

House Committee on Transportation and Public Safety
Representative Michael Sheehy
Sponsor Testimony for House Bill 194

Chairman Baldrige, Vice Chair McClain, and fellow members of the Transportation and Public Safety Committee, I thank you for the opportunity to testify on HB 194 today.

As my joint sponsor, Rep. Lepore-Hagan has illustrated, this legislation is vitally important to ensure the safety of not only trains and their operators, but also the communities that they are traveling through.

I have 40 long years of experience in the rail industry, and those years have taught me never to take safety for granted. I witnessed many tragic accidents that were due to poor timing or simple equipment failure. Many things can go wrong when you are operating a machine weighing more than 5,000-tonnes moving at an average of 60 miles per hour. Historically, freight crews have consisted of 5 members; the conductor, the head brakeman, the rear brakeman, the engineer, and the fireman. Modern technology has allowed for this number of crew members to be reduced, but reducing the crew size to a sole person is a public safety risk. No technological safeguards can protect against operator fatigue which occurs due to the nature of the job. Two alert and fast thinking crew members are essential to avoid distractions, effectively deal with emergencies, and safely operate the train.

In 2015, a train carrying 3 million gallons of crude oil derailed during a snow storm in Mount Carbon, West Virginia. Twenty-seven of the train's 109 cars derailed, and twenty leaked crude oil into the area. It was determined by the Federal Railroad Administration that a broken rail was the reason for the crash. Luckily, there were two crew members operating the train. The conductor and the engineer responded quickly in an inaccessible area, uncoupling the locomotives and moving to safety. This would have been impossible with only one person on a crew.

A similar standard is required in the commercial airline industry and I strongly believe this is something we need to duplicate in the rail freight industry. This legislation is also currently under consideration by the Federal Railroad Administration, who proposed the rule last year. I encourage your support on this legislation and again thank you for the opportunity to speak about it. I would gladly answer any questions the committee may have.

Thank you for your consideration. We would be happy to answer any questions you may have.