



STATEMENT OF

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BEFORE THE U.S. SENATE COMMITTEE ON COMMERCE, SCIENCE, AND

TRANSPORTATION SUBCOMMITTEE ON SURFACE TRANSPORTATION,

FREIGHT, PIPELINES, AND SAFETY HEARING

“ON THE RIGHT TRACK: MODERNIZING AMERICA’S RAIL NETWORK”

JUNE 18, 2025

Good morning, Chairman Young, Ranking Member Peters, and Members of the Committee.

On behalf of the more than 19,000 cities, towns, and villages across America, I want to put safety first and will begin my remarks by thanking this Committee for their leadership in supporting critical safety improvements that are saving the lives of our family, friends and neighbors in America's communities. The new Rail Crossing Elimination (RCE) program and the Safe Streets and Roads for All (Safe Streets) program have been embraced by communities of every size in every state, and the results are clear – the U.S. Department of Transportation's National Highway Traffic Safety Administration reports we are in the [11th consecutive quarterly decrease](#) in traffic fatalities and the Federal Railroad Administration [reports](#) some slight progress on total rail accidents/incidents in the last few years (2017: 11,990 vs. 2024: 10,255). Together, we must continue to build on the safety focus across our transportation networks and embrace a wholistic [safe system approach](#).

National Rail Investments are On Track and Showing Promise

Local governments are proud to partner with the federal government through the Infrastructure Investment and Jobs Act (IIJA) to tackle the nation's infrastructure backlog from the ground up and contribute to the rebuilding that is happening across the country right now. We appreciate the opportunity to testify today about how rail investments in the next surface transportation reauthorization can serve our country in the years to come.

The U.S. has made tremendous progress on forward-looking passenger rail investments and improvements for the safe and efficient movement of freight rail through the IIJA, and we encourage Congress to build on that momentum by growing critical safety programs like the Rail Crossing Elimination program and investments in core rail passenger programs. Tremendous proposals came together across the country for the Corridor Identification and Development (Corridor ID) program to map out a pipeline of passenger rail projects ready for build out. With continued investment and longer term funding certainty provided by advance appropriations in the IIJA, passenger rail service in the U.S. is showing great gains and is absolutely on the right track.

[Amtrak had its best year yet in 2024](#) with more customers and generated more revenue than ever before, while also making record-setting capital investment and setting eighteen ridership records at the route level. Amtrak carried a record 32.8 million intercity passengers (up 15% from FY 23, and above the pre-COVID-19 peak), generating \$3.6 billion in operating revenue (up 7% from FY 23) and invested nearly \$4.5 billion in critically-important capital projects (up 55% from FY 23, and 178% above the pre-pandemic peak) for rail infrastructure programs, major procurements of new train equipment, and overdue upgrades to stations. We are also seeing a boon with new

and more frequent services like the new Chicago to-Twin Cities Borealis in partnership with the Minnesota, Wisconsin, and Illinois Departments of Transportation. The train makes stops in a variety of small cities, including Columbus, Portage, Wisconsin Dells, Tomah and others that are seeing the direct benefits of what a train stopping by their city can do in addition to the destination cities of St. Paul, Minneapolis, Milwaukee, and Chicago. The results for this fiscal year (FY25) are looking even brighter with record breaking ridership and revenue forecasts as well as NextGen Acela trains on the way in addition to new “Mardi Gras” services from New Orleans to Mobile this summer.

Majority of U.S. Communities Have Rail Tracks and Want Safe Operations

Cities of all sizes across the U.S. want to ensure that rail is run successfully in our country. More than 12,000 out of the more than 19,000 cities, towns and villages across the country are impacted by our nation’s trains coming through neighborhoods and downtowns and crossing over the 3 million miles of roads that local governments own and maintain. We are the hosts to many of the 500 Amtrak stations across 46 states and are served by both existing and expanding service options like those from Brightline. We recognize the importance of Congress’ role in supporting a modern rail transportation system and the service it provides to our country. However, we also know there is more Congress can do to keep rail moving without harming the communities it is supposed to serve.

