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New rule requires 2-person train crews



Biden-Harris Administration Announces Final Rule on Train Crew Size Safety Requirements to Improve Rail Safety

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Long-awaited rule enhances rail safety by generally requiring a second crewmember on Class I freight and passenger trains

WASHINGTON – Today, as part of the Biden-Harris Administration’s ongoing efforts to strengthen rail safety and hold railroads accountable, Secretary Pete Buttigieg announced that the U.S. Department of Transportation’s Federal Railroad Administration (FRA) has issued a final rule establishing minimum safety requirements for the size of train crews. The new rule enhances safety in the rail industry by generally requiring and emphasizing the importance and necessity of a second crewmember on all trains.

“Common sense tells us that large freight trains, some of which can be over three miles long, should have at least two crew members on board - and now there’s a federal regulation in place to ensure trains are safely staffed,” said **U.S. Transportation Secretary Pete Buttigieg**. “This rule requiring safe train crew sizes is long overdue, and we are proud to deliver this change that will make workers, passengers, and communities safer.”

A second crewmember performs important safety functions that could be lost when reducing crew size to a single person. Without the final rule, railroads could initiate single-crew operations without performing a rigorous risk assessment, mitigating known risks, or even notifying FRA. The final rule closes this loophole by establishing minimum standards and a federal oversight process to empower communities and railroad workers to make their voices heard by allowing for public input during FRA’s decision-making process on whether to grant special approval for one-person train crew



operations. In finalizing this rule, FRA reviewed and considered over 13,500 written comments received during the 146-day comment period—in addition to the testimony from a one-day public hearing.

“The volume of comments from rail workers and their families, as well as comments from the general public impacted by long trains and other issues, raised legitimate safety concerns that railroads, on their own, have not been able to adequately address,” said **FRA Administrator Amit Bose**. “Today’s final rule acknowledges the important role both crewmembers play in the safe operations of trains, and it comes at a time when the latest annual data reflects some troubling trends that demonstrate the need to improve safety. FRA is taking proactive steps to protect the public, workers, and communities where trains operate across the country.”

The final rule codifies train crew staffing rules at a federal level, ensuring that freight and passenger rail operations are governed by consistent safety rules in all states. This is an on-going issue as Ohio, Virginia, and Colorado, among others, have recently considered legislation to require two-person rail crews. In addition, the final rule contains some differences from the initial notice of proposed rulemaking in how it treats freight railroads, especially Class II and III freight railroads. In limited cases, the rule permits exceptions for smaller railroads to continue or initiate certain one-person train crew operations by notifying FRA and complying with new federal safety standards.

The final rule builds on the Biden-Harris Administration’s actions to improve the safety of our railways by deploying funding from the President’s Bipartisan Infrastructure Law, holding railroads accountable, raising rail safety standards, and supporting first responders and rail workers.

In 2019, the administration of then President Donald Trump withdrew a proposed regulation on crew staffing saying "no regulation of train crew staffing is necessary or appropriate for railroad operations to be conducted safely at this time."

