

SB0855 - Ellis Signed Written Testimony .pdf

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Position: FAV

ARTHUR ELLIS, CPA
Legislative District 28
Charles County

DEPUTY MAJORITY LEADER

Finance Committee

Senate Chair

Joint Committee on the
Management of Public Funds

Chair, Charles, St. Mary's and Calvert
Counties' Senate Delegation



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Sponsor Written Testimony: Favorable
Senate Bill 855: Maryland Railway Safety Act of 2025

February 25, 2025

Chair Beidle, Vice Chair Hayes, and Members of the Senate Finance Committee:

I, Senator Ellis, am introducing Senate Bill 855 entitled, "Railroads - Safety Requirements (Maryland Railway Safety Act of 2025)" to improve railroad safety for railroad employees and communities in Maryland.

Senate Bill 855 adds new safety requirements to Maryland law to ensure employees and communities are safe while freight trains are operating. Current law provides some important requirements to protect employees' health, such as requiring the railroad company to provide basic amenities like a fixed seat with back support or electric marker lights at the rear of each caboose.¹ Senate Bill 855 would expand these requirements to further protect employee safety by requiring new policies and a reporting system. Some of these new policies include requiring a crew of at least two individuals in order to operate a freight train in Maryland and creating civil penalties for violations of policies by the company. This requirement to have at least two individuals operating certain types of trains tracks well with current federal regulations and law under the Federal Railroad Administration.²

¹ See, Maryland Statute Art. Labor and Employment, § 5.5–110(a) and (c)(2) (additional protections are included in sections b and d of this statute as well).

² 49 CFR § 218.123(b): General Train Crew Size Safety Requirements (available at: <https://www.ecfr.gov/current/title-49/subtitle-B/chapter-II/part-218>) (this regulation was proposed on July 28, 2022 and is in the code of federal regulations as of February 25, 2025).

The new reporting requirement that Senate Bill 855 adds will protect communities near railroads by ensuring that transportation of hazardous materials and waste in Maryland is reported to specific entities like the Maryland Department of Emergency Management and the Federal Emergency Management Agency (FEMA). This requirement is critical as one 2023 CBS News investigation and article noted that local officials are often not aware of the exact hazardous chemicals that may be being transported through their communities at any given time.³ The investigation further notes that in the past decade, Class 3 flammable liquids were involved in 14 incidents on railways in Maryland.⁴ Senate Bill 855 will allow federal and state-level tracking of these hazardous chemicals to ensure safe transportation and management response throughout the state of Maryland.

The additions to Maryland law that Senate Bill 855 requires will help to ensure railroad employees and the communities near railroads are safe throughout Maryland. Thank you for your consideration and we respectfully request a favorable report on Senate Bill 855.

Sincerely,



Arthur Ellis

³ Mike Hellgren, *WJZ Investigates: Dangerous Chemicals Transported Through Maryland with No Public Notice*, CBS News (May 10, 2023 12:29 PM EDT), <https://www.cbsnews.com/baltimore/news/wjz-investigates-dangerous-chemicals-transported-through-maryland-with-no-public-notice/>.

⁴ Mike Hellgren, *WJZ Investigates: Dangerous Chemicals Transported Through Maryland with No Public Notice*, CBS News (May 10, 2023 12:29 PM EDT), <https://www.cbsnews.com/baltimore/news/wjz-investigates-dangerous-chemicals-transported-through-maryland-with-no-public-notice/>.

SB0855 Railroads - Safety Requirements (Maryland R

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0855

Railroads - Safety Requirements (Maryland Railway Safety Act of 2025)

Bill Sponsor: Senator Ellis

Committee: Finance

Organization Submitting: Maryland Legislative

Coalition **Person Submitting:** Aileen Alex, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0855 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

It's mind-boggling that railroads crisscrossing our state are operating without the Maryland Railway Safety Act of 2025. Picture this: trains over a mile and a half long with just one crew member hauling who-knows-what are currently deemed acceptable. What could possibly go wrong? Imagine an accident where the sole crew member is injured, the train blocks multiple roads, and an unknown toxin is released—this scenario is not just possible but completely unacceptable to our members.

HB0958 mandates that a freight train must have a crew of at least two individuals, with fines ranging from \$10,000 to \$25,000 for non-compliance. Additionally, a train operating on a main or branch line in Maryland may not exceed 8,500 feet in length unless granted an exception, or it will face a \$10,000 penalty. The bill also requires the Commissioner of Labor and Industry to establish and oversee a system for reporting the transportation of hazardous materials and waste by rail.

This bill is crucial for Marylanders because it tackles the pressing safety concerns associated with railroad operations. By implementing these safety measures, the bill safeguards the public, railroad workers, and the environment from potential hazards. Moreover, it ensures the efficient and safe transportation of goods, which is vital for the state's economy and overall well-being.

The Maryland Legislative Coalition steadfastly supports this bill and similar initiatives that result in greater safety for Marylanders.

Written Testimony - SB855.pdf

Uploaded by: David Pendleton

Position: FAV

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Chairperson/Director

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March 3, 2025

SUPPORT, SB 855 Railroads – Safety Requirements Maryland Railway Safety Act of 2025

To the Honorable Pam Beidle, Chair; Antonio Hayes, Vice Chair and Members of the Senate Finance Committee

REPRESENTATIVES

CUMBERLAND
Local 600
RANDY MARTZ

BRUNSWICK
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Local 1470
BRITTANY GARRIS

BALTIMORE
Local 610
JOHN WALKER

Local 1949
JACOB STROMAN

I'm the Director for the Maryland Safety and Legislative Board of the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Worker's (SMART). Our members in Maryland are employees of CSX, Norfolk Southern Railway, Amtrak, Canton Railroad and MARC Commuter Rail (Amtrak & Alstom). We are conductors, engineers, yardmasters, switchmen, and utility persons. We are the **TRAIN UNION**.

Our mission is first and foremost to seek to ensure our members have a safe work environment.

In that vein, I ask for your support for the rail safety legislation introduced in the House as **SB855 "Railroads – Safety Requirements (Maryland Railway Safety Act of 2025)"**. This proactive rail safety legislation is intended to address several areas related to the safe operations of railroads in the State of Maryland. I will address each provision as follows.

Minimum freight crew requirement:

In 1970's, each freight train had 4 to 5 crewmembers. Through advances in technologies, that number has been reduced. Today, the reality is over 99% of America's freight trains operate with two federally certified and licensed crewmembers: A Conductor and Engineer.

Several things happened that gave rise to the pursuit of this provision of the legislation. On July 6, 2013, a freight train derailed in Lac-Mégantic, Quebec that resulted in 47 lost lives and a town nearly destroyed. That accident happened because a Montreal, Maine & Atlantic Railway crewmember, working alone, had his 72-car crude oil train roll away and crash in the middle of a town causing horrific death and devastation.

There are many tasks that must be performed by the crewmembers on a freight train every day that one person just cannot accomplish alone, and this fact played a major role in the Lac-Mégantic tragedy. The train was left standing unattended on a steep grade several miles outside the town because that was the only stretch of track that could accommodate the entire train without blocking any highway grade crossings.

The train could have been secured and left unattended on flat terrain much closer to the town after having been separated, or “cut,” to keep the crossing open, but that task cannot be accomplished safely and in compliance with operating rules with a single crew member. Also, attempting to both secure the train with hand brakes and properly test the securement cannot be accomplished as safe operating standards dictate. The securement of the train failed, and the result was that the train traversed down the steep grade into the center of town where it eventually derailed, resulting in explosions and fires killing 47 persons and causing millions of dollars in environmental damage.



Lac-Mégantic, Quebec, Canada

Following this tragic accident, Canadian regulators banned this type of one-person operations throughout Canada.

On March 4, 1996, in Weyauwega, Wisconsin the town had to be evacuated due to a train derailment containing hazardous materials. 30 cars derailed containing liquid petroleum, and sodium hydroxide. The fire spread quickly, and the fire department’s chief concern was that the train would explode.



Weyauwega, Wisconsin

Within 45 minutes they determined that the town’s 2200 residents had to be evacuated. The residents had only 5 minutes notice to immediately vacate their homes and had to leave everything they had behind.

This wasn’t an orderly evacuation. Imagine being in your home with your family and having a firefighter in front of your house with a bull horn yelling **EVACUATE NOW**. People didn’t know where to go, didn’t know when they’d return, nor could they ask questions about what was going on. The fire burnt for over two weeks.

Following this tragic derailment, the state of Wisconsin passed a minimum 2-person crew requirement.

There have been several attempts to regulate crew size at the federal level through the Federal Railroad Administration rulemaking process. In 2008 the Obama administration initiated the rulemaking process.

In 2016 the Trump administration cancelled the rulemaking process. In 2021 the Biden administration reinstituted the rulemaking process to regulate crew size and issued a final rule in April 2024.

This rail safety legislation has also been introduced in 34 states and has become law or regulation in Arizona, California, Colorado, Illinois, Kansas, Minnesota, New York, Nevada, Ohio, Washington, West Virginia, and Wisconsin.

Freight train crews work long hours, day and night, with few set shifts, and are on call 24 hours a day, 7 days a week. With as little as 1 hour and 15 minutes notice, they are required to report to work for a 12-hour shift, often operating trains laden with hazardous materials. Fatigue in the freight railroad industry is our organization's number one safety concern and having a minimum of two crewmembers is the primary way we help combat fatigue. Having a minimum of two person crew is also the best way to assure compliance with the railroads complex operating rules.

Some of you will remember the 1996 head-on collision of a MARC commuter train and an Amtrak passenger train that occurred in Silver Spring, Maryland in which 11 persons were killed and 13 injured.



