

# US transit agency launched safety probe before fatal New Jersey train crash

By Alan Whyte  
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The Federal Railroad Administration (FRA) began an audit of the New Jersey Transit rail system before Thursday's train crash in Hoboken, New Jersey, which killed one and injured more than 100 others.

In June, the FRA began an audit of the rail system and fined them nearly \$335,000, for 33 federal regulation safety violations in the years 2013 through 2015. Ten of these fines were for violations of passenger safety equipment. The FRA often inspects railroads, but an audit is much more serious and takes place when the agency observes serious safety issues. The state transit agency agreed to pay the fine.

The FRA had audited Metro-North Railroad in the aftermath of a derailment on December 2013 in New York that killed four passengers and injured more than 70. In this case, the agency found that the railroad had a culture that placed on-time performance ahead of the safety of both commuters and workers.

New Jersey Transit's disregard for safety has emerged as the major focal point for understanding Thursday morning's crash at the Hoboken terminal station. The commuter train was not prevented from speeding into and going over a protective bumping block at the end of the track and then smashing into a wall in Hoboken terminal station. The train ripped through three structural beams, causing the station's canopy ceiling to collapse onto a woman standing at the platform, killing her, and injuring 114 people, most of whom were in the train.

National Transportation Safety Board (NTSB) investigators on the scene, who are responsible for investigating the accident, have not yet been able to examine the commuter cars because portions of the roof collapsed onto the train. The investigators are also concerned about asbestos.

As a result, an event recorder and video recorder, which are located in the front of the train, have not been retrieved. Investigators were, however, able to retrieve an event recorder from the train locomotive that was pushing three cars from the rear of the train. As of yet, they have not been able to download the information in it and have contacted

the manufacturer for help. They hope to determine the train's speed and whether brakes were applied. The speed limit of that portion of the track is 10 mph.

NTSB investigators need to examine all the factors that could be involved, including the mechanical condition of the train, human performance, signals and the track. New Jersey Transit has identified the train engineer as Thomas Gallagher, 48, a 29-year employee. He was released from the hospital Thursday afternoon and is reported to be cooperating with authorities.

A central issue in the derailment is that NJ Transit has not installed a safety signal system called Positive Train Control (PTC), which automatically slows and stops trains for going faster than the allowable speed for a given track. NTSB Vice Chairwoman T. Bella Dinh-Zarr said that the agency has been calling for this technology to be installed for four decades. "We know that it can prevent accidents," she said. Indeed, the federal agency has determined that since 1969 PTC would have prevented 145 rail accidents that resulted in 288 deaths and 6,574 injuries.

After a collision between a commuter and a freight train killing 25 people in Los Angeles in September 2008, the US Safety Improvement Act of 2008 was passed mandating that all railroads have PTC in place. But Congress gave the rail companies until the end of 2015 to comply with the law. Despite the extreme leniency given to accomplish the task, rail companies have made very little progress in installing the safety system. Congress subsequently passed legislation extending the deadline until the end of 2018, without providing proper funding or imposing any penalties on the companies.

NJ transit has estimated that it will cost about \$225 million to install PTC. Federal officials have said that they gave NJ Transit a waiver from installing the system on the section of track where the train crashed Thursday if it could provide another system to prevent speeding by the required deadline to install PTC.

Another system that could be in place is called Automatic Train Control (ATC), which was supposed to have been

installed on the line by 2004. NTSB investigators will examine to see if any safety systems were installed. NJ Transit has refused to make any statement about this, and has given the official investigation as the reason for their silence.

NJ Transit is the third largest bus, rail and light rail transit system by ridership in the US, carrying 900,000 passengers each weekday, many traveling to and from New York and Pennsylvania. The system has been plagued by financial crisis and is currently \$45 million short on its operating budget for this year. Its board of directors has not met for three months and has also suspended its monthly public meetings.

The state legislature has not agreed on how best to impose a regressive sales tax to fund the state's Transportation Trust Fund, which provides more than one-fifth of NJ transit's annual budget. It has been estimated that the amount contributed to the fund is one-tenth of what it was in 2009.

As a result, Republican Governor Chris Christie, former candidate for the Republican nomination for US president and now a supporter of Donald Trump, had directed NJ Transit to suspend all highway and transit projects in the state, totaling \$2.7 billion. With this financial crunch, it is not surprising that according to a quarterly report filed in July with the Federal Railroad Administration, NJ Transit had not installed PTC in any of its 440 trains or any of its 11 routes as of June.

According to a report issued by a coalition of public interest groups in March, capital investing in the system fell 19 percent from 2002 to 2016, after adjusting for inflation, despite an estimated 20 percent increase in ridership on both trains and buses. Janna Chernetz, director for the Tri-State Transportation Campaign, has stated that state funding for the commuter system has been reduced 90 percent in the last 11 years.

Since 2011, Democrats and Republicans in the state legislature have imposed nearly \$400 million in budget cuts to NJ Transit. In July 2015, riders experienced a 9 percent fare hike combined with a reduction in services. NJ Transit spokesmen have consistently refused to answer reporters' questions about funding or anything else regarding the crisis in their system.

The deterioration of the system is revealed by the four times greater number of mechanical failures by mile as Metro-North and seven times as many as the Long Island Railroad. NJ Transit has 12 times more equipment failures than any other commuter railroad in the US.

Serious accidents in the system preceded the derailment in Hoboken. On August 19, the collision of a passenger bus with another empty one sliced one of them in half, killing

one passenger and one of the drivers. Two buses collided September 26, injuring dozens of passengers.

During a news conference Thursday afternoon, Governor Christie maintained, "We cannot answer whether any other apparatus or system [i.e., PTC or ATC] could have prevented [the accident]."

The entire point of installing the PTC or ATC technology, however, is to prevent accidents, irrespective of whatever caused this or any train to be traveling at excessive speed. The governor's statement is a cover-up for the budget cuts and lack of investment necessary to provide a safe rail transportation system.

As a result of the public spotlight on the New Jersey transit crisis, Christie agreed with Democratic legislative leaders on Friday to impose a gas tax hike of 23 cents a gallon to provide funding to the Transportation Trust Fund. A special session has been called for Wednesday to pass this tax hike, bundled with a number of other tax-law changes.

Jon Whiten, vice-president of New Jersey Policy Perspective, said: "These leaders have foolishly paired a big package of tax cuts that will disproportionately benefit the well-off New Jerseyans while decimating the state's ability to pay for essential services, promised obligations and other critical investments."

The infrastructure crisis is not limited to New Jersey or the nation's rail systems. The American Society of Civil Engineers has estimated that the country needs to spend trillions of dollars just to repair and maintain the infrastructure of rail, roads and bridges that now exists.

The drive for profits of the rail companies and other corporations, in collaboration with the government on both the federal and local levels, and the spending of trillions of dollars for war and bank bailouts instead of badly needed infrastructure maintenance and improvement throughout the country, is what is responsible for deaths, injuries and physical destruction in rail collisions and derailments.

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