Rail Safety Impacts Small Cities Disproportionately in Clear Trend Line of Hazardous Incidents

Unfortunately, [more than 4,000 trains have derailed since 2020 with nearly 70 percent of derailments happening in cities](#). Small cities are disproportionately affected by rail accidents: Cities with fewer than 1,000 residents have an average of 12.9 accidents as compared to 3.1 for cities between 1,000 and 10,000 and less than 1 for cities over 50,000. The Norfolk Southern train derailment in East Palestine, Ohio, was a jarring reminder for all local governments of how quickly any one of these rail incidents in their backyards can dissolve the economic potential of the communities they represent and serve. While an incident can quickly fade into the background of the news cycle, this Committee’s oversight of the derailment and environmental contamination in East Palestine, Ohio, is essential to holding the spotlight on safety because while the Norfolk Southern derailment was substantial, it is not unprecedented. Here are a few derailments of note with hazardous materials involved:

- **In 2020, in Draffin, Kentucky**, a CSX train derailed three locomotives, one buffer car, and four tank cars toward the rain-swollen Russell Fork river, submerging the cab. Two DOT-111 tank cars were breached and released about 38,400 gallons of denatured ethanol, which in combination with about 11,300 gallons of released locomotive diesel fuel ignited into a post-accident pool fire.

Crewmembers were trapped in the train fire, swam to safety, and were transported by ambulance to a local hospital for treatment. Local police advised occupants of 6 to 10 nearby homes to evacuate.

- **In 2019, in Fort Worth, TX**, a Union Pacific Railroad train derailed near East Berry Street and South Riverside Drive, triggered a massive fire fueled by more than 100,000 gallons of ethanol from the tanker cars. Several homes were evacuated and three horses were killed when flames spread to a nearby stable. Of the 24 tanker cars that had the potential to create a deadly fire fueled by up to 672,000 gallons of flammable liquid, only nine leaked some of their ethanol cargo, including the four cars that witnesses saw burning. The National Transportation Safety Board used the incident to compare the crash and fire effects of the newer DOT-117 tanker cars compared to the DOT-111 phased for retirement and were involved in the East Palestine derailment.
- **In 2015, in Maryville, TN**, ahead of the Independence Day holiday, a 57-car CSX train carrying 27 cars of hazardous, flammable and toxic substances [derailed and caught fire](#), prompting the evacuation of thousands of people within a two-mile radius. About 5,000 people in the area were evacuated, and 197 people were injured with 87 treated at hospitals including ten first responders. The cities of Alcoa and Mayville emergency response expenses alone exceeded \$225,000 in addition to Blount County's larger emergency response.
- **In 2012, in Paulsboro, NJ**, near Philadelphia, PA, a Conrail train transporting the chemical vinyl chloride derailed while crossing a bridge that collapsed over Mantua Creek. Seven cars derailed, four rail cars fell into the creek, breaching one tank and releasing approximately 23,000 gallons of vinyl chloride. Local, state, and federal emergency personnel responded on scene. Almost 700 people were evacuated, and nearby schools were ordered to immediately take shelter and seal off their buildings. Not including the train crew and emergency responders, 28 residents sought medical attention for possible exposure to vinyl chloride. A decade after the incident, the [impact](#) to the community remains clear to city leaders – “A lot of houses became vacant, rundown, crime, filth, you name it, all because of [the spill]... there were plans already before the train wreck to open all of these stores that you see now and they came to a halt.”

Experts have made it clear that derailments are preventable with good maintenance, safety standards and technology. Congress must set the safety performance bar or continue to watch community after community bear the economic consequences of train derailments. Rail remains important to our country, but its operation should never be at the expense of these communities.

Rail Safety Starts and Ends with the Commerce Committee

Despite railroads running fewer yet longer trains with steady levels of hazardous materials, derailments have not substantially decreased. Therefore, any train that derails is more likely to be carrying hazardous materials that are highly explosive, increasing the risk to the communities they pass through. Cities that have had derailments keep echoing a common message – no other community should have to go through these preventable disasters, and with safety protocol like inspections and investment incentives for maintenance, Congress could make our communities safer and make railroads more profitable by keeping the trains on the tracks where they belong.