Silver Spring, Maryland

Following a lengthy investigation, the FRA found that a one-person crew in the locomotive contributed to signal violations associated with the collision and issued an Emergency Order and subsequent safety regulations requiring communications between the operating cab and the train crew stationed in the passenger cars. As a result, commuter passenger trains today routinely have a crew of three qualified people on the crew who must work as a team with constant communication between the crew members and qualifications for emergency response and first responder training.

The SMART-TD Maryland Safety and Legislative Board contracted a reputable consulting firm to gauge the level of support by the public for such minimum crew legislation. We wanted to see where the public stood in relation to the Governor, since the General Assembly was on opposite ends. The survey covered several demographic groupings with results separated based on gender, age, education, political self-identification, and geographic region. I'll just point out that the overall results of the survey are that the level of public support by Marylanders for this legislation is 88%. This survey is a part of the previous record on this legislation.

There is an increase in the transportation of hazardous and volatile materials on the railroads as well as significantly longer trains operating over the unique and widely varying geographical terrain existing in our state. This coupled with the possibility of decreasing train crew size, creates a significant localized safety hazard to the employees, the public, the communities, and the environment.

Adequate personnel are critical to insuring railroad operational safety, security, and in the event of a hazardous material incident, support of first responder activities. This legislation regulating minimum railroad crew staffing is a proactive effort to protect and promote worker health and safety, and the security and welfare of the residents of the state by reducing the risk exposure to local communities and protecting environmentally sensitive lands and waterways.

The recent freight train derailment that occurred in East Palestine, Ohio where a freight train carrying hazardous materials derailed, caught fire, and caused the evacuation of the community stands as a reminder of the current potential for disaster.



East Palestine, Ohio

To allow these monstrous freight trains carrying many hazardous materials to operate through the State with one, or no crew members would be reckless.

Following this tragic accident, the state of Ohio passed a minimum 2-person crew requirement.

I am sure you have been approached by the railroads who are opposed to this legislation. I want to address some of their arguments against this legislation. Their first argument is that this legislation is preempted by federal law. We do not argue that there are many provisions in federal law covering a wide range of issues that are preempted from state regulation; however, crew member requirements on freight trains are not one of them.

Attached are three letters from the MD Attorney General's office wherein the first letter they reference this legislation and write "*appears to neither violate, nor is preempted by, federal law as it relates to crew member requirements for trains used in connection with the movement of freight in the State.*" In the follow up letter, which was requested by the railroad's representatives, the AG's office wrote "*if a sufficient legislative record is established to demonstrate that the minimum crew size requirements under the bill are primarily related to safety and will not interfere with rail transportation, a court is unlikely to find that the requirement is preempted under the ICCTA. On the other hand, without such evidence, a court may conclude that the minimum crew size requirement regulates rail transportation and operation in the State, which may be preempted under the ICCTA,*" thereby leaving the door open for interpretation. The 3rd letter was just recently issued on February 13, 2023 wherein they Attorney General's office again reiterated in their view "*For the foregoing reasons..... the holding in the Indiana R.R. II case does not alter the analysis and conclusion regarding the possibility of either 3RA preemption or FRSA authorization for state rail crew size as addressed in the Feldman Letter.*"

The AG's first opinion is reinforced by the Seventh District Court's decision rendered in *Burlington Northern and Santa Fe Railway Co. v. Doyle* which examined the Wisconsin law that required a minimum of two persons on freight trains. The court ruled that Wisconsin was "free to require two- person crews on over-the-road operations." This finding by the 7th District Court rendered in 1999 has not been challenged by the railroads.

They also attempt to use Section 711 of the Regional Rail Reorganization Act of 1973 (3R Act) stating that "Congress expressly intended to preempt state minimum crew laws." Again, we agree that in 1973 Congress did intend to preempt 17 states and the District of Columbia from regulating minimum crew laws. However, this decision was rendered at a time when there were 4 or 5 crew members on each freight train, and it was not for the purpose of denying States the ability to provide for the safety of their towns, communities, and citizens.

Congress was attempting to protect the Midwest and Northeast regions from financial collapse related to "a disappearance" of rail service as seven Class I railroads were in bankruptcy. As a result, they created the federally government owed Consolidated Rail Corporation known as Conrail.

They did afford the provisions of the preemption to the other railroads operating in the 17 states and the District of Columbia due to the potential for unfair competition in the states they all served. Their main concern in creating this provision was their fiduciary responsibility to the taxpayers. In 1998, Conrail was absolved through the purchase of their assets by CSX and Norfolk Southern Railway and is no longer a potential liability to the taxpayers.

On the issue of preemption, the critical question in any preemption analysis is always whether Congress intended that a federal regulation supersedes state law. In the case of *Louisiana Public Service Commission v. FCC* the court wrote:

"Pre-emption occurs when Congress, in enacting a federal statute, expresses a clear intent to preempt state law, when there is outright or actual conflict between federal and state law, where compliance with both federal and state law is in effect physically impossible . . . or where the state law stands as an obstacle to the accomplishment and execution of the full objectives of Congress.

Moreover, the Supreme Court has also made it clear that "[p]re-emption may result not only from action taken by Congress itself; a federal agency acting within the scope of its congressionally delegated authority may preempt state regulation."

So, the key to the argument that Section 711 of the 3R Act was intended to "expresses a clear intent to preempt state law" would be based on the record as to why Congress passed a federal statute and to what it applies. We take no exception to the fact that Congress had a clear intent to preempt state law within the 17 states that Conrail operated in. What we do take exception to is that that law is still applicable.

The record clearly shows that Congress was attempting to protect the Midwest and Northeast regions (17 States) from financial collapse related to "a disappearance" of rail service as seven Class I railroads were in bankruptcy. They were not passing a law to preempt crew size throughout the United States. They limited the laws reach to these 17 States to level the playing field against Conrail, the taxpayer owned railroad.

Congress placed Conrail back into the hands of the private sector through the sale of their assets. However, the obvious advantage the railroads operating in this limited 17 state area had over the rest of the railroads in the country, where the preemption did not apply, still existed. In response, Congress passed into law Section 408 of the Rail Safety Improvement Act that required the Department of Transportation (DOT) to complete a study regarding the impacts of repealing Section 711 of the 3R Act.

The DOT delegated this duty to the Federal Railroad Administration (FRA), the agency that Congress gave the jurisdiction over railroad safety to when they established it. The FRA completed the study and reported back to the Congress that ***"the goal of protecting the Midwest and Northeast regions from financial collapse related to a disappearance of rail service has been met. The rationale behind the preemption provision in the 3R Act of ensuring viable freight rail service no longer exists. Repealing Section 711 would restore the status quo that existed prior to its enactment and create a level playing field among rail carriers nationwide." They concluded with "For the above stated reasons.....the purpose for which Section 711 was enacted was met a number of years ago and Section 711 should be repealed."***

This report was issued by the FRA, the federal agency assigned by Congress with the responsibilities of overseeing safety in the rail industry. The effect of their report is that all railroads are on a level playing field nationwide.

The issue of preemption related to the states that were not within the 17-state limit has been settled. The U.S. Seventh District Court found in the *Burlington Northern and Santa Fe Railway Company v. Doyle* that the state of Wisconsin was “**free to require two-person crews on over-the-road operations.**” This settled law will govern the country until the FRA decides to affirmatively regulate such operations as minimum crew size, which they have not done.

The railroads claim that requiring a minimum of two persons on their freight trains will be a major inconvenience and break the bank. We find this argument hypocritical. On one hand they argue to maintain the outdated special treatment contained in Section 711, which gives them an unfair advantage over the 2/3 of the United States where the exemption didn’t apply and then argue they would be at a disadvantage if the same situation existed between Maryland and other states where they operate. In addition, the delay argument has no merit as crew changes already must occur over the routes and there is no additional cost for a second crew member if they board the freight train at the last regular crew change point before entering Maryland or at the border. So, no operational delay would be required.

We as an organization are cognizant of the fact the railroads are in business to make money for their owners and stockholders, we want them to secure more business and be as profitable as possible. After all, our members’ jobs depend on their success. But when it comes down to the wellbeing, health, and safety of the members we represent and the safety of the public, we will always side with safety.

Another argument we have heard is that this is a collective bargaining issue and legislators should not be injected into the fray between labor and management. To the contrary, we believe this issue falls under the purview of employee and public safety, which places it under the jurisdiction of the legislative department within our organization. Our legislative department will not relinquish our responsibilities to provide for the safety and wellbeing of our members to collective bargaining. There is no amount of money or benefits worth any harm that may come to our members or the public if a tragic accident should occur because of insufficient manpower.

In 2008 Congress passed the Rail Safety Improvement Act, which we have been in support of, that required Positive Train Control’s (PTC) implementation nationwide by 2015. The railroads had repeatedly requested delays in implementing this supplemental safety technology with full implementation just being completed in December 2020. The railroads now try to present this technology as their replacement for the second crew member.

On January 20, 2023, MARC had to cancel forty-one trains because of connectivity issues with PTC. While this was an inconvenience to thousands of Maryland commuters, fortunately no one was hurt because the trains were able to be canceled. Imagine this happening to a freight train loaded with hazardous material operating through Baltimore with one person.

Positive Train Control, or hot box detectors, or Deadman’s pedal or the myriads of other supplemental safety apparatus will not prevent every accident in the railroad industry. They merely complement each other in making the industry safer, as does two persons on each crew. A single crew member cannot perform all the tasks required of them and maintain the highest level of safety and respond to any emergency they may encounter.

15-year BNSF conductor Mike Rankin shared his harrowing story of how two freight rail crewmembers worked together to save someone’s life — a feat that would have been impossible had just one person been operating their train the fateful night of December 23, 2004.

When the train Conductor Rankin and his colleague were operating hit a car that bypassed crossing gates, all three passengers in the vehicle were ejected. Two died instantly. The third, barely alive, needed immediate medical attention. An ambulance was on the way, but Rankin soon realized the ambulance was on the wrong side of the tracks. The only solution was to separate the train at the crossing, so the ambulance could drive through — a maneuver that requires two people to execute.

