ASLRRA, AAR and APTA Submit Joint Request for Emergency Relief to Federal Railroad Administration

ASLRRA, the Association of American Railroads (AAR) and the American Public Transportation Association (APTA) have submitted a joint formal request for emergency relief under the Federal Railroad Administration’s Emergency Relief Docket FRA-2020-0002 that would apply nationwide to all of their member organizations.

The petition seeks relief in the following categories for a period of at least 60 days, and so long as the declared national emergency remains in effect:

- Time intervals for track, signal and locomotive inspections
- Suspension of operational testing
- Task restriction of a single utility employee
- End of duty quick tie-ups
- Certain air brake testing requirements
- Random drug testing
- Engineer/conductor recertification
- Response times for Locomotive Engineering Review and Operating Crew Review Board hearings, and
- Certain refresher training

Multiple phone conferences have been held over the past several days with the FRA to address questions, and a final response will be forthcoming shortly from FRA.

Any questions regarding this process should be directed to Jo Strang at Jstrang@aslrra.org or JR Gelnar JRGelnar@aslrra.org.

ASLRRA’s COVID-19 Page Offers Updated Information, Helpful Links and Documents

ASLRRA is keeping its COVID-19 page updated to provide members with the most current information regarding the virus outbreak and its effects, particularly as it pertains to railroading.

From links to federal agency and legislative actions to state-by-state restrictions and helpful hints provided by member railroads, ASLRRA’s page provides a number of resources in one place.

New additions to the website also include guidance from the Short Line Safety Institute regarding the transportation of COVID-19-related medical waste to permitted medical waste disposal facilities.

Several relevant webinars are also available as recordings in ASLRRA’s On-Demand Webinar library, available free to members, or as a subscription for non-members. Topics range from crisis communications and media training to filing emergency docket waivers.
ASLRRRA welcomes suggestions for additional information or resources, including tools, checklists and contacts. Please share your ideas with JR Gelnar at JRGelnar@aslrra.org or Sabrina Waiss at SWaiss@aslrra.org. Remember, railroading is a team sport and we are never better than when facing a crisis together.

**Cybersecurity and Infrastructure Security Agency Includes Freight Rail on its Critical Infrastructure List**

In an effort to help state, local and industry leaders in identifying critical infrastructure sectors and essential workers during this COVID-19 emergency, the Cybersecurity and Infrastructure Security Agency (CISA) under the Department of Homeland Security (DHS) has published information regarding essential critical infrastructure. The list of these key industries includes freight railroads and their employees.

The transportation systems sector is considered one of 16 crucial areas needed to help ensure the continuity of functions related to public health and safety and economic and national security, and freight rail is one of the subsectors described by CISA. The importance of freight rail and its employees is also connected to a number of other sector descriptions, such as health care and public health and food and agriculture, with rail bringing necessary goods to communities around the country.

By identifying critical infrastructure sectors, CISA hopes to help communities take actions that prioritize activities related to operational continuity and incident response, which includes allowing critical workers freedom of movement as necessary to complete their duties. While the information is only advisory in nature and is not an exhaustive list of all critical areas, the goal is to help preserve important services and functions by helping officials make informed decisions. Click here for a PDF version of CISA’s publication.

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**COVID-19 CORONAVIRUS**

Click here for important updates, information, and resources for ASLRRRA members or visit aslrra.org/covid-19

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**PHMSA Halts Enforcement Action on Recurrent Training During Outbreak**

The Pipeline and Hazardous Materials Safety Administration (PHMSA) has issued a notice regarding adjustments to its recurrent training requirement enforcement policy in light of the current COVID-19 outbreak.

PHMSA will not take enforcement action against any offeror or carrier of hazardous materials who is currently unable to provide recurrent training to meet Hazardous Materials Regulations (HMR) training requirements. By taking this step, PHMSA hopes to minimize supply-chain disruption.

According to the notice, the Federal Railroad Administration (FRA) will also implement this enforcement discretion. The notice remains in effect for 90 days from its March 23 issue date.
PHMSA does note, however, that the HMR is not limited to in-person classes and allows for a variety of training delivery methods, including “web based, self-paced computer instruction, remotely delivered classroom instruction, on the job training, or some combination of those methods” as long as they cover required materials in 49 CFR 172 Subpart H. PHMSA encourages employers to use these alternative methods even if testing is not possible.

