

**AMENDMENT TO H.R. 2670**  
**OFFERED BY MR. DELUZIO OF PENNSYLVANIA**

At the appropriate place in title XVIII, insert the following:

1 **SEC. \_\_\_\_ . SAFE FREIGHT ACT OF 2023.**

2 (a) SHORT TITLE.—This section may be cited as the  
3 “Safe Freight Act of 2023”.

4 (b) FREIGHT TRAIN CREW SIZE.—Subchapter II of  
5 chapter 201 of title 49, United States Code, is amended  
6 by inserting after section 20153 the following:

7 **“§ 20154. Freight train crew size safety standards**

8 “(a) MINIMUM CREW SIZE.—Except as provided in  
9 subsections (b) and (c), a freight train operated by a Class  
10 I railroad may not be operated without a 2-person crew  
11 consisting of at least 1 appropriately qualified and cer-  
12 tified conductor and 1 appropriately qualified and certified  
13 locomotive engineer.

14 “(b) EXCEPTIONS.—

15 “(1) IN GENERAL.—Except as provided in para-  
16 graph (2), the requirement under subsection (a)  
17 shall not apply with respect to—

1           “(A) train operations on track that is not  
2           a main line track (as defined in section  
3           20173(a)(2);

4           “(B) locomotives performing assistance to  
5           a train that has incurred mechanical failure or  
6           lacks the power to traverse difficult terrain, in-  
7           cluding traveling to or from the location where  
8           assistance is provided;

9           “(C) locomotives that—

10           “(i) are not attached to any equip-  
11           ment or are attached only to a caboose;  
12           and

13           “(ii) do not travel farther than 50  
14           miles from the point of origin of such loco-  
15           motive; and

16           “(D) train operations staffed with fewer  
17           than a 2-person crew at least 1 year before the  
18           date of the enactment of the Safe Freight Act  
19           of 2023 unless the Secretary determines that  
20           such operations do not achieve an equivalent  
21           level of safety as would result from compliance  
22           with the requirement under subsection (a).

23           “(2) TRAINS INELIGIBLE FOR EXCEPTION.—

24           The exceptions under paragraph (2) may not be ap-  
25           plied to—

1                   “(A) a high-hazard train (as defined in  
2                   section 20155(a)); or

3                   “(B) a train consist with a total length of  
4                   at least 7,500 feet.

5           “(c) WAIVER.—A railroad carrier may seek a waiver  
6 of the requirements under subsection (a) in accordance  
7 with section 20103(d).

8           “(d) PRESERVATION OF AUTHORITY.—Nothing in  
9 this section may be construed to restrict the authority of  
10 the Secretary.”.

11           (c) CLERICAL AMENDMENT.—The analysis for sub-  
12 chapter II of chapter 201 of title 49, United States Code,  
13 is amended by inserting after the item relating to section  
14 20153 the following:

“20154. Freight train crew size safety standards.”.