“There’s no way a single crew member could have secured the train, briefed emergency personnel, uncoupled train cars and moved the front of the train forward all on his or her own,” Conductor Rankin said. “I’ve seen enough to know that those who want one-crew train operations are not fully grasping the risks, emergencies, and close calls that my fellow conductors and engineers see on the rails regularly. Conductors and engineers don’t just operate trains. In emergency situations, our presence and teamwork can mean the difference between life and death.”

Another instance occurred when an engineer fell ill on their train in route to Cumberland, MD. They had to stop the train as the engineer was in severe pain and losing consciousness. The conductor summoned an ambulance via cell phone and was able to guide them to the rural location of the train since there was no physical address for GPS to work from. They transported the engineer to the nearest hospital where he underwent immediate surgery for acute appendicitis.

The Doctor told the engineer he was close to having his appendix burst which may have resulted in his death had he not received the prompt attention to his condition. As you can imagine, he was extremely grateful for the conductor’s presence and quick- thinking action.

The merits of the 2-person minimum crew provision of this legislation have been thoroughly debated over the last several years. Each time, receiving a favorable report by the respective committees it went before. This provision has been passed by this committee 6 times and has passed the General Assembly 2 times, each time with overwhelming support. Unfortunately, it was vetoed each time by then Governor Hogan.

The arguments noted in the governor’s veto letter were the same arguments offered in committees and on the House and Senate floor prior to passage. The public saw through those arguments as reflected in the survey; our members saw through those arguments as reflected in their ratification votes, and the General Assembly saw through those arguments and passed the legislation on multiple occasions with a bi- partisan overwhelming vote.

Reporting requirements for transporting hazardous materials:

This provision would require the commissioner of labor and industry to establish and maintain a database regarding the transportation of hazardous materials and waste by rail in the state. The information may not be provided to the public, but the commissioner shall make the information available to the Maryland Department of Emergency Management.

In addition, this provision establishing reporting requirements could result in informing the appropriate local authorities and first responders in real time of the hazardous materials that are included in a train consist as it travels through their communities.

Despite both the FAST Act and the Infrastructure and Jobs Act of 2021 requiring Class I railroads transporting hazmat to generate accurate, real-time information about the train’s contents for distribution to first responders in the event of an emergency, the Class I’s still have not fully complied.

The AskRail app, used since 2014, the Association of American Railroads (AAR), the Operation Respond Institute, and others have voluntarily maintained an app-based system, which satisfies some—but not all—of the real-time information requirements in the FAST Act.

Two issues identified with AskRail are that not all first responders are aware of the program, and functionality suffers in areas with poor wireless data connectivity. Many times, cell phone and internet service is unavailable throughout the rural areas of the state where freight trains traverse, which makes the app useless in real time.

Ohio first responders, without advanced notice, arrived on scene, were exposed to and inhaled the highly dangerous hazardous materials vinyl chloride and butyl acrylic. Inhalation of these chemicals has been linked to permanent lung damage and cancer.

Blocked railroad crossings:

This provision prohibits railroads from blocking at grade rail crossings for more than 5 minutes while the train is standing unless it is in the process of boarding and discharging passengers. One of the purposes of course is to prevent railroads from blocking emergency vehicles from getting to their destinations promptly. There is also a very dangerous situation that has been occurring in neighborhoods throughout the country. Freight trains have been blocking crossings for extended periods of time. Schoolchildren have been filmed climbing through, under, and over these trains to get to school on time. These trains could move at any time having very serious consequences for these children.



Hammond, Indiana

Limiting train length:

This provision provides that a railroad company may not operate a train that is a freight train or a work train that exceeds 8,500 feet in length on any part of a main track or a branch line. This also relates to the issue of blocking railroad crossings for extended periods of time. As you can imagine, a train that is 16,000 feet in length takes twice the time of an 8500-foot train to clear a crossing. In addition, the inertia forces between freight cars would be more severe for the engineer who is trying to handle the train in a safe manner.

Per the 2024 report by the National Academy of Sciences on train length, “Over the past two decades, freight railroads have been operating increasingly longer manifest trains. These trains haul different types of rail cars of varying weight and sizes. The number and mix of cars can add to the extreme forces that moving trains experience, which can stress equipment and create handling challenges for train crews, increasing the potential for derailments if not closely managed, the report says. There is no threshold at which a manifest train becomes a “long train” and subject to greater safety concerns. Rather, as the length of the train increases, it becomes more important to manage in-train forces by placing additional locomotives in the train and assembling trains correctly. Also, since manifest trains carry a mix of cargo, rail cars of different types are picked up and dropped off enroute, so a train’s handling demands can change over the course of a single trip.”

In the words of Debra Miller, chair of the committee that wrote the report “Freight railroads have provided such a dependable way to move goods and materials across the U.S. for so long that it’s easy to overlook them, but railroad operations have changed a great deal over the past few decades, as have the technologies used and our understanding of the best safety management practices. So, the time is right for Congress, regulatory bodies, and the industry itself to take a closer look at railroad practices and regulations to ensure the safest operations going forward.” Find below a chart compiled by the Congressional Research Service showing the correlation between train length and increased derailments:

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Avg. train length (cars)*	71.8	72.5	71.9	73.2	73.5	74.8	77.1	81.8	81.7	81.1
% of derailments involving 125+ car trains	6%	7%	9%	10%	9%	12%	13%	16%	16%	12%
% of derailments involving 150+ car trains	1%	2%	2%	3%	4%	5%	6%	8%	7%	6%

Requirements regarding wayside detector systems:

Wheel or axle failure is a relatively common cause of derailments. According to a study published in the Journal of Transportation Engineering, from 2005 to 2016, defects in rail car wheels and axles were the 2nd leading cause of mainline derailments. According to the National Transportation Safety Board's preliminary findings, a wheel bearing on one of the East Palestine train's freight cars overheated, which led to the failure of one of the car's axles. This caused the derailment in East Palestine.

Wayside defect detector systems would be required at certain intervals and to be in working order and capable of notifying the train crew when any event is detected that should initiate an alert. The tragic accident in East Palestine, Ohio could have been avoided had wayside detectors in proper working order with proper limits set for actuation been in place. These state-of-the-art systems can detect if a freight train has dragging equipment, or wheel bearings overheating, or a number of other indicators that could cause a derailment. Once detected, they should be able to notify the train crew who can take immediate action to remedy the situation.



East Palestine, Ohio

Allowing authorized representatives to conduct safety inspections:

This provision would authorize up to 2 designated railroad union representatives to enter railroad property for the purpose of conducting inspections of unsafe conditions as reported to them by their members that may violate federal or state laws, affect public safety, or result in injury or death to a railroad employee.

The State's railroad inspection division has one railroad inspector for over 2,000 miles of trackage throughout the state. With this limited number of railroad inspectors responsible for the thousands of miles of trackage in the state, this legislation would just allow the supplementing of the inspection workforce when there is an urgent need for inspection. It would also prohibit the railroads from claiming the representatives are trespassing.

Every provision contained in this legislation is intended to make railroad operations in this state safer for the employees, the environment, and the communities these trains operate through. The railroads position that these provisions are burdensome on the industry and their profits should not out way making safety a first priority as all their corporate statements espouse.

WE THEREFORE URGE A FAVORABLE REPORT ON SB855

Sincerely,

David Sr

David Pendleton Sr., Chairperson/Director
Maryland Safety & Legislative Board, LO-023

SMART Transportation Division

SB 855 - Railroads - Safety Requirements (Maryland

Uploaded by: Donna Edwards

Position: FAV



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SB 855 - Railroads - Safety Requirements (Maryland Railway Safety Act of 2025)
Senate Finance Committee
March 5, 2025

SUPPORT

Donna S. Edwards
President

Maryland State and DC AFL-CIO

Madame Chair and members of the Committee, thank you for the opportunity to submit testimony in support of SB 855. My name is Donna S. Edwards, and I am the President of the Maryland State and District of Columbia AFL-CIO. On behalf of Maryland's 300,000 union members, I offer the following comments.

SB 855 presents a proactive measure to enhance the safety and security of Maryland's railways, preventing devastating tragedies like we see across the country. By implementing adequate safety requirements for rail operations, this legislation aims to protect workers, our local communities, and the environment.

Our state relies on rail transport to bolster our economy, but without comprehensive safety requirements, it poses significant safety and operational risks. SB 855 addresses these concerns by proposing a number of reasonable standards to avoid potential disasters.

This legislation would:

- **Require a 2-person minimum crew on a freight train.**
 - Freight train crews work long hours and are on call 24/7. Crew members are responsible for various tasks everyday making it difficult to complete alone. Since fatigue is a major safety concern, having at least two crew members is essential to ensure compliance with the railroad's complex operating rules to maintain safe operations.
- **Specify reporting requirements when transporting hazardous materials via freight trains.**

- This provision will provide critical data to emergency management agencies, allowing for a more efficient and effective response in case of an accident, allowing first responders to be readily prepared when being dispatched to an accident site and well-informed of any hazardous materials that are being transported through the communities.
- **Prohibit trains from blocking road crossings.**
 - When trains block road crossings, it is a public safety issue for individuals and our emergency service providers. For individuals, as trains block a road crossing, they start looking for ways to get around the train and to their destination, this results in some climbing under and through the trains which could move at any moment, often causing irreversible damage.
- **Specify requirements for wayside detector systems.**
 - Defect detector systems would be required at certain intervals and to be in working order and capable of notifying the train crew when any event is detected requiring an alert. These systems detect a number of indicators that have the potential to cause derailment such as dragging equipment or wheel bearings overheating. When wayside sectors are in proper working conditions with proper limits set for activation, the crew is able to take immediate action to rectify the incident on detection and notification.
- **Allow union representatives to conduct safety inspections.**
 - The State's railroad inspection division currently has one railroad inspector for over 2,000 miles of trackage throughout the state. This provision allows designated union representatives to supplement the process of safety inspections to investigate violations of federal or state laws and safety hazards, ultimately better supporting the division while mitigating any incidents that threaten public safety and adding a level of accountability.
- **Limit train length.**
 - This provision relates to the issue of trains blocking road crossings for extended periods of time making it difficult for first responders trying to get to an emergency call. Additionally, there are some freight trains that are two to three miles in length, increasing the risk for mechanical and operational failures and unsafe situations for engineers operating the trains.

