



Re: House Bill 2970

March 1, 2019

To: Joint Transportation Committee
Co-Chairs and Members of the Committee:

From: David A. Waite of Nexxt Rail LLC

Shortline railroads across Oregon connect communities, many of which are rural, and their economies to distant markets. Providing this service that is so vital to the economic health of these communities is very challenging. Railroading is already a heavily regulated industry where safety of employees and the communities we serve is of the highest order of importance.

In this business, there are always more demands on our resources than we have resources available. It is important that as a small operator, we have the flexibility to assign our personnel to the most productive task at any given time. Flexibility based on changing operating conditions is absolutely necessary for the success of shortlines. Laws mandating crew size take away that staffing flexibility while doing absolutely nothing to enhance safety for employees or communities.

Data on incidents does not indicate single-person crews are inherently more dangerous than two-person crews. In the last two decades of my employment in the railroad industry, I am not aware of a single incident involving a single-person crew where the determining factor in the incident was that a single person was operating the train. There have been numerous incidents on large railroads where two-person crews have rear-ended another train, and having two crew members did not prevent this from occurring.

This bill is a rouse by rail labor to legislate a working condition that should be left to their collective bargaining agreement negotiations. There is absolutely no statistical evidence in Oregon or the nation that supports minimum crew size legislation as a means of improving railroad safety. The statistics actually support that with smaller crew sizes, incidents have actually decreased.

Please vote NO on HB 2970

Thank you for your consideration.

Respectfully,

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