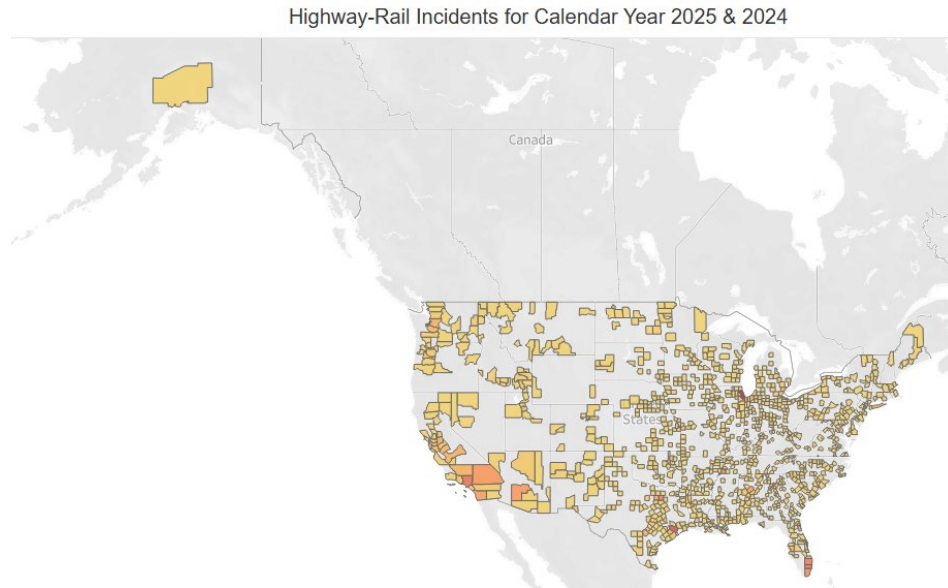
Unlike other modes of transportation, Congress is the only level of government with full and unquestioned authority to establish the safety improvements that are needed and to ensure the safety of the rail system for American communities, emergency first responders, rail workers, and railroad customers. Each Senator on this Commerce Committee holds tremendous power to prevent future safety incidents and ensure the success of America's railroads operating in our communities. Last Congress under the leadership of Vice President Vance and a bipartisan group of members of this Committee, the Railway Safety Act was advanced, and that unfinished business remains for the upcoming transportation reauthorization in the coming months.

Local Government's Rail Policy Recommendations to Congress

To advance the safety and efficiency of the nation's rail system in coordination with road and pedestrian systems, we request the following rail priorities be included in the surface transportation reauthorization:

- **Adopt and Fund Expert Recommendations on Rail Safety:** The National Safety Transportation Board has provided expert analysis and recommendations to Congress on the East Palestine derailment and many other important and revealing rail safety incidents that should be followed to ensure we respond to the safety gaps exposed and that we make the most of taxpayer investment to have independent safety analysis. Notably, this includes vent-and-burn and bearing failure research, retiring DOT-111 tank cars as soon as possible, maintenance for equipment, communication and preparation for emergency responders to be able to confirm the contents and consist of the train, and much more. Many of these solutions are found in bipartisan rail safety legislation before the Committee and the House.
- **Invest in Rail Crossing Improvements Across the Nation:** The Rail Crossing Elimination (RCE) program has proven incredibly valuable for communities to work directly with railroads to complete rail improvement projects and improve the flow of rail traffic and local transportation traffic at crossings and should be

prioritized in a limited funding environment. Planning eligibility is an essential part of the RCE program to develop viable capital projects. Eligibility should also be clarified to ensure that pedestrian access bridges and bridge modifications can be included in these grants. Notably, the Safe Streets program could also include pedestrian rail crossing eligibility or a Safe Crossings program could be established to upgrade more of the 200,000+ rail crossings particularly where there are schools or busy pedestrian areas nearby experiencing too many close calls and deaths.