Railroad operating rules have historically been enacted *after* a tragic incident has occurred. This legislation works to prevent the kind of catastrophic events that have devastated communities in other states and positions Maryland as a leader in railway safety, setting a standard that prioritizes worker support, compliance, and environmental protection.

For these reasons, we urge a favorable vote on SB 855.

SUPPORT SB 855 - Railroads - Safety Requirements (

Uploaded by: Jason Ascher

Position: FAV



Senate Finance Committee

To: Senator Pam Beidle, Chair; Senator Antonio Hayes, Vice-Chair; and Members of the Committee.
From: Jason Ascher, Political Director, Mid-Atlantic Pipe Trades Association.

SUPPORT SB 855 - Railroads - Safety Requirements (Maryland Railway Safety Act of 2025)

On behalf of the Mid-Atlantic Pipe Trades Association and its over 20,000 members and families across Maryland, I ask you to **SUPPORT SB 855**.

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 ensure apprentices receive the necessary training from OSHA and 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. Safety must come first on the railways, as on the construction site.

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 outs of a job. Similarly, a single-man crew leaves new conductors without 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 no second set of eyes reminds 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 SB 855**.

Sincerely,

Jason Ascher
Political Director
Mid-Atlantic Pipe Trades Association

MID-ATLANTIC PIPE TRADES ASSOCIATION



**7050 Oakland Mills Road
Suite 180
Columbia, MD 21046**

**Phone: 410-290-3890
www.midatlanticpipetrades.o**

Plumbers and Gasfitter Local 5 – Camp Springs, MD
Plumbers and Steamfitters Local 10 – Richmond, VA/Roanoke, VA
Plumbers and Pipefitters Local 110 – Norfolk, VA
Road Sprinkler Fitters Local 669 – Columbia, MD

Plumbers and Steamfitters Local 486 – Baltimore, MD
Plumbers and Steamfitters Local 489 – Cumberland, MD
Steamfitters Local 602 – Capitol Heights, MD

SB 855 - Railroads - Safety Requirements (Maryland

Uploaded by: Michael McMillan

Position: FAV

Amalgamated Transit Union Local 1300

126 W. 25th Street, Baltimore, Maryland 21218
Telephone: 410-889-3566 Facsimile: 410-243-5541
www.atu1300.org

Proudly representing the transit workers of the MTA!



SB 855 - Railroads - Safety Requirements (Maryland Railway Safety Act of 2025) **Favorable**

Senate Finance Committee
March 5th, 2025

ATU Local 1300 represents over 3,000 transit workers at the Maryland Transit Administration (MTA). This includes bus operators, bus mechanics, rail operators, rail maintenance workers, and more. Our members keep Maryland moving every day.

As transit workers, we know first hand the importance of safety. Our primary responsibility is to get the riding public where they need to go safely. SB 855 introduces several reasonable rules on Maryland's railroad infrastructure that benefit riders, workers, and the surrounding community. It requires a two person crew, ensuring that there are actually additional workers available to respond to emergencies. It also bans trains longer than 8,500 feet in length.

Train incidents have become increasingly common. The public deserves a safe rail transportation system. Maryland needs a favorable report on SB 855.

SB855.pdf

Uploaded by: Thomas Skinner

Position: FAV

March 5, 2025

Senator Pamela Beidle, Chair
Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, Maryland 21401

Position: FAVORABLE

**SB- 855 - Railroads – Safety Requirements
(Maryland Railway Safety Act of 2025)**

Chair Beidle and members of the Senate Finance Committee, thank you for affording me the opportunity to submit testimony today. I am Thomas Skinner, 1st vice president of the Professional Fire Fighters of Maryland.

The Professional Fire Fighters of Maryland represents more than 10,000 active and retired professional fire fighters and emergency medical services personnel who proudly serve the citizens of the State of Maryland

Senate Bill 855 will provide for a safer workspace not only for our Sisters and Brothers in the railroad industry but also, for our Maryland First Responders and the citizens that we serve.

This bill addresses safety concerns and regulations related to railroad operations in Maryland, focusing on crew size, grade crossing management, train length, equipment monitoring, and hazardous material transportation.

A key provision addressed is crew size. Freight trains must operate with a minimum crew of two individuals to enhance safety and accountability. With trains reaching lengths of one and one-half miles, a mandate of two members on the crew would allow for the engineer to stay with the locomotive as currently required, while allowing for the second member to become an immediate liaison to the first responders providing information on the contents and possible hazards contained on the train.

Another valuable provision provides Union access for safety investigations. Railroad companies should grant authorized labor union representatives access to their properties to investigate safety hazards and regulatory compliance, promoting oversight and worker safety.

Overall, this legislation aims to enhance the safety of railroad operations, protect workers, and mitigate risks to public safety, our Maryland First Responders and the citizens that we serve.

On behalf of the members of the Professional Fire Fighters of Maryland, I urge you to support SB855,, an important piece of legislation that will not only address safety concerns for our dedicated women and men in the railroad industry but, also our first responders.

Respectfully Submitted,

Thomas Skinner
1st Vice President
Professional Fire Fighters of Maryland

Tom Cahill written SB855.pdf

Uploaded by: Tom Cahill

Position: FAV

DAVID PENDELTON SR.
Chairperson/Director

TOM CAHILL
Vice Chairperson/Assistant
Director

BRITTANY GARRIS
Secretary



ANNAPOLIS OFFICE
99 Cathedral Street
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Annapolis, MD 21401-2597

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March 3, 2025

To the Honorable Pam Beidle, Chair; Antonio Hayes, Vice Chair and Members of the Senate Finance Committee

REPRESENTATIVES

CUMBERLAND
Local 600
RANDY MARTZ

BRUNSWICK
Local 631
TOM CAHILL

EDMONSTON
Local 1470
BRITTANY GARRIS

BALTIMORE
Local 610
JOHN WALKER

Local 1949
JACOB STROMAN

Support, SB855 "Railroad Safety Requirements – Railway Safety Act of 2025"

My name is Tom Cahill. I am the Assistant Director of the Maryland Safety and Legislative Board for the Transportation Division of the International Association of Sheet Metal, Air, Rail, Transportation Workers. Our members work as employees for CSX Transportation, Norfolk Southern, Canton Railroad, Amtrak and MARC (ALSTOM and AMTRAK).

The first listed goal in the Maryland State Rail Plan is for the State transportation system to be safe, secure, and resilient by enhancing the safety and security of Maryland's multimodal transportation system and to provide a transportation system that is resilient to natural and man-made disasters.

With that goal in mind, I am here urging a favorable report on **SB855**. *The Maryland Railway Safety Act of 2025* is an all-encompassing safety bill meant to address several critical safety issues plaguing the rail industry and the communities we serve.

Safe Staffing Levels for Trains or Light Engines

Freight trains share tracks with passenger and commuter trains. They carry hazardous materials, operating through many of Maryland's densely populated cities and towns such as Bowie, Laurel, Rockville, Silver Spring, Gaithersburg, Hagerstown, and Baltimore just to name a few. Imagine how difficult it would be to evacuate any one of these areas if an East Palestine type of derailment were to occur.

Historically, safe working rules and procedures for rail workers have been written in blood.

In 1996 in Weyauwega, Wisconsin, the town had to be evacuated due to a train derailment containing hazardous materials. The conductor prevented a greater tragedy by separating the non-derailed cars from the fire that engulfed derailed cars. Following the accident, Wisconsin passed their 2-person crew requirement into law.

In 2013, in Lac-Mégantic, Canada, a one-person freight train operation contributed to a runaway train that derailed, killing 47 persons and essentially destroying the town. Following the accident Canada, banned one-person freight train operations.

The railroads insist that crew size is a collective bargaining issue. No amount of money or benefits negotiated are worth the harm that could come to rail workers, the environment or the public if a tragic accident occurs due to a one-person operation.

The railroads have testified before members of the General Assembly that the FRA did not produce any evidence that showed where 2-person train operations were safer than single person train operations.

What they fail to say in their testimony is that the FRA doesn't collect data that would provide information regarding the total operating mileage for one-person crew operations in the United States and that according to former FRA administrator Ronald L Batory in his decision to withdraw the 2 person crew regulation, **(1) "it is impossible for FRA to normalize the data and be able to compare the accident/incident rate of one-person operations to that of two-person train crew operations to see if one-person operations appear safer or less safe."** The railroads love to use Europe's single person operation as an argument for why 2-person train operations are not safer. Again, what's left out of this argument is the fact that the rail system in Europe receives more investment in 10 years than the American system has in 40 years.

(2) According to American Association of Railroads, a class 1 railroad funded Association, from 1980 to 2020, private railroads invested \$760 billion in infrastructure. In the last 10 years, they have invested \$250 Billion.

(3) In the last 10 years alone, the European rail system has invested \$830 billion Euros, a little over \$900 Billion dollars. The European rail system has layer upon layer of safety systems. Furthermore, each member country has their own safety protocols as an additional layer of safety. They have the Automatic Warning System (AWS), Automatic Train Protection System (ATP) and European Train Control System (ETCS). Furthermore, each country has their own rail safety system that works in conjunction with these systems and acts as an additional layer of safety. There is a culture of rail infrastructure investment.

(4) Even though the European rail system receives a large amount of funding, the general public still feels it is underfunded.

