



# MARYLAND STATE & D.C. AFL-CIO

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## **HB 492 – Railroad Company – Movement of Freight – Required Crew House Environment and Transportation Committee February 2, 2021**

### **SUPPORT**

**Donna S. Edwards  
President  
Maryland State and DC AFL-CIO**

Chairman and members of the Committee, thank you for the opportunity to submit testimony supporting HB 492 – Railroad Company – Movement of Freight – Required Crew. My name is Donna S. Edwards, and I am the President of the Maryland State and District of Columbia AFL-CIO. On behalf of 340,000 union members, I offer the following comments.

As union representatives, we all take pride in representing our members to provide them with good wages, health care benefits, safe working conditions and the ability to retire with a pension and dignity. Our members know their contribution to the labor force is valuable and appreciated.

In the work environment, the safety and well-being of our members is of the utmost importance. None of the collectively bargained wages, benefits and working conditions are worth anything if our members do not make it to retirement due to being injured or killed on the job.

The thought of a two-mile long freight train operating through our communities with only one person in charge should be frightening to each and every one of you. I am from Cumberland, which has always been a railroad town and has many freight trains that operate on a daily basis, and commuter trains operating twice, daily. I cannot imagine an accident like those highlighted today happening in my hometown, or in nearby mountain communities. Common sense dictates that, for public safety reasons, two persons on the job are better than one.

None of us in this room want to be asked why we did not support this commonsense safety legislation if a tragic accident happened and a second crewmember could have prevented it or mitigated the damages from it.

The argument was put forth – during debate on this legislation on the floor in 2018 – that support testimony was only offered by one labor union. In your packet you have written testimony from many of our affiliates in support of this particularly important rail safety legislation. All of

organized labor stands in solidarity with our rail worker brothers and sisters. We, in the labor movement, know that worker safety cannot be taken for granted, compromised, or given away through the collective bargaining process. As law makers we know that you recognize where the collective bargaining process ends and public policy begins – especially when the safety of workers, the public, and the environment are at stake. To further prove the point that all of labor stands in solidarity with our brothers and sisters who work in rail transportation, I have attached to this testimony the resolution from our 32<sup>nd</sup> Biennial Convention in 2019, affirming Labor's unanimous support for the veto override of this previously passed rail safety legislation. It was unfortunate that the override was never passed, but we have an opportunity in this Session, with the passage of HB 492, to finally make rail safety a priority.

The legislature has recognized the importance of this legislation, which was evident with the Senate passing it 33-13 and the House passing it 102-30, during the 2019 Legislative Session. This safety bill is extremely popular and has already been shown to receive wide support in the Maryland General Assembly.

**We ask for a favorable report on HB 492.**

## **Resolution #12: In Support of a Veto Override of HB 66 & SB 252 – Required Crew**

**WHEREAS** the safety of the public in regard to the risks associated with the transportation of freight by rail is best served by BOTH implementing new safety technology AND assuring that freight trains continue to be operated by a crew of at least two professionals; and

**WHEREAS** to this end, the Maryland State Legislative Board of the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation (SMART), fought for and successfully got passed by an overwhelming and bipartisan vote legislation in the State of Maryland during the 2018 and 2019 sessions of the Maryland Legislature requiring freight train crews of at least two persons; and

**WHEREAS** the success in achieving this legislation involved the outstanding support of the Maryland State and District of Columbia AFL-CIO and its affiliates; and

**WHEREAS** this 2018 and 2019 legislation was vetoed by the Governor of Maryland; and

**WHEREAS** the Maryland Constitution prohibited the legislature from overriding the Governor's veto in 2018, but does not prevent the legislature from overriding the 2019 vetoes; now

**THEREFORE, BE IT RESOLVED** that the Maryland State & District of Columbia AFL-CIO and its affiliates hereby commit to support the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation (SMART) and urge the entire Maryland General Assembly to override the Governor's vetoes of HB 66 & SB 252 respectively; and

**BE IT FURTHER RESOLVED** that the Maryland State and District of Columbia AFL-CIO will provide the entire Maryland General Assembly with a copy of this resolution, upon passage, on the first day of the 2020 session of the Maryland General Assembly.

