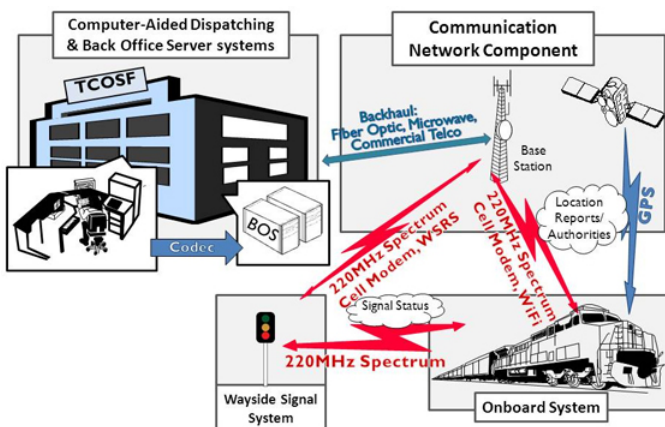


In a recent column, [George Will](#) uses positive train control as a poster child for the evils of government regulation, while also complaining about the “democracy deficit” of agency regulations. Actually, his two points contradict each other. Positive train control is really an example of democracy in action rather than bureaucratic excess — an automated safety system specifically mandated by Congress and moving forward in its present form only because Congress gave the agency and the White House no flexibility to modify the requirement.

If anything, positive train control is an illustration of why it may be a bad idea for Congress to write regulations rather than leaving that to the professionals, the opposite of Will’s larger point. Never mind that, however. George Will undoubtedly subscribes to Emerson’s view that inconsistency is the hobgoblin of small minds, not a concern for vaster intellects such as newspaper columnists.

Putting aside the internal inconsistency of Will’s column, it does prompt an interesting question. The cost-benefit analysis for positive train control is really terrible, at least in terms of safety benefits. Yet, as Will points out, the railroads didn’t really oppose the law in the first place. And even today, they’re not calling for total repeal, just some exemptions, a later deadline, and more flexibility. (Look [here](#) for more about the dispute.) The reason may be that positive train control is actually a first step toward making the rail system a kind of smart grid, incorporating more information technology and allowing much better operator control of the system. That’s something that the industry would like to do.



### How Positive Train Control Works

You can see from this diagram that the essence of positive train control is embedding IT in the rail system, as opposed to the current reliance on 1950s technology like radio calls between the engineer and the dispatcher. As [GAO](#) reports, positive train control could establish a uniform foundation for a more advanced system called communications-based

train control (CBTC). For this reason, the Federal Railway Administration actually projects \$4 billion per year in business benefits to the railroads once CBTC is in place. Thus, even though the safety benefits of positive train control may be limited, it could still end up being quite beneficial to the nation's rail system. This may account for the "mend it, don't end it" stance of the industry. Of course, they could still move toward CBTC without the regulation, but the advantage of the regulation is that it allows the industry to move forward based on a uniform platform, which is needed because trains and tracks aren't always owned by the same companies.

It's a little hard to know what to make of the example of positive train control. Maybe this is a bad strategy for creating a smart rail system, or maybe it isn't. Given that the industry isn't trying hard to abolish the whole thing, my guess is that this strategy has some advantages. In any event, is a terrible example for those who fear rampant bureaucratic abuse. In this case, the bureaucrats are just doing what our elected representatives told them to do. And while the legislative mandate may have started as an overreaction to a serious accident, as Will claims, in the end it might be a pathway toward a technological upgrade of the transportation system.