**Why rail safety should be included in the infrastructure legislation**

There is an important element regarding rail safety that has been left out of the infrastructure legislation that passed the U.S. Senate.

* Infrastructure legislation that passed the U.S. House – the INVEST in America Act -- requires that freight trains are operated by a crew of at least two individuals -- a certified conductor and a certified engineer. This legislation is critical to ensuring the safety of our nation's railroads and the millions of Americans who live in the surrounding communities that freight trains run through.
* **Train crew size is absolutely a public safety issue.** In the United States of America, a human is struck by a train, on average, every three hours. Unfortunately, what is not measured, however, is the number of near-misses or saved lives because of the actions of the crew, especially the conductor. Locomotives are not like a car; visibility is severely restricted, and it takes two people to see the entire forward field of vision. There are literally thousands of stories from our members about saved lives because of the intervention/actions of the conductor onboard the locomotive.
* **On July 6, 2013, an unattended freight train carrying 72 tank cars of crude oil derailed and exploded in Lac-Megantic, Quebec, killing 47 people and destroying the town.** The train rolled away from its parked position because the single crew member could not properly secure it alone.
* **Canada mandated a two-person crew as a direct result of the Lac-Mégantic rail disaster.** The Lac-Mégantic rail disaster resulted in 66 of the 69 downtown buildings being destroyed and 47 lives lost. That train did not have a conductor. It was only staffed with a locomotive engineer. Canada’s regulatory action as a result of this accident was to mandate two-person crews. That mandate is still on the books.
* **Public safety is not negotiable.** It is a matter for legislation. Otherwise, public safety could be negotiated away by the parties sitting at the table. And make no mistake, reducing freight train crew staffing will have an affect on the general public. Whether it’s longer stops at railroad crossings or not having an immediate responder to warn nearby citizens of imminent danger, the loss of a conductor will have an adverse impact.
* **Train crews go above and beyond in extraordinary circumstances.** Humans have an innate desire to protect other humans. Past actions of conductors thrust into extraordinary circumstances prove this fact. In the event of an accident, the priority for any technology is not for human preservation, but rather to follow its programming. To the contrary, conductors do everything in their power to mitigate the danger, not just for themselves, but for the community surrounding them.
* **One person crews are not in use on Amtrak.** All Amtrak trains have at least a conductor and an assistant conductor onboard to assist the engineer and address issues that may arise with the train while en route.
* **Conductors and locomotive engineers are an elemental team that exhibit high performing characteristics found across industries.** This includes the airline industry. While there are two sets of controls in a cockpit, both cannot be utilized at the same time; only one crew member is ever in control of an aircraft. Two people are needed for the unforeseen and unanticipated. It is no different in the railroad industry. Typically, locomotive engineers and conductors are each responsible for a long list of unique duties, most of which must be carried out simultaneously, even with the investments in technology, such as Positive Train Control, that the rail carriers have made.
* **Technology has not replaced the conductor position, nor is it capable of it.** Conductors contribute to the set of cognitive activities required to operate the train safely and efficiently. PTC does not. Additionally, conductors provide the maintenance when a train breaks down; allow for immediate inspection of a train, when necessary; and observe for hazards that pose a threat to railroad operations. (PTC cannot detect objects, even those capable of derailing a freight train.)
* **America’s class I railroads are not innovators.** Today’s railroad technology was not *achieved*, it was acquired through Congressional mandate; specifically, the Rail Safety Improvement Act of 2008. The RSIA specified that PTC be implemented by 2015. Because it was mandate and not innovation, PTC will not meet 100% installation until end-of-year 2020 (which does not include interoperability), thus requiring two past additional extensions from Congress.
* **Today’s rail technology is intermittent at best.** In April of 2019, SMART TD began collecting reports of railroad technology failure from its members (the vast majority of which are PTC failures). Within 10 months of collection, SMART TD has received over 3,000 voluntary reports from its members. Much like the Boeing 737 Max, PTC has its problems and the locomotive crews are sounding the alarm. While the modes of transportation differ, the results, unfortunately could be eerily be very similar.
* **Emergencies will happen.** Locomotive crews operate through some of the most desolate terrain in the country; terrain not accessible by car or EMS. Having a second person in the cab at those moments not only protects the employee, it also protects the general public in the event one crew member becomes incapacitated. Two-person crews not only help prevent potential accidents or derailments, but also play a critical role in mitigating emergency situations when they do occur – anytime a collision at a crossing occurs or a train derailment occurs, the true first responders are the conductor and engineer aboard, who can relay info and render aid, if possible.
* **No one would approve of a commercial airliner being operated without a copilot, even though a plane can fly itself; a freight train should be treated no differently** — the engineer and conductor are integral to safe operations and the infrastructure bill in its final form should keep them aboard.