**Submitted by:** *Larry Kasecamp*  
*Delegate, SMART-TD Local 632*

**Committee:** Industrial Safety

**Convention Action:** Unanimously passed

# Musicians' Association of Metropolitan Baltimore

1055 Taylor Avenue, Suite 218, Baltimore, MD 21286

Local 40-543  
American Federation of Musicians  
Visit our web site at:  
<http://www.musiciansunion.org>



Phone 410-337-7277  
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Email [office@musiciansunion.org](mailto:office@musiciansunion.org)  
Office Hours Tues to Thurs 10 am to 4 pm

Michael Decker  
President

Mary C. Plaine  
Secretary-Treasurer

January 28, 2021

## TESTIMONY IN SUPPORT OF HB 492 Movement of Freight - Required Crew February 2, 2021

TO: Hon. Kumar Barve, Chair, and members of the Environment and Transportation Committee

FROM: Mary C. Plaine, Secretary-Treasurer, The Musicians' Association of Metropolitan Baltimore, Local 40-543

The Musicians' Association of Metropolitan Baltimore supports HB 492 and asks that the House Environment and Transportation Committee votes to support this bill and send it on to the full chamber for passage.

We do not understand how anyone can believe that having a crew of one on a freight train that moves through the State of Maryland is acceptable. HB 492 is common sense legislation. The legislature needs to ensure that freight trains operating in our state have, at minimum, two-person crews on board. This is a safety issue for all – for the public as well as for the operators of the trains. Maryland citizens should not have to worry about the safety of the freight trains that travel across our state.

Best practices of any system show that a team approach provides necessary backup and security – that one person alone managing the complexities of moving a freight train through the state cannot realistically be expected to handle safely repeatedly. Ultimately, we are talking about the safety of people, those who are working on the train and those who live in the vicinity of the tracks.

Again, Local 40-543 urges members of the House Environment and Transportation Committee to vote FAVORABLY on House Bill 492.

Sincerely,

A handwritten signature in blue ink that reads "Mary C. Plaine".

Mary C. Plaine  
Secretary-Treasurer

*Support Live Music*

# AMALGAMATED TRANSIT UNION LOCAL 689

2701 Whitney Place, Forestville, Maryland 20747-3457  
Telephone 301-568-6899 Facsimile 301-568-0692  
www.atulocal689.org



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2nd Vice President

## TESTIMONY IS SUPPORT OF HB 492 Movement of Freight – Required Crew February 22, 2021

TO: Hon. Kumar Barve, Chair, and members of the House Environment and Transportation Committee

From: Gregory Bowen, Jr., Assistant Business Agent, ATU Local Union 689

Good afternoon, my name is Greg Bowen, Assistant Business Agent for Amalgamated Transit Union Local 689. Local 689 represents more than 14,000 member and operates in the Washington D.C. are crossing all three jurisdictional lines. Our train operators and bus operators transport more than 1 million passengers daily in around the DMV area.

Having been in the transportation industry for many years, let me give a few reasons why "Single Employee Train Crew Operation" doesn't work:

- The engineer of every train being discussed here today is a human being. Humans are prone to mistakes and mistakes are inevitable. Single crew members will never get a reminder from a second crew member of slow orders, block signals, road crossing mechanical failures and other restrictions of the movement of the train
- Often, dispatchers give instructions also knows as mandatory directives in order to keep the engineer safe as well as the community in which the train may be passing. These directives are often significant in length and require detail and must be written down. It is merely impossible to listen, record, and safely operate the locomotive while getting this valuable safety information.
- With a single operation crew, backing up a train is impossible without question to regards to safety. It just cannot happen. I believe we all can think of a few reasons why a train in distress my have to back up.

- Without a second crew member, think of the number of distractions that come into play while taking a 12-13 hour trip alone. Not only is this single crew engineer required to be attentive to what's in front of him/her, but reaching for the radio when the dispatcher calls, watching for signal maintainers, gang foremen, and all the other duties required to remain compliant is left to that one single member.
- What happens if or when that single crew member becomes ill, has a heart attack, begins to experience sudden blindness, oxygen levels drop for some odd reason, who's there to assist him and who's there to get them the medical attention they need?
- Last and not least, I'm sure we all remember January 6, 2021. Just when we thought 9/11 was our biggest fear, the stakes became a bit higher. Since it is impossible to patrol the entire railroad on a regular basis, the government and the railroads rely on its workers to notice, report, and at times act upon suspicious activity. A lone operator having to absorb the duties of a second crew member in addition to running the train—cannot be relied upon to oversee even a fraction of what may be out there along the right-of-way.

