



## March 2018 Update

### **A Safety Update for Our Communities** *Dangerous and Deadly Incidents Will Continue*

As deadly incidents involving All Aboard Florida (AAF)/Brightline trains continue to occur on an alarmingly regular basis on the limited Phase I route, we want to remind our communities of what we believe to be the primary public safety concerns at the many inherently dangerous **at-grade crossings** along the proposed route of this ill-conceived project.

In January, AAF/Brightline launched limited Phase I service between West Palm Beach and Ft. Lauderdale. Along this 46-mile route, fatalities and other incidents have occurred, and will continue to occur without a significant commitment to vital safety upgrades from AAF/Brightline.

On March 10, an incident occurred in Deerfield Beach, in which an AAF/Brightline train hit a car that was stopped on the tracks. Fortunately, the driver was able to exit the vehicle and survived. Had she not gotten out of the car, it would have likely been a different outcome, given that the car appears to have been totaled.

This incident appears to be similar to an incident that occurred in Boca Raton on February 14, in which another car was hit by a train. However, in that instance, the elderly driver—who was in his vehicle stopped for a red light when the crossing gates went down—was injured, as he was unable to get out of his vehicle before it was struck.

These incidents are *precisely* what CARE FL feared would routinely happen at the at-grade crossings along the AAF/Brightline route. When traffic builds at intersections near the crossings, motorists can inadvertently get caught on the tracks due to the changing of a traffic signal when the traffic suddenly stops, leaving a car on the tracks between the signaling device. These Floridians are not intentionally placing themselves on the tracks, but they can be caught there due to traffic when the crossing gates come down in front and behind as a train approaches, with other cars blocking the exits. At that point, motorists have just seconds to abandon their vehicles to save their lives. In the March 10 incident, it appears the motorist was able to do so, but, unfortunately, in the February 14 incident involving the elderly driver he was in the vehicle when the train stuck.

CARE FL's concerns with the at-grade crossings along the proposed Phase II route from West Palm Beach to Orlando have already become a reality south of us along Phase I in the two months that AAF/Brightline has been operational. These incidents have occurred on just a 46-mile route, and adding the remainder of Phase I (Ft. Lauderdale to Miami) and Phase II (West Palm Beach to Orlando) would bring the total route to 235 miles—significantly increasing the possibility of more dangerous incidents at the at-grade crossings.

These frightening and often tragic incidents must serve as a renewed call to action for our communities. We must continue to speak out against Phase II, in which high speed trains would be barreling through our communities at speeds of up to 110 mph (maximum speed along Phase I where

these incidents have already occurred is 79 mph, by comparison), endangering the motorists, bicyclists and pedestrians that cross the tracks multiple time per day every day.

When looking at train incident data from the Federal Railroad Administration (FRA), it is difficult to gauge the true number of fatalities that take place along the Florida East Coast Railway (FECR) tracks each year. This is because deaths that are ruled suicides are excluded from the annual fatality data that is compiled by the FRA and publicly available.

The non-suicide fatality data that *is* included in FRA's incident reports indicates 107 fatalities and 191 injuries from 2011-2017 along the FECR corridor (a 351mile track):

• 2011:	18 fatalities	14 injuries
• 2012:	12 fatalities	25 injuries
• 2013:	12 fatalities	25 injuries
• 2014:	13 fatalities	31 injuries
• 2015:	16 fatalities	30 injuries
• 2016:	20 fatalities	33 injuries
• 2017:	16 fatalities	33 injuries
• <b>Total:</b>	<b>107 fatalities</b>	<b>191 injuries</b>

The above list is specific to FECR. It does not include the five AAF/Brightline fatalities that have occurred—in July 2017 and November 2017 during test runs, and after limited Phase I service began, on January 12, 2018, on January 17, 2018 and on March 11, 2018. Several of the five fatalities may be suicides. CARE FL is saddened by these reported suicides that have occurred on the tracks. But without appropriate fencing, both accidental deaths and suicides will continue to occur.

### ***A Positive but Incomplete Safety Update from Tallahassee***

Currently, Florida has no laws or regulations addressing the safety of high speed trains. The work of CARE FL—along with Indian River and Martin Counties—has resulted in the Florida Legislature's inclusion of language in the state budget directing the Office of Program Policy Analysis and Government Accountability (OPPAGA) to commission a study to examine existing and planned passenger rail operations, including high-speed passenger rail, in Florida.

The study language was proposed by Senator Debbie Mayfield and the Florida Senate following the unprecedented series of deaths and injuries in six separate incidents in which individuals were struck by AAF/Brightline high speed trains currently running between West Palm Beach and Ft. Lauderdale. The language was included despite efforts and politicking by AAF to kill any measure related to rail safety this session.

The AAF/Brightline project proposes to send 32 new 80-110 mile per hour passenger trains, and more and longer freight trains, along the FECR corridor. The deaths and injuries, which occurred at the at-grade rail crossings in South Florida, clearly demonstrated the urgent need for safety measures to protect those who cross the tracks every day.

The AAF/Brightline high speed rail project will significantly increase the number and speed of trains passing through nearly 350 at-grade road crossings along the FECR corridor, 28 of which are located in Martin County and 31 of which are located in Indian River County, posing more dangers and opportunities for accidents between trains and vehicles, bicyclists and pedestrians.

The OPPAGA study will include the following:

- An overview of the Florida Rail System, including existing and planned passenger rail and high-speed passenger rail operations in the state, and identification of existing and planned passenger rail and high-speed passenger rail stations, corridors, and associated railroad-highway crossings.
- An overview of the jurisdiction of federal, state, and local governments to regulate passenger rail and high-speed passenger rail operations.
- A review of data relating to incidents, including resulting injuries and fatalities, involving passenger rail and high-speed passenger rail operations in this state.
- Recommendations to further enhance passenger rail and high-speed passenger rail safety in this state, including a review of current crossing signalization, grade crossings and separations, corridor protection, public education and awareness, and coordination with local law enforcement and emergency management officials.
- Recommendations to further improve passenger rail and high-speed passenger rail in this state.

According to the language, the final report will be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2018.

The language authorizing the study, contained in the state budget bill, was received by Governor Rick Scott on Wednesday, March 14, 2018, and awaits his approval. The governor has 15 days to act.

#### ***Litigation Update***

Our next update will be devoted to litigation and congressional oversight of the AAF/Brightline project. Stay tuned!

#### **In Case You Missed It**

[Click here for all the news stories about All Aboard Florida/Brightline.](#)

#### **Interested in Helping?**

We ask that you continue to stand with CARE FL in opposing AAF. The fight is not over – and winning it is up to us! To get the latest news or to sign up for our monthly updates, please visit our website [www.saveourfl.com](http://www.saveourfl.com) or like/follow our [Facebook page](#). You can also follow us on [Twitter](#)

#### **WE NEED YOUR HELP NOW MORE THAN EVER!**

We would love to hear from you and if you care to **make a contribution** we've made it easy –just [click here](#).

Please continue to share these updates with your family, neighbors and friends. And keep an eye out for our monthly updates and possible calls to action.

Thank you for your continued support.

#### **Together We Can Make A Difference!**

Brent P. Hanlon  
Chairman, CARE FL