



NEW YORK STATE SENATOR

David Carlucci

## Senator Carlucci Questions The MTA On Past Due Rail Safety Study

SENATOR DAVID CARLUCCI February 28, 2019

| ISSUE: [TRANSPORTATION](#)



**Albany, New York** – Senator David Carlucci (D-Rockland/Westchester) questioned the Metropolitan Transportation Authority’s (MTA) President and other top leaders on what they are doing to keep Metro North riders safe. Carlucci raised the question at a joint legislative budget hearing on transportation in Albany on Wednesday.

Carlucci said the New York State Department of Transportation (NYSDOT) has failed to produce a comprehensive safety review of all 5,304 railroad grade crossings in the state, which was due to the legislature on or by April 1, 2017.

The study was prompted by legislation passed by Senator Carlucci and Assemblyman Tom Abinait, following Metro North's deadliest train crash back in 2015 at the Valhalla Commerce Street Crossing. Five people on the train were killed and 15 people were injured, when the rush hour train collided with a driver whose SUV was stuck on the tracks.

Senator Carlucci asked why the MTA has not pressed the NYSDOT for the study.

“Right now, we as legislators, we are flying blind in terms of improving safety to residents in New York State. In fact, while fatalities have decreased on the rail lines in the United States, in New York we have seen a steady increase,” **said Senator Carlucci**. “What is being done from the MTA to first push the DOT to collaborate to get this report done? So has DOT worked with you to compile this comprehensive inventory of our rail crossings, and secondly what is the MTA doing on its own to protect our residents at these dangerous rail crossings?”

The **MTA's Managing Director, Veronique Hakim responded**, "So we collaborate with state DOT, you are quite right Senator on our grade crossing improvement programs. I will have to check on the status of the report you are referencing and glad to do that."

Hakim added that Metro North is advancing civil speed enforcement, which provides speed restrictions now at the Commerce Street Crossing in Valhalla. She also brought up the Positive Train Control (PTC) work that the MTA is implementing, which has been federally mandated.

**Senator Carlucci**, who was not satisfied with the response pressed the MTA further, "My concern with the Positive Rail Control is that we talk about meeting the absolute minimum

requirements by the federal government, and what that means is yes we are in compliance with these ridiculous guidelines by the federal government, which means no added protections to our commuters because right now on the Harlem line, there is no Positive Rail Control. So these are the concerns I have, I feel that we have done nothing to address this issue, and instead it's just being pushed under the rug."

**Hakim continued,** "Other things are in effect, system wide, civil speed enforcement, one example. Training and testing for sleep apnea of our train operators, another example, very critically important. We are at 100 percent compliance there. Working with occupational safety and health, in terms of those kinds of strategies, doing them, coordinating with state DOT on grade crossings as part of our program as well, and I will get back to you on that report."

Following the hearing, Senator Carlucci said he found it "shocking" that the MTA seemed unaware of the safety study until now.

"Considering it was signed into law by the Governor back in November of 2016, it's alarming their responses," he said.

Once the study is complete, Senator Carlucci explained it will allow the state to apply for any available funding to make safety upgrades, an important caveat he said in upgrading our rail grade crossings.

---

RELATED LEGISLATION

---

**2019-S147**

- 
- Introduced
  
  - ◦ In Committee Assembly
    - In Committee Senate
  
  - ◦ On Floor Calendar Assembly
    - On Floor Calendar Senate
  
  - ◦ Passed Assembly
    - Passed Senate
  
  - Delivered to Governor
  
  - Signed By Governor
  
  -

Requires the metropolitan transportation authority to contract with a certified public accountant for an independent forensic audit of such authority

January 02, 2019

In Senate Committee **Transportation**

Sponsored by **David Carlucci**

Do you support this bill?