

# Washington D.C. transit system regulator reduces safety inspections to speed up use of defective rail cars

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On January 20, Washington Area Metropolitan Transit Agency (WMATA), regionally known as Metro, announced on Twitter that the Washington Metropolitan Safety Commission (WMSC), the federally appointed regulatory body for the Metro, had agreed to allow Metro to move to phase three (reducing safety inspections to facilitate greater usage) in returning their defective 7000-series rail cars to service.

The WMSC's go-ahead is a swift about-face to a directive that halted the transition a week earlier. The WMSC's previous directive halted Metro's attempt to transition to phase three the weekend before Martin Luther King Day because the safety commission noticed various violations committed by WMATA. The violations included shortened practice time maneuvering in the rail yards by train operators, out-of-date safety standards and training, and a "gap" regarding how Metro mechanics returned the 7000-series cars to service.

WMSC's spokesman Max Smith, giving their account, told the *Washington Post* that Metro's behavior was "[chipping] away at the overall safety of the system."

The regulatory agency's sudden reversal came as tensions arose this month between the safety commission and transit system. In a press release, Metro announced it was appealing the WMSC directive placed over the transit system, which it alleges would disrupt customer service, and called for "mediation."

Randy Clark, WMATA general manager and CEO, called the directive a part of a "bureaucratic process" that "does not enhance [Metro] safety."

Furthermore, the *Post* cited comments from government officials who also attacked the regulatory

body for the slow return of the rail cars. Democratic Senator Mark Warner said that "both entities need to stop fighting" and should cooperate to ensure "both safety and reliability for Metro's riders."

Maryland Transportation Secretary James F. Ports accused the commission of "blurring the line a little bit between oversight and stepping in," saying that there might be a need for an "arbitration-mediation-type organization" that could resolve their disagreement.

Metro has been trying to return its defective 7000-series railcars since it was initially ordered by the WMSC in October 2021 to remove them from service. At the time, three derailments in one day had prompted an emergency investigation by the National Transportation Safety Board (NTSB) and the discovery of a serious wheel defect in the trains, the cause of which has yet to be resolved.

The removal of over 60 percent of Metro's rail fleet resulted in "some of the most crowded rail cars and stations since the coronavirus pandemic was declared," the *Post* noted at the time.

In the time since, political pressure has mounted on Metro and its regulators to get the trains back in service so that the enfeebled transit system can move workers to their jobs throughout the region's economy. These demands have only gotten louder 15 months on, as the political establishment's dissatisfaction with the regulator has spilled into public.

"The flare-up highlights the balance in rail transit between service levels and safety, pitting a transit agency facing pandemic-era economic woes against a commission tasked with guaranteeing safety after years of Metrorail violations and the 2015 smoke-inhalation death of a passenger," admitted the *Post* in an article

mid-January.

In addition, the transit system faces a \$185 million operating budget deficit. “Beginning 19 months from now, when pandemic funds will have run dry, Metro’s projected deficits are daunting—\$527 million for the fiscal year starting in July 2024, rising to \$731 million four years later. That’s a staggering share of overall operating costs that defies any budgetary sleight of hand,” warned the *Post* in December.

According to Metro, “phase three” of the railcar returns will significantly cut the number of safety inspections. “Our ability to move from a 4 to 7-day inspection interval will gradually allow us to train staff with this improved process and work towards the safe implementation of improved service for our customers,” it declared on Twitter.

The *Post* reported on disagreements among commission members regarding the swift decision to allow Metro to move onto its next phase. Michael J. Rush, a WMCS member, pointed out that the decision contradicts the purpose of the commission’s existence, saying, “This is completely contrary to establishing a good safety culture at [Metro].”

Metro has had numerous disputes with WSMC regarding the return of the defective 7000-series railcars. In December 2021, just nine days after their proposed gradual return to service plan was approved, Metro was re-ordered to remove the entire fleet after inspections found “minuscule movements” within the wheel axles of the railcars. The supposed root of the defect has yet to be fixed.

Metro’s efforts to ride roughshod over the region’s safety has been combined with threats that it would impose the looming financial crisis onto its workforce. This has produced a backlash from the area’s working class.

Since late 2019, transit workers within the region, members of the Amalgamated Transit Union’s Local 689, have launched nearly a half-dozen strikes to demand adequate pay and safety. In Northern Virginia, workers for the Loudoun County Transit (LCT) bus system have been on strike since January 11. LCT is responsible for providing bus service for riders throughout Loudoun County and connecting them to nearby Metro train stations.

In a press release, ATU Local 689 mentioned that over 160 transit workers, including bus operators,

paratransit drivers, dispatchers, and mechanics, have been striking against the “insulting” ultimatum of a contract that Keolis has brought to them.

This strike is the fifth the union has authorized over three years in the region since one of its longest strikes in 2019-2020 with Transdev. This was followed by a one-day strike by MetroAccess call center workers operated by MV transportation in 2021. Finally, in 2022 the strike by DC Circulator operators against RATP Dev in May and a near-strike by Hubbard Road MetroAccess workers against Transdev again in July.

The LCT strike was authorized with an overwhelming majority in favor in November 2022. Local 689 states that Keolis has slashed benefits, cut jobs and eliminated a guarantee of weekly work hours. When Keolis took over the operation of LCT, they refused to acknowledge the union and respect the existing contract.

While workers in the Washington D.C. region wish to fight against declining living standards and employer intimidation, the ATU’s record of subordinating them to the region’s business interests is clear. In every struggle, it seeks to isolate the strikes among its members, limiting them to symbolic actions within individual bargaining units while keeping the rest of the membership on the job.



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