



TO: Rhode Island House Committee on Corporations
FROM: Charles Hunter, Assistant Vice Pres., Government Affairs, Genesee & Wyoming RR
Services, Inc. - Sent on behalf of: Providence & Worcester Railroad.
DATE: March 6, 2026
SUBJECT: House Bill 7608 AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
OPERATION OF RAILROADS GENERALLY - OPPOSE

The Providence & Worcester Railroad (P&W) is currently the only freight railroad operating trains in the State of Rhode Island. The P&W is a “shortline” railroad that serves many businesses in the state, including Davisville and the Port of Providence. The two bills are offered by rail labor unions to require two people on trains transporting freight. (It should be noted that they do not apply to the operation of passenger train movements).

While HB 7608 does not affect the current operation of the P&W, it is important to note that crew size is a matter for collective bargaining between rail labor and railroad companies and is subject to Federal oversight. Evolving future technology should also be considered, such as Positive Train Control (PTC).

Technology

PTC systems can warn the crew of the need to take certain types of action, and are able to stop trains to avoid train-to-train collisions, over speed derailments, incursions into established work zones, or passage through improperly positioned mainline switches. This allows the PTC systems to enhance safety, but also essentially minimizes the benefit of the second member of the crew in the locomotive. Single crew operations are not without precedent within the rail industry and within other industries. Most commuter and intercity passenger trains in the US are operated with one person in the cab, and many international rail systems and a few smaller railroads in the US also safely and effectively operate freight trains with a single crew member. Other industries have also reduced their staffing of critical operations as technology has developed to the point where fewer people are needed for the same activities. This can be seen in situations from control rooms to vessel navigation to manufacturing facilities.

Two-Person Crew Operations Compared To One-Person Crew Operations

A recent study by Oliver Wyman, released in January 2015, does not suggest that single-person crews are any less safe than the multiple-person crews currently employed by most US freight railroads. In comparing the single-person in the cab crew operations of Amtrak, commuter rail operators, and shortline Indiana Railroad to Class I and regional railroads with multi-person crews, the data supports the finding that single-person crews are as safe as multiple-person crews. Similarly, when assessing similar data sets for US Class I rail operations and European rail operations, it appears that European railroads and their single-person crews realize better safety performance than their US counterparts when it comes to derailments, employee injuries, and signal compliance, and similar outcomes with regard to collisions and fatalities. This data, too, supports the conclusion that single-person crews appear to be as safe as multiple-person crews.

Federal Preemption

Finally, there is much legal authority to suggest federal law prohibits state and local governments from legislating the size of railroad crews because the resulting patchwork of different laws from state-to-state will negatively impact the movement of goods in interstate commerce.

In December 2021, the U.S. District Court for the Northern District of Illinois Eastern Division ruled in favor of The Indiana Rail Road Company, the Association of American Railroads (AAR) and ASLRRRA, saying that an Illinois crew size law is preempted by federal law. A federal law deemed the 3R Act is relevant. The 3R Act applies to Maine, New Hampshire, Vermont, Massachusetts, Connecticut, **Rhode Island**, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, Indiana, Michigan, Illinois and the District of Columbia (and some “portions of contiguous States”).

In a final rule released April 2, 2024, the Federal Railroad Administration (FRA) mandates that railroads “staff every train operation with a minimum of two crewmembers (including a locomotive engineer and an additional crewmember who will typically be a conductor) that travel with the train and can directly communicate with each other... .” However, the rule includes a variety of exceptions to the two-person crew requirement and also gives railroads the opportunity to petition the FRA for a waiver of the requirement for a given operation. Nevertheless, even for operations exempted from the two-person crew requirement, the new rule imposes additional safety measures depending on the type of one-person crew operation, as well as new requirements to notify the FRA before commencing certain one-person crew operations.

Among the exemptions in the final rule is a carveout for “train operation[s] controlled by a remote control operator, even if that remotely controlled train is operated by a one-person train crew.” The FRA reasoned that existing safety measures obviated the need for further regulation of these operations. Certain passenger and tourist services, urban transit systems, as well as some Class II and Class III railroads, are also exempted from parts of the rule. Even so, these operators may face additional reporting requirements under the regulation and may also be required to develop and follow new safety protocols that the FRA will find “as safe or safer than a two-person minimum train crew operation.”

For operators that do not fit within any of the enumerated exceptions, the FRA has established a process for petitioning for relief from the two-person crew rule. This process includes conducting a “rigorous risk assessment” and subjecting the petition to public comment.

For the reasons stated herein we respectfully request the Committee to Please vote “NO” on HB 7608.