The notice only applies to recurrent training requirements in 49 CFR 172.704(c)(2). Shippers and carriers are still required to adhere to all other HMR requirements and applicable laws.

ASLRRA Submits Comments to Federal Railroad Administration and Office of Budget Management

In its work on behalf of its members, ASLRRA advocates for short line and regional railroads by submitting formal documents to government agencies, offering information, explanations and suggestions that aim to help shape policy and decision making. ASLRRA recently filed several comments and a letter concerning a variety of railroad issues. These comments can be found on ASLRRA’s Testimony & Comments page, along with others from the past few years.

On March 16, ASLRRA filed joint comments with the Association of American Railroads (AAR) in support of the Federal Railroad Administration’s notice of proposed rulemaking to revise 49 C.F.R. Parts 218, 221 and 232. ASLRRA believes the proposals to codify certain long-standing railroad industry waivers demonstrate positive regulatory flexibility that will enhance railroad safety and efficiency.

Also on March 16, ASLRRA filed comments with the Office of Management and Budget (OMB) in response to a request for information regarding changes to regulatory enforcement and decision making. ASLRRA’s comments highlight inconsistent enforcement policies from Federal Railroad Administration (FRA) inspectors and the burden small railroads experience when having to collect required information and documentation to defend themselves against alleged FRA violations.

Earlier this month, ASLRRA also submitted joint comments with AAR regarding a track-related proposed rule, and in February wrote a letter to the Surface Transportation Board with information for a revenue adequacy hearing.

D.C. Lawmakers Near a COVID-19 Relief Package Deal

The U.S. Senate is considering a $2 trillion stimulus package offering economic relief in light of the current COVID-19 pandemic.

The package originally faced opposition from Democrats who viewed it as not offering enough protections for families and workers and creating a funding program for loans and loan guarantees with little oversight.
The bill contains, among other things, funds for direct payments to individuals and families, “small business interruption loans” for companies with less than 500 employees, strengthened unemployment insurance, state and local stimulus funds and money for hospitals and health care.

The bill is expected to pass in a Senate vote later today, and quickly be signed by the president. Updates on the progress of any legislation can be found on ASLRRRA’s page dedicated to COVID-19 information.

**Railroad Day on Capital Hill Online Surveys Still Being Accepted**

Hoping to gather as much feedback as possible, and to answer congressional requests as quickly as possible, Railroad Day organizers are still accepting online survey responses.

Railroad Day attendees are asked to complete a survey for each meeting they attended. The form can be filled out as many times as needed by refreshing the page or re-opening this link.

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**ASLRRRA New Members**

ASLRRRA is delighted to welcome two new members.

**Middletown and New Jersey Railroad, LLC**, is a subsidiary of Regional Rail LLC based in Kennett Square, Pa. It has 55 miles of track in Southeastern New York serving Orange County and the Hudson Valley. The MNJ offers car storage and has industrial development sites available. We thank our friends at Regional Rail for bringing MNJ back into the ASLRRRA fold.

**National Signal Corp.,** based in Shelby Township, Mich., provides signal maintenance, consulting, design and construction services. One of its specialties is working with railroads to help clear up FRA violations and provide solutions to prevent them in the future. President Joe Banasiak is our primary contact. Many thanks to our friends at Lake State Railway for recommending that they join our Association.
ASLRRRA Announcements

Chuck Baker Talks Short Lines in Union Pacific’s Latest Online Magazine Issue

ASLRRRA President Chuck Baker explains the importance of short lines in the most recent issue of Track Record, Union Pacific’s online magazine.

In the article, Baker outlines the essential nature of the short line industry. He identifies the characteristics of a short line railroad, describes the role of short lines in the nation’s supply chain and offers a brief history of the short line industry. He also talks about the benefits of shipping via rail and how ASLRRRA works to support small railroads and even helps stakeholders like freight shippers.

When summarizing the importance of short lines to the entire rail network, Baker says succinctly, “Short lines help maintain freight rail service in places that might not otherwise have it, which is a great thing for customers, the environment, the economy and safety.”

