



“Surf Board” Victories for Amtrak

“Green Lights” for Express, for Maine

The Surface Transportation Board on May 28 ruled in favor of Amtrak in its express dispute with the Union Pacific Railroad (Jan. News) and largely in favor of Amtrak in the compensation dispute with Guilford Rail System for Amtrak service to Maine. The express decision is effective June 28.

Union Pacific sought to restrict the express initiative in four main ways, saying Amtrak’s express should: 1) be limited to packages and other less-than-truckload or -carload shipments under 8000 pounds; 2) not be carried any distance by another railroad; 3) not include consolidated shipments assembled by third parties (like Federal Express). Finally and amazingly, UP wanted to deny Amtrak the right to operate trains with more mail (!) and express cars than passenger cars. This idea could have knocked out some existing trains with lots of mail but little or no express.

The STB rejected all this. The STB said Amtrak *can* offer carload or trailerload express service, *can* transport express in partnership with third parties, and *can* contract with other carriers for transfer of express traffic or off-terminal facilities.

STB adopted Amtrak’s suggested commodity prohibitions: bulk commodities (like coal), automobiles or hazardous materials. Amtrak proposed and now must observe a 30-car limit (total) per train on Union Pacific lines.

Amtrak may run all-express trains, the STB said, only on the Northeast Corridor. “The prime purpose of Amtrak must be passenger service,” it said, “and the service must be genuine.” A “non-genuine” passenger train could give a freight railroad the opportunity to ask the STB to find that Amtrak was violating the STB ruling.

NARP supported the Amtrak position in the STB case,

“We find that ‘express’ need not be restricted by commodity, shipment size, type of equipment...but instead should be defined more flexibly as a premium transportation service at premium rates—expedited, regularly scheduled train service provided at prices which are generally higher than freight service—that is provided as an adjunct to Amtrak’s passenger service. Because Amtrak has proposed express service within those limits, and because Amtrak’s proposal reflects Congress’ intent that it transport express and take steps to increase express revenue, we find no basis, at the outset, to preclude Amtrak’s initiation of that service...”

—Surface Transportation Board,
Decision on Finance Docket No. 33469

noting the potential of Amtrak’s express initiative to save long-distance passenger train service in the face of federal funding cuts, provided that the impact of express traffic on passenger service is reasonable. The STB twice cited NARP’s support of Amtrak’s position as well as support by Senators Burns (R-MT), Hutchison (R-TX), Kerry (D-MA) and Wyden (D-OR) and the U.S. Department of Transportation.

The STB reminded the freight carriers that Amtrak is liable for true incremental costs attributable to its service, including express operations. The STB also noted that it remains available to consider specific cost disputes as they arise.

(continued on page 3)

NARP HONORS SENATOR CHAFEE



—Ankers Photographers

NARP presented its George Falcon Golden Spike Award to Senate Environment and Public Works Chairman John H. Chafee (RI) at our annual Washington reception, April 23 (above, from left, NARP President John R. Martin, Chafee, Federal Railroad Administrator Jolene Molitoris, out-going NARP Vice President Eugene Skoropowski).

Chafee said, “It seems so bizarre that we have all been to other countries that have all kinds of trains. I just was in Japan in December at the global warming conference [in Kyoto] and how did we go back and forth from Tokyo? They take the train. I certainly hope that trains will be an option in the United States...I thank everybody here for the...passenger rail service...Tom Downs did a tough job. George [Warrington], I wish you every bit of success, because you’re important to the nation.”

Amtrak Acting CEO George Warrington spoke briefly in appreciation of Chafee’s leading the Senate’s effort to add intercity passenger rail to the list of projects generally eligible for ISTEAs (now TEA-21) funds. The effort did not succeed this year, primarily due to the intransigence of key House leaders. Chafee was successful, however, in preventing a rollback of the progressive elements of the 1991 ISTEAs law. The road lobby worked hard for such a rollback and a year ago seem poised to make real progress.