Source: [Federal Railroad Administration](#) (June 13, 2025)

- **Provide Long-Term Rail Funding Certainty:** Almost all other modes of transportation benefit from the long-term budgeting certainty of federal Trust Funds – the Highway Trust Fund, Airports Trust Fund, Harbors Trust Fund, and Waterways Trust Fund, but rail does not have access to a federal trust fund. However, in the IIJA, Congress used advance appropriations to provide multiyear certainty for passenger and freight rail projects in a similar manner to a federal trust fund. NLC supports creation of a rail trust fund, allowance of rail in an existing trust fund, or continued use of advance appropriations that can ensure multi-year rail investment that aligns with the necessary capital construction demands of infrastructure projects. We also encourage Congress to not waste the investment momentum of the Corridor Identification and Development program, especially in areas where highways alone cannot meet demand and ease congestion and where additional investment can realize more frequent and extended service connections for the heart of the country.
- **Lower the Cost of Rail Infrastructure Materials and Structures:** The costs for rail crossing infrastructure improvements have [increased by double even before](#)

[the recent inflation spike](#) along with often volatile railroad project expenses.

Congress should provide innovation and experimentation funding for new and lower cost materials to be tested and incorporated into the rail section of the Manual on Uniform Traffic Control Devices (MUTCD) by encouraging states to use Section 130 program funds or providing additional funds for this purpose.

Additionally, FRA should be empowered with investment tools for encouraging innovative technology in rail on a range of warning devices and crossing designs that use human factors science for limiting pedestrian and rail interaction including quick-build pedestrian bridge structures or real-time redirection information like communities in New Haven, IN, and Hattiesburg, MS, are using.

- **Modernize Safety Data and Blocked Crossing Reporting:** The Bureau of Transportation Statistics, FRA, FHWA and NHTSA should be tasked to integrate all federal and state [rail](#) crossing and road safety data and planning efforts into publicly available safety dashboards that solicit public input and allow for improved Congressional oversight and research on transportation safety. Because blocked crossings create safety incidents, train operators should be required to provide FRA a standardized report for all stoppages exceeding an hour in length or alternatively, empower states to collect crossing data and enforce blocked crossing incidents as they would on any other mode of transportation. All rail data that is collected in a standardized manner should be able to be utilized by federal agencies to inform safety and regulations without exception. All entities operating rail that accept federal funding should be contributing safety and operational data as requested from USDOT.
- **Support safety information flow between railroads, city leadership, and local first responders:** We urge Congress to ensure that mandated communication flow makes it to the first responder on the scene, not only to the state office, and that official emergency communications channels used for other incidents be utilized in addition to any supplementary tools like phone apps. The proximity, switching and storage of railroad cars containing volatile and hazardous materials in and through urban and residential neighborhoods remains a core concern, and it has become clear that the current list may not be capturing all the hazardous materials moving on our railways. We agree that updating the list of substances to more accurately reflect a full understanding of what is being moved through communities is needed as well as ensuring that communication between railroads, states, local officials, and first responders is clear and efficient.
- **Establish an FRA liaison for railroads and communities:** Railroads are businesses operating in America's communities, and local governments expect all railroads to be good neighbors to the communities they reside in by answering local government questions promptly, hosting emergency contact information for

incidents and issues, reviewing blocked crossing and safety data annually with communities upon request, and partnering with communities to utilize federal grants to eliminate blocked crossings and congestion points in regions. However, a lack of responsiveness and oversight has led to long-standing issues in communities. FRA should be able to convene discussions with railroads on behalf of communities and regularly report back to Congress how convenings result in outcomes and proposed action plans to resolve issues in their states and districts.

- **Maintain and Modernize Rail Inspections:** The safety of the rail system is built on regular inspections by qualified personnel that can be better supported by transportation technology such as sensors, but they cannot replace the visual inspections of the humans that do these inspections. Self-certification on safety can lead to dangerous outcomes as this Committee knows from recent aviation issues. While all processes can be modernized and reliable data can inform risk and therefore inspections, it is of vital safety importance that the frequency of these visual inspections and the qualifications of the workers doing the inspections are not reduced. Any changes should be carefully considered and reviewed by independent expert and not done through waivers of current regulations.