The General Assembly understands that it is better to be proactive than reactive when it comes to rail safety. This is evidenced by their passage of this legislation numerous times. Sad to say, each time it was vetoed by Governor Hogan.

1. <https://www.regulations.gov/document/FRA-2014-0033-1606>
2. <https://www.aar.org/facts-figures>
3. <https://www.railtech.com/infrastructure/2021/11/24/more-money-invested-in-roads-than-rail-where-is-the-shift/>
4. <https://www.investigate-europe.eu/en/2021/despite-public-support-for-rail-trains-remain-underfunded-in-europe/>

Wayside Detector Systems

On February 3, 2023 in East Palestine, Ohio a Norfolk Southern Train carrying the hazardous material Vinyl Chloride in 5 cars of their consist, derailed. Following the wreck, the vinyl chloride burned, creating toxic plumes of smoke that forced approximately 2,000 residents to evacuate the town. The cause of this derailment was a wheel journal that overheated to point it disintegrated. To date, **\$1.7 Billion** has been spent on environmental clean-up, claims and resident relocation.

From 2003 to 2023, there have been 687 derailments stemming from axle and journal bearing equipment malfunctions. 58.5% of the derailments were caused by an overheated journal bearing. The root cause of the East Palestine Derailment was a lack of Hot Box detectors, and the two that were present, malfunctioned. Had they been working properly; this derailment would have been prevented.

On average, Hot Box Detectors are spread very far apart, roughly one every 25 to 30 miles, or to put it another way, one HBD for approximately the distance from DC to Annapolis. Currently, there are no federal regulations governing the operation or regulation of Hot Box Detectors. The FRA does have recommendations or Safety Advisories about their use and implementation. However, it must be noted that none of these carry the weight of the law.

Per Safety advisory 2023-01 “Preliminary investigation of recent train derailments indicates the cause of, or contributing factor to, the incidents was a mechanical failure, specifically burnt journal bearings. Accordingly, FRA is issuing this Safety Advisory to make recommendations to enhance the mechanical reliability of rolling stock and the safety of railroad operations. This Safety Advisory recommends that railroads: evaluate the thresholds for inspections based on hot bearing detector (HBD) data; consider the use of real-time trend analyses of HBD data as a criterion for inspection; ensure the proper training and qualification of personnel responsible for the calibration, inspection, and maintenance of HBDs; ensure proper inspection of rolling stock with HBD alerts; and improve the safety culture of their organization, particularly as it pertains to operational decisions based on HBD data”.

Since 2021, the FRA has investigated 5 derailments that were caused by overheated or burnt journal bearings. Three of them were Norfolk Southern Trains. The three derailments occurred in Warner Robins Georgia, Sandusky Ohio, and East Palestine Ohio.

In both the Warner Robins and Sandusky Norfolk Southern wrecks, the Hot Box Detectors gave warning about the overheated journal bearings as it was supposed to do. Train crews stopped the train and inspected the problem axles as they were supposed to. However, NS gave the crews instructions to proceed without setting out the problematic car (Warner Robins) or engine (Sandusky).

In East Palestine, the Hot Box Detectors did record increasing bearing temperatures on the car that caused the derailment. However, the readings never reached Norfolk Southern’s threshold to warrant stopping the train. Unfortunately, because the profit motive comes first when it comes to removing equipment from service, these tragedies will continue to happen.

Per the safety advisory “Detecting overheated journal bearings before they fail is critical to accident prevention. Journal Bearings are sealed components, and as such, often do not display ‘tell-tale signs’ of overheating (e.g., leaking lubrication) making defects in journal bearings difficult to identify through visual inspections. HBDs can serve an important role in early detection of bearing defects, but the effectiveness of any HBD system depends on numerous factors, including: (1) the establishment and adherence to adequate maintenance standards and procedures; (2) the establishment of safe thresholds at which to act on HBD alerts; and (3) strict adherence to procedures that prescribe actions to be taken”.

In the absence of Federal leadership, it falls to the State to lead. Since the railroads have failed to voluntarily comply with FRA recommendations, it falls to the States to protect the public by addressing the important rail safety issue.

(1) <https://www.federalregister.gov/documents/2023/06/14/2023-12724/safety-advisory-2023-01-evaluation-of-policies-and-procedures-related-to-the-use-and-maintenance-of>

Reporting System for Transportation of Hazardous Material and Waste

Ace First Responders did a survey in March 2023 for the Pennsylvania DOT following the East Palestine derailment. 114 1st responders completed it; of the 114 who responded, only 15 wore a mask that would protect them from the dangerous effects of the vinyl chloride in the air.

It took over an hour for first responders to receive the train’s consist information. The first responders who were on scene did not have access to the AskRail app that was supposed to have this information for them. Norfolk Southern did not immediately provide the consist information to the dispatchers and government officials who requested it. They took over an hour to do so.

This provision of the Railroad Safety Bill will prevent this sort of miscommunication should a major derailment occur in the State of Maryland.

(1) Per Kevin Reardon, Fire Marshal for the State of Ohio, “the Fire Fighters probably didn’t know there were extremely hazardous substances in the air around them. Typically in major disasters, firefighters don’t know exactly what they are getting into, and it was most likely these first responders didn’t know about the chemicals. That information you have to get from either the engineer of the train or the conductor.”

(2) Per Jennifer Hormendy, Chair of the National Transportation Safety Board, “The general public “absolutely deserves[s] to know whether they live or works near a hazmat route. They also need to be aware of the hazards associated with releases, what railroads will do to prevent accidents and mitigate consequences, how to recognize and respond to an emergency, what protective action to take in the event of a hazmat release, and how to contact railroads and federal authorities regarding specific concerns, and that should also include state authorities “.

This provision mandates that consist information will be made available to FEMA and the State’s Emergency Management Agency. In this way information can be given immediately, securely to first responders.

Per the CDC, cancer is a leading cause of death for firefighters. Vinyl Chloride is a cancer-causing chemical. It is unfortunate that first responders were not properly notified of the train’s consist, many showed up to the scene without wearing Hazmat suits or proper P.P.E. A reporting system needs to be in place that is accessible to first responders, so that they can be prepared.

- (1) <https://www.news5cleveland.com/news/east-palestine-train-derailment/state-fire-marshal-east-palestine-first-responders-most-likely-didnt-know-hazardous-substances-were-burning>
- (2) <https://www.freightwaves.com/news/ntsb-chair-says-ns-train-derailment-was-100-preventable>

Authorization to Monitor Safety Practices and Operations by Collective Bargaining Representatives

The office of Railroad Health and Safety is understaffed. There are only 3 railroad inspectors employed. Of the 3 inspectors, there is only 1 that is qualified to do track inspections. There are 2,502 rail crossings, and more than 1200 railroad miles in the State of Maryland.


Currently, union representatives who are not employed by the railroads are not allowed to perform safety inspections or investigate member safety concerns on railroad property. The railroads’ policy is to assert that union representatives not under their employ are trespassing on their property and to have their police department escort them from their property. The most important responsibility of SMART-TD is to ensure safe working conditions for our members.

Current railroad policy hinders our ability to ensure our members work in a safe environment, and operations are being done in a manner compliant with federal and state laws, and regulations. Representatives of SMART-TD are trained to conduct investigations and perform safety inspections.

With current budget constraints, allowing representatives of SMART-TD access to railroad property for these investigative purposes brings much needed oversight to the rail industry at no cost to the State.

With these things in mind, I urge a favorable report!

Sincerely,
J. E. Cahill

Thomas E. Cahill, Vice Chairperson/Assistant Director
Maryland Safety & Legislative Board, LO-023
 Transportation Division

SB855_MoCoCouncil&CE_FAV

Uploaded by: Verna Price

Position: FAV



March 5, 2025

The Honorable Pamela Beidle
Chair, Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, Maryland 21401

RE: Senate Bill 855, *Railroads – Safety Requirements (Maryland Railway Safety Act of 2025)*

Dear Chair Beidle:

Montgomery County strongly supports the passage of the Maryland Railway Safety Act. As our State and County continue to grow, so does the importance of ensuring the safety of our rail systems for passenger and freight trains. Recently, several devastating train accidents have occurred across the country, injuring families and sometimes discharging hazardous materials throughout communities. This legislation is a first step to ensure the safe passage of freight and passenger trains throughout Montgomery County.

The Maryland Railway Safety Act implements key safety measures to prevent disasters and protect communities. It requires a minimum two-person crew on freight trains, a proven safeguard already adopted in other states after fatal derailments. The bill also enhances hazardous materials tracking, ensuring first responders have real-time access to crucial information during emergencies. Additionally, it limits freight train lengths to 8,500 feet to reduce derailment risks and prevent extended road blockages that delay emergency services. We believe these provisions are essential steps in making Maryland's railways safer and more reliable for all.

We would like to thank our State leaders for their commitment to improving the lives of all residents in Montgomery County. For the reasons mentioned above, Montgomery County supports the passage of the Maryland Railway Safety Act. We look forward to Maryland being a leader in railway safety.

Sincerely,

Will Jawando
Council Vice President

Laurie-Anne Sayles
Councilmember, At-Large

Marc Elrich
County Executive

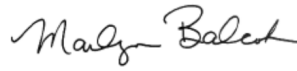
Kate Stewart
Council President



Natali Fani-Gonzalez
Councilmember, District 6



Gabe Albornoz
Councilmember, At-Large



Marilyn Balcome
Councilmember, District 2



Andrew Friedson
Councilmember, District 1



Evan Glass
Councilmember, At-Large



Dawn Luedtke
Councilmember, District 7



Sidney Katz
Councilmember, District 3



Kristin Mink
Councilmember, District 5

cc: Members of the Senate Finance Committee

SB0855-FIN_MACo_SWA.pdf

Uploaded by: Kevin Kinnally

Position: FWA



Senate Bill 855

Railroads - Safety Requirements (Maryland Railway Safety Act of 2025)

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Finance Committee

Date: March 5, 2025

From: Kevin Kinnally

The Maryland Association of Counties (MACo) **SUPPORTS** SB 855 **WITH AMENDMENTS**. This bill generally addresses railroad safety in Maryland, including bolstering requirements governing railroads' provision of hazardous materials information to state and federal emergency management officials.

