



House of Commons Standing Committee on Transport, Infrastructure and Communities
Prepared Remarks for January 26, 2023 Meeting

Good afternoon,

My name is Tim Hayman. I'm the president of Transport Action Atlantic (TAA), and a board member of Transport Action Canada (TAC). Transport Action is a non-profit organization advocating for convenient, affordable and sustainable public transportation, with a particular focus on passenger rail.

I was also one of the hundreds of VIA Rail passengers affected by train delays and cancellations on December 23, 2022.

While much attention has been focused on incidents in the Quebec City-Windsor Corridor, VIA Rail's eastern trains (the Ocean, which runs between Halifax and Montreal) also suffered issues as a result of the winter storm, and the failure of the infrastructure owner, or host railway – namely, Canadian National, CN – to effectively provide safe passage for the VIA trains that operate on their network.

I was travelling home on board VIA train #14, which was scheduled to depart Montreal at 19h00 on December 23. Our train departure was initially delayed by over 11 hours, as we were informed that a section of the line ahead (on the Mont-Joli subdivision) was impassible and this delay was needed to provide CN adequate time to re-open the line.

When we finally departed, we would make it only as far as Rivière-du-Loup, when we were informed that CN repair crews had reportedly called it quits for the day (fortunate, as they were, to go home for Christmas Eve!), and wouldn't return until sometime on the following day. With apparently no other option short of an overnight layover in Rivière-du-Loup, our train was sent back to Montreal, arriving after 03h00 on Christmas Day, exactly where we started over 30 hours after our scheduled departure.

Passengers on the westbound train #15 from Halifax fared no better, as their train was left stranded for as many hours at Campbellton NB, before being sent back to Halifax.

I was fortunate enough to find a flight home late on Christmas Day (at significant personal expense), but many passengers simply saw their plans to visit family for the holidays forfeited entirely, and were in some cases left waiting in Montreal for several days due to train cancellations in the Corridor.

My experience and those faced by other passengers raised a number of questions, which are applicable and need to be asked about the issues affecting both the Ocean, and VIA's Quebec City-Windsor Corridor trains. In short:

- First, what was the exact nature of the issues making train lines impassible, and in the specific case of the Mont-Joli Subdivision, why were CN crews unable to clear the line as expected?
- What efforts did CN make to prioritize opening rail lines and avoiding stranding VIA trains and their passengers?
- What contingency planning does CN have in place for these scenarios, and how did their efforts here compare to the efforts that would be made to clear a high priority freight line? In particular, how do holidays such as Christmas affect the ability to provide crews to maintain rail operations?
- In the case of stranded Corridor trains, what prevented CN locomotives and crews from Oshawa and Belleville yards being dispatched to assist?
- There are reports of power failures affecting CN's level crossing protection and signal systems; are sufficient backup supplies in place to maintain these critical safety systems during power failures?
- Was there any consideration of alternative routings for VIA trains (i.e. over the Napadogan Subdivision through New Brunswick, or parallel Canadian Pacific lines in the Corridor)?
- Does VIA have recourse within their train service agreements with CN to seek compensation for a failure to move its trains in a timely fashion, or to their destinations at all? How could this train service agreement be strengthened in the future to provide sufficient priority for VIA services?
- In terms of VIA's own planning, what more could be done to ensure trains are stocked with adequate emergency supplies (e.g. food and water)? Are on board staff adequately trained and prepared for dealing with these situations? How can VIA improve communications and sharing of information with passengers? Transport Action has previously written to the Railway Association of Canada, on



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September 21, 2022, calling for changes to improve protections for stranded passenger trains.

- What considerations did VIA management give to alternative transportation for passengers to ensure they could reach their destinations?
- Finally, VIA is to be commended for their commitment to an internal investigation, and for their willingness to appear before this committee. Has CN made any such commitment to investigate their own performance? Will they testify before this committee?

In closing, Transport Action believes the abysmal performance of Canada's tattered passenger rail system this holiday season should be grounds for a full investigation, beginning with the work of this committee, to determine where government, VIA Rail management, and the host railways have failed, and to recommend immediate action to address this national embarrassment. We hope that actions under consideration will include 1) better contingency planning at VIA Rail, 2) a reexamination of the train service agreement between VIA and CN, 3) adequate government funding to VIA Rail to address equipment and staff shortages that contributed to this situation, and 4) an exploration of adopting passenger protection standards for rail passengers, whether through policy or legislation.

Thank you for the opportunity to address the Committee. I will be happy to take any questions you may have.

Tim Hayman
President
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