



*A bold voice for transportation workers*

## **SENSIBLE GRADE CROSSING SOLUTIONS ARE NEEDED TO ENHANCE SAFETY NATIONWIDE**

Every other day, someone loses his or her life at one of the nation's 211,000 grade crossings – another 840 are injured and the FRA reports a total of over 2,000 collisions. These accidents and fatalities have devastating and long-lasting consequences for victims, their families, and front-line rail workers who know that more can be done to stop this carnage. While grade crossing fatalities have decreased by 75 percent since 1981, progress has stalled over the last 10 years and it is clear that new investments, a commitment from rail carriers and proactive regulation by the FRA are key to improving safety in this critical area of freight and passenger rail.

From our perspective we support a variety of solutions to lessen the frequency of grade crossing collisions, injuries and fatalities. First, regular onsite testing and inspection of grade crossing systems by skilled and qualified signalmen must be mandated by federal regulation. These trained technicians have the expertise to prevent and detect equipment malfunction of crossing signals and warning device systems. Attempts to replace frontline workers with unproven technology to conduct this safety sensitive work must be rejected.

Physical infrastructure improvements in and around grade crossings and other rail facilities are also a crucial component to improving safety. Policy makers need to provide the resources and guidance for local and state municipalities to implement improvements that we know work. For example, four quadrant gates should be deployed to eliminate the option of vehicles going around a single lowered gate, concrete medians can be used to prevent vehicles from crossing over into opposite lanes of traffic and automated horn systems to alert pedestrians and drivers of an approaching locomotive should be installed. And more secure fencing is needed around rail yards and stations to keep pedestrians off of the tracks. Grade crossing collision prevention must be a combination of deploying engineering solutions, regular testing and inspection, educating the public and increasing funding to states to better support their needs.

To that end, rail labor supports legislation introduced by Senators Blumenthal and Schumer, [S.713](#)—the Highway-Rail Grade Crossing Safety Act of 2019. The bill would provide rail crossing grants and specifically increase Section 130 and Operation Lifesaver funding, require the FRA to hire grade crossing safety and trespass prevention managers to work with stakeholders on safety improvements, and instruct the Department of Transportation to gather and publish information and statistics related to highway-rail grade crossing problems. It is imperative that Congress include this language in any comprehensive surface reauthorization bill to assist states in these multimillion dollar projects that are critically needed.

The ever-increasing length of freight trains further compounds problems at grade crossings. According to a July 2019 Government Accountability Office (GAO) report, train length at all seven Class I freight railroads have increased by 25 percent since 2008. Some trains now stretch as long as three miles. When a train is stalled or delayed, these massive trains often block grade

crossings. This is not only a nuisance for local communities – where blocked crossings make people late to work, school or other appointments – it is a safety hazard. As stated in the GAO report, officials in Ohio and Texas have described situations where children have had to crawl through stalled trains to get to school. Delays are particularly disastrous for emergency vehicles and first responders, who are stuck waiting while conductors and engineers work to uncouple and separate trains for first responders and EMS to pass through.

The FRA has refused to take any meaningful steps to address blocked grade crossings and seems to agree with the argument that these are issues best addressed at the local level. The reality is that when states do pass laws that impose penalties on rail carriers that block crossings for an extended period of time, these laws are often overturned as an abuse of state power. Given this legal reality, federal lawmakers should impose national fines on carriers that continue to block crossings and hold these companies financially responsible for their conduct. We are also concerned that the FRA's new website for the public and law enforcement to report blocked highway-rail grade crossings will do nothing to actually require the carriers to fix these problems. Simply put, longer trains and blocked crossings undermine safety in too many communities and it is past time that the FRA and Congress reverse the hands-off regulatory approach that has allowed this problem to fester.

However, we are encouraged that the FRA is finally moving on a rulemaking mandated by the Fixing America's Surface Transportation (FAST) Act of 2015 that would require all states to develop highway-rail grade crossing action plans. This is an improvement over a previous law that only required the 10 states with the most highway-rail grade crossing collisions to produce these plans. This proves what we've known all along—this is a national problem and the approach taken by Congress in 2015 and the FRA's recent implementation of the plans reflect that as well.

Rail labor is dedicated to working with all stakeholders, Congress and the FRA included, to improve grade crossing safety. Grade crossing collisions and blocked crossings pose safety dangers to the traveling public and frontline rail workers alike. As Congress considers reauthorizing the FAST Act, we urge it to adopt policies that will increase funding for grade crossing safety programs. Further, we urge the FRA to take a proactive role in addressing blocked grade crossings and collisions. The cost of inaction is too high.

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