

**As Prepared Remarks of
Federal Railroad Administration
Administrator Ronald L. Batory
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Thank you, David [*Stackrow, APTA Vice Chair*]. I appreciate that warm welcome.

It's a pleasure to be here in Colorful Colorado to meet with APTA members alongside FTA Executive Director Matt Welbes to talk about critical issues facing American rail today.

High on the list of priorities is safety. And the commitment that APTA has devoted to safety over the decades coincides with the FRA and U.S. Department of Transportation's goal to make our national transportation network safer, more interconnected, more reliable, and more efficient for all Americans in communities across the country.

In this regard, we are on a shared path. We have the expertise *and* the will to face both present day and future challenges. Someone once said, and I believe it's true, that "the power of one, if fearless and focused, is formidable, but the power of many working together is better."

So thank you for having me here today and giving me this opportunity to provide an update on the work we are doing at the FRA and DOT under Secretary Elaine L. Chao to move this industry forward.

Let me begin by saying that I have three loves in my life, and the one I want to talk about today you obviously share with me: railroads.

My other loves—in case you're curious—are my family and my country. I'll save those two topics for another day because we only have a few minutes for me to speak, and having those conversations would literally take days. [*Smile*]

We are, no doubt, in the midst of what Secretary Chao calls “a transportation transformation.” Not just for railroads but for all modes of transportation. Safety—our core mission—coupled with technology and infrastructure are all center stage as we continue to grow the American economy and transportation network.

We are concerned about the safety of passengers and pedestrians as well as safety for crewmembers and maintenance workers who keep the trains moving across this great big country every single day.

At my swearing-in ceremony this year, I shared with friends, family, industry officials, and members of Congress that safety is an endless theme in what I like to call “my living dream” about railroads.

I cannot emphasize enough that rail safety is first and foremost in everything we do and its practice is both non-compromising and non-negotiable. Therefore, reducing and eliminating risk is paramount to enhancing safety across the board.

With this in mind, I want to talk about positive train control, or PTC. Railroad implementation of PTC systems is at the top of our agenda and represents the most fundamental change in rail safety technology since the introduction of automatic train control 100 years ago.

I’m glad to see PTC on your conference agenda. This technology is something I think about when I go to bed at night and when I wake up in the morning.

As most of you know, PTC is designed to prevent certain train-to-train collisions, over-speed derailments, incursions into established work zones, and trains from being routed to the wrong tracks because a switch was left in the wrong position. In other words, PTC is designed to avert accidents caused by human error.

FRA, at the direction of Secretary Chao, has adopted a hands-on approach to ensure that 41 railroads—including 29 intercity passenger railroads and Amtrak—acquire, install, test, and certify this lifesaving technology in time to meet the congressional deadline of December 31st.

Here's what we've been doing to aggressively stay on top of this issue to ensure railroads respect the statutory mandate:

- We accelerated the release of \$250 million to help railroads implement PTC systems. We announced a Notice of Funding Opportunity, or NOFO, for PTC system grants last month, and applications are due no later than July 2nd. So, if you're a railroad, you have just under three weeks left to apply for a PTC grant now available under the new CRISI, or Consolidated Rail Infrastructure and Safety Improvements Program.
- We hosted a webinar last Monday to provide information about the NOFO and how railroads—including intercity passenger rail and commuter rail transportation—can apply for the CRISI grants. We also encouraged associations to hold webinars for their members. Last month, APTA and another association did just that, with FRA participating in each one.
- We're hosting three upcoming symposiums at DOT headquarters in Washington, DC:
 - The first, a PTC Statutory Requirements for 2018 symposium will take place this Friday for railroads requesting FRA's approval to extend the deadline by two years, to December 31, 2020, to complete the work. In this case, railroads must demonstrate that they have met the statutory criteria to qualify for such an alternative schedule.
 - The second, a PTC Testing and Interoperability symposium for railroads, will be held next month, on July 16th; and
 - The third, a PTC Safety Plan Best Practice symposium, will take place on August 20th.

