

**March 4, 2019**

**Oregon Joint Committee on Transportation**

**H.B. 2970**

**Written testimony on submitted by:**

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**Genesee & Wyoming Railroad Services**

Chairman Beyer, Chairwoman McKeown, Members of the Committee:

My name is Kevin Haugh, and I am VP of Operations for Genesee & Wyoming's two subsidiary short line railroads in the state of Oregon: The Portland & Western Railroad, which includes the Willamette & Pacific Railroad, and the Central Oregon & Pacific Railroad. These short lines exist to provide safe and efficient rail service to communities and businesses in Oregon that otherwise would not be connected to the national freight rail network.

I am here today on behalf of our railroads to oppose H.B. 2970 which would require a train used in connection with the movement of freight not to be operated unless the locomotive has a crew consisting of at least two individuals. We believe this bill to be ill-conceived by not taking into account the current safe operating practices that are used by G&W short line railroads in the state.

First, let me emphasize the complete commitment to safety of all G&W operations. Our fundamental approach is that if it cannot be done safely, then we will not do it. We take compliance with all Federal Railroad Administration (FRA) regulations very seriously and very routinely exceed the minimums those standards call for when we feel it is required for safe operations.

This constant focus, encouragement, training and reinforcement of safety on G&W short lines pays off. A common measurement of railroad safety performance is how often employees experience an FRA-reportable injury. The Portland & Western Railroad is currently at 170 days, and the Central Oregon & Pacific Railroad 1,895 days, without any reportable employee injury. Portland & Western has, in the past, worked more than a million consecutive man-hours without an FRA-reportable injury. Ten years ago, the Willamette & Pacific became the first G&W railroad to receive the rail industry's most prestigious safety award, the E.H. Harriman Gold Award for best safety performance of any U.S. railroad working between 250,000 and four million man-hours. G&W railroads are, collectively, three- to four-times safer than the average U.S. short line railroad.

Let me provide an example of why the proposed two-man crew legislation is a bad idea and will not improve safety:

The Portland & Western (PNWR) is a 520-mile railroad operating from Wauna in northwestern Oregon down to Eugene, with a branch line out to Toledo and from Corvallis up to Newberg. The PNWR operates with single person crews for various jobs around Salem, Corvallis, Hillsboro, Albany and Eugene. On short-distance jobs, a single engineer runs the train, and when the job requires them to be outside of the locomotive, they have a state-of-the-art locomotive remote-control box to safely move the locomotive and railcars into proper position. One-person-crew jobs is a practice that has been in place on the PNWR for almost seven years and industry-wide for more than 20 years, and there has been no safety incident related to the practice during that time on the PNWR.

The PNWR is a unionized railroad, and the practice of using single-person crews has been negotiated through our local collective bargaining process and approved by the BLET for safe operation. In the situation with this bill, it should not be within the jurisdiction of the legislature to insert itself in the collective bargaining process. The PNWR is proud to be using advanced technology such as remote control locomotives to run our railroad safer and more efficiently, resulting in better customer service for the small businesses that ship along our railroad.

We have found no correlation between the number of employees manning a train and the safety of that train's performance over time in our industry. Railroads by almost any measurement were less safe 30 and 40 years ago when almost all trains had five and six crew members. Safety is based on thorough training, coaching and support of employees and applying the right technology. It also is based on having enough funds to invest back into the railroad. Any effort by a state to require employment that is not needed will result in fewer funds available for the railroad to invest in its privately maintained track, equipment and training.

Maintaining a safe and efficient short line network in Oregon requires allowing railroads to be managed in an appropriate manner. I would encourage you today to vote against H.B. 2970 and allow the railroad industry to continue to be the safest it has ever been in its almost 200-year existence.