ASLRRRA Notes the Passing of Warren C. Wilson, formerly of UP

ASLRRRA sadly reports the death of Warren Wilson, of Lancaster, Pennsylvania. Wilson retired after a 41-year career with Union Pacific Railroad and continued to serve the short line industry as a judge for ASLRRRA’s Business Development Awards until his passing. Information on funeral arrangements and suggested charitable donations in lieu of flowers can be found here. A memorial luncheon will be scheduled at a future date.

Investment in Community Development by North Shore Railroad Company Encourages Growth for All

To further tell the short line story, ASLRRRA profiles some of the movers and shakers in the railroad industry.

Small businesses often derive much of their success from the support of surrounding communities, and supporting a strong local economy plays an important role in that relationship. Knowing this, ASLRRRA member North Shore Railroad Company (NSHR) recently donated to Focus Central Pennsylvania, an investment firm that helps grow and expand business in Central Pennsylvania.

North Shore Railroad Company’s $3,750 donation is intended to help Focus Central PA bring investments to the area. North Shore President and CEO Jeb Stotter says these kinds of charitable acts are an important part of his company’s civic duty. By supporting Focus Central PA, NSHR is further encouraging economic growth in the communities its railroads serve.

Focus Central PA’s executive director likewise offered praise to NSHR for its role in boosting the regional economy, saying that quality rail service and infrastructure gives the area a competitive edge when attracting manufacturing and distribution firms.

CONNECT REMOTELY AND CONTINUE LEARNING WITH ASLRRRA WEBINARS

With more than 100 recordings available, there’s a webinar to meet the needs of everyone on your team. Visit aslrra.org/webinars to view a complete list of available recordings.
ASLRRA Webinars

Access ASLRRA’s Strategic Communications Webinar Series – Available On Demand

Railroad professionals who may currently be working from home can still hone their skills with distance learning provided by ASLRRA. The Association has a wealth of educational webinars available online at the click of a mouse.

Visit the On-Demand Webinars resource library on the ASLRRA website to access dozens of relevant and timely webinar recordings. The COVID-19 pandemic has created an opportunity to exercise a solid crisis-management plan - tap into the 2019 series of Strategic Communications webinars presented by Corporate Crisis Group’s John Ambler and a related presentation titled “Using Social Media as a Business Development Tool” presented by Norfolk Southern’s Stacey Mansfield.

Available free to ASLRRA members, these timely recordings are located in the Communications category on the On-Demand Webinars page and the series titles include “Government and Community Relations Fundamentals,” “Media Training Basics,” and “Crisis Communications Fundamentals for Railroaders.” Check out these sessions and more - including webinars on Finance, Human Resources, and industry-specific Legal issues - by visiting ASLRRA’s On-Demand Webinars resource library. On Demand Webinars are available FREE to ASLRRA members and by subscription to non-members.

In addition to on-demand webinars, ASLRRA is always working to provide its members with top-notch education, bringing industry and subject-matter experts right to your desk. Find out about our upcoming live webinars below, and use the links to learn more or register.

Upcoming Webinars

Hot off the Press: What’s New at the STB? - March 26, 2020

ASLRRA General Counsel Sarah Yurasko and Baker & Miller Associate Attorney Crystal Zorbaugh will explore the structure of the Surface Transportation Board (STB), provide information on the board’s key players, discuss recent developments impacting the industry, and preview the most pressing issues before the board in the coming months.

Insights into the RRIF Express Loan Application Process - April 8, 2020

Experts from The Seneca Group and Bowers & Company, CPAs will offer insights and guidance on the RRIF Express loan application process. This session will also cover the audited financial statement requirement, including an overview of the process, what’s needed and how to prepare, and how to factor this into your timeline.

Service Excellence with Integrated Crew & Safety Management - April 9, 2020

Shannon Bloxom and Ashok Madhavan, senior railroad consultants at CloudMoyo, will outline how an integrated, technology-driven approach to duty assignments, safety testing, and crew training will help railroads optimize crew operations and meet safety requirements in a simplified and efficient manner. They will also discuss how railroads can leverage in-depth insights with latest analytics technologies to better optimize crew, meet FRA and regulatory requirements, and track operational metrics.

Click here for more ASLRRA events.
Industry Events

Click here for a listing of industry events. Cancellations due to COVID-19 restrictions will be noted as information becomes available.

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