transportation (NJDOT) to prepare a comprehensive inventory of abandoned, disused or underused railroad rights-of-way suitable for preservation, restoration and/or service initiation to active passenger and freight commerce and to place the lines so selected on the state rail rights-of-way preservation map.

Second - Require the publication and dissemination of information regarding the rights-of-way so selected in order to facilitate adequate disclosure to counties, towns, real estate developers and agencies and potential buyers and sellers of said property such that a contract for any property so affected, within a pre-defined distance from a rail line, will, upon being offered for sale or transfer, be required to have a proximity notification embedded within indicating that the price, so agreed upon, reflects the presence of a rail line.

This legislation is urgently needed to preclude further NIMBY obstructionism, and commercial real estate encroachment on these irreplaceable 19th Century assets which are the state's 21st Century arterial transportation lifelines!

**NJ-ARP Wants Your Input!**

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## **PROPOSED RAIL RIGHTS-OF-WAY LEGISLATION**

*Whereas:* New Jersey is the most densely populated state in the nation, and

*Whereas:* New Jersey has one of the most vibrant economies in the nation as evidenced by the increasing levels of commercial, electronic and residential growth rates, and

*Whereas:* the ability of its residents to move freely within and without its borders has been materially impaired by the growing levels of both urban, suburban and rural road-related congestion, and

*Whereas:* many New Jersey counties are severe and/or non-attainment areas in regard to federally mandated environmental and air pollution requirements, and

*Whereas:* over two-thirds of all air pollution and 90% in urban areas emanates from motor vehicles (both the private automobile and motor freight carriers) leading to severe and debilitating health conditions in its residents, and

*Whereas:* future mobility options based on the expanding use of the automobile will only

exacerbate the already high levels of both congestion and environmental degradation, and

*Whereas:* the state possesses many abandoned, disused or underutilized railroad rights-of-way that were constructed in the 19th century which can be employed as the arterial transportation lifelines of the state in the 21st century, and

*Whereas:* many counties, localities, boroughs, towns, townships, governing bodies, real estate developers, Boards of Realtors, real estate agencies and residents are unaware of the future potentials of these abandoned, disused or underutilized railroad rights-of-way, and

*Whereas:* it is in the best interests of the citizens and populace of the state to preserve, enhance, rebuild, upgrade, expand and reinvigorate these lines for both rail passenger and freight usage in the 21st century, and

*Whereas:* the citizens and populace of the state should be informed as to the locations, desirability and potentials of these abandoned, disused or underutilized rail rights-of-way,

*Therefore let it be resolved:* That the New Jersey Department of Transportation (NJDOT) in conjunction with New Jersey Transit (NJT), Norfolk Southern Railway (NS), CSX Corporation (CSX), Conrail, the New Jersey Transportation Planning Authority (NJTPA), the South Jersey Transportation Planning Authority (SJTPA) and other interested divisions of state, county, and local government jurisdictions initiate and conduct a comprehensive state wide inventory to locate, study, discuss, analyze, prioritize and publish a list of abandoned, disused or underutilized rail rights-of-way that are to be, from this time forward, identified as potential, possible and probable: 1.) candidates for indefinite preservation as transportation-only alignments, 2.) selectees for comprehensive infrastructure restoration, expansion and modernization and 3.) choices for passenger and freight service initiation with the goal of rebuilding, renewing and reinvigorating the rail transportation arteries of the state in the 21st century, and

*Be it further resolved:* that the prioritized potential, possible and probable rail rights-of-way be widely disseminated to counties, localities, boroughs, towns, townships, governing bodies, real estate developers, Board of Realtors, real estate agencies, newspapers, print and electronic media of all kind, and residents alike to facilitate adequate disclosure to these publics of future rail passenger and freight usage, thereby permitting these publics to adjust their respective courses of action accordingly, and

*Be it further resolved:* that all potential buyers or sellers of property within a pre-defined distance from an existing, potential, possible and/or probable rail right-of-way, including, but not limited to, individuals, corporations, public and private organizations, governmental entities, groups, real estate investment trusts, and real estate developers be explicitly required to have embedded within their contract of sale or transfer, upon said property being offered and accepted for sale or transfer, a proximity notification indicating that the price of the transaction, so agreed upon, reflects the presence of the existing, potential, possible and/or probable rail right-of-way.

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*These files were created by Bob Scheurle.*