May 29, 2019

FRA Withdraws Proposed Rule Mandating Train Crew Size

The Federal Railroad Administration (FRA) has withdrawn its notice of proposed rulemaking establishing minimum requirements for train crew staff size based on the type of operation being performed. As stated by the FRA in the Federal Register, “In withdrawing the NPRM, the FRA is providing notice of its affirmative decision that no regulation of train crew staffing is necessary or appropriate for railroad operations to be conducted safely at this time.” ASLRRA had opposed the FRA’s rule as unnecessarily burdensome to short line and regional railroads, who in some cases are already safely operating with less than two crew members aboard the train. In addition, no data exists that shows a mandated crew size would result in safer railroad operations. The FRA also noted that the rule would place unnecessary restrictions on future rail innovation and automation. The ASLRRA commends FRA’s fact-based decision and believes that this affirmative withdraw will clarify the federal lead on this issue and support the industry as it continues on the path to safer, more efficient, and more innovative railroading.

House Appropriations Subcommittee Approves FY 2020 Bill, Including Millions for Rail Infrastructure Projects

On May 23, the House Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies approved by voice vote its fiscal year 2020 bill. The bill provides $137.1 billion in budgetary resources, including $75.8 billion in discretionary funding.

A summary of the bill breaks down the types of funding provided by the bill, including a variety of railroad-related grant programs. Budgetary resources include $1 billion for national infrastructure investments like BUILD grants and $3 billion for the Federal Railroad Administration, of which $350 million is allocated for CRISI grants and $350 million is for Federal-State Partnership for State of Good Repair rail projects.

The bill will now move to the full committee for markup.
Rule Moves FRA Civil Penalties Schedules and Guidelines to FRA Website

The Federal Railroad Administration (FRA) has published a final rule moving its civil penalties schedules and guidelines from the Code of Federal Regulations (CFR) to the FRA website.

Civil penalties schedules and guidelines are not regulations and are not subject to notice-and-comment requirements. However, because they have been included in the CFR, any changes to them are required to be published in the Federal Register. It costs $85 per page to publish information in the CFR, and $151 per column for information printed in the Federal Register.

The move will save the FRA money and make the information more accessible to the public. Additionally, all schedules and guidelines will be grouped in one location, simplifying enforcement. Changes to minimum, maximum and aggravative maximum penalty amounts due to inflation will still be published in the Federal Register.

Railroad Retirement Board to Mail Statements of Service to Eligible Railroad Employees

The most recent press release from the Railroad Retirement Board (RRB) discusses the annual Certificate of Service Months and Compensation (Form BA-6) mailed to all railroad employees with creditable railroad compensation in the previous calendar year.

Information on Form BA-6 shows whether an employee qualifies for benefits and the amount of those benefits, based on the employee’s record of railroad retirement service and compensation as recorded on the form. Employees are encouraged to review their Form BA-6 to ensure their personal records match those detailed on the form.

The RRB will mail the forms in early June, and suggests anyone with reportable compensation in 2018 who does not receive a form by July 1 should contact the nearest RRB field office. Follow the link above for more details about the form, as well as contact information for questions or to report discrepancies.

FRA Releases Report Discussing System Aimed at Improving Safety for MOW Employees in Work Zones

The Federal Railroad Administration (FRA) Office of Research, Development & Technology recently released a report titled “Maintenance-of-Way (MOW) Employee Safety System - Phase 1” that discusses the concept of operations (CONOPS) for a system able to resolve the location of MOW workers and establishing working limits.

The proposed MOW Employee Safety System, developed by Transportation Technology Center, Inc., is a set of applications meant to improve MOW worker safety by reducing certain risks. The applications include high accuracy train location, train approach detection and MOW worker position monitoring.
Tax-Credit Legislation Support Climbs Steadily

Support for tax-credit legislation among Congressional legislators continues to grow, with 210 House representatives and 43 Senators co-sponsoring their respective bills, H.R.510 and S.203, to make the 45G short line railroad infrastructure tax credit permanent. The support is overwhelmingly bi-partisan, with 106 Democratic and 104 Republican co-sponsors in the House and one Independent, 21 Democratic and 21 Republican co-sponsors in the Senate.

ASLRRA Events

ASLRRA and Iowa Northern Railway to Provide GCOR Training July 16-18

ASLRRA has partnered with Iowa Northern Railway to provide in-depth training on General Code of Operating Rules (GCOR) July 16-18 at Iowa Northern’s training facility in Waterloo, Iowa.

The three-day training seminar is intended for railroads that have adopted the GCOR as operating rules and may be used to meet operating-rules training as required by 49 CFR Part 240, 242 and 214 Subpart C. Attendees must bring the seventh edition of the GCOR for reference; training will cover chapters 1 - 10, 14 and 15. The seminar will be taught by ASLRRA’s Vice President of Safety and Operations JR Gelnar and Iowa Northern Railway’s Assistant General Manager Mark Vaughn.

The training seminar will accommodate up to 24 participants and the $395 registration fee includes three days of training, testing and a certificate of attendance, as well as daily lunch and breaks. Online registration will open soon and a hotel room block link will be provided. The hotel offers complimentary breakfast and a free shuttle to the training facility. Waterloo, Iowa is served by
the Waterloo Regional Airport (ALO) and is within an hour’s drive of the Eastern Iowa Airport (CID) in Cedar Rapids.

SAVE THE DATE for Upcoming ASLRRRA Meetings

Joint Committee Meeting - August 18-20

Regional Meetings:
Central Pacific Region Meeting - San Antonio, Texas
San Antonio Grand Hyatt, Wednesday, Sept. 11 to Friday, Sept. 13

Eastern Region Meeting and F&A/General Counsel Symposium – Columbus, Ohio
Hyatt Regency Columbus, Region meeting Monday, Oct. 7 to Wednesday, Oct. 9
F&A and GCS Wednesday, Oct. 9 to Friday, Oct. 11

Southern Region Meeting - Charlotte, North Carolina
Charlotte Marriott City Center, Monday, Nov. 11 to Wednesday, Nov. 13

Click here for more ASLRRRA events.

Industry Events

Michigan Rail Conference Scheduled for August 7-9

The Michigan Rail Conference will take place August 7-9 on the Michigan State University campus in East Lansing, Mich. The event’s keynote speaker will be FRA Administrator Ronald Batory, and breakout sessions include discussions of new technology in rail, crossing safety and international connections.

Early-bird registration ends June 7. Follow the link for more information or to register.

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.