When we began writing this testimony, we ended with 3-4 pages of reason why we should validate our support for HB 492. As you can see, I do not have 4 pages today. Local 689 and its members have faith and confidence in the leaders here that what needs to be done to protect our workers will be done.

Local 689 supports in its entirety, HB 492 and ask you without question to vote favorably on HB 492, thank you and I yield back any remaining time.



**Maryland House of Delegates - Environment & Transportation Committee**

**Chair: Kumar P. Barve**

**Vice Chair: Dana Stein**

**House Bill 492 – Railroad Company - Movement of Freight - Required Crew**

**Position: Support**

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Carpenters

The Baltimore DC Building Trades and its affiliated local Unions SUPPORT House Bill 492 Freight transportation demand is projected to nearly double by 2035--if present market trends continue, railroads will be expected to handle an 88% increase in tonnage during that same period (source: DOT Strategic Plan 2010-2015.) Amtrak, with ridership at record levels of 31.2 million passengers for fiscal year 2012, predicts those numbers could increase to 60 million by 2050. Most people are surprised to hear that in America, a person or vehicle is hit by a train about every three hours. A critical component to keeping them safe around an increasing number of trains on railroad-rights-of-way and rail property is to adopt the two-man crew legislation before you today. If one person goes down the other must act quickly to save lives. Safety can never be an afterthought, when time is of the essence. The goal of zero incidents begins with instituting a safety culture in every aspect of working lives.

We urge the Committee for a favorable report. Thank you.

Sincerely,

Jeffry Guido

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TESTIMONY IN SUPPORT OF HB 492  
Movement of Freight-Required Crew  
February 2, 2021

To: Hon. Kumar Barve, Chair, and members of the House Environment and Transportation Committee  
From: Shannon Opfer, President CWA Maryland State Council, President CWA Local 2107

Chair Barve and members of the House Environment and Transportation Committee,

As Union members, we must look out for the safety and health of all workers in union jobs and those not covered by unions. The Movement of Freight –Required Crew bill is nothing more than a safety necessity. Currently when emergency situations occur, a two member train crew is needed to ensure the safety of the train, passengers, and the public.

When dealing with train-vehicle and train-pedestrian incidents, the lone crew member could not go back to assess the situation, assist the injured, “cut” (make a train separation to open up) a road crossing etc. without first securing the train, which may take an hour or more.

If a single person crew member suddenly becomes ill, has a heart attack, or stroke, there would be no one to assist him. For lone crew members, simple things can be distracting. Getting lunch from the refrigerator, retrieving a pen from the floor, grabbing a coat, looking up a rule, all of this is a huge distraction to a lone crew member than if he had a partner to lend some assistance.

The only safe train operation is one with a minimum of two persons in control. The Communications Workers of America is IN SUPPORT of the Movement of Freight-Required Crew bill.

Shannon Opfer

President CWA Local 2107

President Maryland State Council

## TESTIMONY IN SUPPORT OF HB 492

### Movement of Freight - Required Crew

February 2nd, 2021

TO: Hon. Kumar Barve, Chair, and Members of the House Environment and Transportation  
Committee

FROM: Marilyn Irwin, President

On behalf of the members of CWA Local 2108, I am writing in SUPPORT of HB 492. There are an abundance of reasons why two crew members are necessary on a train, all of which involve the safety of the crew, its load, and the public who live near tracks or drive over them.

Twelve hour runs are common in the freight rail industry, and the vast majority of these runs are unscheduled, with many taking place overnight. The interaction between the Conductor and the Engineer keeps both engaged and alert, therefore reducing the possibility of a lone crew member accidentally dozing off due to the inevitable fatigue. A lone engineer who experienced a stroke, heart attack or other medical emergency would have no one to offer aid or call for help, and could cause a catastrophe that affected citizens for miles around, based on the load being transported.

I'm also very concerned about the possibility of an increase in crime against train crews once thieves and vandals become aware that the trains are being operated by a single employee. A single employee would be extremely vulnerable, and could be alone for hours before anyone was aware that s/he was in trouble.