Infrastructure Investments Pay for Themselves

While the 119th Congress will make many tough national budget decisions, reducing infrastructure investment from IIJA levels would be a \$1 trillion dollar economic mistake. The [American Society of Civil Engineer's 2024 "Bridging the Gap"](#) economic scenario analysis compares the outcomes of continuing to invest at IIJA levels versus snapping back to prior FAST Act levels, and there is a clear difference:

- as much as \$1 trillion-dollar gross economic output lost from major U.S. job sectors (e.g. healthcare, manufacturing, professional services),
- 237,000 American jobs at stake, and
- \$550 billion in disposable income for American families lost.

When it comes to Congress making a return on the American taxpayers' investment, IIJA-level infrastructure investments can deliver nearly \$700 every year in savings for American families over the next twenty years by continuing a robust program across multiple essential infrastructure types like transportation, water and energy.


Much like our government deficit, we should not let an unreasonable infrastructure deficit grow unchecked and harm our country's future. Cities and towns urge Congress to embrace the positive economic impact of keeping infrastructure funding at IIJA's

levels as the Committee negotiates the topline goals of the next package. This is the level of funding the American economy requires and the American people deserve.


NLC thanks Congress for their continued attention to rail safety improvements through the IIJA's historic investment. We ask for your continued oversight and leadership to act on these recommendations which can improve safety in thousands of communities, and local governments look forward to discussing these issues with your Committee. Thank you for the opportunity to address the Committee, and I look forward to your questions.

APPENDIX


Rail Safety Facts to Know



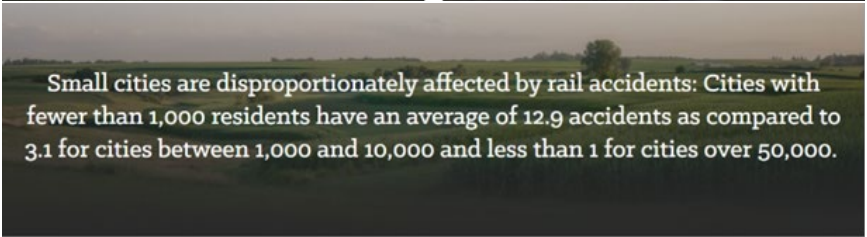
While rail incidents are in every region of the country fairly equally, blocked crossings are most common in the Mid-West where the average number per 10,000 people is 41.8 as compared to next highest of 24.6 in the South




More than half of all accidents are derailments (51%)



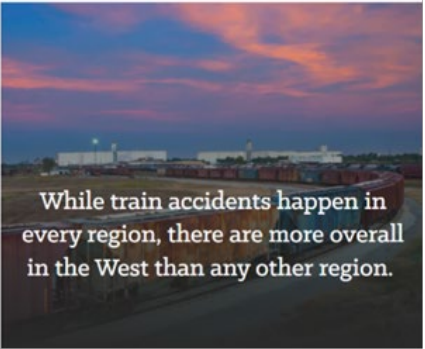
Derailements are the most common type of accident to happen in a city (68%)



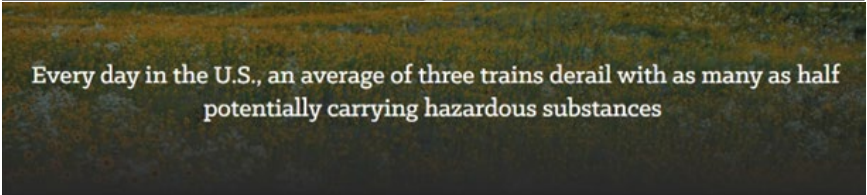
Small cities are disproportionately affected by rail accidents: Cities with fewer than 1,000 residents have an average of 12.9 accidents as compared to 3.1 for cities between 1,000 and 10,000 and less than 1 for cities over 50,000.



