
SUPPORT HB24-1030 RAILROAD SAFETY REQUIREMENTS
REP MABREY & MAURO, SENS EXUM & CUTTER

THE PROBLEM

TRAIN LENGTH AND HAZARDOUS MATERIALS:

The Federal Railway Administration (FRA) does not regulate train length, hot bearing or dragging detectors, the length of time trains can block crossings at grade, training requirements for community response to derailments or insurance requirements. In Colorado, railroads have increased the length of trains to the point now some trains, including trains carrying hazardous materials, can exceed 10,000 feet in length and weigh more than 20,000 tons.

In trains carrying hazardous materials, the FRA only regulates the train's speed in certain situations, not the train's length or the train's weight. Longer and heavier trains can cause more wear and tear on the track infrastructure, especially when considering in-train buff and draft forces and can take longer to stop in emergency situations.

Railroad companies will argue they have had a 49% decrease in accidents and that 99.9% of their materials arrive without incident. Unfortunately, incidents involving hazardous materials have increased in the last 20 years, not decreased. In 1990 when the railroads started lobbying for less hazardous materials regulation, derailments quickly followed. When railroads began implementing their Precision Scheduled Railroading (PSR) operating plans to increase profits in 2010, hazardous materials derailments increased significantly. (New York Times, March 9, 2023).

HOT BEARINGS AND DRAGGING DETECTORS:

The FRA recommends but does not require hot bearing detectors or dragging detectors. Colorado has some of the most difficult terrain and these detectors let the train crew know when there are hot bearings, axles, or brakes. Dragging equipment detectors alert the crew to anything dragging or derailed. Railroad companies are not currently required to disclose where



Wayside detector on railroad tracks

wayside detectors are installed, whether the detectors are operational, or to consider variable track conditions in the placement of detectors. Railroads have also started sending alerts to a central system, not to the train crew who can respond quickly to any alerts. This allows the railroad to determine when a train should stop to investigate a wayside detector alert, not the engineer.

BLOCKED CROSSINGS AT GRADE (RAILROAD GRADE CROSSING):

There are no state or federal regulations preventing a train from blocking a crossing for an extended period. The railroad can break apart the train to allow traffic to pass but choose not to since it takes time and crew members. Communities can be cut in half – separating people from schools, hospitals, or their work for 2 hours or more. This has resulted in deaths when first responders could not get to their patients in time to help. These are low-income communities that are impacted the most.

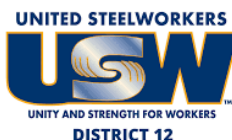


ACCIDENT INVESTIGATION:

The unions representing rail workers are required to be allowed on accident sites only based on financial losses and whether the NTSB is called to investigate. The NTSB only has 12 investigators in the entire U.S. The railroad frequently denies a union representative from accessing accident sites who assist in the investigation and help determine the cause and how to prevent it in the future.

THE SOLUTION:

- Ensure trains are not longer than 8,500 feet.
- Prevent the railroad from blocking crossings at grade for longer than 10 minutes.
- Require hot bearing and dragging detectors every 10 miles that notify the crew on the train of problems (not just the operation center).
- Allow a union representative access to all accidents (as defined by the FRA).
- Mandate minimum insurance requirements for railroads carrying hazardous materials.
- Require railroads provide training and safety drills to respond to hazardous materials.



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