

LB486 Two Person Crews

LB486 prohibits any train or light engine used in connection with the movement of freight from being operated unless it has a crew of at least two individuals.

This maintains the status-quo best practice of two man crews that is standard in freight trains. Typically, the engineer is responsible for the engine, and the conductor is responsible for the train itself and does tasks like setting switches and brakes, evaluates problems, and slows the train at a crossing. Both these positions require extensive training, and are key components of the operation of the trains.

Two Person Crews are a necessary safety measure

In January 2020, the Federal Railroad Administration reported that, “two person crews exhibit characteristics of high performing teams that are found across industries. These include mutual performance monitoring—to catch and correct errors—and active support of each other’s activities (e.g., fill in knowledge gaps, collaboratively problem-solve; and point out potential risks and how they can be mitigated).”¹

Having two crew members allows crews to physically perform tasks, such as train splits, while maintaining the engine’s operation. Two person crews also prevent fatigue when engineers and conductors work irregular shifts, early start times or during severe weather². Currently, nine states; Arizona, California, Nevada, Colorado, Kansas, Illinois, Wisconsin and West Virginia have two-person crew state laws and regulations³.

Rail in Nebraska

Nebraska has:

- 12 Freight Operators
- 3,375 miles of freight track
- 3,002 Public Crossings
 - 2,300 public crossings without safety devices
 - 702 Crossings with safety devices⁴

While the Department of Transportation, rail operators, rail employees and residents are committed to safety, accidents unfortunately still occur in rare circumstances. Nationwide, roadway-rail crossing fatalities involving motor vehicles totaled 168 in 2017, an increase of 7% over 2016. Additionally, 86 pedestrian fatalities were recorded in 2017⁵. Even isolated accidents can have catastrophic effects for communities. A single rail car can spill 30,000 gallons of oil⁶. Keeping two operators in trains is crucial to identifying rail crossing obstructions and safety issues as early as possible.

One-person crews could cause congestion on Nebraska’s rails and roads

The success of the rail industry in Nebraska means that it intersects with daily life for Nebraska residents. With one person on board, they cannot leave the train without setting brakes, creating the circumstances for significant delays and congestion while the one person crew waits for backup. An incorrectly implemented or rushed move to one person crews could lead to increased congestion for Nebraska’s rail infrastructure, as well as motorists and public safety personnel stuck at railroad crossings.

¹ <https://railroads.dot.gov/elibrary/teamwork-railroad-operations-and-implications-new-technology>

² <https://apnews.com/article/d6ca21953111e4d7b457bac02e5b6813>

³ <https://smart-union.org/news/ninth-circuit-ruling-favors-unions-and-states-rejects-fras-attempt-to-preempt-state-crew-law/>

⁴ <https://dot.nebraska.gov/business-center/lpa/rail/>

⁵ <https://dot.nebraska.gov/business-center/lpa/rail/rail-safety/>

⁶ <https://www.toledoblade.com/business/energy/2013/01/13/Regulators-worry-about-increased-risk-of-accidents-as-trains-carry-more-oil-across-U-S/stories/20130113077>

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