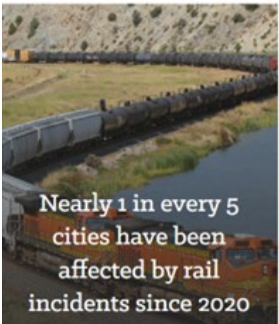
More than half of cities (58%) are touched by the national rail network




While train accidents happen in every region, there are more overall in the West than any other region.



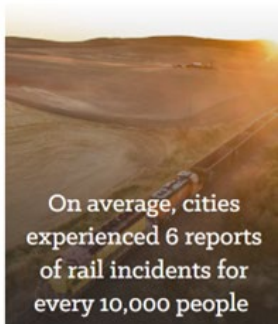
Every day in the U.S., an average of three trains derail with as many as half potentially carrying hazardous substances



Nearly 1 in every 5 cities have been affected by rail incidents since 2020



Two-thirds of all rail accidents (66%) happen within cities



On average, cities experienced 6 reports of rail incidents for every 10,000 people

Rail Crossing Elimination Program Local Government Recipients

| | |
|----------------------------|---|
| Calera, Alabama | City of Calera State Road 25 Railway-Highway Grade Separation Project |
| Pelham, Alabama | Railroad crossing elimination on Shelby County Road 52 |
| Fayetteville, Arkansas | Northwest Arkansas Rail Corridor Safety Study |
| Banning, California | Hargrave Grade Separation Planning Project |
| Palo Alto, California | Grade Separation at Churchill Avenue, Meadow Drive and Charleston Road |
| Riverside, California | Third Street Grade Separation Project |
| Fort Lauderdale, Florida | City of Fort Lauderdale Railroad Safety and Congestion Analysis |
| West Palm Beach, Florida | Building BRIDGES Planning Study - West Palm Beach Florida East Coast Rail Corridor Safety Action Plan |
| Decatur, Illinois | Brush College Road and Faries Parkway Grade Separation Project |
| Franklin Park, Illinois | Village of Franklin Park Grade Separation Project - Connect Franklin Park: Bridging Barriers and Creating Opportunities |
| Gary, Indiana | Buffington Harbor Gateway Project |
| Hammond, Indiana | Governors Parkway Railroad Overpass Project |
| Peru, Indiana | Peru Grade Separation Feasibility Study |
| Schererville, Indiana | Kennedy Avenue Railroad Overpass Project |
| Davenport, Iowa | South Concord Street Grade Separation |
| Emporia, Kansas | Corridor Improvement Project Involving 15 Street Crossings with BNSF Railroad within City of Emporia |
| Olathe, Kansas | 119th Street, Woodland to Northgate - BNSF Separation and Crossing Elimination Safety Improvement Project |
| Wellington, Kansas | Grade Crossing Closures and Construction of Grade-Separated Highway Overpass on the BNSF Southern Transcon Main Line |
| Monroe, Michigan | West Side Grade Separation Project |
| Little Falls, Minnesota | TH 27/Mississippi River Bridge Grade Separation |
| Whitefish, Montana | Whitefish Rail Corridor Crossing Study |
| Bend, Oregon | Reed Market Grade Separation Project Development |
| Portland, Oregon | Central Eastside Railroad Crossing Study |
| Florence, South Carolina | The Florence Railroad Crossing Safety Improvement Planning Project |
| Cleveland, Tennessee | 3rd St SE and Norfolk Southern Railroad Grade Separation |
| Amarillo, Texas | NE 24th Avenue Railroad Overpass |
| Houston, Texas | West Belt Improvement Project |
| San Antonio, Texas | Rittiman Road Grade Separation Project |
| Bluffdale, Utah | Bluffdale Pedestrian Overpass Project |
| Burlington, Washington | Railroad Overcrossing Planning and Design |
| Seattle, Washington | S. Holgate St At-Grade Crossing Elimination Study |
| Washougal, Washington | 32nd Street Underpass Project |
| Parkersburg, West Virginia | Studying for the Potential Elimination of Existing At-Grade Rail Crossing on 19th Street in Parkersburg. |
| Eau Claire, Wisconsin | Galloway Street Vehicular and Pedestrian Rail Crossing Eliminations and Construction of Galloway St. Rail Overpass |

