Op-Ed Criticizes Attempts to Overregulate Freight Rail

A recent editorial on The Hill website knocked attempts by lawmakers in Washington, D.C. to introduce rules requiring two people in all train cabs at all times. Russ Brown, CEO of RWP Labor and member of the board of directors for the North American Transportation Employee Relations Association, argues that while the Trump administration is largely working to decrease the number of government regulations, these particular efforts to dictate freight rail operation personnel are “misguided” and “unsupported by facts.”

As Brown points out, the proposals put forth in Congress assume that more people in a cab automatically means a safer train, but there is no evidence to support that argument. In fact, Federal Railroad Administration data shows the freight rail industry had record lows last year in accidents caused by track or human failures, driven largely by efforts of rail companies and their employees to improve safety.

ASLRRA agrees with Brown’s points, noting the impressive safety record of short line and regional railroads – including no fatal accidents in over a year. ASLRRA also supports Brown’s assertion that the government’s embrace of ideas like autonomous trucks while simultaneously curtailing railroad innovation is a significant threat to the health of the rail industry.

Brown further argues that a two-person-crew rule is made obsolete by technological advancements, including implementation of positive train control (PTC) braking technology that would “render a second person in a train cab at least moot, if not a distraction.”

Ultimately, says Brown, minimum crew size regulations are “an extraneous solution to an imaginary problem,” and Congress “should focus on ensuring freight rail can continue making the investments necessary to keep freight rail as safe as possible for workers and communities.”

Grassroots Showcase

Congressman Perry Tours Aaron Enterprises Facility
Congressman Scott Perry (R-Pa.) visited an Aaron Enterprises facility in York, Pa. for a tour and transportation public policy discussion on April 20. Perry, who is a member of the House Committee on Transportation and Infrastructure, joined representatives from Aaron Enterprises, Inc., ASLRRA member Genesee & Wyoming, Inc., and other local businesses.

The Railway Engineering-Maintenance Suppliers Association (REMSA) coordinated the event, and Aaron Enterprises Vice President Eric Harlacher led the tour. Participants viewed the company’s maintenance and fabrication shops and trenchless equipment used to install underground utilities.

After the tour, the group discussed several issues important to freight railroads, including passing the Building Rail Access for Customers and the Economy (BRACE) Act and recently increased funding for transportation and infrastructure grant programs.

“The rail industry in York County is a critical part of the local economy. Railroads like York Railway handle a wide range of shipments important to companies located here. By providing safe and efficient freight services, we help these companies compete in their worldwide markets, and in turn support all of the jobs these companies provide the citizens of York County,” said Genesee & Wyoming Director, Government Affairs Kim Smith in a press release. Genesee & Wyoming is the parent company of York Railway.

Legislative Update

Ed McKechnie to Join ASLRRA’s Lobbying Team at CC&H

Chambers, Conlon & Hartwell (CCH) is pleased to welcome Ed McKechnie as partner and co-lead of its team advocating on behalf of ASLRRA and the short line and regional railroad industry.

Mr. McKechnie’s experience in the short line industry, most recently as chief commercial officer at Watco, along with his long history of leadership at ASLRRA as chairman and chair of the Legislative Policy Committee make him an invaluable addition to the CCH team, where he will fight to make Section 45G permanent, maintain current truck size and weight restrictions on federal highways, and reach other policy goals.

Mr. McKechnie also brings a unique perspective on policy development to the team, having served as a legislator in the Kansas House of Representatives from 1991-2001.

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Our expert staff is available to conduct comprehensive on-site compliance assessments for member railroads. Ensure your railroad meets FRA compliance guidelines by scheduling your assessment today!
Regulatory Update

Rate Reform Task Force to Hold Informal Meetings on Rate Case Methodologies

The Surface Transportation Board’s (STB) Rate Reform Task Force will begin holding informal meetings with stakeholders in May to discuss rate review methodology reform, according to a press release.

The STB formed the task force in January as a way to develop recommendations on reforming and streamlining the STB’s rate methodology for large rate cases, and the best way to provide a rate review process for smaller rate cases. By holding these meetings, the STB hopes input from stakeholders, practitioners and consultants will help the task force accomplish its goal.

The Rate Reform Task Force builds on previous work regarding rate review methodology as discussed in Expediting Rail Rate Cases and the Advance Notice of Proposed Rulemaking issued in Expanding Access to Rate Relief. Participants can engage in these meetings in person or via teleconference. Interested persons should contact the Rail Customer and Public Assistance Office to schedule a meeting.

Research Group Releases Interim Report on Truck Size and Weight Limits

The National Academies of Science, Engineering and Medicine released its interim report regarding efforts made by the trucking industry to allow increases in current truck size and weight limits.

The report, which does not make any final recommendations, identifies 45 areas needing closer examination before a final report can be made. These areas include the effect of increased truck weight on traffic safety, whether bridges can withstand heavier, longer trucks, and the impact of size increases on roads and pavements. It also examines how to enforce a higher weight limit, and the physical effect of extra weight on trucks and trailers.

Safety concerns split industry groups on the issue, with some insisting size and weight increases are safe, while others look for more concrete proof to support those claims.

The U.S. Department of Transportation asked the scientific advisory panel to evaluate the issue after a 2016 study by the DOT failed to make recommendations on federal truck size and weight regulations due to data limitations. The panel’s final report, due in the fall, will not propose policy changes, but instead outline the specific details of the research projects needed to come to a clear conclusion, and identify the costs of doing the research.

ASLRRA is tracking all size and weight increases closely, and is opposed to any such increases due to safety concerns, and the increased cost burden to taxpayers as those that use the highways to transport freight are not paying their fair share of maintenance.