Providing local emergency managers with access to accurate and up-to-date information about hazardous materials shipments on trains is a matter of public safety and a fundamental responsibility of the government to protect its residents. As such, MACo requests an amendment to ensure rail hazmat information is available to the appropriate federal, state, and county emergency management officials.

Trains move through Maryland communities daily, carrying goods vital to the state and regional economy. Some of these shipments include hazardous materials that, if mishandled or involved in an accident, pose serious risks to public safety, property, and the environment. From flammable liquids to toxic gases, these materials present complex challenges, and any incident could have devastating consequences.

The bill requires the Commissioner of Labor and Industry to establish and maintain a database on hazardous materials and waste moving by rail in Maryland. Under the bill, the Commissioner must make the information available to the Maryland Department of Emergency Management and the Federal Emergency Management Agency.

Local emergency managers play a critical role in safeguarding communities from emergencies. Still, their ability to prepare for and respond to hazardous materials incidents depends on access to timely, comprehensive information. Without precise data on the movement of hazardous materials through their jurisdictions, counties face serious challenges in planning for potential spills, coordinating evacuations, and delivering effective emergency care. **Gaps in this vital knowledge put both responders and residents at unnecessary risk.**

Ensuring county emergency managers have access to this critical information is essential to safeguarding public safety, enhancing emergency preparedness, and providing effective response and recovery efforts in the face of hazardous materials incidents. For these reasons, MACo urges the Committee to issue a **FAVORABLE WITH AMENDMENTS** report on SB 855.

CSX Written Testimony SB855.pdf

Uploaded by: Brian Hammock

Position: UNF



Brian W. Hammock
Director State Affairs
CSX Transportation

March 5, 2025

The Honorable Pamela Beidle
3 East
Miller Senate Office Building
Annapolis, MD 21401

RE: LETTER IN OPPOSITION TO SB855


Dear Chair Beidle:

On behalf of CSX Transportation, I am writing to respectfully oppose SB855. The legislation requires freight railroads to meet six new mandates and greatly expands state regulatory oversight of an industry already heavily regulated at the federal level.

Railroads are vital arteries of Maryland's economy. Marylanders built the railroads nearly 200 years ago to keep the Port of Baltimore competitive against larger ports closer to the Atlantic. Baltimore's inland advantage, coupled with a robust rail network, helped offset the increased shipping costs to navigate up the Bay. Railroads play that same important role today.

Just like I-95, the CSX network running through Maryland connects Maine to Florida, while the broader network connects from Snow Hill, Maryland to San Francisco, California. Recognizing their importance to society, Congress has established significant regulations and oversights. The U.S. Department of Transportation, Surface Transportation Board, and Federal Railroad Administration are all designated as primary regulatory agencies for the rail industry.

Before disrupting the national uniform standards that have allowed railroads to serve their important purpose, please consider the attached information. CSX respectfully requests the committee to issue an unfavorable report on SB855. Thank you for your consideration.

Very truly yours,

Brian W. Hammock

TRAIN LENGTH – 8,500 FOOT LIMIT

Arbitrarily restricting train lengths within the state will significantly impact the economic viability of the Port of Baltimore, runs counter to environmental best practices, and will have a direct negative impact on the Transportation Trust Fund, even beyond the \$18.4 million to \$23.2 million impacts outlined in the Fiscal Note.

Limiting train length would essentially eliminate Baltimore as a competitive container port. Intermodal trains, which carry containers to and from the port, are typically 11,000 feet or longer. This business is not economically viable with an 8,500-foot train limit, especially while surrounding states have no such limit.

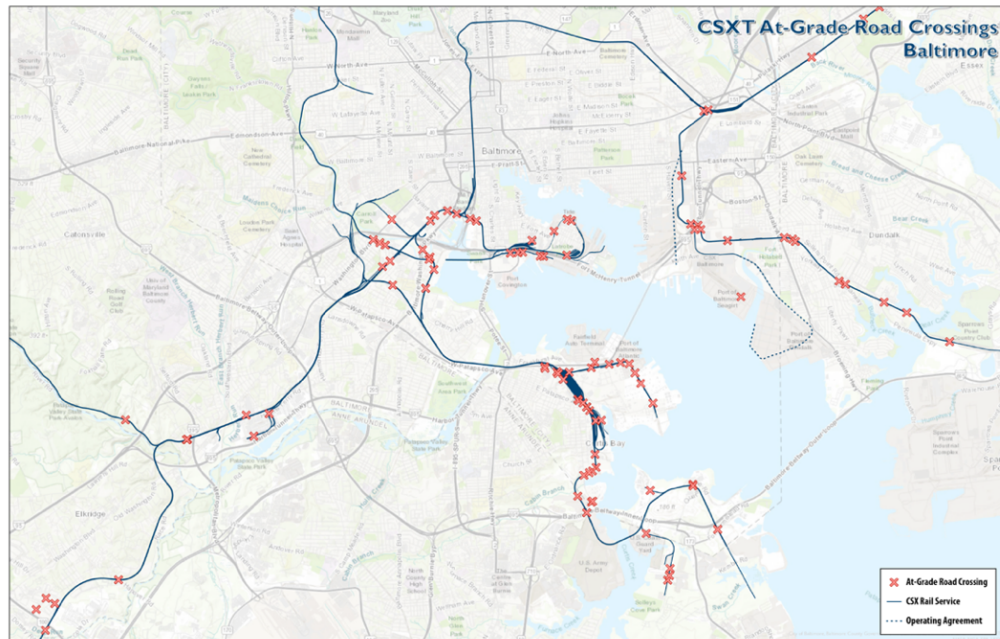
State and private entities are investing over \$2 billion to grow this business – the Howard Street Tunnel project, Trade Point Atlantic, Seagirt Marine Terminal – all significant state priorities that would be at risk. Growth of this business has a direct impact on the Transportation Trust Fund, which receives revenue from containers moved over the public docks at Seagirt.

This mandate would also impact the Port of Baltimore position as the number one port in America for the import and export of automobiles. The State of Maryland and CSX partnered in the recent past to expand our automotive facility in Jessup, Maryland to accommodate longer auto trains, some that can be 12,000 feet or longer to accommodate the growth in volume at Baltimore. This business would not be economically viable with 8,500-foot trains. In a competitive MidAtlantic Market, this volume would likely move to other states.

Imposing a blanket restriction on train length will add over 80 new train sets to an already busy network. More freight trains mean less opportunity for passenger trains, countering the partnership CSX has with MDOT-MTA to achieve increased service on the MARC Camden and Brunswick lines.

BLOCKED CROSSINGS – FIVE MINUTE LIMIT

As the first state to build a rail network, many state and local roads cross the railroad tracks at-grade, some within active rail yards. Each of our major rail yards in Baltimore have one or more at-grade crossings, including inside port facilities. Building a train of any length in the state almost always requires occupying at least one railroad crossing for more than five minutes. The railroad simply cannot operate with this restriction.



As drafted, the bill is vague and over prescriptive. As one example, “Highway grade crossing” is not defined. Under the Transportation Article, “highway” includes all roadway surfaces, subgrades, drainage facilities and structures, entrance plazas, approaches, including bicycle and walking paths in the State of Maryland.¹ This bill would restrict normal railroad operations whether a crossing is a private farm road, foot path, or interstate expressway.

In addition, nearly all federal and state courts that have considered similar blocked crossing laws have concluded that they are categorically—or completely—preempted because they specifically target railroad operations.² Moreover, the United States Supreme Court recently denied review in two federal case striking down ten-minute blocked crossing statutes in Ohio and Oklahoma.³ The Supreme Court did so again when Ohio sought review of a decision finding its blocked-crossing law preempted.

¹ Md. Code Ann., Transp. §8-101(i) (2022)([link](#)).

² See e.g., Friberg v. Kansas City Southern Rail-way Co., 267 F.3d 439, 443 (5th Cir. 2001); Ohio v. CSX Trans., Inc., 200 N.E.3d 215, 223 (Ohio 2022), cert. denied, 2024 WL 71898 (January 8, 2024); State v. BNSF Ry. Co., 432 P.3d 77, 84 (Ka. App. 2018).

³ BNSF Railway Co. v. Hiett, 22 F.4th 1190, 1194 (10th Cir.), cert. denied, 142 S. Ct. 2835 (2022). Ohio v. CSX Trans., Inc., 200 N.E.3d 215, 223 (Ohio 2022), cert. denied, 2024 WL 71898 (January 8, 2024).

TWO PERSON CREW MANDATE

CSX has remained open and transparent about two-person crew discussions at a national level but believe state government mandates on national networks such as ours puts Maryland and the railroad industry at a practical disadvantage. This bill would make permanent a single staffing model for all freight railroads in Maryland, regardless of whether they are mainline, yard or switching operations. Except for two types of operations – “Hostler Service” or “Utility Employees in Yard Service” – which are not defined in the bill. State laws of this nature have been preempted by federal law for over 40 years.

A national crew size rule is likely to be issued by the Federal Railroad administration any day,⁴ detailing when and under what conditions train crews should be staffed to ensure optimal safety of our employees and the public. Locking Maryland into a rigid operating model, without any study or analysis of the impacts to the economy or supply chain, risks doing more harm than good.⁵

Like Maryland, other states have considered or enacted crew mandates in recent years as the Federal Railroad Administration considered a federal rule. The United States District Court for the Northern District of Illinois recently struck down a similar state crew size law passed in Illinois. In that case, railroads in Illinois challenged a state-enacted two-person crew mandate similar in nature to SB855. Finding that the preemption language in the 3R Act is too specific to ignore, the court concluded: “Illinois wants to mandate a crew size of two to perform the task, function or operation of moving freight with a train or light engine; this is exactly what the 3R Act prohibits.”⁶

With comprehensive federal regulations establishing a national standard for train crew size expected any day, current collective bargaining agreements requiring a two-person crew, and federal law preempting state action, we urge the committee to continue to monitor this matter in future years.

