



OREGON EASTERN RAILROAD ♦ 164 WASHINGTON ST E ♦ VALE, OREGON 97918

March 4, 2019

Joint Transportation Committee

HB 2970

Dear Co-Chairs and Members of the Committee:

I am Bruce Carswell with Oregon Eastern Railroad. I am opposed to HB 2970 because it represents an unnecessary economic burden on our rural rail service without a valid safety justification. Our opposition is based on several reasons. First, the Oregon Eastern Railroad (OERR) often operates with two-person crews but not always with both crew members aboard the locomotive or otherwise on board the train. In those cases, the engineer aboard the train and the conductor is on the ground, observing the operation and providing the engineer directions. This method of operation provides for the safest and most efficient for small railroads, their crews, and the public by allowing for such things as roll by inspections, of the trains and enhanced grade crossing protection. Additionally, many operations in railyards have for years been safely conducted by remote control locomotives with no one aboard the train.

Second, there is no data that shows two-person crews are safer than one-person crews. The Federal Railroad Administration recently stated, “[We] cannot provide reliable or conclusive statistical data to suggest whether one-person crew operations are generally safer or less safe than multiple-person crew operations.” (2016 NPRM). The National Transportation Board has similarly stated, “Based on our limited experience in this and other modes, we don’t find that two-person [train] crews offer a safety benefit.” (NTSB Chairman Christopher Hart 2016 House T&I Testimony). Any suggestions that using one-person crews constitutes a public safety risk and that state government needs to interject itself into this area, are simply not based in fact. Accident data, available through the Federal Railroad Administration, shows no evidence that two-person crews are safer than single-person. Because of the possibility of distractions, simply having multiple persons in the cab can complicate the job and increase the safety risk.

Thirdly, the arbitrary imposition of addition personnel would have a very detrimental impact on our ability to economically serve the rail shippers on this line. Due to the costs to add personnel for our small operation, we would have to impose increases in our freight rates to cover this cost which would likely cause shippers, which include EP Minerals, Farmers Supply Co-op, and Dentinger Feed & Seed, to move their products by highway instead of rail.

We have always been supportive and involved in the development of safety practices and procedures that have a positive impact on our employees, our shippers, and the communities we serve. We do not see the data or facts that support the need for two-person crews in the name of enhancing safety. The OERR feels the efficiencies allowed by the selective use of single-person crews enable increased capital to be spent on safety critical operations and structures. Therefore, we do not support legislation or regulation at any level of government that mandates the use of two-person crews.

Please vote no on HB 2970.

Thank you for your consideration,

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