

Testimony of

Randy D. Meek, Chairman

**Nebraska State Legislative Board
Brotherhood of Locomotive Engineers and Trainmen
(BLET)
Rail Conference Division of the International
Brotherhood of Teamsters**

On

LB 486

Transportation & Telecommunications Committee

Nebraska Unicameral

February 26th, 2007

Comments on LB 486
February 26th, 2006
Transportation and Telecommunications Committee

Honorable Senators:

My name is Randy Meek. I am Chairman of the Nebraska State Legislative Board of the Brotherhood of Locomotive Engineers and Trainmen, and the representative of approximately 1000 members who operate trains in the State of Nebraska and work on the Burlington Northern Santa Fe and Union Pacific railroads.

The bill before you today is similar to LB 1152 introduced last year by former Senator Matt Connealy and supported by us as well as the Maintenance of Way Employees union. LB 1152 was a pared down, more conservative bill than the Teamsters Rail Conference model bill it was patterned after, yet it did not get out of committee. LB 486 goes further in many areas than LB 1152 did and in one way, we feel it goes too far. We have spoken to Senator McGill about these concerns and believe they may be addressed later so we offer our support at this time.

It has been one year since we last visited railroad security and while we are closer to getting a national rail security bill passed, that has been the only visible progress. For those of us working on the railroads we see no change in conditions since the High Alert railroad security survey was completed. The one change we have seen recently is that the terrorists in Iraq are now using chlorine bombs routinely. We warned of the possibility of this occurring in the United States due to unguarded and unsecured shipments of these types of chemicals and now it appears even more likely.

I have included a copy of the High Alert survey and copies of my testimony from last year for your review. Also, we pre-submitted some comments on LB 486 to the clerk. The BLET is highly committed to the safety of our members and the public and continue to support sensible and practical measures to increase rail security.

We do have one primary concern with the bill as written. LB 486 would require locomotives to be shut down when unattended. A bill recently passed in California also requires this but is being challenged and is not yet effective. LB 1152 did not include this provision and

we believe it is not necessary and will have a detrimental effect on our members. In support of this position we offer the following points.

1. Shutting down locomotives will require all railroads operating in Nebraska to convert to an anti-freeze cooling system. Locomotives currently do not use anti-freeze and are drained if needed to be shut down in cold weather. This disables the locomotive from further use until the cooling system is refilled.
2. Requiring conversion of entire fleets of locomotives will likely be considered an interference with Interstate Commerce and overruled by the courts. The environmental hazard resulting from a leak of hundreds of gallons of anti-freeze containing coolant should also be considered.
3. Crews boarding trains being “off air” in excess of four hours will require crews walk miles inspecting trains per federally mandated rules. Walking conditions are often hazardous.
4. Crews boarding shut down locomotives will frequently be exposed to extremely hot or cold cab conditions that will not remedy for extended periods.

We believe that locking the cabs of locomotives will provide sufficient protection, additionally, security measures such as password protected access to computer operating systems could be used to prevent operation. It is also clear to us that anyone who has acquired sufficient knowledge to operate a locomotive will have no trouble re-starting it. It is usually as simple as pushing a button marked “start engine” that is clear view of the operator.

Thank you,
Randy D. Meek, Chairman,
NESLB-BLET/Teamsters Rail Conference
801 West Helen Circle
Lincoln, NE 68521
Phone: (402) 476-2913