Federal Highway Administration Office Will Host Online Discussion of State Freight Plans

The Federal Highway Administration’s Office of Freight Management and Operations will hold a web discussion on the development of State Freight Plans on May 14.

The discussion, which is open to all public and private transportation practitioners, will cover a review of the recent State Freight Plan development process, which is related to the Fixing America’s Surface Transportation (FAST) Act requirement and the U.S. Department of Transportation’s Guidance on State Freight Plans and State Freight Advisory Committees.

The goal of the web discussion is to address challenges, opportunities and best practices identified during State Freight Plan development. Click here for more information or to register for the event.

Farmrail Hosting 2018 FRA Region 5 Safety and Training Seminar

Farmrail System will hold the annual 2018 Region 5 FRA Safety and Training Seminar August 7-9 in Oklahoma City, Okla. The education seminar provides railroads an opportunity to connect with Region 5 inspectors and instructors. All short lines are welcome to attend. For more information, please click here.
Member News

BRC Names New President as Pat O’Brien Retires

After 32 years with the Belt Railway Company of Chicago (BRC) and 16 as its president, Pat O’Brien will retire this summer. Replacing him will be Mike Grace, who comes from Norfolk Southern.

Mr. Grace has 38 years of railroad experience in various operations leadership roles at Norfolk Southern. He previously held the role of division superintendent at Norfolk Southern’s Dearborn division.

“Over his years with the BRC, Pat has had a tremendous impact in leading the Belt Railway. The BRC Board of Directors thank him for his innumerable contributions and recognize the legacy he is leaving behind. We also look forward to the contributions that Mike will make with the BRC in the future,” said BRC Chairman and BNSF Vice President South Region Rob Reilly in a press release.

Port of Brownsville Signs Option Agreement with Big River Steel

The Brownsville Navigation District Board of Commissioners (BND), the governing body for the Port of Brownsville in Texas, signed an option agreement with Big River Steel LLC, which enables the steel maker to work toward developing a LEED-certified steel manufacturing plant, storage and distribution facility on up to 800 acres of property.

In a press release, BND Chairman John Wood credited OmniTRAX with playing a significant role in bringing the agreement to fruition. OmniTRAX owns ASLRRA member Brownsville & Rio Grande International Railway, which operates in the BND and serves the Port of Brownsville.

Constructing the plant would cost more than $1.6 billion, requiring up to 1,500 construction workers and adding 500 new full-time jobs to the local economy.

PHL’s Khatami Nominated for Environmental Award

ASLRRA member Pacific Harbor Line’s Kimia Khatami was the sole short line employee nominated for the Association of American Railroads’ John H. Chafee Environmental Excellence Award.

The award recognizes a railroad employee who demonstrates a high level of environmental stewardship. Khatami, who is director of customer service at Pacific Harbor Line (PHL), has restructured and enhanced the railroad’s environmental compliance program, enabling the company to better understand applicable regulations and avoid potential violations.

Thanks to Khatami’s efforts, PHL is both more aware of proposed environmental regulations and a participant in the rule-making process. Additionally, key procedures developed by Khatami have lessened the railroad’s environmental impact on the Leeward Bay Marina.

Watco Companies Names New Senior Vice President

Laura McNichol is Watco Companies’ new senior vice president of government and industry relations. She will lead Watco’s public policy efforts in areas such as the 45G tax credit and issues related to Watco’s terminal and port customers. The announcement comes following Ed McKechnie’s move to Chambers, Conlon and Hartwell, a Washington D.C.-based firm that represents the ASLRRA.

Ms. McNichol joined Watco in 2017. Previously, Ms. McNichol had worked at the R.J. Corman Railroad Group as assistant vice president of external relations and at GoRail and the Coalition Against Bigger Trucks as assistant vice president of industry relations.
ASLRRA Meetings and Trainings

Mark Your Calendars for Upcoming FRA Training Seminars!

This year ASLRRA will offer four FRA Seminars along with one OSHA training course. Three of these courses will be held in conjunction with regional meetings.

- **Region 2 FRA Training, June 12-13** at the Rockwell Collins Facility in Annapolis, MD  
  Speaker: David Kannenberg, Federal Railroad Administration

- **FRA Roadway Worker Seminar, July 10-11** at the Silver Legacy Resort and Casino in Reno, NV  
  Speaker: Joe Riley, Federal Railroad Administration

- **FRA Drug & Alcohol Training Seminar, September 24-26** at the Sheraton New Orleans, LA  
  (In conjunction with the ASLRRA Southern Regional Meeting)  
  Speaker: Sam Noe, Federal Railroad Administration

- **FRA Roadway Worker Seminar, October 8-10** at the Hilton Burlington, VT  
  (In conjunction with the ASLRRA Eastern Regional Meeting)  
  Speaker: Joe Riley, Federal Railroad Administration

- **OSHA Review Seminar, November 12-14** at the Sheraton Hotel & Marina, San Diego, CA  
  (In conjunction with Central/Pacific Regional Meeting)  
  Speaker: Don Latimer, CSP, Director, Director, Occupational Safety and Health for Watco

This training is designed to emphasize hazard identification, avoidance, control and prevention, not OSHA standards.

Registration will be available on the ASLRRA webpage next week.

ASLRRA Offers On-Demand Webinars

ASLRRA’s expanded educational offerings now include On-Demand Webinars! Visit our [website](http://www.aslrra.org) to view a complete list of On-Demand Webinars, presentations and takeaway materials.

Please [click here](http://www.aslrra.org) to view a list of upcoming industry events.

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