FRA Administrator Declares Emergency Event

Federal Railroad Administrator Ronald L. Batory has determined that the current conditions of extreme cold, ice, wind, and severe winter weather in various parts of the United States constitute an “emergency event” as related to railroad operations. March 1, 2019 is the effective date of the Emergency Relief Docket (FRA-2019-0001).

In making this determination, the administrator notes that the National Weather Service has predicted severe winter weather effects stretching across the nation that include record low temperatures, large amounts of snow and ice and strong winds. Also, the National Weather Service is calling the cold “dangerous” and “unprecedented” for the month of March.

In portions of Montana, these will be the coldest temperatures of the entire winter season as actual temperatures dip to -40 degrees. The level of cold will also be more typical of late January than early March. Some spots could see record cold temperatures for March.

Bevil Replaces Chodorow on ASLRA Central Region Board

Kristin Bevil, general counsel at ASLRA member Indiana Rail Road Company, is the newest board member on ASLRA’s Central Region Board. She was elected to finish the term of Nick Chodorow, who left to pursue opportunities outside the railroad industry.

ASLRA CONNECTIONS 2019 Highlights

Don’t miss the out on industry education offered at CONNECTIONS 2019. There are sessions designed for a variety of specific fields including marketing and technology.

Secure your Hotel Reservations - The hotel room block pricing is closing this Friday! Do not delay in securing accommodations. Contact bhutchison@aslrra.org with questions.

Donate to the ASLRA Silent Auction - The Education Fund is a 501c3 nonprofit organization and funds raised will support industry training and certification initiatives. Complete the 2019 Donation Form to make a donation, or contact Sabrina Waiss with any questions. Remember, donations are tax deductible.
NTSB Makes Leadership Changes

On Feb. 28, National Transportation Safety Board Chairman Robert Sumwalt announced three important leadership changes at the agency.

Sharon Bryson became NTSB’s managing director in January. Paul Sledzik was named deputy managing director and Dolline Hatchett is the director of the Office of Safety Recommendations and Communications.

As managing director, Bryson will assist Chairman Sumwalt with the NTSB’s day-to-day operations. She previously served as deputy managing director for about a year, and before that was the director of the Office of Safety Recommendations and Communications. Bryson joined the NTSB in 1997.

Sledzik will support Bryson, and will also serve as NTSB’s chief human capital officer. He has previously led the NTSB’s Office of Safety Recommendations and Communications and the Transportation Disaster Assistance Division.

Prior to working at NTSB, Hatchett was deputy chief, Office of Citizenship and Applicant Information Services for the U.S Department of Homeland Security. She has also served as chief of the Office of Communications, US Citizenship and Immigration Services.

ASLRRA Joins Others in Signing Letter to Congress Against Increases in Truck Size or Weight Limits

ASLRRA joined 13 other organizations in submitting a letter to members of Congress opposing legislation to increase maximum truck size or weight limits on federal highways. The letter also asked Congress to oppose legislative language allowing bigger trucks in individual states, including through pilot programs.

The letter was dated Feb. 25, a day before ASLRRA President Chuck Baker testified in front of the U.S. Senate Subcommittee on Transportation and Safety on issues regarding truck size. Baker’s testimony shared some of the concerns noted in the letter, in particular the significant negative effect larger trucks stand to have on the nation’s roads and bridges.

In addition, the letter reminds lawmakers that recent proposals to increase truck size and weight have been struck down repeatedly on bipartisan floor votes, and the U.S. Department of Transportation’s 2016 final report recommended no changes to federal truck size and weight laws. One finding from the
final report states billions of dollars in infrastructure costs would be incurred if laws allowed heavier and longer trucks on the nation's roads.

Bloomberg Article Highlights Problems Arising from Delay in Passing 45G

A recent article by Bloomberg Government entitled “Biofuel Companies, Railroads Feel Pain of Tax Extenders Delay” highlights the problems facing the biofuel and railroad industries as Congress continues to put off renewing the tax extenders on which companies in both groups rely.

The article notes the effect lawmakers’ delay is having on railroads, especially ones that have already invested in infrastructure in the hopes that the 45G tax credit would be passed. The credit reimburses railroads $.50 for every dollar spent on track maintenance. With tax season already underway, companies are faced with the prospect that the credit will not be renewed before they must file taxes.

ASLRRA member Watco Companies’ Senior Vice President of Government and Industry Relations Laura McNichol spoke to Bloomberg about the bind in which railroads find themselves, noting that Watco invested close to $36 million last year on qualifying projects - an investment that should earn the company $18 million back in credit if the law is passed. Smaller railroads, McNichol says, face even bigger challenges, since it might be difficult for them to spend more than the minimum on track maintenance without the credit in place.

See the Legislative Section below for more details on the status of 45G.

