

April 27, 2023

Honorable Maria Cantwell, Chair
Committee on Commerce, Science and
Transportation
United States Senate
254 Russell Senate Office Building
Washington, D.C. 20510

Honorable Ted Cruz, Ranking Member
Committee on Commerce, Science and
Transportation
United States Senate
512 Dirksen Senate Office Building
Washington, D.C. 20510

Honorable Sam Graves, Chair
Committee on Transportation and
Infrastructure
U.S. House of Representatives
2165 Rayburn House Office Building
Washington, D.C. 20515

Honorable Rick Larsen, Ranking Member
Committee on Transportation and
Infrastructure
U.S. House of Representatives
2164 Rayburn House Office Building
Washington, D.C. 20515

Dear Senator Cantwell, Senator Cruz, Representative Graves, and Representative Larsen:

Our members represent major rail customers who are critical to the economy and provide the nation with the products that all Americans depend upon. Ensuring the safest possible rail system is of paramount importance to us and we appreciate your focus on making an already safe rail network even safer.

We live in the communities served by rail and our members' livelihoods are dependent on their products arriving at their destinations safely. We write you today to urge a thorough and targeted approach as you consider rail safety legislation.

Rail is critical to our modern economy, which requires the shipment of thousands of tons of hazardous chemicals across the country every day. These materials are used to meet a wide range of societal needs – from protecting municipal water supplies to domestic manufacturing, agriculture, national defense, and medical processes.

Moving these materials by rail is far safer than other alternatives, with 99.9 percent of hazardous materials reaching their destination without a release caused by a train accident. And despite recent headlines, an already strong safety record on the nationwide rail network continues to improve due to railroads' robust investments in infrastructure and technology, and thanks to a talented and dedicated workforce. In fact, newly released 2022 FRA train accident data indicates the mainline train accident rate is at a national all-time low, as is the hazmat accident rate.

As Congress debates rail safety legislation, we encourage you to focus strictly on policies demonstrated to improve accident prevention and response, and not to include extraneous mandates or other requirements not linked directly to safety, such as a federal train crew size mandate.

Enactment of a federal train crew size mandate would undercut the ability of railroads to innovate, to advance the safety of rail operations, and to compete with other transportation modes, despite a complete lack of data showing such a mandate would improve safety.

Deterring railroads from innovating while favoring trucking automation would have the inevitable result of diverting freight from the rails to highways. Increased diversion of freight to highways will drive up costs for all shippers, exacerbate road and highway congestion, and potentially jeopardize the long-term viability of underutilized rural tracks.

Additionally, Congress should balance the needs of all rail shippers when considering how to treat hazmat. The initial Senate legislation's move to label any train carrying a single hazmat car as a hazmat train – thus triggering a wave of command-and-control rulemakings at the USDOT – is overly broad and would hinder freight movements while increasing costs to shippers.

Freight rail plays a critical role in our economy, and we are going to need railroads to do even more in the coming years. Now is not the time for a government mandate that will stifle adoption of new technologies that would improve rail safety and competitiveness in a rapidly changing supply chain.

Sincerely,

Alabama

Montgomery Area Chamber of Commerce

Arkansas

Arkansas State Chamber of Commerce
Forrest City Area Chamber of Commerce
Little Rock Regional Chamber

Arizona

Arizona Mining Association
Fresh Produce Association of the Americas
Glendale Chamber of Commerce
Nogales-Santa Cruz County Chamber of
Commerce

California

Bay Area Council
California Business Roundtable
California Chamber of Commerce
Construction Network
El Cerrito Chamber of Commerce
Inland Empire Economic Partnership

Long Beach Area Chamber

Orange County Business Council
Peninsula Freight Rail Users Group
Santa Maria Valley Chamber of Commerce
Seaport Industrial Association
Yuba-Sutter Economic Development
Corporation

Colorado

Denver Metro Chamber of Commerce

Connecticut

Connecticut Business & Industry Association

Florida

Associated Industries of Florida
Florida Chamber of Commerce

Georgia

Barrow County Chamber of Commerce
Georgia Transportation Alliance

Illinois

Chicagoland Chamber
Joliet Region Chamber of Commerce &
Industry

Indiana

Indiana Chamber of Commerce
Indiana Manufacturers Association

Kansas

The Kansas Chamber
Newton Area Chamber of Commerce
Overland Park Chamber of Commerce
Salina Area Chamber of Commerce
Wichita Regional Chamber of Commerce

Kentucky

Kentuckians For Better Transportation

Massachusetts

Worcester Regional Chamber of Commerce

Michigan

Michigan Manufacturers Association
Michigan Retailers Association

Minnesota

Duluth Area Chamber of Commerce
Iron Mining Association of Minnesota
Minnesota Soybean Growers Association

Mississippi

Hancock Chamber of Commerce
Greater Jackson Chamber
Mississippi Economic Council

Missouri

Associated Industries of Missouri
Greater Kansas City Chamber of Commerce
Missouri Chamber of Commerce and
Industry

Montana

Montana Chamber of Commerce

Montana Grain Growers Association
Montana Mining Association
Treasure Sate Resources Association

Nebraska

Columbus Area Chamber of Commerce
Greater Omaha Chamber
Kearney Area Chamber of Commerce
Nebraska Chamber of Commerce & Industry
North Platte Area Chamber & Development
Corporation

Nevada

Reno + Sparks Chamber of Commerce
Northern Nevada Development Authority
The Vegas Chamber

North Carolina

North Carolina Chamber of Commerce

North Dakota

North Dakota Grain Growers Association
Greater North Dakota Chamber

Oklahoma

Bartlesville Chamber of Commerce
Edmond Area Chamber of Commerce
Greater Oklahoma City Chamber
Oklahoma Agricultural Cooperative Council
Oklahoma Cotton Council
Pryor Area Chamber of Commerce
The State Chamber of Oklahoma
Tulsa Regional Chamber

Oregon

Albany Area Chamber of Commerce
Albany-Millersburg Economic Development
Corporation

South Dakota

South Dakota Chamber of Commerce &
Industry

Tennessee

Greater Memphis Chamber of Commerce

Texas

Brazos Valley Economic Development
Corporation

Fort Worth Chamber of Commerce

Greater Arlington Chamber of Commerce

Greater Houston Partnership

Laredo Economic Development Corporation

North American Strategy for

Competitiveness, Inc (NASCO)

Port Arthur Chamber of Commerce

The RGV Partnership

Texas Association of Business

Tyler Area Chamber of Commerce

Utah

Salt Lake Chamber

Washington

Greater Yakima Chamber of Commerce

Wisconsin

Wisconsin Agri-Business Association

Wisconsin Corn Growers Association

Wisconsin Soybean Association

Wyoming

Wyoming Business Alliance

Wyoming Mining Association

Wyoming Stock Growers Association