

Testimony of Clyde Whitaker

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Before the Ohio General Assembly – in support of S.C.R. No. 8 (Urging U.S. Congress to pass H.R. 971, the RAIL Act)

Chairman Patton, Vice Chair Schaffer, Ranking Member Antonio and members of the Ohio Senate:

Thank you for the opportunity to appear before you today.

My name is Clyde Whitaker. I serve as the Ohio State Safety & Legislative Director for SMART-TD, representing locomotive engineers, conductors, yardmasters and other rail operations crafts across our state. In that capacity I have spent over two decades at work in rail yards, locomotive cabs and communities alongside the lines. I come before you today not only as a union leader but as a railroader who has seen firsthand the human consequences of unsafe practices and corporate short-cuts.

In early February of 2023, I visited the village of East Palestine, Ohio. I went there to talk with people whose lives have been changed, and more to the point, defined by a catastrophic train derailment and chemical release. I stood in the homes of residents who no longer felt safe, I heard the stories of fathers and mothers and children whose neighborhood innocence had been shattered, I saw the soil and water and air in a community scrambled by the failure of a system that placed profit above morality. I will never forget those conversations.

I believe this ground, the soil of Ohio, the land we call home, the towns and cities through which rail lines hum day and night, is sacred. I know that to some it may not feel that way. But I believe it is.

In the Gospels we read the account of Jesus turning over the tables of the money-exchangers in the temple, because he would not tolerate the desecration of what is holy by the pursuit of profit. In that spirit, I come before you today to insist that we not allow the rails in our communities to become instruments of profit at the price of human safety and dignity.

This resolution, S.C.R. No. 8, urges the Congress of the United States to pass H.R. 971, the RAIL Act, which would strengthen inspections of trains, reinforce hazard-placard requirements to assist emergency responders, increase penalties for safety violations, require new rules by the Secretary of Transportation, and mandate a minimum of two-person crews for all Class I freight and passenger trains. The resolution rightly notes that more than 12,000 U.S. cities, towns, and villages have rail tracks running through their boundaries, and that since 2020, more than **4,000** trains have derailed in this country. The high stakes could not be clearer.

I first stood before this very body in 2023, and again in 2024, urging state-level legislation to raise rail-safety standards here in Ohio. At that time, many of you told me, that you are on the side of the workers you represent. You support rail-worker safety and public safety. But you believe that the primary responsibility lies at the federal level under our U.S. Constitution and the Ohio Constitution. I heard you. I believed you. I believe you still mean what you said.

What this resolution does is exactly that: it acknowledges the role of the federal government, it aligns our state with that national leadership, and it asks our federal delegation to act. I stand here today saying: I heard you, SMART-TD, the largest rail labor organization nationwide heard you, and we are following your guidance. Now we ask you for your support in this course of action.

Why is this so urgent? Because the dominoes are already falling. In my written testimony before the U.S. Senate in March 2023, I documented how one of the major rail carriers was instructing crews to ignore defect-detector alerts, to press on with trains rather than inspect them, all in the name of keeping profits rolling. Because of that kind of practice, our communities, our workers, and our state are at risk. As I told the committee then: “This cut-your-way-to-profit model is not sustainable and it is very, very dangerous.”

Here in Ohio, we have already made important progress: a two-person-crew minimum and new rules regarding wayside-defect detectors. I thank you for this, as it is in large part to your leadership. But as the RAIL Act recognizes, the system is national in scope. A train leaving Ohio may continue through multiple states; hazardous materials may roll many miles; **a defect ignored in one place becomes a danger in another**. The legislation before Congress is not about regulation for regulation’s sake. It is about accountability, transparency, and life-or-death responsiveness.

The people of this state (your constituents) deserve to live, work, and raise their families free from the fear of a preventable rail catastrophe. The workers I represent: the men and women who keep our freight and commerce moving, deserve to do so without being asked to gamble their lives on broken systems. To those who pledged to protect the public: fulfill that pledge.

Let this resolution send a clear signal: that Ohio stands for safety, for accountability, for the dignity of every community on the path of a railroad. Let Ohio tell Congress: we will no longer tolerate the status quo of shortcuts, hidden risks, and profit-before-people. Let us affirm our shared values and obligations and let us show the country that we turn over the money exchangers’ tables in this sacred space.

In closing, I ask this body to adopt the resolution, to transmit its support to our federal delegation, and to stand not only for the people of Ohio today, but for tomorrow’s children, who will inherit the safety legacy we choose to build in this moment. This is our sacred ground. Let us protect it.

Thank you for your time, and I remain ready to answer your questions.