Crew staffing — the number of persons in the cab of a locomotive — has always been established through collective bargaining, a longstanding process used by railroads and rail labor organizations to negotiate wages, benefits and work rules.

Efforts to require at least two-person crews, including via regulation, lack a safety justification; ignore the decades of safe and successful use of single-person crews at some U.S. freight railroads and in passenger and freight rail systems throughout the world; upend meaningful collective bargaining; and undermine the rail industry’s ability to compete against less climate-friendly forms of transportation.

**No safety justification.**

Existing FRA regulations do not mandate minimum crew staffing requirements. For Class I railroads, recent industry practice has been to have two-person crews (a certified locomotive engineer and a certified conductor) in the locomotive cab for most over-the-road mainline operations. However, some non-Class I railroads have long operated with just one person in the locomotive cab, and thousands of Amtrak and commuter passenger trains, carrying hundreds of thousands of passengers, operate every day with just one person in the locomotive cab. And as an Oliver Wyman study found, these railroads’ safety records are comparable to two-person operations.

**Collective bargaining maintains safety while allowing railroads to modernize.**

Railroad safety has dramatically improved in recent decades due to freight rail’s massive investments in infrastructure and technology. Freight railroad crew sizes have been reduced from five to three to two people pursuant to collective bargaining agreements with labor unions under the procedures set forth in the Railway Labor Act. These reductions have coincided with technological improvements that have improved safety and reduced incidents caused by human error. Railroads believe crew staffing issues should continue to be addressed in the collective bargaining process and are committed to good faith negotiations with the rail labor organizations.

**Positive Train Control (PTC) has been fully deployed on high-volume freight lines and on passenger lines.**

PTC has been installed and is fully operational on tens of thousands of miles of rail line throughout the country. This system of technologies monitors speed restrictions, communications and track signals and will automatically stop a train to prevent certain train-to-train collisions and other accidents caused by human error. Today, many freight train conductors are stationed on locomotives even though most of their work is “ground-based,” such as inspecting the train and preparing it for a trip. PTC makes the conductor’s in-cab responsibilities redundant and renders their presence in the cab unnecessary. Railroads seek the flexibility to continue working with rail labor under existing collective bargaining procedures to identify when the presence of PTC or other equivalent technologies could allow for a redeployment of crew members without jeopardizing rail safety.

**Key Takeaway**

The Federal Railroad Administration (FRA) should not impose minimum crew size mandates on railroad operations. A mandate is unsupported by any clear safety justification.

**Over the last 15 years, the FRA and other safety regulators have evaluated the crew size issue extensively and have never found any data showing two-person crews are safer than one-person crews:**

- In 2009, the FRA stated there was “no factual evidence to support [a] prohibition against one-person crew operations.”
- In 2015, the National Transportation Safety Board (NTSB) found that, “There is insufficient data to demonstrate that accidents are avoided by having a second qualified person in the cab. In fact, the NTSB has investigated numerous accidents in which both qualified individuals in a two-person crew made mistakes and failed to avoid an accident.”
- In 2016, the FRA stated that it could not “provide reliable or conclusive statistical data to suggest whether one-person crew operations are generally safer or less safe than multiple-person crew operations.”
- In 2019, the FRA concluded that, “Accident/incident data does not support a train crew staffing regulation.”
Ground-based conductors will be staffed and deployed to meet all planned ground service duties, such as servicing a train at a scheduled stop, and to promptly respond to unplanned events.

Unplanned work makes up only a small portion of the conductor’s job. In fact, a full-time conductor can expect to leave the cab for an unplanned event only infrequently. In those rare instances when unplanned ground service may be required — typically just a mechanical issue with a rail car or an alert from a wayside detector — a conductor would inspect the issue and possibly set out the affected rail car. Rather than be required to staff every single through freight train with an on-board conductor, the railroads will instead dispatch ground-based conductors who are strategically located along the network to respond to unplanned events. Instead of having to get out of the locomotive cab and walk up to two miles behind a train to where service is needed, ground-based conductors could use a truck to drive on railroad tracks directly to a train’s location.

Crew size mandates will harm the rail industry’s ability to compete in a rapidly changing freight transportation sector and undermine our nation’s efforts to address climate change.

Technology and modern staffing models are making freight railroads safer, more efficient and more productive. A freeze on railroad innovation would hamstring railroads, making it especially hard for railroads to invest in new safety-enhancing technologies, adapt to changing customer needs and compete with commercial trucking, which is rapidly automating operations to reduce costs and receiving significant support from policymakers in doing so.

The resulting competitive distortion in the freight transportation sector will divert traffic from rail to trucks (which are less fuel efficient), create additional highway congestion and further damage the nation’s highway system. Railroads are the most fuel-efficient way to move freight over land, with trains being three to four times more fuel-efficient than trucks, on average. Analysis shows that if even just 25% of highway freight currently moving at least 750 miles went by rail instead, annual greenhouse gas emissions would fall by approximately 13.1 million tons — the equivalent of taking 2.6 million cars off the roads for a year.

Opposition to crew size regulation is broad and diverse.

Policymakers and the public should join the current widespread opposition to indefinitely require at least two people in a locomotive cab and instead encourage innovation.

Marc Scribner, Senior Transportation Policy Analyst at Reason Foundation: “If the trucking industry successfully automates its operations while railroads are saddled with inflexible crew-size regulations, rail’s competitiveness will continue to fall relative to trucks. Disadvantaging rail relative to trucking through a train crew-size mandate would increase the transportation sector’s emissions intensity.”

Clifford Winston, Senior Fellow at the Brookings Institution: “Those rules would weaken an important cost advantage of autonomous rail operations without being based on any evidence that multi-person crews were safer than a single-person crew.”

Sean Higgins, Research Fellow at Competitive Enterprise Institute: “If any form of transportation should be on the leading edge of automation, it should be railways. Trains don’t utilize public roads or the skies and therefore have an in-built safety advantage.”

John D. Graham, Former Administrator at Office of Information & Regulatory Affairs: “Pre-market approval requirements like [crew size mandates] have been shown to deter innovation because they rob businesses of the incentive to invest in modernizing themselves.”

Robert D. Atkinson, Information Technology & Innovation Foundation: “As technology such as PTC systems has improved, and further advances in autonomous systems look promising, freight rail companies would like the flexibility of operating trains with less than two operators, not so they can raise profits, but so they can reduce prices to better compete with the trucking sector.”

Daren Bakst, Senior Research Fellow at Heritage Foundation: “The evidence doesn’t show that two-person crews are somehow safer than one-person crews. By trying to use regulation to protect a specific type of job, legislators would be hindering the technology and innovation that can help the railroad industry, its customers, and its employees. Trying to protect one type of job today is likely hindering the ability of railroads to invest and create better jobs for tomorrow. It is also hindering railroads in their ability to better move freight in ways that can create more efficient and stable supply chains.”