I'm proud of my Grandfather who was an engineer with the B&O Railroad for 50 years, but I have no first-hand knowledge of the important work train crews perform. It seems logical to me to compare the rules that affect train crews with those that affect truck drivers. Truck drivers are limited to 10 hours on duty, and have the ability to pull over when they need to eat, drink or rest. Truck stops are available 24/7 every 50 miles or so. Since they are on a highway with other motorists, emergency services are not far off if they are required. Train crews work longer hours and have none of this support infrastructure available to them. **Having a second crew member on board to help perform the multitude of duties each trip requires, and to assist or call for help in the event of an emergency is a small price to pay to help ensure the safety of the train, its load, and the train crew.**

**I strongly SUPPORT HB 492 and ask that your committee votes FAVORABLY on it.**

Respectfully,

# INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS - LOCAL UNION No. 24

## AFFILIATED WITH:

Baltimore-D.C. Metro Building Trades Council — AFL-CIO

Baltimore Port Council

Baltimore Metro Council — AFL-CIO

Central MD Labor Council — AFL-CIO

Del-Mar-Va Labor Council — AFL-CIO

Maryland State - D.C. — AFL-CIO

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## OFFICE:

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SUITE 200

Phone: 410-247-5511

FAX: 410-536-4338

## Written Testimony of

Peter Demchuk, Business Manager, IBEW, LOCAL 24

Before the

House Environment and Transportation Committee on

HB 492 Railroad Company – Movement of Freight – Required Crew

## STRONGLY SUPPORT

January 27, 2021

Dear Hon. Kumar Barve, Chair, and members of the House Environment and Transportation Committee,

Thank you for the opportunity to submit my testimony supporting House Bill 492.

For the record, my name is Peter Demchuk. I am a 41-year member, and the Business Manager, of the International Brotherhood of Electrical Workers 24 located in Baltimore. Additionally, I am a lifelong resident of Maryland currently residing in District 7 of Baltimore County.

As a matter of great public safety, we support the required 2 person crew legislation before you today.

Industries where workers are exposed to hazardous activities, or when a failure to properly carry out their duties can cause serious injury or death to themselves or the public, use a buddy system. This is especially true in most of the transportation industry. Commercial airlines, military air transport, ferry operations, and ocean shipping are just a few examples where a second set of eyes and ears on the operation of equipment provides the operators and the public with an invaluable measure of safety. In the construction industry, the skilled trades use a buddy system for workers to protect their safety as well as the safety of customer property, their employees, and the public in general.

The idea of allowing one person to operate a freight train that could be over a mile long and contain hazardous cargo is alarming. When a person is working alone, it is possible for them to become tired, distracted, or so occupied with job tasks that they miss warning signals, instructions, or changing conditions that affect the safe operation of the train.

As we all know too well, accidents on the rails can easily be fatal and cost society a great deal in environmental damage. In this era of strained infrastructure, it is all the more important that train engineers be allowed to focus on their immediate responsibility i.e. running the train, and have another person with them to see to the other duties required to maintain safe rail operations.

In closing, I want to reiterate IBEW Local 24's strong support for HB 492 to insure safe rail operations for workers and the public.

Thank you,

A handwritten signature in blue ink, reading "Peter P. Demchuk". The signature is fluid and cursive, with the first name "Peter" and last name "Demchuk" clearly legible.

Peter P. Demchuk

PPD:clr  
AFL-CIO  
OPEIU # 2



# International Brotherhood of Electrical Workers

GEORGE C. HOGAN: Business Manager • THOMAS C. MYERS: President • RICHARD D. WILKINSON: Vice President  
JOSEPH F. DABBS: Financial Secretary • RICHARD G. MURPHY: Recording Secretary • PAULO C. HENRIQUES: Treasurer



## TESTIMONY IN SUPPORT OF HB 492 Movement of Freight-Required Crew February 2, 2021

To: Hon. Kumar Barve, Chair, and members of the House Environment and Transportation  
From: Tom Clark, Political Director, IBEW Local 26

Mr. Chair and distinguished members of the Committee, I strongly encourage you to **support** HB 492. A favorable vote on this bill is a vote for safety, not just for trains and personnel, but for the Maryland neighborhoods that surround the railroad tracks. This bill ensures we are not compromising the safe passage of trains for profit.