We encourage your participation in these symposiums. All these actions followed very frank, one-on-one discussions that FRA had at DOT headquarters earlier this year with all 41 railroads subject to the statutory mandate.

During those meetings, some of you conveyed several challenges, including working with a limited number of PTC system suppliers. Shortly thereafter, we pulled suppliers into separate discussions as well.

Overall, the discussions have been extremely helpful and have also led to a staff reorganization and the additional hiring of safety experts to ensure the congressional PTC mandate is efficiently administered.

But we still have a long way to go. As noted in railroads' self-reported Quarterly PTC Progress Reports for the first quarter of 2018, passenger railroads have made less progress than their freight counterparts implementing PTC systems. As of the end of March, PTC systems are only in operation on 25 percent of required route miles, versus 60 percent for freight rail.

We hope the additional funding that the CRISI grants will provide can close some of that gap.

Reducing and eliminating risk extends beyond railroad rights-of-way to the broader public as well.

Earlier this year, FRA once again partnered with the National Highway Traffic Safety Administration to roll out a \$4.3 million public awareness safety campaign to educate the public about the dangers of crossings.

Increasing public awareness is necessary so that people can make better decisions around highway-rail crossings and tracks. The simple truth is most trains can't stop short. It can take a mile or more once the brakes are applied for all that tonnage to come to a screeching halt.

The Department is both deliberate and persistent about getting this message out. Last year, 274 people died in grade-crossing accidents—the second annual increase since 2016.

This subject matter will always be close to my heart. During my career, I've

personally experienced locomotive collisions with highway vehicles. In one instance, it was a school bus full of children—I could actually see them jumping out the back door and rushing down the front steps of the bus as our train approached. Thankfully, that school bus emptied seconds before the train struck.

My daughter Erin also lost a high school friend and classmate to a train-auto collision 20 years ago. Since my arrival to DOT headquarters, I've literally been jolted by the daily national incidents of deaths, injuries, and near-misses reported.

Therefore, I pledge that throughout my tenure as the FRA Administrator, increasing public awareness of rail safety will be a consistent priority of mine, not unlike my involvement in my past career in the private sector.

And I ask each of you to join me in this endeavor, if you are not already engaged. Because taken together, railroad crossing and trespasser fatalities have accounted for about 95 percent of all rail-related deaths over the past 10 years.

In fact, trespassing on railroad property is THE leading cause of all rail-related deaths. While we've made progress over the past 10 years improving safety along railroad rights-of-way, trespass-related fatalities—including suicides—have increased from 638 to 740, about a 16 percent hike between 2012 and 2017.

And since 1997, more people have died each year from trespassing than in motor vehicle collisions with trains at highway-rail grade crossings. Again, I was glad to see that APTA had a session yesterday on preventing rail suicides and trespasser strikes because, clearly, these subjects cannot be ignored.

Congress is certainly paying attention. The U.S. House Committee on Appropriations, in its Fiscal Year 2018 Transportation Budget Report, instructed FRA to identify and study the fundamental factors that lead to trespassing incidents on railroad property.

We've also been instructed to develop a national strategy to prevent trespasser incidents—incorporating milestones and metrics to define success. FRA is hard at work on this strategy, which is scheduled to be completed by the August deadline

set by Congress.

Going forward, I believe safety and innovation must be coupled together. As mentioned, we're already doing this with PTC. But other transformative technologies await us as we continue pursuing our 21st century journey. Each day is an opportunity to embrace technology to reduce risks and have the railroad industry become a safer mode of transportation.

Aggressively embracing the Internet of Things, artificial intelligence, and autonomous functions that can foster an environment toward minimal to non-existent risk is a must.

As it pertains to transformative technologies, drones—to use one example—are already demonstrating their value. Drone technology is revolutionizing many industries as companies are increasingly interested in adapting them for all kinds of commercial and humanitarian applications.

In the rail industry, drones have a role to play in safeguarding infrastructure and investigating accidents or preventing them. Again, many of you learned as much in a session held on this subject today.

