



a Genesee & Wyoming Company

May 24, 2021

The Honorable Lee Beyer and the Honorable Susan McClain
Co-Chairs
Oregon Committee on Joint Transportation
900 Court Street NE
Salem, OR 97301

CC: Representative Nancy Nathanson, Representative Brad Witt

Co-Chairs Beyer and McLain,

The managers and employees of Portland & Western Railroad (PNWR) understand that any motorist delay waiting for a train at a grade crossing can be frustrating. We work hard to minimize blocking crossings for any longer than necessary as we provide safe, efficient, and environmentally-sound freight transportation for the communities and employers we serve.

Recently introduced HB 3339 has the apparent purpose of addressing “blocked” grade crossings. However, this legislation is really treating symptoms of a problem and not the root cause of the issue it is trying to address. Please let me explain why I believe this to be true.

There are many factors that influence how long a train occupies a railroad crossing. These include the length of the train, speed at which the train is moving, current track condition, the crossing condition, the commodity being hauled, the weather, and the proximity of the crossing to locations requiring the train to stop as part of its safe operations or something blocking the track ahead. Imposing a fine for occupying a crossing will not improve any of the aforementioned factors. A fine will also cause less investment into improving the infrastructure that can better the situation. Recognizing that railroads cannot be picked up and moved, the most realistic way to address occupied crossings is to work with local communities on a case-by-case basis.

PNWR managers work routinely with communities served by the railroad to address local concerns. These issues can be addressed with modifications to current rail operations though sometimes that is not possible due to the existing rail and roadway infrastructure in place. Assessing fines on the railroad in these situations is simply counterproductive. This is not a case of issuing a speeding ticket for an auto driver going 50 mph in a 30 mph zone; the railroad could be operating entirely within its own rules and FRA regulations and still be required to occupy a grade crossing for a period longer than local residents find agreeable.

At the state level let me provide a few ideas on a more direct and results oriented approach to this issue:

1. The best way for a short line to reduce grade crossing occupancy times is to improve its track structure to allow for increased train speeds. Changing the train speed limit from 10 to 25 mph will reduce occupancy time by 250 percent.
2. Sometimes the layout of tracks close to a grade crossing can be modified to reduce the time a train needs to occupy a crossing. Changing the structure of sidings or a small yard might allow the railroad to reorient the way it switches freight cars on the track, allowing for reduced time occupying key grade crossings.
3. Not all physical changes need to be made on the railroad to improve the flow of vehicle traffic at grade crossings. As a result of an ODOT highway corridor study several years ago, a new grade crossing was constructed in Scappoose on the south side of town along US 30 at Havik Road. It was to allow for vehicle access on either side of the town even when a long train was passing through town, or even stopping in a case of a train emergency.
4. Finally, working cooperatively to close grade crossings in corridors that have multiple grade crossings in a relatively short distance could give a railroad a long enough section of its line to stage its trains without blocking crossings.

The state financially assisting Oregon short lines to make these types of improvements to their tracks, or Oregon communities to restructure their existing grade crossings in key areas could result in significant reductions in wait times at grade crossings.

As a short line railroad, PNWR serves both urban and rural areas where the railroad tracks are a part of the fabric of the community. Many railroad operational challenges should be resolved by a voluntary partnership between PNWR and local government officials. The approach taken in HB 3339 undermines the potential to a foster cooperative approach and attempts to treat a complex set of issues like highway speed limit enforcement. In this case it will not work as the bill intends and will set back future open joint efforts between Oregon railroads and the communities they serve.

Respectfully,



Ryan Englebright
General Manager