



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

SENATOR DEBBIE MAYFIELD
17th District

December 21, 2017

The Honorable Rick Scott
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

Dear Governor Scott:

I am writing to you today to express my deep concerns about the future of rail safety in the State of Florida. As I learn more about the train accident in the State of Washington, I cannot help but notice the similarities between the Amtrak Cascades passenger rail service and All Aboard Florida's Brightline passenger rail service. Not only do they share the same Siemens Charger locomotives, but they share similar speeds, similar tracks that support both freight and passenger trains, similar paths that include curves and a significant number of highway at-grade crossings, and similar opposition from impacted local communities who are concerned about safety. Also, like All Aboard Florida's Brightline passenger service, the Federal Railroad Administration evaluated this particular segment of the Amtrak Cascades project (a.k.a. Point Defiance Bypass) for both compliance with the National Environmental Protection Act (NEPA) and compliance with safety upgrades. However, despite Amtrak Cascades' compliance with the federal safety improvements, it derailed on its maiden voyage, killed three passengers and injured over 70 people.

I strongly believe we must learn from the Amtrak Cascades tragedy to ensure a similar accident does not occur in the State of Florida. Over the last two legislative sessions, I have sponsored bills that would place additional safety and transparency requirements onto passenger trains that operate in excess of 80 miles per hour. While I am committed to this legislation, I strongly encourage you to have the Florida Department of Transportation (FDOT) use its current authority to immediately address some very important safety concerns. Specifically, Section 335.141(2) (a), Florida Statutes, gives FDOT the regulatory authority over public railroad-highway grade crossings to reduce hazards. Moreover, according to the FDOT Rail Handbook (2012), the Highway-Rail Grade Crossing Safety Improvement Program is designed to:

- (1) Identify public highway-rail grade crossing locations needing improvements;
- (2) Enhance safety through installing or upgrading public highway-rail grade crossing warning devices, circuitry, and/or surfaces;
- (3) Conduct corridor reviews identifying roadway and signalization improvements to reduce hazards;
- (4) Identify redundant and unnecessary public highway-rail grade crossings for potential elimination; and
- (5) Evaluate effectiveness of safety improvement projects.

In closing, I encourage you to please review and support Senate Bill 572, *High-Speed Passenger Rail Safety Act*. I recognize that the current practice in place allows the Federal Rail Agency to regulate and have oversight of rail safety, but after Monday's tragedy in Washington State, it is clear that we must take the responsibility and take complex to protect Florida from the same type of tragedy. A high-speed passenger rail system requires a very complex

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infrastructure in order to ensure the safety of the passengers as well as the communities they will travel through. We should not rely solely upon the Federal Government for the oversight needed to protect the citizens of Florida. Rather, we can and should use the authority bestowed to FDOT to make certain every precaution is made to protect public safety.

Thank you for your consideration.

Sincerely yours,



Debbie Mayfield
State Senator, District 17

CC President Joe Negron, Florida Senate
Speaker Richard Corcoran, Florida House of Representatives
Secretary Mike Dew, FDOT
Representative Erin Grall
Representative MaryLynn Magar

REPLY TO:

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 1801 27th Street, Vero Beach, Florida 32980 (772) 226-1970
 324 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5017

Senate's Website: www.flisenate.gov

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January 22, 2018

The Honorable Governor Rick Scott
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

Re: Safety of All Aboard Florida/Brightline Passenger Rail Project

Dear Governor Scott:

I write regarding the safety of the All Aboard Florida (AAF)/Brightline passenger rail project. This project is of great concern to many of the residents of the Treasure Coast, and I share their concerns.

On December 21, 2017, Senator Mayfield wrote to you expressing her deep concerns about the future of rail safety in the State of Florida. The Senator strongly encouraged you to have the Florida Department of Transportation (FDOT) use its current authority to immediately address very import safety concerns. That letter has been unanswered.

Late last week, AAF/Brightline began running its passenger trains along Phase I (Miami to West Palm Beach). In less than one week, two individuals have been killed by the train. These tragic deaths exemplify the concerns I have with the safety of this project, and I follow the Senator in urging you to have FDOT examine these incidents and the safety of AAF/Brightline, including its many at-grade crossings. These problems will only be exacerbated when AAF/Brightline operates up to 110 mph in Phase II from West Palm Beach, through the Treasure Coast, to Orlando.

AAF/Brightline trains use the tracks of the Florida East Coast Railway (FECR), meaning higher speed AAF/Brightline trains will be sharing the tracks with longer, slower freight trains. According to fatality reports from the Federal Railroad Administration (FRA), there have been 105 deaths along the 351 mile FECR corridor since 2011.

Most recently, since AAF/Brightline began its test runs, there have been four additional fatalities since July 2017 (the most recent two included) when individuals were hit by AAF/Brightline trains.

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Vero Beach, FL 32960
(772) 226-1490

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In addition, last year an AAF/Brightline train derailed during a test run, resulting in \$408,000 of equipment damage.

The time is now for you to have FDOT investigate the safety issues related to AAF/Brightline.

Sincerely,

A handwritten signature in black ink that reads "Peter D. O'Bryan". The signature is written in a cursive style with a large, stylized initial "P".

Peter D. O'Bryan

Chairman

Indian River County Board of County Commissioners