



**American Short Line and
Regional Railroad Association**

The Voice of America's Independent Railroads

February 24, 2016

The Honorable Max Tyler
Chairman, Transportation & Energy Committee
Colorado House of Representatives
Colorado General Assembly

Re: House Bill 16-1136

Dear Representative Tyler:

I am writing to you on behalf of the short line railroads operating in Colorado regarding House Bill 16-1136, which would require a railroad transporting freight to have at least two crew members aboard a railroad train or light engine in connection with carrying freight while the freight train or light engine is moving. The bill also provides fines if a railroad violates the law.

The American Short Line & Regional Railroad Association (ASLRRA) is a non-profit trade association representing the interests of approximately 550 short line and regional railroad members in regulatory and legislative matters. These small railroads operate 50,000 miles of track in 49 states, representing approximately 38% of the national rail network and touching one out of every four railcars in either origination or termination of those cars. These small, entrepreneurial businesses operate in a highly regulated capital intensive environment that requires efficient operating practices to provide the best rail service to meet customer and community needs. In Colorado, eleven short line railroads provide service to shippers and receivers throughout the state.

ASLRRA opposes the adoption of House Bill 16-1136 for a number of reasons.

First, many short lines operate today with two person crews but not always with both crew members in the cab of the locomotive or otherwise on board the train. The locomotive engineer is in the cab and the conductor is on the ground, watching the operation and providing the engineer directions. This allows for the safest and most efficient operation for the short line, its crew, and the public by allowing such things as roll by inspections of the trains and enhanced grade crossing protection. In addition, many operations in railyards are conducted with remote control locomotives with no one in the cab of the locomotive.

Second, there is no data showing that two person crews are safer than one person crews. A recent report by Oliver Wyman, a respected consulting company, reviewed statistics comparing operators that use single person crews (Amtrak, commuter operators, and regional railroads) versus those operators that use multi-person crews (Class I railroads). Across derailment and collision incidents and serious injury and fatality incidents, the statistics showed that single-person crew operations were as safe as multi-person crew operations.

Third, the short lines that operate in Colorado transport freight that is involved in interstate commerce. Freight they handle moves from or to neighboring states and none of those have laws mandating crew size. If Colorado adopts House Bill 16-1136, it would put the small Colorado railroads at a competitive disadvantage because the Colorado small railroads would have additional costs that other railroads would not.

Fourth, a requirement that railroads have at least two people on the train will add significant costs to the short line operations since the railroads will have one person on the ground and two on the train. Short line railroads are small businesses that must operate in the most efficient method possible. Many rail lines in Colorado have few shippers located on the lines making operations on those lines marginal at best. Adding costs that are not needed could force the railroads to either impose a surcharge on these customers to cover the added costs or cease serving those shippers altogether, forcing the shippers to ship by truck. Mandating crew size by statute would deprive railroads of the right to adjust their train crew sizes in an attempt to control their operating costs without making rail operations safer.

Finally, crew size has traditionally been the subject of discussions between management and labor. That subject should be left to those private parties most familiar with each operating scenario to decide without government interference.

ASLRRA has always supported and been involved in the development of safe practices and procedures that shape and lead the industry. We do not see data or facts that support the need for mandated two person crews on board a train or light engine in the name of safety.

We believe the efficiencies allowed by the selective use of single person crews enable the small railroads to spend capital on safety critical operations and structures. Therefore, we oppose legislation or regulation that mandates crew size.

Sincerely,



Linda Bauer Darr
President