

## **SB 723 -3 STAFF MEASURE SUMMARY**

### **Joint Committee On Transportation**

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**Prepared By:** Patrick Brennan, LPRO Analyst

**Meeting Dates:** 4/8, 5/19

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#### **WHAT THE MEASURE DOES:**

The measure requires that trains operate with a minimum of two crew members. Provides exceptions in cases where the Federal Railroad Administration has provided special approval, or when operation with a one-person crew is otherwise permitted under a federal exception. Authorizes civil penalty of not less than \$250 and not more than \$1,000 for each violation, except for second violations within a three-year period, which may be penalized between \$1,000 and \$5,000, and third and subsequent offenses in same three-year period, which may incur a penalty between \$5,000 and \$10,000 per violation. Designates violations as Class D violations.

#### **ISSUES DISCUSSED:**

- Safety concerns for train crews
- History of reducing crew size
- Issue is already addressed in collective bargaining
- Train crew are first responders in event of derailment
- Respective roles of conductors and engineers
- Interstate commerce issue versus local control
- How crewing trains might work if neighboring states had different standards for crew size
- Isolation and depression likely for one-person crew
- Irregular hours for most train crews

#### **EFFECT OF AMENDMENT:**

-3 Removes provision requiring that two-man crews consist of a certified locomotive engineer and certified conductor. Deletes statute designating violation of ORS 824.300 or 824.302, or section 1 of this Act, as a Class D violation.

**FISCAL:** Minimal fiscal impact on measure w/the -3 amendment

**REVENUE:** No revenue impact on measure w/the -3 amendment

#### **BACKGROUND:**

Oregon is served by two Class I railroads (Union Pacific and BNSF Railway) as well as over 20 short line railroads. Principal commodities carried by train include wood and paper products, farm-related products, chemicals such as soda ash or potash, transportation equipment, petroleum, metal products, stone, scrap materials, and various wholesale and retail shipments.

Most freight trains today operate with two on-board crew: the conductor is the lead employee and is responsible for ensuring that the train departs and arrives on time; and the engineer is in charge of the actual operation of the train, monitoring and controlling the speed with a variety of controls. Both crew occupy the locomotive cab.