



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 Senate – Transportation Committee May 22, 2024 Meeting Testimony of John Esterly

Good afternoon, Chair Kunze, Vice Chair Reineke, Ranking Member Antonio and members of the Ohio Senate Transportation Committee. My name is John Esterly, and I am the State Legislative Board Chairman for the Brotherhood of Locomotive Engineers and Trainmen, a division of the Ohio Teamsters Rail Conference. Collectively, we represent over 5,000 active and retired rail employees, including freight, passenger, and yard operating crews as well as track and facilities maintenance. I am here today to speak out in favor of Senate Bill 250 which would offer revisions to the wayside defect detector mandate passed by Ohio's Legislature last year as part of Sub. House Bill 23 – the Transportation Budget.

Senate Bill 250 revises the "one size fits all" statute passed last year to recognize the differences in size, operations, and finances in the smaller Class 2 and Class 3 railroads in Ohio. SB250 recognizes the legislative intent of the original bill, and Ohio will still be the pinnacle of rail safety – after full implementation of the mandate, even with the revisions proposed, Ohio will have more wayside detection centers than any other state in the country. The current statute will remain unchanged for the larger Class 1 railroads such as CSX, Norfolk Southern, and Canadian National.

SB250 does not do away with the requirement for wayside defect detectors. Instead, it adjusts the spacing between detection centers on Class 2 and Class 3 railroads to more appropriately match their operations. These railroads are often responsible for first- and last-mile service for shippers, partnering with Class 1 railroads for longer distance service. Because of this, railcars will pass over numerous detectors before or after interchange.

SB250 also proposes improvements to the current law. If a Class 2 or Class 3 railroad wants a variance to the spacing requirement, they would need to submit their reasoning to PUCO in writing. This written justification would prevent the railroads from taking advantage of the variance to increase the distance between detector site even further.

Thank you for the opportunity today to testify on behalf of Senate Bill 250. I am happy to answer any questions or address any concerns that the Committee may have.