More About TEA-21

President Clinton signed the Transportation Equity Act for the 21st Century (TEA-21; *May News*) into law on June 9. It was unclear whether a "corrections" bill would be enacted this year, but such a bill probably would not affect the following TEA-21 provisions of interest:

- **The per-gallon federal fuel tax** Amtrak and freight railroads pay will drop by 1.25 cents effective November 1, 1998, four months earlier than under the Senate-passed bill and 11 months earlier than under previous law. But railroads must pay the remaining 4.3 cents indefinitely; conferees rejected the House proposal to end the 4.3 cents on October 1, 2000. Thus, railroads will continue to pay a "deficit reduction" fuel tax while highway and aviation taxes are earmarked for transportation work, primarily more road and air facilities. The fuel tax will continue to cost Amtrak over \$2 million a year vs. over \$3 million currently. Commuter authorities are supposed to be exempt, but some pay as a pass-through because they contract with operating railroads subject to the tax.

- **Tax treatment of employer-provided transit benefits** improves, thanks especially to the work of Sen. Daniel Patrick Moynihan (D-NY) and Senate Finance Chairman Bill Roth (R-DE). First, effective immediately, TEA-21 clarifies that transit and van pool benefits are not taxable where employers offer a choice between (taxable) cash compensation and these benefits. (Also, an employee can get the tax-free benefit absent a pay increase by having a portion of his or her taxable pay reduced by the amount of the transit benefit; this also

TEA-21's "high priority" projects have guaranteed funding (no appropriation needed) from the highway account of the Highway Trust Fund. Media breakdowns of highway vs. transit spending treat all of these projects as highway projects, but many are rail. Here are some of particular interest to us (for more complete list of rail-related projects, send us a stamped return envelope or go to our web site):

- \$29.3 million for Atlanta-Macon service
- \$23 million to reconstruct electrical catenary between New Haven and Stamford, CT;
- \$20 million for the downtown Atlanta multimodal passenger terminal (more than reported here in May);
- \$15 million for Hell Gate Bridge (New York City), largely for safety-related work—restoration of funds shifted away from this project in 1995;
- \$14 million for Atlanta-Athens service
- \$12 million to repair Springfield (Mass.) Union Station;
- \$10 million, Albany, OR, regional multimodal terminal
- \$9.5 million to triple-track a short single-track segment across Quantico Creek between Washington and Richmond (more than reported here in May);
- \$7.5 million for Detroit-Lansing capital improvements (less than reported here in May);
- \$6.5 million to bring the magnificent but derelict Worcester, MA, station back to life;
- \$6 million to help restore Amtrak to downtown Richmond's Main Street Station;
- Lesser amounts for intermodal stations in Eugene, OR; Harrisburg; Sacramento and San Bernardino; and work at Boston's South Station.

LOTT—TRAINS WILL BE NEEDED MORE AND MORE

"The Senate had a decision to make last year about whether we needed a national rail passenger system. I talked with Mayor John Robert Smith of Meridian...to many of my other constituents. [Sen.] Connie Mack [R-FL] had just come up from Florida on the [Auto Train] and loved it. I talked with a lot of experts and just ordinary people.

"I decided that this is something we should have. Just like good highways and airports, a rail passenger system is an important component of a good transportation system. We're going to need the trains more and more in the future."

—Senate Majority Leader Trent Lott, June 4, accepting the Rail Leadership Award in Washington from the American Passenger Rail Coalition, a trade association of rail equipment suppliers.

reduces the employer's tax burden.)

Second, the tax-free benefit limit—now \$65 a month—rises to \$100 a month effective in tax year 2002. This is good, but the comparable parking limit is already \$175 a month! (Inflation escalators apply to both transit and parking benefits.)

- The annual highway trust fund allocation for **Operation Lifesaver**, which educates the public about grade-crossing safety, rises from \$300,000 to \$500,000 (1998-2003).

- **Railroad/highway grade crossing improvements** (freight or passenger lines) can consume up to 10% of Surface Transportation Program hazardous materials funding or \$145 million a year. This is in addition to the \$5.25 million in contract authority ("real money") specifically for high-speed passenger corridors (*May News*).

