

June 9, 2023

Re: Railway Safety Act of 2023

Dear Senator:

Unlike single transportation modes, intermodal freight supply chains are comprised of distinct service providers that work in concert to complete intermodal movements. Each link is a vital component of the overall intermodal supply chain and must operate seamlessly and efficiently in order to uphold systemwide performance and productivity levels. It is deeply connected to consumer products, also moved by trucks and sold ultimately by retailers large and small. Railroad operators are one such critical service provider in the interconnected intermodal supply chain.

Naturally, ensuring safe rail transportation is of paramount importance to all stakeholders in the intermodal and retail ecosystem. After all, all Americans are ultimately affected by rail, and the success of the intermodal industry is dependent upon the safe transportation of cargo. Thankfully, rail transportation broadly and intermodal rail transportation is particularly safe. While railroads must work to further improve their safety record, 2022 Federal Railroad Administration train accident data indicates that both the mainline train accident rate as well as the hazardous materials accident rate are near all-time national lows.

As Congress debates rail safety legislation, the undersigned organizations urge you to evaluate carefully whether any data demonstrates that a given policy would actually improve safety and reduce accidents. For example, several provisions currently under consideration regarding train consist and length, crew size, and operating practices not only remain entirely untested but fail to recognize the day-to-day realities of intermodal operations as well as potential unintended consequences – particularly on supply chain fluidity. Such provisions are not supported by data and would likely disrupt industry modernization, competition, and efficiency. Moreover, many of these provisions are unrelated to the recent derailments and redundant with regulatory actions already underway.

In short, while rail shippers and intermodal providers vigorously promote rail safety, legislation should not substantially change the current laws without attendant safety benefits.

We appreciate your consideration of its views as well as your leadership on this important issue. We look forward to working with you toward our shared goal of enhancing intermodal supply chain safety, reliability, and efficiency. Please let me know if you or your staff would like to discuss our position in further detail.

Respectfully submitted,

American Apparel & Footwear Association  
<https://www.aafaqlobal.org/>

Consumer Brands Association  
<https://consumerbrandsassociation.org/>

Intermodal Association of North America  
<https://intermodal.org/>

Transportation Intermediaries Association  
<https://www.tianet.org/>