

Congress of the United States
Washington, DC 20515

May 21, 2024

Amit Bose, Administrator
Federal Railroad Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Administrator Bose,

As the Member of Congress representing the City of North Tonawanda, New York, and as a member of the House Homeland Security Subcommittee on Transportation & Maritime Security, I write to request an expedited and transparent investigation by the Federal Railroad Administration (FRA) into the cause(s) of the collision between an Amtrak passenger train and a passenger vehicle on at a CSX at-grade crossing on Felton Street in North Tonawanda on the evening of Friday, May 17th, 2024. This tragic incident claimed the lives of a 69-year-old man, 66-year-old woman, and a 6-year-old boy.

As you know, at-grade crossings see more than 200 fatalities occur nationally each year.¹ More must be done to ensure the safety of both passenger and freight rail, as well as the general public. I respectfully request that following a detailed investigation into this incident, FRA provides new safety guidance so that Congress may act to save lives.

FRA typically investigates train accidents that meet various criteria.² Of these criteria, this incident appears to meet three:

- Highway-rail grade crossing collisions resulting in three or more motor vehicle occupant fatalities
- Incidents involving Amtrak passenger trains, and
- Incidents that arouse considerable public interest.^{3 4 5}

According to public data from the FRA, North Tonawanda has eighteen at-grade crossings⁶, from which there are twenty-five accident/incident reports available. At this specific crossing at Felton Street, there are records of one previous fatality and two previous injuries. This specific intersection sees an annual average daily traffic of more than 2,500 vehicles on Felton Street and nearly 15,000 vehicles on River

¹ <https://railroads.dot.gov/railroad-safety/divisions/highway-rail-crossing-and-trespasser-programs/railroad-crossing-safety>

² <https://railroads.dot.gov/sites/fra.dot.gov/files/2019-11/FRA%20Accident%20Investigation%20Fact%20Sheet.pdf>

³ <https://www.audacy.com/wben/news/local/investigation-continues-into-fridays-tragic-train-accident-in-north-tonawanda-that-killed-three-people>

⁴ <https://www.wgrz.com/article/news/local/officials-in-north-tonawanda-provide-update-on-deadly-train-collision/71-6370c86a-aebf-4243-8c6e-6ef1d8ed2f26>

⁵ <https://www.wivb.com/news/local-news/niagara-county/north-tonawanda/vehicle-crushed-after-being-hit-by-amtrak-in-north-tonawanda/>

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<https://safetydata.fra.dot.gov/officeofsafety/publicsite/crossing/XingLocResults.aspx?state=36&countycity=063%2c&railroad=&reportinglevel=ALL&radionm=County&street=&xingtype=3&xingstatus=1&xingpos=1>

Road, according to the latest data from the New York State Department of Transportation.⁷ In addition, this street is commonly used by local residents to access North Tonawanda's growing waterfront, including the popular multi use path located along River Road, leading to Gratwick Riverside Park. Lastly, this is the second fatal accident at a North Tonawanda railroad crossing in the past year.⁸ Accordingly, the public would benefit from an expedited review of this incident, including recommendations from FRA to the owner, CSX, on methods that can reduce the likelihood of future accidents like this.

For these reasons, I respectfully request an expedited and transparent review into the Amtrak passenger train-passenger vehicle collision that occurred on May 17th, 2024.

Thank you for your attention to this important matter. Should you have any questions, I welcome your call.

Sincerely,

A handwritten signature in black ink that reads "Timothy M. Kennedy". The signature is written in a cursive style with a large, sweeping flourish at the end.

Timothy M. Kennedy
Member of Congress, NY-26

⁷ <https://nysdottrafficdata.drakewell.com/publicmultinodemap.asp>

⁸ <https://www.yahoo.com/news/car-struck-amtrak-train-north-224700895.html>