

ASSEMBLY RESOLUTION No. 68

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman WILLIAM F. MOEN, JR.

District 5 (Camden and Gloucester)

SYNOPSIS

Urges Federal Railroad Administration to stop Class I freight railroads from using precision-scheduled railroading.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ASSEMBLY RESOLUTION** urging the Federal Railroad
2 Administration to stop Class I freight railroads from using
3 precision-scheduled railroading.
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5 **WHEREAS**, Under the Department of Transportation, the Federal
6 Railroad Administration (FRA) oversees the safety of the United
7 States railroad system, including the freight rail industry; and
8 **WHEREAS**, A Class I freight railroad is a railroad with an annual
9 operating revenue of \$900 million or more after applying a railroad
10 revenue deflator, and there are seven Class I freight railroads in the
11 United States, which make up most of the freight rail industry; and
12 **WHEREAS**, Six of the Class I freight railroads have implemented
13 “precision-scheduled railroading” (PSR), which the railroads
14 consider a strategy intended to increase efficiency and reduce costs;
15 and
16 **WHEREAS**, Alternatively, representatives of railroad stakeholders,
17 employee unions, and shippers associate PSR with reductions in
18 staff, longer trains, and reductions in assets, such as locomotives
19 and railcars; and
20 **WHEREAS**, Although there are federal statutes and FRA regulations
21 governing the safety of railroad operations, there are no federal
22 statutes or FRA regulations governing PSR specifically; and
23 **WHEREAS**, In 2022, the United States Government Accountability
24 Office (GAO) conducted a study to look into the safety of PSR and
25 interviewed representatives from the FRA, Surface Transportation
26 Board (STB), Class I freight railroads, railroad unions, and
27 stakeholders to better understand PSR and its safety concerns; and
28 **WHEREAS**, The GAO found that most Class I freight railroads reduced
29 their numbers of employees and that the largest decrease in
30 employees was among mechanical staff who are responsible for the
31 maintenance of equipment, including railcars and locomotives; and
32 **WHEREAS**, In 2022, all Class I freight railroads ran longer trains, with
33 some train lengths almost doubling in length; and
34 **WHEREAS**, Across all Class I railroads between 2011 and 2021, the
35 number of locomotives in service decreased by approximately five
36 percent and the number of railcars decreased by approximately 32
37 percent; and
38 **WHEREAS**, The FRA recognizes potential risks associated with the
39 PSR changes and has studied the risks associated with employee
40 fatigue, the brake systems in trains that operate longer rides, and
41 longer trains in general; and
42 **WHEREAS**, The FRA has also conducted engineer and conductor
43 training audits and set out some safety programs but has not set any
44 safety regulations that directly affect PSR; and
45 **WHEREAS**, Although the FRA safety data does not yet show a clear
46 causal relationship between PSR and changes in railroads’ train
47 accident and incident rates, the FRA has observed some short-term

1 increases in accident and incident rates at some locations where
2 PSR has been in practice; and
3 **WHEREAS**, The FRA officials continue to analyze safety data and are
4 not ruling out a relationship between PSR and rail safety; and
5 **WHEREAS**, The continued implementation of PSR may lead to safety
6 issues, like faulty locomotives or equipment from the lack of
7 mechanical maintenance staff, which can lead to train derailments,
8 similar to the one in eastern Ohio that devastated the local
9 environment and surrounding areas; and
10 **WHEREAS**, Two Class I freight railroads use railways within this State,
11 and their ability to run safely and efficiently are vital to the safety
12 of the State; and
13 **WHEREAS**, While the FRA continues to investigate the safety risks
14 associated with PSR, Class I freight railroads should pause their use
15 of PSR; now, therefore,

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17 **BE IT RESOLVED** by the General Assembly of the State of New
18 Jersey:

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20 1. This House urges the Federal Railroad Administration to stop
21 Class I freight railroads from using precision-scheduled railroading.
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23 2. Copies of this resolution, as filed with the Secretary of State,
24 shall be transmitted by the Clerk of the General Assembly to the
25 Administrator of the Federal Railroad Administration.

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STATEMENT

30 This resolution urges the Federal Railroad Administration (FRA)
31 to stop Class I freight railroads from using precision-scheduled
32 railroading (PSR). PSR is a strategy associated with an increase in
33 efficiency and a decrease in costs. However, many railroad
34 stakeholders and employees associate PSR with safety issues,
35 including employee fatigue and locomotive upkeep. Although the
36 FRA has begun to implement programs to combat some of the
37 anticipated risks of PSR and continues to study the safety of PSR,
38 this resolution urges the FRA to stop the use of PSR by Class I
39 freight railroads.