⁴ Train Crew Size Safety Requirements, 87 Fed. Reg. 144 (proposed July 28, 2022) ([link](#)); Report on DOT Significant Rulemaking, Federal Railroad Administration, p. 21, Stage: Final Rule, Publication Date: March 2024 ([link](#)).

⁵ Prior to adopting new railroad safety and health regulations, existing Maryland law requires an economic impact statement, including direct and indirect effects of the regulation on the railroad industry, the public, and railroad employees, and a review of alternative approach available to ensure the “least burdensome economic impact on the railroad industry, the public, and railroad employees. MD. Code Ann. Lab. & Empl. §5.5-108(2) ([link](#)).

⁶ Indiana Rail Road Co. v. Illinois Commerce Comm’n, No. 1:19-CV-06466 (N.D. Ill. 2021) (finding the 3R Act has an express state preemption clause that **prohibits states in the Region, including Maryland, from adopting laws or rules requiring a specified crew size** for any task, function, or operation on the railroad.) ([link](#)).

HAZARDOUS MATERIAL DATABASE

Under federal law, railroads must share hazardous material information with state emergency managers. Prior to operating high-hazard flammable (HHFT) trains in Maryland, the USDOT, Pipeline and Hazardous Materials Safety Administration, under the federal FAST Act of 2015, requires railroads to provide a detailed report for emergency response planning to the “appropriate local authorities.”⁷ CSX provides this report annually, or more frequently, if necessary, to the Maryland Department of Emergency Management.

In addition, local authorities can – and many do, obtain a density study of hazardous materials moving through their communities upon request from the railroads. First responders also have access to real-time hazardous material information through the rail industry’s AskRail app so they can make an informed decision about how to respond to a rail emergency. CSX provides regular training for Maryland first responders on train accident response; including hands-on training aboard a variety of railcars.

Considering the federal reporting requirement and extensive engagement between the railroad and Maryland emergency managers, a state mandate is unnecessary. The committee may want to consider designating the “appropriate local authority” to receive future HHFT reports under the FAST Act. In a similar situation, the General Assembly in 2002 designed the Maryland Department of Environment as the “information repository” for reports required under the federal Emergency Planning and Community Right-to-Know Act of 1986.⁸

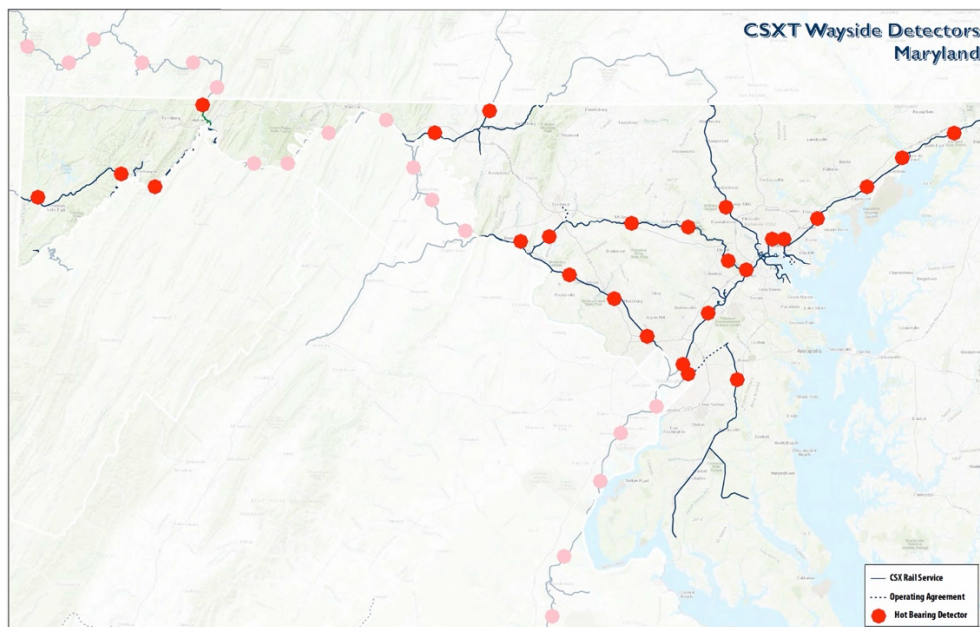
⁷ 49 CFR § 174.312(a) ([link](#)).

⁸ MD. Code Ann. Envir. §7-602 ([link](#)).

WAYSIDE DETECTORS

Wayside detectors refer to an array of advancing technologies designed to reduce risk in railroad operations by identifying poorly performing equipment before accidents occur. As drafted, the bill grants new regulatory authority to the Maryland Department of Labor in a highly technical matter not in keeping with the department's current role with railroad safety.⁹

The Federal Railroad Administration, in partnership with America's railroads, are driving innovation in this technology. Through a national data sharing effort among the six largest railroads in the country, real-time trending information provides early defect detection, making an already safe railroad safer. In March 2023, the Federal Railroad Administration issued Safety Advisory 2023-01, calling on railroads to use the data to establish thresholds for inspections of suspected faulty equipment, use real-time trend analysis as a criterion for inspection, ensure proper training and qualification of personnel responsible for the calibration, inspection, and maintenance of wayside detectors, and ensure proper inspection of rolling stock with alerts.¹⁰



While the larger railroads can invest in these new technologies, the equipment can be cost-prohibitive for smaller, shortline railroads, of which Maryland has eight, including the state-owned Canton Railroad. To encourage investment in safety improvements by smaller railroads, other states have established grant programs. Ohio appropriated \$10 million this fiscal year for a new shortline railroad wayside detector grant program. New state regulations in this area are not necessary and would be duplicative of efforts on the national level.

⁹ For the past 24 years, the Maryland Department of Labor has had minimal regulatory oversight of the railroads, primarily focused on: sanitary conditions at rail facilities, basic health and safety standards for drinking water and placement of hand towel facilities, and enclosures of toilet facilities. *See* Md. Code Ann. Lab & Empl. Art. §5.5-110 (2023) ([link](#)).

¹⁰ Federal Railroad Administration, Safety Advisory 2023–01, Evaluation of Policies and Procedures Related to the Use and Maintenance of Hot Bearing Wayside Detectors (March 3, 2023)([link](#)).

RAILROAD UNION INSPECTORS

While appreciating the bill's safety focus, granting private individuals broad law enforcement authority is entirely unnecessary and duplicative of existing federal and state law. The provision would allow union representatives to have unrestricted access to investigate railroad property for any "violations of federal or state laws and regulations" or "safety hazards that may result in injury or death to a railroad employee." Such a grant of authority is unprecedented in Maryland law and is in keeping with powers granted to federal, state, and local law enforcement.

The Federal Rail Safety Act does acknowledge a role for state oversight in this arena, setting forth the procedures for states to establish limited investigative programs under the authorization of the USDOT.¹¹ The Federal Railroad Administration has enacted comprehensive regulations detailing when, how, and where a state may engage in rail safety inspections, investigation, or surveillance. Maryland currently vests this authority in the Chief Inspector for Railroad Safety and Health within the Department of Labor, consistent with federal law. States are preempted from establishing regulations of this nature, outside of the framework established by Congress.¹²

¹¹ See 49 USC § 20105(a) ([link](#)).

¹² See, e.g., CSX Transp. v. Public Utility Comm., 701 F. Supp. 608, 616-17 (S.D. Ohio 1988) (state's hazardous material inspection regime is preempted by federal law).

SB 855_Railroads - Safety Requirements (Maryland R

Uploaded by: Hannah Allen

Position: UNF



Senate Bill 855

Date: March 5, 2025

Committee: Senate Finance

Position: Unfavorable

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 7,000 members and federated partners working to develop and promote strong public policy that ensures sustained economic health and growth for Maryland businesses, employees, and families.

Senate Bill 855 (SB 855) imposes new burdensome requirements on freight railroads and greatly expands state regulatory oversight. Maryland's freight rail industry is one of its most critical - helping to minimize transportation costs, manage our carbon emissions levels and strengthen our competitiveness. Our rail industry is responsible for thousands of direct jobs and contributes to hundreds of thousands of indirect jobs. SB 855 threatens advancements by imposing restrictions on train length, mandating a minimum of two crew members at all times, along with new reporting, monitoring, and inspection requirements that duplicate federal oversight, adding administrative complexity and cost.

Both the state and private entities are heavily investing over \$2 billion into expanding container business operations at the Port. The Chamber has also supported FRA grants to help fund this important project. The Howard Street Tunnel project has been instrumental in catalyzing the development of a significant new container facility at Trade Point Atlantic, complemented by a surge in activity at the Seagirt Marine Terminal. This initiative enables the transportation of discretionary container traffic from Baltimore to the Midwest via double-stack container trains, which requires longer trains. Failure to utilize longer trains may render the businesses economically unfeasible, diverting volume to the nearby Port of Virginia.

The Transportation Trust Fund (TTF) benefits from revenue generated by container movements at Seagirt Marine Terminal. However, limiting train length curtails Maryland's growth prospects and diminishes TTF revenue despite projections of significant volume growth facilitated by the tunnel project. Between Howard Street Tunnel, Seagirt Marine Terminal, and Trade Point Atlantic, rail service is critical to making those investments viable. SB 855 would upend all of the progress made over the last decade.

