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TO: Eric Bugaile, Executive Director, House Transportation Committee
FROM: Charles Hunter, Assistant Vice Pres., Government Affairs, Genesee & Wyoming RR Services, Inc.
Sent on behalf of: Buffalo & Pittsburgh, Pittsburgh & Ohio Central and Wellsboro & Corning railroads.
DATE: February 1, 2016
SUBJECT: House Bill 1742 Amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for freight train crew requirement.

House Bill 1742 is offered by rail labor unions to require two persons on trains transporting freight. (It should be noted that HB 1742 does not apply to the operation of passenger train movements, which can currently operate with one-person crews.

While HB 1742 does not affect the current operation of the above freight railroads, it is important to note that crew size is a matter for collective bargaining between rail labor and railroad companies and is subject to Federal oversight. Evolving future technology should also be considered, such as Positive Train Control (PTC).

Technology

PTC systems can warn the crew of the need to take certain types of action, and are able to stop trains to avoid train-to-train collisions, over speed derailments, incursions into established work zones, or passage through improperly positioned mainline switches. This allows the PTC systems to enhance safety, but also essentially minimizes the benefit of the second member of the crew in the locomotive. Single crew operations are not without precedent within the rail industry and within other industries. Most commuter and intercity passenger trains in the US are operated with one person in the cab, and many international rail systems and a few smaller railroads in the US also safely and effectively operate freight trains with a single crew member. Other industries have also reduced their staffing of critical operations as technology has developed to the point where fewer people are needed for the same activities. This can be seen in situations from control rooms to vessel navigation to manufacturing facilities.

Two-Person Crew Operations Compared To One-Person Crew Operations

A recent study by Oliver Wyman, released in January 2015, does not suggest that single-person crews are any less safe than the multiple-person crews currently employed by most US freight railroads. In comparing the single-person crew proxy operations of Amtrak, commuter rail operators, and shortline Indiana Railroad to Class I and regional railroads with multi-person crews, the data supports the finding that single-person crews are as safe as multiple-person crews. Similarly, when assessing similar data sets for US Class I rail operations and European rail operations, it appears that European railroads and their single-person crews realize better safety performance than their US counterparts when it comes to derailments, employee injuries, and signal compliance, and similar outcomes with regard to collisions and fatalities. This data, too, supports the conclusion that single-person crews appear to be as safe as multiple-person crews.

Federal Preemption

Finally, there is much legal authority to suggest federal law prohibits state and local governments from legislating the size of railroad crews because the resulting patchwork of different laws from state-to-state will negatively impact the movement of goods in interstate commerce.

In fact, the Federal Railroad Administration is considering a rule related to two-person crews that may take into account the type of freight that is being shipped and existing one-person crew operations, among other factors.

Please vote "NO" on HB 1742.