

## **Transportation Labor Opposes Rail Industry's Dangerous Push to Weaken Track Inspections**

Thorough inspections are essential for our nation's rail network, which spans 140,000 miles of train track atop all kinds of terrain ranging from plains to mountains, bridges and coastlines and crisscrossing through rural and urban communities. Decades of experience have demonstrated that track defects can be identified in advance through a combination of skilled human inspections alongside technologies such as Automated Track Inspection (ATI), thereby preventing derailments. Rather than following safety principles, the freight rail industry is doubling down on their dangerous and misguided efforts to reduce visual track inspections by 75%—from twice a week to just twice a month—and falsely arguing that ATI eliminates the need for human inspections.

**The Federal Railroad Administration must prioritize safety and reject [the industry's waiver request](#) to reduce the frequency of visual track inspections.**

We thank House Transportation & Infrastructure Committee Ranking Member Rick Larsen (D-WA) and Rail Subcommittee Vice Ranking Member Dina Titus (D-NV) for [their letter](#) urging the FRA to reject the requested waiver. We also applaud Senate Commerce, Science & Transportation Committee Ranking Member Maria Cantwell (D-WA) who led 12 Senate colleagues in [urging the FRA](#) to deny this waiver request. **We call on other Members of Congress to use their voice and speak out against the industry's attempt to roll back visual track inspections.**

Currently, the FRA requires visual track inspections twice weekly for 23 different track defects—far more than what ATI can detect. Track defects are the second leading cause of derailments, so it is essential to ensure that railroad tracks are free from defects. Visual track inspections are typically performed by track inspectors, many of whom are represented by the Brotherhood of Maintenance of Way Employees Division (BMWED).

ATI is technology that has been around since the 1970s. The machine runs over railroad tracks and is capable of identifying one type of track defect: track geometry defects. This refers to the geometric properties of the track, including how wide the track is (track gauge) and the curvature of the track. These account for just 6 of the 23 defects FRA requires railroads to inspect. ATI cannot detect defects like broken rails, rotten ties, washouts where the ground beneath the track has washed away, or obstructions in the right of way. ATI can detect only 26 percent of the types of defects a human track inspector can find and, therefore, cannot replace human inspections. Moreover, ATI only detects defects, while track inspectors identify problems before they become defects.

Additionally, nothing in federal law or federal regulations prevents the railroads from running any form of ATI, including Track Geometry Measurement Systems (TGMS), as frequently as

they want. The railroads run ATI right now, and rail workers, including BMWED members, operate some ATI machines.

To be clear, since the railroads have spread false information about rail labor's position on ATI: **We support the use of Automated Track Inspection technology, including TGMS, because it can detect certain track geometry defects better than the human eye can. However, ATI must be used on top of the existing level of visual inspections, NOT as a replacement for those visual inspections.**

In October 2024, the FRA proposed a rule requiring railroads to run ATI a few times a year while maintaining the same level of visual track inspections twice a week. **We supported this proposed rule, including the proposed ATI requirement, and we continue to encourage the FRA to finalize the proposal to enhance railroad track safety.**

The Association of American Railroads (AAR) and the Shortlines (ASLRRA) opposed the proposed rule, claiming that running ATI 3-4 times a year was “too onerous,” even though AAR has falsely claimed for years that they could not run ATI on the railroads. AAR's comments in opposition to the proposed rule plainly show that this fight is not about knocking down barriers that prevent them from using ATI, but rather about the railroads' attempts to reduce visual track inspections to cut back on costs, no matter the cost to safety.

Another important aspect of this fight is preserving FRA's requirement that railroads take immediate remedial action when a track defect is identified. Under current federal regulations, when a human inspector identifies a defect, he or she must remediate the defect without delay by slowing down trains on the tracks, for example, or taking the track out of service. Under the rail industry's [ATI waiver request](#), the railroads reject the imperative of fixing safety issues immediately and have requested up to 72 hours to address a track defect. What the AAR is seeking in their safety waiver would effectively result in passenger trains carrying travelers or freight trains carrying hazardous materials to run over defective tracks. The consequences of allowing a defect to go unaddressed for up to 3 days could be yet another derailment that kills or severely injures people and causes irreparable damage to communities near railroad tracks. This delay is unacceptable for safety professionals and introduces entirely avoidable safety risks to passengers traveling on trains, workers, and communities that host railroad tracks.

Rail labor is not alone in sounding the alarm about the unacceptable safety repercussions of eliminating visual track inspections. In the [National Transportation Safety Board's \(NTSB\) investigation](#) of a September 2021 Amtrak Empire Builder Train derailment on BNSF track in Joplin, Montana caused by bad track conditions that killed three passengers and injured 49 other passenger and crew members, the NTSB found that ATI ***should be used as a supplement*** to human track inspections, and ***should not replace humans*** (emphasis added):

For example, automated track inspections by geometry cars or railcar-attached devices provide detailed information on specific track parameters, but they do not capture the diverse array of unique track hazards detectable to human inspectors. They are intended to supplement an

inspection program and should not be used to supplant an inspector physically examining a track (Page 35).

For years, the rail industry has done their best to skirt regulations on visual safety inspections meant to keep the public and rail workers safe. In the East Palestine toxic train derailment which poisoned the town's air and water, wrought injuries and health issues upon residents and rail workers, and destabilized an entire community, the FRA's post-derailment inspection concluded that a quarter of the railcars contained defects. Norfolk Southern, which routinely limited the amount of time that carmen who inspect railcars can do their job, could have mitigated the risk of a toxic derailment. The East Palestine derailment serves as a grave reminder that FRA-mandated inspections—whether that be track, signal, railcar, brake locomotive, or grade crossing inspections—are all crucial components that contribute to the safety of our rail network.

If the railroads are successful in obtaining this waiver and proceed with cutting visual track inspections by upwards of 75%, there will be many more missed track defects and potentially more derailments along the scale of East Palestine.

**Therefore, we call on the Federal Railroad Administration to reject this proposal and maintain the current strong federal requirements for visual track inspections and require railroads to take immediate action to remedy track defects and prevent future derailments and catastrophes.**

**Policy Statement No. F25-07**

**\*ADOPTED 7.26.25\***