



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 100 (Substitute S-1 as reported by the Committee of the Whole) (*Senate-passed version*)
Sponsor: Senator Erika Geiss
Committee: Transportation and Infrastructure

CONTENT

The bill would amend the Railroad Code to prohibit a train engaged in transporting freight from operating unless the train was operated by a crew of at least two individuals. The bill's prohibition would not apply if the train were operating a locomotive in hostler service or in helper service or if Federal law or regulation was in effect requiring a train engaged in transporting freight in the State to have a crew of not fewer than two individuals.

Under the bill, "train" would mean one or more locomotives coupled with one or more freight cars. "Helper service" would mean assisting a train that is experiencing a mechanical failure or that is ascending or descending a grade by coupling a locomotive to the front or rear of the train. "Hostler service" would mean moving a train or locomotive a short distance within a railroad yard or mechanical facility.

Proposed MCL 462.352

BRIEF RATIONALE

Testimony before the Senate Committee on Transportation and Infrastructure indicates that, from January 2022 to April 2023, Michigan had five train derailments. Three involved dangerous materials, though none of the cars carrying them were breached; however, in February 2023, a train derailment involving 50 train cars near East Palestine, Ohio, led to the release of hazardous waste. Trains carrying non-hazardous waste also can cause harm if derailed. They may combust, crash into traffic or buildings, and more. To increase railroad safety, the U.S. Department of Transportation issued a rule mandating two-person crews in 2024.¹ Accordingly, it has been suggested that Michigan align its Railroad Code with Federal regulations.

Legislative Analyst: Abby Schneider

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 12-4-24

Fiscal Analyst: Bobby Canell

¹ Walker, Mark, "U.S. Finalizes Rule Requiring Two-Person Crews on Freight Trains", *The New York Times*, April 2, 2024.