

**Chairman Susan M. Collins Opening Statement  
Committee on Appropriations Subcommittee on Transportation, Housing and Urban  
Development, and Related Agencies**

**Hearing to Review Federal Rail Safety Programs**

**May 16, 2018**

*(As prepared for delivery)*

Today, our subcommittee is holding an oversight hearing on the Department of Transportation's rail safety programs. I am very pleased to be joined by Senator Jack Reed, the Subcommittee's Ranking Member.

I also want to welcome our panel of witnesses. We are joined today by Ron Batory, Administrator of the Federal Railroad Administration; Stephen Gardner, Vice President and Chief Commercial Officer of Amtrak; Patricia Quinn, Executive Director of the Northern New England Passenger Rail Authority, also known as NNEPRA; and Art Leahy, C.E.O. of Metrolink commuter rail in southern California.

The issue of railroad safety has received heightened attention recently due to several disturbing accidents. Last December, an Amtrak train derailed in DuPont, Washington, killing three people and injuring 60, on the inaugural run of a new line. The engineer was speeding on a curved track nearly 50 miles per hour above the speed limit.

In January, members of Congress were involved in a highway-railroad grade crossing crash. Witnesses report that a truck entered the crossing when the gates were down. Unfortunately, this type of accident occurs all too frequently.

In February, another Amtrak train collided with a sitting freight train in South Carolina because it was diverted onto a track that had been taken out of service. These three accidents illustrate the variety of challenges we face in improving the safety of our railroads.

In spite of these challenges, the rail industry's safety record has improved in some areas, with the number of derailments declining by 35 percent since 2008 despite increasing service levels. Last year, however, the number of accidents and incidents actually increased compared to 2016. Among these incidents were several serious collisions that led to fatalities that, in some cases, could have been avoided with the use of proven technologies like positive train control, or P.T.C., as well as improvements to the safety culture through better training.

I am all too aware of one such incident in Lac-Megantic, Quebec, in 2013, which resulted in the death of 47 residents just 30 miles from the Maine border. In 2014, this Committee held a hearing on the Lac-Megantic accident and the transportation of crude oil by rail. As a result, this committee increased the number of railroad inspectors at F.R.A., created the short-line safety institute to improve the safety culture in the industry, and mandated the phase-out of old tank cars that were susceptible to puncture and leakage upon derailment. Our railroads and our communities are safer today because of these new resources.

Prior to Lac Megantic, the horrific accident in Chatsworth, California, in 2008, which resulted in 25 fatalities, led Congress to mandate P.T.C. for most class-one and passenger rail service. P.T.C. technology, while challenging to implement, has demonstrated that it can prevent major crashes and

incidents caused by human error. P.T.C. would likely have prevented several recent accidents such as the one in Washington state. It is imperative for railroads to implement this safety system as soon as possible. Congress has mandated all required railroads to implement P.T.C. by December 31st 2018, with an extension until 2020 for railroads that can demonstrate their system is fully functional but may need additional testing.

While most class one freight companies as well as Amtrak are on schedule to meet the P.T.C. deadline of December 31, 2018, last month the Federal Railroad Administration released a list of 14 railroads that are “at-risk” of neither meeting the P.T.C. deadline nor satisfying the statutory criteria to qualify for an extension until December 31, 2020. Many of the railroads on this list are commuter or other publicly subsidized railroads. Amtrak has also recently highlighted several state-supported and long-distance routes that are at risk of having service curtailed due to a failure to install P.T.C. fully.

For the Downeaster regional train in Maine, it is essential that the Massachusetts Bay Transportation Authority, or M.B.T.A., fully implement P.T.C. The Massachusetts Authority serves as the host railroad on a small part of the Downeaster route and is responsible for the installation of P.T.C. on the section of track between Haverhill and Boston. Fortunately, M.B.T.A has made progress and is now on pace to meet the deadline at the end of this year, which will allow the Downeaster to continue to offer uninterrupted service between Maine and Boston.

Recognizing the financial costs associated with P.T.C. deployment, this Committee has provided funding over the last three years, including up to \$593 million in the F.Y. 2018 funding bill. With the P.T.C. deadline just months away, however, it has taken until this week for the Department to make funding available to potential applicants. When this funding is awarded, I expect it to focus on both freight and commuter railroads that are most challenged in meeting the deadline.

It is important to note that while P.T.C. is critical to improving rail safety, it cannot prevent all accidents. The Amtrak train carrying members of Congress struck a truck that should not have been on the highway-rail grade crossing, an occurrence that is far too common. Almost 250 people died in similar highway-rail grade crossing collisions last year, and when combined with trespasser fatalities, they contributed to 96 percent of all rail-related deaths last year.

In an effort to address these problems, this Committee has provided funding to the Department of Transportation for a media campaign to increase awareness of highway-rail grade crossings. Earlier this year, the Department launched these efforts, and I look forward to hearing from the Administrator on how these funds are being used and what metrics will be applied to determine effectiveness.

Let me now turn to Senator Reed for his opening remarks.

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