Submissions from the [FRA Public Blocked Crossing Incident Reporter](#)

Bridgeport, AL

- *This crossing has been repeatedly blocked over the past few months. To cross the tracks is our only way in and out. To my knowledge there is no passable access road. People are late for work and several other appointments.*

Texarkana, AR

- *The crossing has been blocked by one train or another for 48 hours to date and people are crawling through to get to the stores.*

Tucson, AZ

- *This is a major road off the I-10 and it's been over 15 minutes and no movement of train. I saw a person try and climb through looks like he made it and another guy just came through. Someone is going to die. Thanks for your help in this matter.*

Fresno, CA

- *This happens every day multiple times a day, I've seen countless emergency vehicles stopped by trains, and for 30-60 minutes.*

Beaumont, CA

- *The train has been blocking all crossings through the city causing traffic jams at the only bridges/underpasses available for most of the day. Took over an hour to travel under 5 miles in this small town. It is still blocking traffic as of 4 pm.*

Fort Collins, CO

- *During evening rush hour, just after 5PM train sat stationary blocking the road. This caused massive backups a delay throughout old town and the only route north of the railroad track is blocked.*

Baldwin, FL

- *I'm going to lose my job because this train has blocked the road for an hour and I'm late for my job. A man and a woman both jumped over the train because it's been here so long.*

Callahan, FL

- *Roads have no access for medical attention if needed. All access to roads blocked due to train at two crossings stationary.*

Jacksonville, FL

- *Elementary school children standing, pushing each other after being let off of school bus - dangerous!*

Jacksonville, FL

- *This is the 2-3 time I've been stuck at this crossing for 2 hours or more, there are 2 exits from this location and both are blocked. People have a job to do and losing time is costly and inconvenient. Please do better.*

Atlanta, GA

- *This has been an ongoing problem in this area. The train sits for long periods of time causing pedestrians to have to climb over the coupler, which is very dangerous and the cars traveling in the area are inconvenienced causing them to have to detour.*

Atlanta, GA

- *This is the 23rd time this year that CSX has blocked Chappell Rd, a main artery for emergency services. Average blockage time for the 23 blockages is 1 hr 7 min. Fix this!*

Atlanta, GA

- *We are trapped. Road is flooded and train blocking.*

Seattle, WA

- *Trains regularly sit blocking the intersection for over an hour at night. It is over 2 miles to detour on foot or bicycle. Tonight 3/18/2022 it has been over an hour already. Multiple people have climbed through cars to get through the intersection. Cross*

Tampa, FL

- *This is a major US highway, CSX shows no concern for the economic impact this has on the people that have to go to work. 15-20 minutes is an acceptable time, almost an hour during the start of rush hour is not. This is not an isolated incident...*

Jacksonville, FL

- *This crossing is blocked daily and NS will not help. Someone is going to die as this is the only medical/fire access for 2 large businesses*

Converse, LA

- *Woman almost died after being smashed by an 18 wheeler. Train sitting on tracks for 40 minutes. Could not see traffic in any direction at 4 way due to massive amounts of 18 wheelers backed up.*

Plentywood, MT

- *FIRE DEPT WAS UNABLE TO CROSS TRACKS FOR A HOUSE FIRE, ALL 3 PLENTYWOOD CROSSINGS WERE BLOCKED*

Kingston, NY

- *This is a major commuting road in Kingston and they are blocking the road for over an hour, with one train completely stopped. This is a public road funded by taxpayers and we have the right to free travel, which CSX is impeding severely daily, causing several major safety issues. They should be audited immediately. This is a major commuting road in Kingston and they are blocking the road for over an hour, with one train completely stopped. This is a public road funded by taxpayers and we have the right to free travel, which CSX is impeding severely daily, causing several major safety issues. They should be audited immediately.*

Note: Edited lightly for clarity and grammar.