



For Immediate Release

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Statement by CARE FL

Re: Federal Rail Administration Safety Office letter to All Aboard Florida detailing the FRA's position on safety requirements in the Treasure Coast Region

Stuart, Fla. – “From its inception, Citizens Against Rail Expansion in Florida (CARE) has believed that threats to public safety are among the most concerning aspects of the proposed All Aboard Florida (AAF) passenger rail project and related increases in freight rail.

“With respect to safety requirements at grade crossings, AAF has sought to dictate the terms of what it will and will not do, with little to no regard for Federal Railroad Administration (FRA) safety guidelines.

“On November 3, 2015, Martin County – which shares the same safety concerns as CARE – pointed these concerns out to AAF in a letter that highlighted the County’s safety priorities and its belief that AAF must install and pay for these critical items. These priorities include the use of Vehicle Presence Detection (VPD), Remote Health Monitoring (RHM) and Positive Train Control (PTC), and the importance of sealed corridor treatments and pedestrian crossing improvements, to name a few.

“Not surprisingly, AAF never responded to Martin County’s letter. CARE later learned that the FRA Safety Office sent a [letter](#) to AAF in December 2015 detailing the agency’s position on safety requirements, which prompted CARE – along with Martin County, Indian River County, and U.S. Congressman Bill Posey (R-FL-08) – to request a copy of that communication in order to better understand the steps FRA will require AAF to take to ensure public safety.

“Last week, the FRA provided us with its response to Rep. Posey, and we are grateful and appreciative of the Congressman’s leadership on this issue. Now that the letter to AAF has been made public, it is important to note that we now know the FRA Safety Office absolutely rejected the railroad’s grade crossing design plans for failing to meet safety guidelines, even

though the rest of the U.S. Department of Transportation (DOT) is fully supportive of the AAF project.

“The letter states: “FRA has determined that the highway-rail grade crossing plans submitted by AAF **do not conform** to the highway-rail grade crossing treatments in the FEIS...We also disagree with AAF’s assertion that AAF’s alternatives comply with FRA’s sealed corridor guidelines.”

“The FRA Safety Office letter clearly rebukes the commitment from AAF President Michael Reininger with respect to the railroad’s grade crossing obligations. It states: “We are pleased to hear from Mr. Reininger that AAF is not ‘resistant to grade crossing improvement obligations.’ Based on that understanding, and communications from Under Secretary Rogoff and FRA Administrator Feinberg to AAF, we expect AAF to comply with the grade crossing treatments in the FEIS.”

“In the letter and accompanying seven-page document, the FRA Safety Office recommends that AAF equip all automatic highway-rail grade crossing warning systems with RHM technology. It also stresses the importance of VPD and dismisses AAF’s assertion that the technology is unreliable in areas where lightning is present. Further, the FRA Safety Office rejects AAF’s assertion that reducing the length of non-traversable medians (designed to discourage motorists from driving around the gates) is an acceptable safety alternative, and notes the requirement that AAF install exit gates at locations where it cannot achieve the required 100 feet of non-traversable median curbing.

“These are just a few examples of the important information included in the FRA letter and attachment, and the Safety Office positions revealed in these documents are a clear example of the work CARE and the Counties have been undertaking. CARE, the Counties and their legal teams have consistently and forcefully stressed to AAF and the FRA the need for specific actions to ensure public safety, and the positions set forth by the FRA – again, an agency that in the past has not hidden its support for the project – are encouraging.

“It is unfortunate that the FRA only responded to Rep. Posey after AAF was given time to take corrective action and resubmit grade crossing plans in a manner intended to lead the public to believe that all safety concerns had been appropriately resolved. That said, we are appreciative that the FRA Safety Office seems to take seriously its responsibilities with respect to this project, as the rest of the Department of Transportation has often appeared not to.

“Let us be clear, this FRA Safety Office action doesn’t make the Brightline railroad safe. Below is a list of things we still don’t know, or things that we believe will never be fixed.

- 1) It is still not clear what is contained in the plans. We only have plans for the intersections, but have not seen plans for the area in between, for example, safety guidelines suggest certain areas be fenced in.
- 2) It still leaves the community paying for the upkeep forever after it is installed by them.
- 3) If no sidewalk currently exists but people need one, AAF’s position is that the community pay for its installation; or if residents are clearly transiting the tracks, e.g.,

you can see wear pattern where they walk, no crosswalk will be built for them, unless the community funds it.

- 4) If the train's speed falls below 80 miles an hour, but is still much higher than today's 33 mph average, will they install safety equipment at those intersections?

"If this railroad were to be built, AAF has demonstrated it will not take responsibility and act safely unless forced to do so.

"To be clear, **CARE continues to oppose the ill-conceived AAF project** – not only for safety reasons, but also because of the detrimental impact it will have on our community's maritime economy and overall quality of life. But if the project moves forward, we strongly believe that the long-term costs of maintaining the safety features critical to protecting the public should not be heaped on the local taxpayers into perpetuity."

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CARE FL is a coalition created by a group of concerned community leaders, organizations and neighbors in South Florida and the Treasure Coast. Our group continues to grow. We share a common goal: Protecting the safety, welfare and way of life for the families, businesses and retirees who live in and around our communities. To learn more about CARE FL's concerns, visit www.care-fl.com or www.saveourfl.com and follow us on Twitter @CARE_FL or like us on [Facebook](#).