- Those **corridors** also get, for general improvements, \$15 million a year in "authorized" funds. Of this, "not less than \$250,000 of available funding" is earmarked for the Twin Cities-Chicago corridor.

- The American Public Transit Association's newsletter reports that **guaranteed transit funding** of \$36.2 billion a year during 1998-2003 is "a 74% increase over funding received by transit during the six ISTEA years." The \$36.2 billion does not count (a) "high priority" transit projects (also guaranteed funding; see at left); and \$5.7 billion more that is authorized, but subject to appropriation.

- A **Magnetic Levitation** Transportation Technology Deployment Program—systems capable of speeds over 240 mph or under 50 mph—gets \$60 million in "contract authority" and \$750 million in authorized funds. ■

TRANSIT VILLAGES IN THE 21ST CENTURY...

...is a book from 1997 by Michael Bernick and Robert Cervero of the University of California-Berkeley National Transit Access Center. It looks at how a mix of residential and commercial development near rail transit stations can provide a sustainable "village" that also reduces automobile dependency—even in areas with high automobile use, like California. Current and past examples are detailed. The book was published by McGraw-Hill of New York, and costs \$42.95 hardcover.

Amtrak Wins STB Cases

(from page 1)

The ruling improves Amtrak's odds of meeting its more recent, more modest express revenue goals (May News, p. 3).

Long-Awaited Trains to Maine

The Guilford decision is "an important step on the way" to Boston-Portland service," said Amtrak Acting CEO George Warrington. For example, Guilford wanted Amtrak to secure its indemnity obligations, but STB said, "Guilford has not demonstrated a strong likelihood of Amtrak going out of business"; only that Amtrak depends largely on federal funding as it has since it "first commenced operations." ■

Both decisions can be seen at web site <www.stb.dot.gov>, or send NARP \$3 for handling and copying a decision; \$6 for both decisions. Finance Docket No. 33469, "Application of the National Railroad Passenger Corporation Under 49 U.S.C. 24308(a)—Union Pacific Railroad Company and Southern Pacific Transportation Company"; Finance Docket No. 33381, "Application of the National Railroad Passenger Corp., under 49 U.S.C. 24308(a)—Springfield Terminal Railway Company, Boston and Maine Corporation, and Portland Terminal Company.

A Philadelphia-Pittsburgh-Cleveland-Chicago *Pennsylvanian* still could start late this calendar year. Last month we reported that Conrail "vetoed" this. However, Amtrak and Conrail continue to negotiate; Conrail regarded scheduled trackwork as a big obstacle to running the train this summer.

PRIVATIZATION—"NO SIGNIFICANT ADVANTAGES"

From the introduction by Federal Railroad Administrator Jolene M. Molitoris to a report ("Privatization of Intercity Rail Passenger Service in the United States", March 1998) requested in the 1998 transportation appropriations bill report language:

FRA compared the alternative scenarios of privatization suggested for study in the Conference Report with a base line scenario of implementing Amtrak's current strategic plan. The study shows that none of the scenarios suggested in the Conference Report offer any significant advantages in today's environment over the base case of funding and implementing Amtrak's strategic plan. In fact, all would place the preservation of a national system of intercity rail passenger service at risk and could jeopardize the public's interest in the Federal investment in intercity rail passenger service made over the last 27 years. In sum, the study validates the policy adopted by the [Transportation] Department and Amtrak's Board of Directors in 1994 to improve the quality of Amtrak service and to invest in the future of intercity rail passenger service while reducing Amtrak's dependence on Federal operating support.

NARP MEMBERS—please give us your e-mail address if you have not already and if you want our alerts, issued as needed.

BETTER STATIONS ON FLORIDA WEST COAST



—Scott Leonard (all)

Tampa Union Station was re-dedicated May 30 (left and above right), after a splendid, \$2.6 million renovation. Passengers were pleased to wait again in the elegant, 1912 Beaux Arts structure, after 10 years in "temporary" quarters behind the station. The effort was led by Tampa Union Station Preservation and Restoration, Inc., with funds from Amtrak, Florida DOT, ISTE, the city and county. The building was donated to the city by CSX, and leased in part to Amtrak. While currently only served by the daily *Silver Palm* and Thruway buses, station friends hope for a future of greater Amtrak service, commuter trains, a historic electric trolley and high-speed trains.

