

Good morning Chairman Green, Ranking Member Sheehy. My name is Robert Hagan and I appear before you today to offer proponent testimony on House Bill 186, which, when enacted, will make Ohio's railroad right-of-ways, railyards, roads and highways, rural areas, small towns, and cities much, much safer.

I, every member of the Brotherhood of Locomotive Engineers/Teamsters, and railroad workers in this state and across the country, would like to thank primary sponsors Hillyer and Sheehy as well as the 22 co-sponsors of both parties, including Rep. Lepore-Hagan who is intimately familiar with issues related to railway safety, for introducing this vitally important measure.

As many of you know, I served as a member of the Ohio House and Senate for 28 years. During most of that time, I was also working as a locomotive engineer for CSX. While it may not seem so at first glance, the two occupations are similar because each comes with tremendous power and awesome responsibilities.

As an engineer you can literally feel the power. It comes up from the rails, through the wheels, to the floor of the cab and the throttle—the thousands of horsepower needed to propel hundreds of cars holding thousands of pounds of freight down the tracks at breakneck speeds through farmland, small towns, industrial parks, and urban centers. 99.99 percent of the time the people who live and work in those places aren't even aware that a mechanical behemoth is passing through—which means the engineer and his crew are doing their jobs well.

With all that power comes the responsibility to operate a train as safely as possible because there's a reason why disasters and catastrophes are called "trainwrecks." I'm sure most of the people in this room have seen video footage and pictures of derailments and accidents. While those images are gruesome, they don't come close to conveying what it's like to see, hear, and feel a collision from the cab of a locomotive.

I know, because I have.

It happened in 1987, which, coincidentally was my first year as a member of the House. By that time I had been working for CSX for 15 years, running trains from New Castle, PA to North Central Ohio and back. It was a dark Thursday early morning. My train, which consisted of 120 cars of grain weighing more than 21,000 tons, was traveling at 40 miles per hour when I saw, in the distance, a car stopped on the tracks. I knew that a wreck was inevitable. It is virtually impossible to stop a train of that weight, traveling at that speed, in less than a half mile.

I told my conductor to get ready to duck because the coming crash would demolish the car and send pieces of metal flying everywhere, including through the windows of our locomotive. We smashed into the vehicle and dragged it one-half mile up a hill. To our surprise, a man emerged from the passenger side of the car. Limping, but appearing none the worse for the experience, we helped him climb aboard the cab. "I can't believe I was hit by a train. I didn't even think trains still ran in Ohio," he said before collapsing on the floor.

"Nice job, Hagan," my conductor said. "You hit his car he survives, you bring him up here and he dies." Fortunately, he wasn't dead—although to this day I don't know how he made it. We called for help, sent him on his way and began dealing with the aftermath of the accident.

My point in telling you that story is this: even though we did everything right, we were traveling at legal speed on a clear night, an accident happened because the driver wasn't aware that he had placed himself in danger—and the sheer physics of the situation prevented us from doing anything to protect him.

Today, that danger is greater than ever before. The trains that operate in your districts are longer and heavier and more complicated to operate than ever before. Engineers must monitor two computer screens, watch air flow indicators, the speedometer, and look out the windows to see if there is danger ahead. Engineers are prohibited from leaving their cab, which means they cannot walk back to check on vehicles or people hit because they carelessly entered a crossing or went around a gate. And now that trains are regularly three miles long, a radio is the only link between the locomotive and the last car. Losing that connection puts their, and the public's safety in jeopardy. I happens more and more with the advent of the behemoth trains of today.

And yet at a time when the risk associated with train operations is increasing, America's railroad companies are engaged in reckless campaign to eliminate conductors and place the safety of the communities and people you represent in the hands of one person: the engineer. Removing the conductor eliminates a highly trained professional who serves as an extra set of eyes and ears that helps ensure engineers don't miss slow-down points or block crossings when an emergency vehicle needs to get by. Losing the conductor means losing the person who can go back and access the damage caused by an accident, summon help, and repair broken connections.

In short, the railroad operators are placing the pursuit of profit ahead of the safety of your constituents.

Of course, the industry disputes my union's position. They argue that Positive Train Control or PTC systems make two-person crews unnecessary. But as BLE President Dennis Pearce recently told Congress, PTC was not designed or intended to prevent all accidents. The system does nothing to reduce potential accidents at crossing caused by motorists who fail to yield for trains. It can't walk the length of a consist, radio status reports from the last car in a three-mile long train, and, in fact, cannot prevent low speed collisions. In short, PTC is not the silver bullet the industry would have you and the public believe.

The Federal Railroad Administration's failure to recognize that the increased danger caused by longer, heavier, faster trains, more complicated locomotives, and increased traffic is a formula for disaster. Instead of taking actions that will increase safety on the rails and in the communities you represent, the FRA has derailed a rule requiring two-person crews and is attempting to prevent states like Ohio from protecting its citizens by doing so.

That is why I, the members of my union, and the thousands of people who work on the railroads that criss-cross Ohio applaud Reps. Hillyer and Sheehy and the 22 Republican and Democratic co-sponsors for introducing HB 186, which, along with making mainline operations safer will also eliminate hazardous conditions in rail yards. The new lighting and walkway standards called for in the bill will prevent injuries and increase productivity—goals we believe the railroad owners should support enthusiastically.

As I mentioned at the beginning of my testimony, your job, like that of a locomotive engineer, comes with tremendous power and awesome responsibility. I felt both each and every time I sat

in committee or walked onto the floor of the House or the Senate. Each of you has the power to do incredible things for the people of Ohio and the responsibility to exercise that power wisely.

I can think of no better way to discharge that responsibility than taking the steps necessary to make and keep Ohio's railways, roadways, communities, and residents safer than ever before by voting for HB 186.

Chairman Green, Ranking Member Sheehy, and members of the Committee, thank you for giving me the opportunity to speak to you today and I will be happy to answer any questions you may have about this important legislation.