



**U.S. SENATE COMMITTEE ON
COMMERCE, SCIENCE & TRANSPORTATION**
Senator Maria Cantwell, Chair

**U.S. Senator Maria Cantwell
Senate Commerce, Science, and Transportation Committee
Executive Session
May 10, 2023**

Opening Transcript
[VIDEO](#)

Today we are here to consider a number of bills starting with the Railway Safety Act of 2023, introduced by our colleagues Senators Brown, Vance, Casey, Rubio, Fetterman and Hawley.

This bipartisan legislation is focused on learning the lessons from East Palestine and helping us to avoid future accidents.

No community should have to go through the trauma and evacuation and environmental damage that East Palestine had to go through, especially when you can prevent these from happening.

In the weeks after the derailment, a bipartisan group of senators visited East Palestine. They listened to the residents, to railway workers and first responders, and heard some of those people who then later testified before our committee last March. Through them we learned the lessons and need to make sure that we can implement better safety.

We learned from the East Palestine derailment that the improvement of detectors could help prevent ... future derailments. This legislation requires, for the first time, railroads to use these defect detectors with more frequency and makes it not just voluntary, but a requirement.

It also establishes rules for the minimum distance that they have to be placed, focusing on the fact that in urban areas is where you have great concern, and requires the implementation of those rules by the Federal Railroad Administration.

We learned that not enough trains carrying hazardous material are treated with care that they deserve. Under this legislation, more trains will be subject to stringent safety requirements, including trains carrying vinyl chloride gas. That was one of the elements in the East Palestine derailment.

In my home state, our communities are all too familiar with this issue. Derailments of trains operated by Class I railroads have doubled in the past 10 years. And this year alone, we've already seen one that leaked diesel into a sensitive ecosystem in Padilla Bay along the Swinomish tribal reservation.

People should not have to worry about what's being transported through their communities. Governor DeWine of Ohio said, "We don't truly know how much hazardous material is transported on Ohio rails every day, month or a year." This legislation requires railroads to share that information with states.

This legislation ensures properly trained mechanics will have the time that they need to do their job right. A Wall Street Journal investigation showed us that the current railcar inspection and maintenance practices aren't enough. Some railroads encouraged inspectors to spend as little as 30 seconds to inspect one side of a railcar. And to put it in some context, a railcar can be 65 feet long and there can be well over 100 cars. So this requirement also helps us to improve the inspection process.

We learned in the East Palestine incident that the conductor played a key role as a first responder. This legislation requires at least a two-man crew on board-- while the train can be as long as two miles long – and to have the person on board respond in the event of an emergency.

We learned that local firefighters need better equipment to fight hazardous materials while the Norfolk Southern is reimbursing first responders. I think everyone can agree that firefighters should never be left holding the tab. And this law makes more money available to those brave responders out of an existing program.

We're increasing the maximum fine for violating rail safety laws from \$100,000 to \$10 million. At our March hearing, East Palestine resident Misti Allison testified about the trauma she and her family endured. Ms. Allison had just lost her mother to cancer a few weeks before but she wanted to come to the Committee anyway. She wanted to tell us "I urge all of you to support common sense safety regulation so this doesn't happen again."

This is such an important bipartisan legislation. I thank our colleagues for their work on it. I thank our staffs for working on it. I know that we will continue to work on this bill as we move through the process. So I encourage all our colleagues to continue to stay posted so that we get this job done.