Opaque skylights—which a few years ago let in the rain—were restored. The interior was painted in original "citrus" colors—dark green, pale yellow and white, with green and orange tile wainscoting. Four long wooden benches were brought from the basement of Chicago Union Station.

Also May 30, Amtrak and Florida Fun Train ran specials from Tampa to Lakeland, where there is an impressive new



station (above). It is across the street from Lake Mirror, replacing a 1960's structure on the west edge of town. The new station, served by (like Tampa) the *Silver Palm* and Thruways, opened in March. It was built by the city for \$2.5 million, with \$1.9 million in funds from Florida DOT. A stairway and escalator connect the upper-level platform and waiting room with Thruways and the street.

TRAVELERS' ADVISORY

Amtrak Food Service—Amtrak on May 17 restored china to the *California Zephyr*.

Thruways—Since June 1, Thruway service connects Amtrak's *Texas Eagle* with Hot Springs National Park, AR. To and from the south, the connection is made at Malvern. Passengers going from Hot Springs to the north also change at Malvern; but passengers from the north change either at Malvern or Little Rock depending on the train's on-time status on a given trip (train and Thruway crew can talk by cell phone).

Last month we reported that a Palatka (FL)-Gainesville-Ocala bus connects with the *Silver Star* to and from the north only; there is also a Palatka-Gainesville bus connecting to and from the south.

Also, though the *Star's* Fort Myers-Naples-Fort Lauderdale bus was dropped, the *Silver Palm's* Tampa-Fort Myers bus was extended to Naples.

TEN "MOST THREATENED" STATIONS NAMED

The Great American Station Foundation and the National Trust for Historic Preservation (Feb. News) announced on May 18 their list of the "Top Ten most Endangered Stations." It is meant to focus national attention on the historical significance and the community economic development potential of stations.

Six are active Amtrak stations:

- Camden, SC
- Las Vegas, NM
- Berlin, CT
- Jesup, GA
- Mattoon, IL
- Sandpoint, ID

Two more are served by Amtrak, but with no entry into the station building:

- Bangor, MI
- Needles, CA

The last two are not served by Amtrak at all:

- Buffalo (NY) Central Station
- Gary (IN) Union Station

EXTRA MILWAUKEE TRAINS WANTED

A letter from a downtown Milwaukee business group, the Westown Association, to Wisconsin Governor Tommy G. Thompson called the temporary extension of some Amtrak *Hiawathas* to Watertown "an ecologically sound and relaxing way to get to work," and said ridership (almost 15,000 through June 8) has been "impressive," according to the June 11 *Milwaukee Journal Sentinel*. The group urged that the 90-day trial be extended beyond July 11, but that would raise funding and liability insurance issues. Also, host railroad Canadian Pacific wants at least \$15 million in permanent improvements if the trial goes beyond 90 days, and has scheduled track maintenance work after July 11.

FIRST HIGH-SPEED FATALITIES IN 34 YEARS

The June 3 ICE high-speed train tragedy in Germany marked the first time in the world history of high-speed train service—back to the first Japanese "bullet train" of 1964—that there was a passenger fatality. The final count was 95 dead. It was the worst accident in Germany since 1945; there has been no accident of that magnitude in the US since 1917.

German Railways (DB) quickly imposed a temporary speed restriction of 100 mph for all trains, and inspected the 60 first-generation ICE trains (those like the one in the accident). A broken coach wheel was implicated. The accident took place at 125 mph on a conventional rail line north of Hanover (not on a newer high-speed line, where 175 mph is allowed).

Existing American trains are designed to a much higher strength standard than European ones. Cars in the US can take 800,000 pounds of pressure from the ends ("buff strength"), but European cars take only 460,000 pounds. The American Flyers being built for 150-mph service in the Northeast will take 800,000 pounds at the vestibules, but also have an inner shell that can take 1.2 million pounds, and that can hold the weight of another car on top. They also will have airline-style, enclosed luggage racks.



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