

Federal Railroad Administrator Joseph C. Szabo
Prepared Remarks for Legislative Meeting
American Association of State Highway and Transportation Officials
Standing Committee on Rail Transportation (SCORT)
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Good morning. It's great to see everyone, and to be here this morning with state transportation leaders.

Let me acknowledge Associate Administrator Paul Nissenbaum, Director Corey Hill, and our FRA staff. And I'd also like to acknowledge members of the Next Generation Equipment Committee.

President Obama, in making his call for increased infrastructure investment in his State of the Union address, reminded the Nation that first-class jobs gravitate to first-class infrastructure. And the work this Committee has done – as its second major equipment procurement now moves forward – is proving the President's words to be true. So keep up the great work.

Also, I know Amtrak and States meet tomorrow about Section 209, and I hope we can leave SCORT with plans in hand. Let's see a shared commitment to funding and enhancing state-supported routes, particularly at a time when Amtrak's ridership is growing faster than any other major travel mode.

Today I'm here to talk about an issue I know is on everyone's minds – and that's rail safety.

Looking at the big picture – by virtually all measures – rail has never been safer.

Over the past decade, train accidents and derailments have declined 47 percent and highway-rail grade crossing accidents are down 35 percent.

New records in safety have been achieved four of the past five years, with preliminary data indicating a new all-time best for FY 13 – better than FY 12, our safest year on record.

This has been achieved while Amtrak ridership reached all-time highs, while rail became the fastest-growing mode of public transportation, and while intermodal freight traffic surged toward a new record.

But while rail has never been safer, we face some challenges as we look to drive the next generation of safety.

More than two-thirds of all accidents are caused by human error and track defects, while rail trespassing and highway-rail grade crossing incidents are the source of 95 percent of

all rail-related fatalities. Additionally, recent accidents remind us that – when it comes to safety – our job is simply never done.

So let me share with you my vision for driving the next generation of safety. It consists of three pillars.

First is continuing strong oversight and enforcement that is data driven.

Second is advancing proactive safety-based programs that identify and eliminate risk well in advance of an accident.

And third is fostering innovative approaches to safety – from improving infrastructure through capital investments to developing new solutions through robust research and development – by providing predictable and reliable Federal funding for rail initiatives.

This is where you come in: managing, planning, and delivering rail projects that not only enhance the speed, frequency, and reliability of rail service, but also safety.

At FRA, our oversight and enforcement program is based on strategic use of data. By using statistical modeling, we allocate our resources and execute our National Inspection Plan. It is a disciplined approach that has been the foundation of the dramatic drop in accidents over the past decade. (We also have a State Safety Participation Program, in which States hire safety inspectors to support our mission and we train them. And we welcome more participation from states in this program.)

We learn from every accident, and identify root causation in order to eliminate risk or identify the need for additional regulation.

We recently completed Operation Deep Dive, a 60-day safety assessment of Metro-North – a comprehensive look at the railroad's entire operations – and plan to release our report in March after all the information has been analyzed. Equally as important, through the American Public Transportation Association (APTA), we will be meeting with the CEOs of the nation's commuter railroads to discuss our findings, lessons learned, and to share best practices.

A similar comprehensive strategy is guiding our efforts to ensure crude oil moves safely – in the Bakken region and nationwide.

Working with the Pipeline and Hazardous Materials Safety Administration, we're looking at the entire process – the entire system – from the ground to the refinery. And we're requiring that railroads, shippers, and the petroleum industry do exactly the same thing.

Last month, Secretary Foxx, PHMSA Administrator Cynthia Quarterman, and I met with rail industry CEOs and the American Petroleum Institute to reiterate our safety expectations and to issue a call to action for the safe movement of petroleum products.

The industry agreed to pursue new standards to ensure the safe movement of crude oil by rail. And we are expecting them to present DOT with data about Bakken crude oil and an update of their safety proposals: including routing protocols, speed restrictions, enhanced operating practices, track and mechanical inspections, and the use of distributive power.

Since this summer, through Operation Classification – also known as the Bakken Blitz – we have been supporting PHMSA to better understand Bakken crude’s characteristics, and ensure shippers and rail carriers are fully complying with all federal safety regulations for handling, sample, testing, and classifying shipments. And we continue to support PHMSA’s rulemaking efforts that will guide us to the next-generation of railroad tank car.

But I do want to echo what Secretary Foxx has cautioned stakeholders all along: improving the tank car is not the only solution. It is one part of the solution for a complex problem.

That’s why, as we look at Bakken’s crude characteristics and how it is classified, and as the tank car rule moves forward, we have also taken steps to further eliminate risk throughout the rail system.

Our Railroad Safety Advisory Committee is now looking at three tasks related to safely moving hazardous materials, proper train securement, and train crew size. And they have a firm April 1st deadline to complete their work.

Last month, we revised our Track Safety Standards, requiring railroads to adopt a more performance-based approach to rail inspections in order to achieve a reduced defect rate. And it ensures that rail flaw equipment operators are properly trained and that railroads adopt current best practices and methods for internal rail flaw detection.

As we work with railroads to implement Positive Train Control, we’ve made additional progress addressing human factors.