Senators Introduce Bipartisan Tax-Extenders Package

Late last week Senate Finance Committee Chairman Chuck Grassley (R-Iowa) and Committee Ranking Member Ron Wyden (D-Ore.) introduced a bipartisan tax-extenders package. The Tax Extender and Disaster Relief Act of 2019 (S. 617) would extend availability of the 45G tax credit through the end of 2019 and retroactively for 2018.

This does not impact our efforts to secure permanency of 45G but is an opportunity to once again secure a temporary extension while the fight for permanency continues. Is it great to see the Senate Finance Committee take a position on extenders, but we are still in need of a suitable legislative vehicle originating in the House of Representatives.
Some brief history: Article 1 of the Constitution contains the “Origination Clause,” requiring that all bills raising revenue must originate in the House of Representatives. This practice finds its roots in British parliamentary procedure that requires “money bills” to have a first reading in the House of Commons before being sent to the House of Lords. A notable difference between the U.S. and British systems is that in the U.S. the Senate may both propose and amend such measures. In practice, S. 617 may take advantage of this exception as it will likely be offered as amendment to a suitable vehicle that is first introduced in the House of Representatives.

We are also happy to report that progress on both our bills (H.R. 510 & S. 203) that would make the 45G short line tax credit permanent continues. As of this writing H.R. 510 has 128 cosponsors and S. 203 has 27. This is the earliest introduction and fastest accumulation of cosponsor support that 45G has ever experienced. Thank you to everyone who has taken the time to send a few emails or make a few phone calls in support of these bills - the sustained effort continues to pay off in a big way.

As always, please also consider inviting your representative to your railroad. Members of Congress love hearing from the businesses they represent and many would appreciate an opportunity to learn more by visiting your railroad. Feel free to reach out to your team in D.C. if you are interested in hosting an event. We are here to help. Contact Will Resch at Will.resch@cch-llc.com with questions.

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**ASLRRA Announcements**

**ASLRRA’s CONNECTIONS Convention Offers Specialized Education Sessions**

ASLRRA’s CONNECTIONS Convention makes education its cornerstone, with sessions designed for a variety of specific fields, such as finance, human resources, and operations. This year’s convention will be held April 6-9 in Orlando, Fla.

Marketing and technology are two other areas featuring focused education sessions. Some sessions for marketing professionals this year include “Railroads – A Shipper’s Perspective” and “Trucking - Opportunities for Rail.” Technology sessions include “Amazoning Your Railroad” and “PTC - Lessons Learned.”

Follow this [link](#) to learn more or to register. The website also features a full list of educational sessions.

**Support ASLRRA by Donating to the Silent Auction**

ASLRRA’s 2019 CONNECTIONS Convention will once again feature an exciting [silent auction](#) benefitting the Short Line Education Fund, and we need your support to make it a success. The Education Fund is a 501c3 nonprofit organization and funds raised will support industry training and certification initiatives. Remember, donations are tax deductible.

Donations of industry equipment, products and services are particularly desirable. Additional suggested donations include vacation home stays, hotel accommodations, airfare vouchers, electronics, jewelry, luxury and designer goods, gift cards, tickets to concerts, shows, and professional sporting events, and all things train related. Complete the [2019 Donation Form](#) to make a donation, or contact [Sabrina Waiss](#) with any questions. Thank you for your support!
ASLARRA Events

Registration Now Open for Railroad Day 2019

This year, Railroad Day on Capitol Hill is May 8, 2019, providing members of the railroad industry the chance to travel to Washington, D.C. and speak with legislators about issues that matter to them.

ASLARRA encourages its members to attend, as the size of the event, geographical diversity of participants and unified nature of the railroad industry’s message make this day the most effective way to communicate the importance of railroads to federal, state and local legislators.

The day opens with an informational session, followed by appointments on Capitol Hill from 9 a.m. to 4:30 p.m. and closing with a reception at Union Station, which will be attended by hundreds of representatives from the railroad industry as well as various government agencies. Follow the link above for more information or to register.

Webinars

Sleep Apnea Diagnosis, Protocol, Compliance and Regulation - 3/14/2019

Join Dr. Alan Lankford of SleepSafe Drivers for a discussion of sleep apnea diagnosis and compliance for safety sensitive employees in the rail industry, including clarification of today’s common misconceptions.

SLSI Security Plans Webinar - 3/27/2019

In a webinar hosted by the Short Line Safety Institute, join Safety Specialist Lisa Matsinger of the Federal Railroad Administration to discuss security plans, awareness and other critical components.

Click here for more ASLARRA events.

Industry Events
Annual Liability Conference Slated for July 10-12 in Vermont

ASLRRA member Genesee & Wyoming Railroad Services will host the 26th Annual Liability Conference July 10-12 at the Essex Culinary Resort and Spa in Essex, Vt.

While the agenda is still being finalized, topics for discussion will include the legalization of marijuana, crisis response plans and jury research.

Click here for a listing of industry events.

Views & News is published by American Short Line and Regional Railroad Association. Please contact Amy Krouse, editor, with questions or comments.