I consider a “one man” crew a recipe for disaster. The tragic lost of 47 lives in 2013 in Quebec Canada was a direct result of a “one man” crew. Accidents do happen, HB 492 will **help** prevent the loss of lives and property as these freight trains travel thru our great state. Heaven forbid we have such a horrific accident, even worse if we legislate after the fact. The only safe train operation is one with a minimum of two persons in control.

Since 9-11, the possibility of terrorism has been at the forefront. After January 6 of this year, the possibility of domestic terrorism has increased. Railroad personnel are the eyes and ears along the tracks of this nation. Let us not reduce our observation by half, let us remain vigilant and keep two sets of eyes on possible foul play. Another safety concern is that train crews are on duty all hours of the day and night for up to 12 hours at a time. In contrast truck drivers are limited to 10 hours on duty and they can pull over for rest. Train crews have nowhere to stop, and unlike truckers, there are no police or fellow motorists nearby to render aid if necessary. The only help a train engineer has would be that of a second crew member.

I ask you, the members of this committee, to enthusiastically **support** HB 492 and help ensure the safety of the passengers, the crew, the freight and the neighborhoods along the tracks. I believe this is a sensible bill that if enacted now, will prevent a “what if” scenario, later. Thank you



*"All that is necessary for  
the triumph of evil is that  
good men do nothing"*



**LOCAL NO. 10  
INTERNATIONAL  
UNION OF  
ELEVATOR  
CONSTRUCTORS**

Affiliated with the AFL-CIO  
**9600 MARTIN LUTHER KING  
HIGHWAY  
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Financial Secretary  
Bruce Zembower  
Treasurer

January 29, 2021

**Testimony in Support of HB 492  
Movement of Freight – Required Crew Size  
State Finance Committee**

To the Honorable Chairman Kumar Barve and Distinguished  
Members:

I am writing to you today to **support** SB 252. As a matter of great  
public safety, we support the required 2 person crew legislation  
before you today.

We are asking that the Committee vote **favorably** to correct this  
safety problem.

Thanking you in advance for your cooperation.

Sincerely,  
**Local #10**

**Matthew H. Rusch  
Business Agent**

MHR/epv



**District Council No. 51**  
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**Lanham, MD 20706**  
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## ONE AGENDA

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# INTERNATIONAL UNION OF PAINTERS AND ALLIED TRADES, AFL-CIO DISTRICT COUNCIL NO. 51

January 28, 2021

House of Delegates Environment and Transportation Committee  
Kumar P. Barve, Chair  
Dana M. Stein, Vice-Chair  
House Office Building, Room 251  
Annapolis, MD 21401

Dear Honorable Member of the Committee:

My name is Roxana Mejia, Political Affairs Liaison for The International Union of Painters and Allied Trades, District Council 51, for Maryland, Virginia, and District of Columbia. We represent over 1,500 members in the finishing trades of the construction industry.

### **I want to thank the committee for reading our SUPPORT for HB-492- Rail Company- Movement of Freight – Required Crew**

We ask the committee members for a favorable report on HB 492. A two-person train crew is a vital component of rail safety and sound public policy. In 2013 Transport Canada established a government mandate requiring two-person crew in response to the Lac-Mégantic oil train disaster when a freight train carrying 72 tank cars of crude oil derailed and exploded, killing 47 people after its single crew member left the train unattended.

The United States has yet to follow suit with a federally promulgated rule or law, and only five states have implemented a two-person crew requirement.

The Federal Railroad Administration has signed plans to require two-person crews on trains carrying oil and freight trains, which is the industry's standard practice, but its proposed rule has not been issued.

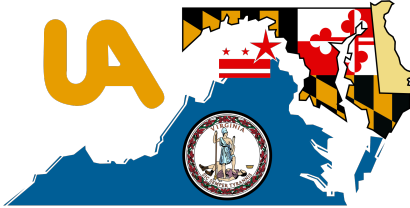
Safety can never be an afterthought, and the only safe train operation is one with a minimum of two persons in control

We urge the Committee for a favorable report on HB 492.