But let me tell you briefly about a FRA partnership with police in Brunswick, Maine. It will be the first in the country this year to spot railroad trespassers by using drones in a new pilot program. The unmanned aircraft systems will be used only for detecting infractions and for educational purposes, not punishment. The point is to prevent fatalities near and on railroad tracks at several high-risk areas by getting a law enforcement officer to the scene.

When it comes to research projects, FRA is proud to partner with many commuter railroads as well on safety and innovation. A few of our current research partners include New Jersey Transit, Tri-Rail, the Massachusetts Bay Transportation Authority, Amtrak, the Northern New England Passenger Rail Authority, and SunRail.

We partnered with SunRail, for example, to study the effectiveness of photo

enforcement technologies to detect and enforce highway-rail grade crossing violations in Orlando, Florida. Why? Because the city saw several fatalities at grade crossings after SunRail began service there in May 2014.

Volpe, the research arm of the DOT, installed the cameras in April 2016 and started to collect baseline data. The city of Orlando established a photo enforcement system and initiated warning letter mailings four months later. The warning letter, much like the Brunswick example, is an educational tool only—recipients are not penalized with demerit points or fines.

Between August 2016 and December of last year, over fifteen hundred violation notices were issued to people driving over the tracks when the gate arms at crossings were coming down and lights were flashing for at least five seconds. The idea is to get people to stop when the lights are flashing and not speed up before the crossing arm drops.

This is but one deterrent to raise awareness and save lives, and we hope to see many more.

FRA will continue with renewed urgency to seek ways to foster and encourage the railroad industry to use technology to bring about continued safety improvements and increase efficiency in railroad operations and maintenance.

I believe whatever we achieved with safety in the past is not our finish line. More improvements can, will, and should be made. But at least now, we can imagine our safety-instilled culture of zero tolerance combined with the infinite use of developing technology. I know that APTA is leading and serving members' efforts to evaluate, develop, and adapt to emerging technologies, and I applaud this effort.

This combination of culture and applied sciences can be a key ingredient for determining and developing safe, smart, and sustainable infrastructure for our future.

Speaking of infrastructure, you may know by now that the Administration's comprehensive infrastructure proposal has been delivered to Congress. The plan

involves 12 government agencies and encompasses transportation and other sectors, including energy, rural broadband, veterans' hospitals, and drinking and waste water.

It is broad. It is ambitious. And it has ignited a necessary debate throughout the nation and in the Congress on infrastructure priorities and processes. The 10-year plan is an investment to modernize our country's infrastructure assets—a win-win situation for all of us.

The goal of the President's proposal is to stimulate at least 1.5 trillion dollars in infrastructure investment, which includes a minimum of 200 BILLION dollars in direct federal funding.

The guiding principles are to 1) use federal dollars as seed money to incentivize infrastructure investment; 2) provide for the needs of rural communities; 3) streamline permitting and speed up project delivery; and 4) reduce unnecessary and overly burdensome regulations.

More background information on the plan, a publication entitled *The President's Initiative for Rebuilding Infrastructure in America*, is available online at www.transportation.gov.

I mentioned earlier that we announced a NOFO for \$250 million in PTC system grants. Well, after funding PTC, we plan to introduce a second CRISI NOFO for infrastructure grants.

That one, as well as the CRISI NOFO published this past February, will make a total of more than \$383 million in Fiscal Year 2017 and 2018 funds available for a wide range of capital projects—including improving highway-rail grade crossings, repairing or replacing railroad assets, and relocating rail lines.

Those funds will also be available to support rail regional and corridor planning, environmental analyses, research, workforce development, and training.

While we're aware that public transportation is one of the safest forms of

transportation, finding the resources to maintain aging systems is a constant challenge. We hope these grants will help the industry invest in necessary growth and upgrades to meet customer needs in a reliable, safe, and secure fashion.

In closing, let me say once again that I'm pleased to acknowledge that APTA maintains a "safety and security first culture" that places safety, security, and the wellness of its passengers and workforce as a top priority.

In the future, let's continue to work together to encourage constructive change and innovation in safety, technology, and infrastructure. As someone once said, coming together is a beginning, keeping together is progress, and working together is success.

Thank you.

Now, I'd like to open the floor to take any questions you may have.

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