



## Brotherhood of Locomotive Engineers and Trainmen Ohio State Legislative Board

A Division of the International Brotherhood of Teamsters Rail Conference

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Ohio House of Representatives – Finance Committee  
February 21, 2023 Meeting Testimony of John Esterly

Chairman Edwards, Vice Chair LaRe, Ranking Member Sweeney, and members of the Finance Committee of the Ohio House of Representatives – thank you for the opportunity to address you today regarding Substitute House Bill 23, the Transportation Budget for 2023 – 2024. My name is John Esterly and I am the State Chairman and Legislative Director of the Brotherhood of Locomotive Engineers and Trainmen, a member of the Teamsters Rail Division. Our organization represents nearly 2,500 active and retired locomotive engineers and freight conductors in the State of Ohio and my role is to advocate for legislation and regulation that improves the health and safety of our members and the public at large. When I am not functioning in this role, I am a working locomotive engineer and freight conductor based in Columbus.

Today I will present my views as a labor representative, a professional railroader, and as a lifelong resident of Ohio. Substitute House Bill 23 includes language to improve rail safety in our state – requiring a two-person crew on freight trains, establishing guidelines for wayside defect detectors, and addressing blocked road crossings. These items are critical to the safety of not only railroad employees, but also for the communities that our trains operate in.

You may hear testimony opposing two-person freight train crews. Opponents speak to the benefits of “new technology” and discuss “crew redundancy.” The technology opponents site as their justification for reducing crew size is already in place throughout our state, and in spite of this we continue to see an alarming trend of increasingly troubling railroad incidents. Whether it be October’s derailment in Sandusky which still has Columbus Avenue blocked, or November’s damages in Ravenna, or most recently – the catastrophe in East Palestine, the full impact of which may not be known for years – the technology that opponents laud failed to protect Ohioans. No computer will be able to repair a train when it breaks down, no satellite will be able to separate the train to let vehicular traffic through, and most importantly – no technology will replace the immediately mobile member of the crew when the unthinkable happens. The second member of the crew – the conductor – is the first first responder, able to quickly assess the situation and provide information and guidance to police and fire fighters when they arrive.

Another important part of the transportation budget deals with wayside defect detectors and their use on the railroad. These devices are located periodically along railroad tracks, and detect dragging equipment, leaning equipment, hot bearings and wheels, and more. Unfortunately, there is no State or Federal regulation on their function or requirement that the railroads act on information they provide. Think of them like a service engine soon light in your car – if it comes

on, you might immediately see a mechanic to see what the issue is. Or, you might choose to finish your trip. The railroads are similarly not bound to any action if a defect is detected in a train. They may opt to immediately stop the train and inspect the issue, or they may choose to complete the trip – playing the odds with their cargo and crew, but more importantly with the safety of the communities that these trains pass through.

Finally, every meeting I have with an elected official includes a conversation about blocked road crossings. The length of trains has continued to grow over the past five years, and reductions in manpower due to new operating models have created a perfect storm for long-term blockage of public roadways. Language in this budget will create an incentive for railroad operators to keep crossings clear – open for emergency vehicles, vehicles operating on roadways for business, and for the general public. Keeping trains moving safely is good for everyone.

These three railroad safety items mirror similar legislation that has either been passed or introduced in many of our neighboring states. These budget items will promote safety – and save lives in Ohio – with no additional cost to Ohioans. I want to thank the Committee for your time today, and to thank the members of the Finance Subcommittee on Transportation for working so hard over the past two weeks to get this critical rail safety agenda moving through the House. At this time, I am happy to answer any questions.