

118TH CONGRESS
2D SESSION

H. R. 9074

To amend title 49, United States Code, to require Class I railroad carriers to operate certain freight trains with 2-person crews, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2024

Mrs. SYKES (for herself and Mr. RULLI) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to require Class I railroad carriers to operate certain freight trains with 2-person crews, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Freight Act of
5 2024”.

6 **SEC. 2. FREIGHT TRAIN CREW SIZE SAFETY STANDARDS.**

7 (a) FREIGHT TRAIN CREW SIZE.—Subchapter II of
8 chapter 201 of title 49, United States Code, is amended
9 by inserting after section 20153 the following:

1 **“§ 20154. Freight train crew size safety standards**

2 “(a) MINIMUM CREW SIZE.—Except as provided in
3 subsection (b), no Class I railroad carrier may operate a
4 freight train without a 2-person crew consisting of at least
5 1 appropriately qualified and certified conductor and 1 ap-
6 propriately qualified and certified locomotive engineer.

7 “(b) EXCEPTIONS.—

8 “(1) IN GENERAL.—Except as provided in para-
9 graph (2), the requirement under subsection (a)
10 shall not apply with respect to—

11 “(A) train operations on track that is not
12 main line track;

13 “(B) locomotives performing assistance to
14 a train that has incurred mechanical failure or
15 lacks the power to traverse difficult terrain, in-
16 cluding traveling to or from the location where
17 assistance is provided;

18 “(C) locomotives that—

19 “(i) are not attached to any equip-
20 ment or are attached only to a caboose;
21 and

22 “(ii) travel not farther than 50 miles
23 from the point of origin of such locomotive;
24 and

25 “(D) train operations staffed with fewer
26 than a 2-person crew at least 1 year before the

1 date of the enactment of the Safe Freight Act
2 of 2024, except if the Secretary determines that
3 such operations do not achieve an equivalent
4 level of safety as would result from compliance
5 with the requirement under subsection (a).

6 “(2) TRAINS INELIGIBLE FOR EXCEPTION.—

7 The exceptions under paragraph (2) shall not apply
8 with respect to—

9 “(A) a high-hazard train; or

10 “(B) a train with a total length of at least
11 7,500 feet.

12 “(c) WAIVER.—A railroad carrier may seek a waiver
13 of the requirements under subsection (a) in accordance
14 with section 20103(d).

15 “(d) DEFINITIONS.—In this section:

16 “(1) HIGH-HAZARD TRAIN.—The term ‘high-
17 hazard train’ means a single train transporting,
18 throughout the train consist—

19 “(A) not fewer than 20 tank cars loaded
20 with a flammable liquid (Class 3) (as such term
21 is defined in section 173.120 of title 49, Code
22 of Federal Regulations, or successor regula-
23 tions);

24 “(B) not fewer than 1 tank car or inter-
25 modal portable tank load with a material poi-

1 sonous by inhalation or a material toxic by in-
2 halation (as such term is defined in section
3 171.8 of title 49, Code of Federal Regulations,
4 or successor regulations);

5 “(C) not fewer than 1 car loaded with a
6 type B package or a fissile material package (as
7 such terms are defined in section 173.403 of
8 title 49, Code of Federal Regulations, or suc-
9 cessor regulations);

10 “(D) not fewer than 10 cars loaded with
11 Class 1 explosives categorized under section
12 173.50 of title 49, Code of Federal Regulations
13 (or successor regulations) as being in division
14 1.1, 1.2, or 1.3;

15 “(E) not fewer than 5 tank cars loaded
16 with a flammable gas (as such term is defined
17 in section 173.115(a) of title 49, Code of Fed-
18 eral Regulations, or successor regulations); or

19 “(F) not fewer than 20 cars loaded with
20 any combination of flammable liquids, flam-
21 mable gases, or explosives.

22 “(2) MAIN LINE TRACK.—The term ‘main line
23 track’ means—

24 “(A) a segment or route of railroad
25 tracks—

1 “(i) over which 5,000,000 or more
2 gross tons of railroad traffic is transported
3 annually; and

4 “(ii) that has a maximum authorized
5 speed for freight trains in excess of 25
6 miles per hours; and

7 “(B) intercity rail passenger transportation
8 or commuter rail passenger transportation
9 routes or segments over which high-hazard
10 trains operate.”.

11 (b) CLERICAL AMENDMENT.—The analysis for sub-
12 chapter II of chapter 201 of title 49, United States Code,
13 is amended by inserting after the item relating to section
14 20153 the following:

“20154. Freight train crew size safety standards.”.

15 (c) PRESERVATION OF AUTHORITY OF SEC-
16 RETARY.—Nothing in section 20154 of title 49, United
17 States Code, as added by this section, shall be construed
18 to limit the authority of the Secretary of Transportation
19 under any other provision of law.

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