Thank you,

Roxana Mejia  
Political Affairs Liaison  
International Union of Painters and Allied Trades, District Council 51

MID-ATLANTIC PIPE TRADES ASSOCIATION



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Maryland House of Delegates – Environment, and Transportation Committee

TO: Hon. Kumar Barve, Chair, and member of the House Environment and Transportation Committee

FROM: Jason Ascher, Political Director, Mid-Atlantic Pipe Trades Association.

**STRONGLY SUPPORT – HB 492 - Movement of Freight – Required Crew**

On behalf of the Mid-Atlantic Pipe Trades Association and its over 20,000 members and families across Maryland, I ask you to **SUPPORT HB 492 – Movement of Freight – Required Crew.**

We stand in solidarity with our brothers working on train crews. In the Pipe Trades, as with the rest of the building trades community, we train our members to think safety first and make sure apprentices receive the necessary training from OSHA and that they work under a licensed journeyman throughout their training. Not having two crew members on a train is like sending a day one first-year apprentice onto a construction site without a journeyman and telling them to weld two multi-ton pipes together. On the railways, as on the construction site, safety must come first.

In the construction industry, apprentices learn on the job by working with a journeyman. The journeyman is there to have a mentor to help teach them their craft, ensure compliance with safety standards, and teach them the ins and out of a job. Similarly, a single man crew leaves new conductors without that mentorship from an experienced engineer teaching them the locomotive system's ins and outs, signal systems, and tracks. A single crew member would lead to fewer experienced conductors and engineers and a less safe work environment.

Having a single crew member on a train also means there is no second set of eyes to remind them of slow orders, blocked signals, or mechanical failure at road crossings. A single crew member would also lead to unnecessary distractions, some of which would be mandatory, like copying directives and responding on the radio. These people are human, and that second set of eyes helps make sure tragic mistakes do not happen.

For the reasons listed above, I ask you to **SUPPORT HB 492.**

**Plumbers and Gasfitter Local 5** – Camp Springs, MD

**Plumbers and Steamfitters Local 10** – Richmond, VA/Roanoke, VA

**Plumbers and Pipefitters Local 110** – Norfolk, VA

**Plumbers and Steamfitters Local 486** – Baltimore, MD

**Plumbers and Steamfitters Local 489** – Cumberland, MD

**Steamfitters Local 669** – Capitol Heights, MD

**Road Sprinkler Fitters Local 669** – Columbia, MD



# Metropolitan Washington Council, AFL-CIO

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TO: Hon. Kumar Barve, Chair, and members of the House Environment and Transportation Committee

FROM: Dyana Forester, President

January 28, 2021

## **RE: HB 492 – Movement of Freight – Required Crew - Support**

Thank you for the opportunity to provide written testimony in support of this essential bill. On behalf of our 150,000 union members affiliated with the Council throughout Metropolitan Washington D.C., we enthusiastically support this bill.

Many of the union workers affiliated with our Council work in and around hazardous conditions. Our union brothers and sisters know how important it is to have a second set of eyes in dangerous situations.

For a lone crew member operating over the road, even simple things can easily cause them to be distracted. Getting lunch from the refrigerator, retrieving a dropped pen from the floor, grabbing a coat from his bag, looking up a specific rule -- all of this becomes a far more significant hindrance and a distraction to the lone crew member than when he has a partner to lend assistance. A two-man crew provides the operators and the public with an invaluable measure of safety.

The thought of allowing freight trains to traverse through Maryland with only one crew member is extremely unsafe. Today's trains can be up to two miles long and carry all kinds of hazardous material.

Our Council and its affiliates strongly urge your committee to pass HB-492. This issue has been passed over for too long and we are counting on your committee to move this bill and keep Maryland safe!

