

## Gallegly proposes payout increase

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U.S. Rep. Elton Gallegly has joined the victims of the Sept. 12, 2008 Metrolink train crash who say a \$200-million liability cap for railroad accidents isn't enough.

Gallegly introduced a bill that would raise the amount to \$500 million three weeks after the Metrolink board established the \$200-million fund that would ultimately be used to settle the lawsuits brought by victims of the 2008 crash.

The bill mandates that the larger pot would only apply to incidents in which gross negligence was at play, which would include the Sept. 12, 2008 collision. An investigation by the National Transportation Safety Board found that engineer Robert Sanchez, who died in the crash, was texting a young rail enthusiast when he ran a red light and collided with a freight train.

Sanchez had been reprimanded twice before for using his cellphone while on duty. And on previous occasions, the Metrolink engineer had allowed unauthorized people to join him in the locomotive cab and operate the train.

"It's devastating," Gallegly said. "I don't think there's ever been an issue at home that could begin to compare, emotionally.

"I've walked through this, and there are a list of people with medical bills more than \$1 million. And that doesn't even go into the issue of the 24 people killed. That's going to impact (their families) for the rest of their lives. Who's going to make up for the loss of a father?"

Twenty-five people, including the engineer, were killed and more than 130 injured in the crash when the northbound train collided with a Union Pacific freight train just past the Chatsworth station in the San Fernando Valley.

Southern California Metrolink and Connex, the company that contracted the engineer, established the \$200-million pot late last month.

Metrolink Chair Keith Millhouse said he couldn't comment on how much Metrolink, a public entity, or Connex, a French company that made billions last year, paid into the fund—he only confirmed that it was "a collection of funds."

“This is a private company that made \$50 billion last year,” Gallegly said, referring to Connex. “They have hundreds of millions of dollars beyond what they need in insurance. And it doesn’t really matter whether they made \$100 billion or 3 cents. This is a matter of fairness, a matter of life. This is about making a bad situation better.

“We’re talking about some ruthless people here.”

Millhouse, who is also a Moorpark City Council member, said he has “great respect” for Gallegly and his leadership over the years but that he couldn’t say much on the proposed legislation.

“The board of directors of Metrolink has not taken any formal action on any proposed legislation, so I’m not authorized to comment,” Millhouse said. “The goal . . . was to make available the maximum level of funds to injured and deceased passengers and families on an accelerated basis. Beyond that any action is outside of my control.”

Currently, \$200 million is the maximum potential-for-liability amount available for railroad accidents under federal law, instituted as part of the Amtrak Reform and Accountability Act of 1997.

If the bill passes, the plaintiffs will have the opportunity to decide how the money is distributed. If they are unable, the court will distribute the monies as it deems equitable, Millhouse said.

“It will likely involve them presenting their unique situations to the court,” he added.

Twenty-one of the victims were from Ventura County, including 10 from Simi Valley, four from Moorpark and two from Camarillo, all cities represented by Gallegly’s congressional district.

“The more involved I get, the stronger I feel about the equity. . . .” Gallegly said. “It’s heartwrenching.”

Eleven House members, six Democrats and five Republicans, have co-sponsored the bill.

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