

DANA M. STEIN  
Legislative District 11  
Baltimore County

Vice Chair  
Environment and Transportation  
Committee

Subcommittees  
Chair, Environment  
Natural Resources,  
Agriculture and Open Space



The Maryland House of Delegates  
6 Bladen Street, Room 251  
Annapolis, Maryland 21401  
410-841-3527 · 301-858-3527  
800-492-7122 Ext. 3527  
Fax 410-841-3509 · 301-858-3509  
Dana.Stein@house.state.md.us

*The Maryland House of Delegates*  
ANNAPOLIS, MARYLAND 21401

**Testimony of Delegate Dana Stein in Support of House Bill 352  
Railroad Company – Movement of Freight – Required Crew**

Please see the Power Point to accompany this written testimony.

*Slide #1* – House Bill 352, popularly known as the two-man crew or two-person crew bill would require that each freight train operating in Maryland and sharing tracks with passenger and commuter rail trains have a minimum crew size of two persons. The impetus for this legislation was a train disaster that happened several years ago in Canada.

*Slide #2* – The slide before us is the town of Lac Magentic in Canada before this train accident happened.

*Slide #3* – This slide shows the actual freight train accident as it occurred.

*Slide #4* – The next slide shows the town after the accident where you can see the widespread devastation.

*Slide #5* – What caused this disaster was a freight train carrying 77 carloads of oil and operating with a single-person crew. The train derailed in town killing 47 people and, as you can see from the last slide, nearly destroying the town. After the accident the Canadian government mandated two-person crews on their freight trains. This accident was the impetus for two-person crew legislation, not just in Canada, but in many states including Maryland.

*Slide #6* – The accident in Canada was one of the worst ever, but accidents known as grade-crossing accidents, which are accidents where railroads and automobile roads cross, are not a rare occurrence. As you can see by the slide, in 2019, there were 2,216 grade crossing accidents across the country, with 807 injuries and 293 deaths. In 2021, there were 2,146 accidents with 670 injuries and 234 deaths. So as the data shows, freight train accidents can be deadly and sometimes very deadly.

And that's because freight trains are very long, as anyone who has sat at a train crossing knows, often over two miles long, and they can carry hazardous cargo. Operating one of these trains is not an easy task. A single crew member cannot perform all the required tasks, maintain the highest level of safety, and respond to an emergency. That's why nearly every freight train operating in America today is operated by two crew members: a licensed Conductor and Engineer.

Having a two-person crew is particularly important when there's an emergency such as at a grade crossing. A single crew member cannot properly assess the situation, secure the train, and notify all necessary emergency responders in a timely manner. The engineer is required to stay on board to communicate with dispatchers and other trains and make sure the locomotive is secure. Only if there is a second crew member can that person get off the train, assess the situation, and address any life-threatening issues.

I would urge committee members to read the story of Conductor Mike Rankin (see the blog article link below) about how his actions as a second crew member saved a life during an accident at a grade crossing. \* No matter how much technology is available, these types of accidents cannot be prevented and are going to occur.

*Slide #7* – Getting back to the legislation, this slide shows the efforts in the MD General Assembly in 2019 (HB 66). This legislation has passed this committee three other times and has passed the House and the Senate twice, in 2018 and 2019, only to be vetoed each time by the Governor.

*Slide #8* – To gauge public support for HB 66 in 2019, the Maryland State Legislative Board of SMART commissioned a survey on this two-person crew legislation. DFM Research, a company out of St. Paul, Minnesota, that does extensive polling did this poll and this slide shows the method that was used.

*Slide #9* – When respondents were asked if they supported two-person crew legislation, 86% of the respondents said yes, they supported it.

*Slide #10* – This next slide is a breakdown of the respondents by demographics. What it shows is that across all demographics, people support this legislation.

*Slide #11* – When respondents were asked how many crew members they thought were on freight trains today, about 3 in 4 thought freight trains operate with 3, 4, or even 5 crew members. Yet the fact is almost all freight trains operate with only two crew members on board.

*Slide #12* – When asked if they were worried that a freight train operating with a single crew member might derail in their community, about 2 in 3 said they would be very or fairly worried.

*Slide #13* – When read statements in opposition to this legislation that came directly from the American Association of Railroads, and asked how convincing they were, respondents did not find any of the opposition reasons very convincing.

*Slide #14* – By contrast, when read statements from supporters of this legislation and asked how convincing they were, respondents indicated they were very convincing.

*Slide #15* – This slide shows Marylanders want two crew members on freight trains in addition to advanced rail technology: not one in place of the other.

*Slide #16* – After hearing statements in this poll from both the opponents and supporters of this legislation, the support increased to almost 88%. So clearly, the public is in support of this legislation.

*Slide #17* – Marylanders are not alone in this effort to regulate rail safety. When the first hearing was held on this legislation by this committee in 2018, there were three states with the law enacted: California, West Virginia, and Wisconsin. Since then, similar bills have been enacted in four more states, and currently, eight states plus Maryland, are considering legislation.

In closing: Marylanders strongly support this legislation; this committee has repeatedly supported it, as has the legislature, so, I urge this committee to do approve this legislation again this year.

Thank you!

TTD Blog: <http://ttd.org/blog/two-person-crew-train-legislation-prioritizes-safety-and-common-sense>