Sincerely,

Dyana Forester

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***[www.dclabor.org](http://www.dclabor.org)***



**International Association of Sheet Metal, Air,  
Rail & Transportation Workers,  
Local Union 100— Sheet Metal Division**  
*Affiliated with AFL-CIO*

**Richard D. LaBille, III**  
Business Manager/President  
**Russell K. Robinson**  
Financial Secretary-Treasurer

The Honorable Delegate Kumar Barve and Committee Members  
House Committee on Environment and Transportation

January 21, 2021

**We strongly support HB 492 for the following reasons and feel the state of Maryland and its residents would be safer with this bill becoming law.**

- A single person on a train is a recipe for disaster, if the engineer were to become sick, have a heart attack or stroke there would be no one else present to operate the train.
- Without a second crew member to assist the train engineer, an endless number of distractions would create a number of safety issue that the engineer alone may not be able to overcome.
- Backing up a train is impossible with a single person and if an emergency would occur there's no way to do so.
- Without a second crew member on the train valuable mentoring time would be lost therefore creating a safety risk.
- Since the engineer is not allowed to leave the train at any time, per Federal regulation, it would be impossible for the engineer to secure the train, via setting hand brakes on each car if an emergency would occur.
- Since the engineer is not allowed to leave the train at any time, it would be impossible to patrol the entire train looking for suspicious activity as required by National security since 9-11.
- Train crews are on duty all hours of the day and night for up to 12 hours at a time and often multiple miles from a spot to take a break or get a cup of coffee if they find themselves getting sleepy, causing an unsafe situation.
- If an accident would occur at a grade crossing with motor vehicle the engineer would not be able to leave the train to inspect and assess the situation or to call for help if needed.

- If a tanker car, while caring hazardous materials, were to spring a leak or become inoperable do to some unforeseen issue the engineer would not be able to leave the train to inspect and assess the situation or to call for help if needed.

**In order to keep Marylanders safe we ask for a favorable vote on HB 492 for the betterment of the State of Maryland.**

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Killeen", with a long horizontal flourish extending to the right.

Thomas Killeen  
Bus. Rep/Legislative Director  
SMART Local Union 100



## **UAW REGION 8 MARYLAND STATE COMMUNITY ACTION PROGRAMS (CAP)**

**Testimony in Support to HB 492 Railroad Company-Movement of Freight-Required Crew**

**February 2, 2021**

**To: Hon. Kumar P. Barve, Chair and members of the  
Environment and Transportation Committee**  
**From: Frederick V. Swanner, President  
UAW Maryland State CAP**  
**Re: HB 492 Railroad Company-Movement of Freight-Required Crew**

**I am writing the Chair and all members of the Environment and Transportation Committee to urge you to support HB 492. It is a major safety item of concern; HB 492 is designed to take care of the railroad workers and or pedestrians by communicating at all times by radio issues in and around the Train. Examples of why there should be a two-person crew on trains; the engineer is not allowed to leave the engine compartment for any reason other than maybe his/her safety. One reason of many is if one of the two crew members has a heart attack, slips and falls or is rendered unconscious for whatever reason who would know except his co-worker, to take control of the train. All workplaces need to be as safe as humanly possible.**

**In closing I would like to state that in all our General Motors, Ford and Chrysler plants around the country we have a Buddy System (two-member crew) whereas no one works in confined space or unpopulated work areas by themselves for safety reasons. So, I urge this committee to support HB 492. worker's and pedestrian's safety should be top priority and should not be traded for a company's bottom line. The communities' of my members and family that live in neighborhoods these trains travel through thank you for their safety as well.**

**Kind Regards,**

**Frederick V. Swanner, President  
UAW Maryland State CAP**



## Eastern Atlantic States REGIONAL COUNCIL OF CARPENTERS

801 West Patapsco Avenue, Baltimore, MD 21230 | Phone: 443-915-0462 | EASCARPENTERS.ORG

### HB 492 – Movement of Freight – Required Crew

#### FAVORABLE

Dear Chair Barve and members of the House Environment and Transportation Committee:

On behalf of the Eastern Atlantic Regional Council of Carpenters, please accept this letter in support of HB492.

Rail safety is of the utmost importance to the public and to the flow of goods and service throughout interstate commerce. This bill requires at least two crew members on all freight rail trains when traveling in Maryland, which is important to protect both the train workers and the public as these trains travel through the state.

Put simply, if a single train operator becomes ill, incapacitated, or focused on an urgent issue within the train, such as requiring the administration of complicated and labor-intensive hand braking procedures, there must be a second person who can take over operational crew tasks, assist, or tend to the emergency at hand. This legislation facilitates that greatly need redundancy and assistance.

For the forgoing reasons, we thank Delegate Stein for introducing this legislation, and we ask for a favorable committee report.