Obama and Congress grant railroads up to five more years to install safety technology

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Last week, President Obama signed into law a three-week extension of Federal Highway funding. Tucked in with that bill was a lengthy extension of a federal deadline for railroads to implement Positive Train Control technology. Originally, freight and passenger railroads nationwide were obliged to have the technology in place by December 31, 2015. Now, they have until the end of 2018. Additionally, a railroad will be allowed a further two-year extension by submitting plans by 2018.

The extension came after furious lobbying by railroads, including threats to suspend traffic before the 2015 deadline. Even public commuter railroads issued warnings of shutdown, because the original federal legislation never provided funding for them to implement the technology, in circumstances where maintenance, equipment and service are often cut because of funding shortfalls.

Positive Train Control (PTC) will significantly increase railroad safety by enforcing speed and train movement to prevent collisions and other accidents. Through GPS and other electronic equipment, a train with PTC would receive continually updated information about its authority for movement at a given speed in a given area, and equipment in the locomotive would enforce these restrictions.

With PTC, some of the most fatal accidents would be avoided. The 2008 head-on collision of a freight train with a passenger train in California, in which 25 people died, is an example of an accident that potentially could have been avoided by PTC, as it would have prevented the passenger train from going past a stop signal and into the path of the freight train.

The technology has been on the National Transportation Safety Board (NTSB) most-wanted list of railroad safety improvements since 1990. Since 2004, it could have prevented and reduced the severity of more than 21 accidents that took 65 lives and caused millions in damage.

Certain Democrats struck an oppositional stance against the extension, even as congressional Democrats and Obama ultimately passed the legislation. Yet these Democrats have never addressed two inseparably related issues of how transportation is funded, and what the conditions are for crews working on railroads.

The 2010 Federal Railroad Administration rules that determined implementation of PTC left open many issues about how the technology would be implemented. In a nation with the highest railroad freight tonnage in the world, and millions of annual passenger rides mixed into that traffic, Congress and the Federal Railroad Administration offered no technology standards for PTC that would unify implementation across the country. PTC is a technology that either replaces or must combine with existing signal systems that control traffic, and those systems vary widely railroad by railroad.

For passenger railroads, the cost of implementing PTC is severe. Amtrak, the national passenger rail system, has been on a shoestring budget since its creation in 1971, and is billions of dollars behind on infrastructure investment. The 20-year-old diesel engine fleet that powers trains on most of the network is in a perilous state of disrepair, with few replacements even ordered.

For commuter railroads, the estimated cost of PTC implementation is at least $2 billion. Many were not ready to implement the technology by the end of 2015, like Chicago's Metra, which estimates it will take until 2018. The estimated cost to Metra is $350 million. Metra's total proposed 2016 budget is $946 million—$136 million less than 2015—with a

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catastrophic reduction in capital spending from $329 million in 2015 to $186 million in 2016. Agency officials say capital spending, which covers the maintenance of track, equipment, and facilities, the purchase of new equipment and the rebuilding of infrastructure, should be $500 million per year.

Commuter rail agencies in many other American cities face a similar situation, where money for the PTC upgrade comes at a time when funding for regular capital spending is falling far short, as local, state, and federal budgets are cut. In response, passengers are feeling the burden with fare hikes. Since 2011, Metra fares have risen by 40 percent.

The freight railroads, swimming in profits, complain that their work towards PTC has cost them billions but, based on the history of how railroad technology has been implemented by for-profit freight railroads, they will recoup their costs through massive staff reductions. Railroad employment has fallen from 617,000 in 1970, to 235,000 in 2014.

Railroads have progressively reduced the size of train crews to cut costs, going from five people for train operation in the 1960s to two people by the 1980s and 1990s. The next frontier is one-man crews. PTC, by providing a new layer of safeguards for the operation of trains, will be taken as an excuse to leave just one crew member in the cab.

In 2014, this was actually proposed by a railroad union that represents conductors, the International Association of Sheet Metal, Air, Rail & Transportation Workers (SMART) local GO-001. The contract, which was rejected by workers, proposed that after new PTC signaling technology is implemented in 2015, BNSF railroad would have been able to replace an onboard conductor on many trains with a roaming, on-the-ground conductor, called a “master conductor.” This would have left the engineer alone in the cab, and likely would have caused conductor layoffs.

Ultimately, PTC is a technological response to the other issue the NTSB has consistently pointed to in accidents: the working conditions of rail employees, particularly those who work for freight railroads. As the railroads integrate tablets, computers, GPS tracking, and other modern information technology into operations, they still persistently refuse to even provide crews with a predictable schedule.

Crews are on call 24/7 with strict attendance policies, meaning that if a crew center calls at 3 a.m. requesting they work in a few hours, they have to agree. They often work 12 hours a shift, with the end of their run putting them hundreds of miles from home. Shifts can effectively be hours longer considering taxi journeys to and from a hotel.

In addition, shift times are inconsistent. After a shift, they are allowed eight hours of rest, and then might be immediately called back into work, creating a night-day-night-day pattern of work that defies the ability to get a proper night’s rest. As the NTSB has stated, fatigue has been “an insidious problem, particularly in the rail industry.”

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