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July 8, 2003

Washington Utilities and Transportation Commission  
1300 South Evergreen Park Drive Southwest  
Olympia, Washington 98504

Re: Proposed Adoption of WAC 480-62-320

Greetings:

I am writing in support of the adoption of WAC 480-62-320. I believe that this is an important first step in protecting the public from the hazards posed by the use of Remote Control Locomotive (RCL) technology.

My law practice includes the representation of many railroad employees in the Northwest, so I am very familiar with the safety and health hazards arising from railroad operations. RCL is, in my opinion, a risk-multiplier.

As used today by the Class I railroads, RCL is used to move long trains. Unfortunately, current railroad procedures do not always require that anyone be able to see ahead of the movement. This is especially dangerous because the cars in these long trains often do not have operating air brakes. Thus, the RCL operator may be unaware of traffic on public crossings or the main line, and, even if aware, may be unable to stop a train in time to prevent a catastrophic collision.

Another problem with RCL technology is that its use deprives the public of another set of eyes and ears. Conventional switching is generally done with two switchman and an engineer. The engineer is in the cab, some eight to ten feet above the ground, and at one end of the movement. One crew member is usually riding the other end of the train and the other is usually near by on the ground. All are in radio contact. The three together are usually able to see and avoid any hazard posed by people and equipment. In contrast, RCL crews consist of two people. Usually, one end of the moving train is unprotected. Moreover, the RCL operator must watch not only the train, but where he or she is stepping. Consequently, the ability of the RCL crew to be attentive to potential dangers to the public

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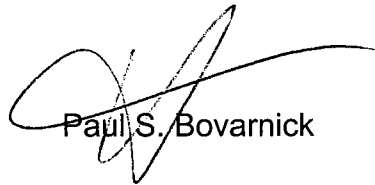
safety is attenuated, and much less than the attention to safety given by a conventional crew.

Finally, the safe operation of a train is much like the safe operation of a truck. Engineers, like truck drivers, must use all of their senses to handle the huge loads safely. Subtle changes in speed, acceleration and even engine noise all alert the engineer to potential problems, and allow the engineer to smoothly move the train. RCL operators are deprived of that sensory data. This is one of the reasons why there have been more than a dozen collisions and derailments in UP's Hinkle yard since it adopted RCL.

RCL poses serious risks to the safety of railroad employees and to the public. The proposed regulations help restore a small measure of safety in an increasingly dangerous industry.

Thank you for considering my comments. Please feel free to contact me if you have any other questions.

Very truly yours,



Paul S. Bovarnick