

SENATE BILL REPORT

HJM 4029

AS REPORTED BY COMMITTEE ON TRANSPORTATION, MARCH 2, 1992

**Brief Description:** Requesting the United States secretary of transportation adopt rules requiring a rear of train emergency braking telemetry system.

**SPONSORS:** Representatives R. Fisher, Day and Orr

**HOUSE COMMITTEE ON TRANSPORTATION**

**SENATE COMMITTEE ON TRANSPORTATION**

**Majority Report:** Do pass as amended.

Signed by Senators Patterson, Chairman; Nelson, Vice Chairman; von Reichbauer, Vice Chairman; Barr, Conner, Erwin, Hansen, Madsen, McMullen, Oke, Sellar, Skratek, Snyder, Thorsness, and Vognild.

**Staff:** Jeff Doyle (786-7322)

**Hearing Dates:** March 2, 1992

**BACKGROUND:**

Under federal law, railroads are permitted to operate trains without a caboose. Although there have been significant cost savings from cabooseless train operation, the locomotive engineers have lost much of their ability to monitor brake pressure when caboose requirements were repealed.

A telemetry device, also called an "end-of-train" (EOT) device, operates in lieu of a caboose and allows the engineer to monitor brake pressure in the rear of the train and, in the event of an emergency, make an emergency braking application.

These EOT systems are often used by railroads (although they are not required by federal law). Most of the systems used do not have the emergency braking feature.

Since federal law concerning railroads can preempt state regulations, only rule-making procedures at the federal level can require that EOT emergency braking telemetry systems be used on cabooseless trains.

**SUMMARY:**

HJM 4029 requests the United States Secretary of Transportation to initiate the rule-making process for the purpose of establishing federal regulations requiring rear-of-train emergency braking telemetry systems for trains operating without cabooses.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**SUMMARY OF PROPOSED SENATE AMENDMENT:**

There are certain railways operated solely within the state that are used only for light industrial purposes. The amendment would exempt these small railways from the memorial's request that new telemetry devices be required on all trains.

**TESTIMONY FOR:**

There have been five train derailments in the northwest within the past few years that probably would have been avoided if these telemetry devices were in place on those trains. The FRA has this topic on its rulemaking docket, but has yet to take action. Burlington Northern Railroad has experimented with the devices, but can do no more until the FRA takes action.

**TESTIMONY AGAINST:** None

**TESTIFIED:** PRO: Dale Jeremiah, Brotherhood of Locomotive Engineers; Pat Halstead, Burlington Northern Railroad; Tom Retterath, United Transportation Union