We learn from the history of the United States railroad system that onerous regulations have significant negative impact on the industry. In order to mitigate the heavy regulatory climate that led to multiple railroad bankruptcies in the 1970s, Congress passed a series of laws meant to

ease the burden on railroads and create uniformity in laws between states. These laws established federal preemption provisions because of the difficulty placed on railroads having to conform to different regulations and policies traveling from one state to another.

The Maryland Department of Transportation projects that freight rail demands will increase by 45% by 2040. To keep up with these demands and ensure the easy movement of goods into, out of, and through the State of Maryland, it is in the best interest of the state to support legislation that facilitates, not hinders, this movement. Private companies, the State and the Federal government have all made significant investments in freight rail, knowing that it creates jobs, expands the economy, and increases Maryland's competitive edge.

For these reasons, the Maryland Chamber of Commerce respectfully requests an unfavorable report on **SB 855**.



SB855- Maryland Midland Railway Opposition Letter

Uploaded by: Joe Arbona

Position: UNF



March 3, 2025

The Honorable Pamela Beidle
3 East Miller Senate Office Building
Annapolis, MD 21401

RE: Maryland Midland Railway, Inc. Opposition to SB 855

Chairwoman Beidle and Members of the Senate Finance Committee,

My name is Joe Arbona, Assistant Vice President of Government Affairs for the Maryland Midland Railway, Inc. (MMID) and I am writing in opposition to SB 855, the Railroads - Safety Requirements or Maryland Railway Safety Act of 2025.

As one of Maryland's short line railroads, the MMID would be negatively impacted by many of the provisions of this bill.

The MMID is an 81-mile short line railroad operating from Highfield to Emory Grove and from Taneytown to Woodsboro. Among our shippers are Lehigh Cement in Union Bridge, Laurel Sand & Gravel in Woodsboro, NVR and Structural LLC in Thurmont, Glen Gery Brick in Rocky Ridge. It plays a key transportation role in rural parts of the state.

The language around crew size in SB 855 is broad and does not address the differences in operations and staffing capacity between short line and large Class I railroads. Some of the other provisions in the bill will have a negative impact on the MMID, particularly the provision for railroads to allow union representatives to investigate railroad operations is very problematic and redundant.

Labor union membership does not guarantee expertise to inspect railroads. That is a task currently carried out by expert inspectors of the Federal Railroad Administration.

For these reasons, the MMID respectfully asks for an unfavorable report on SB 855.

Sincerely,

Joe Arbona
Assistant Vice President
Maryland Midland Railway



a Genesee & Wyoming Company

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Uploaded by: Paul Barnes

Position: UNF



March 3, 2025

The Honorable Pamela Beidle
3 East
Miller Senate Office Building
Annapolis, MD 21401

RE: LETTER IN OPPOSITION TO SB 855

Dear Chair Beidle:

I write in strong opposition to SB 855 imposing new requirements on Maryland's freight rail network. The Canton Railroad is a 16-mile Class III short line which has served customers since 1906 in the Port of Baltimore area and in an industrial park near Perryville.

As operator of a business that is so closely tied to important Baltimore shippers and to the Port, I am concerned about pending legislation that could undercut our customers' and the Port's competitiveness. The Port is one of our greatest assets and provides a path to the middle class for so many of our citizens.

The Canton Railroad is a common carrier in the movement of interstate commerce. Accordingly, we are partly regulated by only the Federal government. Additional and separate regulation of the U.S. freight rail network by each of the 50 States would promote an inefficient patchwork, ultimately pushing much freight traffic to already congested highways.

For much of the last fourteen months, The Canton Railroad has operated at a significant net loss. Any proposed oversight by the State of Maryland regarding the proposals described in SB 855 would significantly and adversely impact our path to profitability. Specific impacts to our business are more fully described on the attached page two.

Our operation is extremely cost-sensitive, particularly since we compete with over-the-road truck on price and service each and every day. Additionally, we need to continue the great strides made in recent years to make our port more competitive, not go in the other direction. For this reason, I ask that you oppose SB 855.

Thank you.

Sincerely,

Paul Barnes
President & CEO

TWO-MAN CREW

Specifically, a two-man crew requirement would add considerable time and cost to our operation. Based on previous studies and my professional observations riding with locomotive crews, multiple crew members in a locomotive cab could create distractions, impeding safety and productivity.

HAZMAT DATABASE

The Canton Railroad operates safely and has not had an incident involving hazardous material since 2007. We train our employees on a regular basis to ensure safe operations. We coordinate with first responders to ensure they are informed of the hazardous commodities our railroad moves and we offer training to educate first responders and employees on how to handle any releases. Accordingly, the need for a State-operated hazardous material railroad database is not needed.

UNION INSPECTIONS

The provision for railroads to allow union representatives to investigate railroad operations is very problematic and redundant. The Federal Railroad Administration (FRA) inspects our operation on a regular, usually unannounced basis. The FRA are experts in the inspection 'field'; Labor union members are not.

SB0855 - MPA MTA - LOC - Railroads - Safety Requir

Uploaded by: Matt Mickler

Position: INFO

March 5, 2025

The Honorable Pamela Beidle
Chair, Senate Finance Committee
3 Miller Senate Office Building
Annapolis, MD 21401

Re: Letter of Concern – Senate Bill 855 – Railroads - Safety Requirements (Maryland Railway Safety Act of 2025)

Dear Chair Beidle and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on Senate Bill 855 but respectfully offers the following concerns as its provisions may have a detrimental impact on the Port of Baltimore, one of the leading ports in the nation for freight and an economic generator for the State of Maryland, as well as the Maryland Transit Administration (MTA). Further, this legislation has the potential to have a significant fiscal impact on the Transportation Trust Fund.

SB 855 would impose new regulations on freight railroad companies operating in the State of Maryland, which may be preempted by federal law. These restrictions would limit the lengths of trains and inflate shipping costs with mandates that create a patchwork of state regulation on the national supply chain. Many businesses in Maryland rely on the efficient rail service provided by freight railroads operating in the State, providing access to raw material for manufacturing and a cost effective and environmentally conscious mode of transport for finished goods. Rail lines are critical arteries in the supply chain. SB 855 risks weakening Maryland's link in a competitive marketplace.

The Port of Baltimore and Seagirt Marine Terminal have grown significantly, breaking records, adding jobs, and bolstering economic activity in the process. In 2023, the Port of Baltimore set a record for public and private cargo handled, moving 52.3 million tons of cargo through Maryland, shattering the previous record of 44.2 million tons set in 2019. The Port also saw a record \$80.8 billion worth of foreign cargo pass through its facilities. For this growth to continue, it is necessary to have viable intermodal options to ensure cargo throughput remains at optimal levels.

By enforcing a train length limitation of 8,500 feet, this legislation threatens the State's ability to maximize the benefits and return on investment for the Howard Street Tunnel Project. With anticipated completion in 2027, the project will create a seamless double-stack rail corridor from the Port of Baltimore to the Midwest. It is a gamechanger for Maryland, expected to bring over 100,000 additional containers to Seagirt Marine Terminal. The project has also played a critical role in inducing the construction of a new \$1 billion container terminal at Tradepoint Atlantic,

which will significantly expand port capacity and create an additional 1,100 new maritime union jobs.

At the Port of Baltimore, the MPA works hard to accomplish its mission to increase waterborne commerce through the State of Maryland in a way that benefits its citizens. In doing so, the Port has consistently proven its value as a good neighbor and strong partner to the State. The Port of Baltimore generates 20,193 direct family-supporting jobs for Marylanders, where the average wage of these jobs exceeds the statewide average annual wage by 18%.

Carriers will always move cargo by the most efficient and economical means, and the Port is in constant competition with rival ports to increase cargo volumes, maintain terminal efficiencies, and generate positive economic growth. For the Port to continue to operate successfully as an economic engine, Maryland cannot afford to be at a competitive disadvantage with our neighboring ports. The success of our Port directly benefits the State and the hardworking men and women who depend on it. The various provisions in this legislation may put the Port of Baltimore at a competitive disadvantage with neighboring ports and deter carriers from operating in the State, resulting in a loss of jobs and direct investment related to the Port.

The Maryland Transit Administration (MTA) is one of the largest multi-modal transit systems in the United States, operating six distinct modes, including Maryland Area Regional Commuter (MARC) Train Service. MTA and CSX Transportation, Inc. (CSX) have an Access Agreement that provides MARC trains access to CSX-owned tracks and infrastructure on the MARC Camden and Brunswick Lines. In the most recent Access Agreement between MTA and CSX, which went into effect on July 1, 2021,¹ there is language requiring MTA to reimburse CSX for up to \$6.0 million annually if the State modifies its laws or regulations to increase crew size; however, there is a carveout if the federal government chooses to act.

While the federal government has taken action to require changes to establish a minimum crew size,² it is unclear whether the provision in the Access Agreement would be triggered if the State acts through SB 855 and the underlying federal rule were rescinded. In that scenario and if the provision were determined to apply, MTA would incur the additional costs identified in the Access Agreement, resulting in additional and significant strain to the Transportation Trust Fund during a time when MDOT is experiencing a budget shortfall.³

¹ The current agreement is effective through June 30, 2026. There is a 5-year option on the Access Agreement, which, if adopted, would keep the agreement in effect through June 30, 2031.

² See [49 CFR Part 218 - Train Crew Size Safety Requirements](#). Web page last updated April 9, 2024. As such, the provision requiring minimum crew size in HB 958 is not necessary.

³ Any increase in costs to MDOT and MTA will divert needed dollars from State transit and other transportation projects.

The Honorable Pam Beidle
Page Three

The Maryland Department of Transportation respectfully requests the committee take these considerations into account during its deliberation of Senate Bill 855.

Respectfully Submitted,

Holly Arnold
Administrator
Maryland Transit Administration
410-767-3943

Jonathan Daniels
Executive Director
Maryland Port Administration
410-385-4829

Matthew Mickler
Director of Government Affairs
Maryland Department of Transportation
410-865-1090