

February 28, 2019

To Whom it May Concern:

Thank you for this opportunity to provide comments about House Bill 2970, which seeks to establish mandatory minimum crew size requirements for trains in Oregon.

I oppose House Bill 2970 for the following reasons:

- **It could have a stifling impact on rail service in Oregon.** Few states have enacted measures to establish minimum crew sizes, and those that have are not currently enforcing these laws. By passing this measure, lawmakers would put Oregon on a regulatory island that Class I railroads would need to reconfigure current policies and procedures in order to serve. This would undoubtedly affect service, efficiency, and cost. For shortline railroads the impacts could be even more profound as crew size mandates could undermine existing practices necessary to provide safe, efficient, and economical service to local customers. Once service to local customers is affected a chain reaction will most likely follow and shift the freight from rail to truck, adding more trucks on the roadways and thus making travel more dangerous to the public.
- **Crew size is already handled through collective bargaining.** In addition to being counterproductive, this measure is also unnecessary since crew size is already a central issue handled through collective bargaining between railroad labor and management. Given the important role of rail in supporting interstate commerce, railroad collective bargaining follows a specific process established by the federal Railroad Labor Act of 1926 which includes oversight by Congress and the President. This process prohibits either side from taking direct action (either in the form of a labor strike or management lockout) at specific junctures in the process, it requires both sides to agree about any change to the current agreement, and it provides railroad workers with the ultimate authority on all matters including crew size since they need to ratify the final agreement through their vote.
- **The federal government occupies this space.** Through numerous acts and actions, the federal government has established preemption on the issue of crew size.

Given these facts, I respectfully urge you to oppose House Bill 2970.

Thank you for your consideration,



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