To ensure the competency and professionalism of locomotive engineers and conductors we’ve advanced certification, and are now analyzing other safety-sensitive crafts that may need certification as well. Our next steps include establishing minimum training standards for all safety-related railroad employees.

To address the critical issue of fatigue, we have amended hours of service regulations to provide rail workers with maximum on-duty periods and consecutive-days limitations, while also requiring the use of fatigue management tools to analyze schedules.

This takes me to our second pillar: advancing proactive safety programs that identify and eliminate risk well in advance of an accident.

The next level of safety will come from advancing proactive safety-based programs like System Safety for passenger railroads and Risk Reduction for freight railroads – including programs like Confidential Close Calls Reporting.

This year we will issue a final rule requiring commuter and intercity passenger rail operations to develop System Safety programs. This will be followed by requiring freight carriers to develop Risk Reduction programs.

System Safety and Risk Reduction will require rail carriers to do thorough risk analysis, to identify hazards, and to put in place customized programs to eliminate risk.

One great example is Confidential Close Call Reporting Systems or C3RS.

While our data-based oversight and enforcement program has produced tremendous results, that data is from accidents that have already occurred. Close Calls Reporting allows us to gather data *before* an accident occurs and develop risk mitigation strategies well in advance.

Risk Reduction and System Safety both build on FRA's long history of success forming partnerships with industry, rail management, and rail labor that essentially take us beyond regulations and our enforcement role.

A great example is the Switching Operations Fatality Analysis program, or SOFA, formed with industry and labor, which has made drastic improvements to employee safety in rail switching operations.

To give you some context, in 1977, the year after I started my railroading career, switching operations killed, on average, nearly four employees every month.

Through the efforts of SOFA, there was only one switching fatality in 2013.

And while it's still one too many, it's a remarkable testament to the risk reduction efforts of labor, management and FRA staff to identify accident precursors and generate fixes.

SOFA's philosophy is now being applied to the Fatality Analysis of Maintenance-of-Way Signalmen program, or FAMES, which is improving safety for roadway workers.

And my point is, this shows us what's possible when we advance a comprehensive approach that overlays proactive efforts on top of strong data-based enforcement and regulation.

My third pillar is about innovation and strong capital investment, achieved by giving rail parity with other transportation modes with a dedicated and predictable source of federal funding.

As you know, our vision for reauthorization has always included a healthy request to ensure the next generation of high-performing passenger and freight rail in America –

from ensuring a state of good repair to developing corridors with market-based enhancements in service.

But it is also about driving the next generation of rail safety by making capital upgrades and investing in research and development.

- Upgraded tracks, stations and signal systems.
- Grants to Commuter operators and Amtrak for PTC implementation.
- And, grants to communities to make safety upgrades or mitigate the negative impacts of rail through rail-line relocation projects or quiet zones.

The safest grade crossing is simply one that doesn't exist.

And in North Carolina, through our program, 50 crossings between Raleigh and Charlotte will be closed – effectively sealing the corridor – with underpasses and overpasses strategically located to improve traffic flow and enhance safety for vehicles, pedestrians, and rail operations.

In Illinois, a fundamental part of the state's effort to raise speeds to 110 MPH throughout the Chicago-St. Louis corridor is the upgrading of 235 grade crossings. All public crossings will receive four-quad gates – with intrusion detection technology linked to the installation of Positive Train Control.

In Vermont – where a completed project has strengthened 190 miles of track – 52 grade crossing warning devices have been upgraded.

In Washington, projects are stabilizing slopes to eliminate mudslides, upgrading wayside signal systems to allow for PTC implementation, and reducing freight-passenger conflicts.

But robust Research and Development must supplement capital investment.

Earlier, I mentioned our new rail integrity rule, which sets the table for the next generation of track inspections.

Well, our R&D team has conducted applied research looking at every possible way we can improve the tools used to further increase track safety.

We have developed a device to help prevent track buckling – or sun kinks – that is almost ready to be commercialized ... and another that can detect flaws within joint bars, which is already moving into the market.

We are advancing laser-based rail inspection technology that will lead to faster, more accurate detection of rail flaws and a track geometry vehicle that could one day enable continuous testing.

With a robust research and development program, we can rapidly drive the products into daily use: vastly improving the safety of passenger operations, the movement of crude by rail, and everyday railroad operations.

And we can continue our efforts with the Transportation Research Board to advance the National Rail Cooperative Research program. A key priority is workforce development – ensuring the next generation of talent for local, state and federal government, and for the rail industry itself – to have the skill sets needed to plan, design, construct and operate the next generation of high-performing rail in America.

At the end of the day, a higher-performing railroad – the rail system our economy needs; the rail system citizens deserve – is also a safer railroad.

So let's stay focused.

Let's continue to make the case for rail to achieve parity with the other transportation modes with a dedicated and predictable source of federal funding.

Let's continue do good planning – understanding the roll freight and passenger must play in meeting our nation's transportation needs – with safety engineered into projects.

And let's continue to deliver projects on time and on budget – proving the power of your work to not only increase transportation options, but to help drive the next generation of safety.

Thank you very much.