



May 19, 2021



General Counsel Symposium Offers Current, Focused Education to Railroad Legal Professionals

Legal professionals in the railroad industry often face technically complex issues requiring more specialized knowledge. ASLRRRA's [General Counsel Symposium](#) features the focused information these professionals need to best represent their rail clients.

The ASLRRRA team has finalized the agenda for this year's General Counsel Symposium, which is being held June 21-22 in Louisville, Ky., in conjunction with the [Eastern and Southern Region Meeting](#).

Featured session titles include:

- Strategically Defending a FELA Toxic Tort Case
- Utility Crossings and the State Model Code for Accelerating Broadband Deployment
- Section 889: Protecting the Security of the Railroad Supply Chain
- Encroachments and Trespass: On the Railroad, It's All About the Property! What You Can Do to Insure That Your Property Rights are Secure

Between sessions, symposium participants can network with regional meeting attendees and event sponsors. There are also other opportunities to make industry connections, such as an opening reception and networking breakfast. Those who attend the symposium are also invited to participate in the golf tournament or the Short Line Safety Institute Safety Train tour.

Follow this [link](#) to register for the symposium. Attendees can elect to earn CLE credits for an additional fee. ASLRRRA is also accepting sponsorships for the symposium. Learn more [here](#) or contact Amy Westerman at awesterman@aslrra.org.

Newly Added Speaker: Tony Hatch

A session with transportation analyst Tony Hatch has been added to the [Central and Pacific Region Meeting](#). Hatch will give an in-depth discussion of the state of the rail industry post-pandemic and as the map changes, and his talk is one of the many sessions focused on current issues affecting railroads.

View the article in our ASLRRRA Announcements section below to learn about the featured educational content at both the Central and Pacific Region Meeting and Eastern and Southern Region Meeting. [Register](#) today!

CDC Revised Guidance for Vaccinated People Does Not Change Requirements for Masks in Transportation


While the Centers for Disease Control and Prevention (CDC) has [issued new guidance](#) regarding when and where fully vaccinated people should wear face masks, the CDC has not modified its emergency order concerning face mask use during transportation.

The CDC's updated guidance for fully vaccinated people notes that local business and workplace guidance, as well as federal, state, local, tribal or territorial laws, rules, and regulations can still require people to wear masks.

In its prior [emergency order](#), effective Feb. 2, the CDC requires travelers, conveyance operators and those in transportation hubs to wear masks that cover the nose and mouth. This includes on airplanes, ships, ferries, trains, subways, buses, taxis, ride-shares and more.

The Federal Railroad Administration (FRA) issued its own Emergency Order 32 to mandate mask wearing in the same way as required by the CDC, focusing specifically on freight rail operations and those portions of passenger rail operation under the FRA's safety jurisdiction. As with the upheld CDC emergency order, the FRA has not rescinded or changed its own regulation requiring mask wearing by railroad personnel.

ASLRRRA's team has been in contact with the FRA concerning its mask policy, and has been informed that the FRA and U.S. Department of Transportation are in talks regarding the new CDC guidance and expect to have additional information available soon.

	<p>Position Available: Executive Director, FRA</p> <p>The Federal Railroad Administration is seeking a highly qualified executive to serve as the agency's Executive Director (ED). The ED will provide leadership and direction over programs and managers to include policy direction in the areas of high speed rail, grants management, research and development, policy and legislative issues, strategic planning, financial integrity, human resources, etc.</p> <p>More info: https://www.usajobs.gov/GetJob/ViewDetails/599530900</p>
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DHS Issues New Terrorism Bulletin Discussing Threat Environment

The Department of Homeland Security (DHS) [issued](#) a new National Terrorism Advisory System (NTAS) Bulletin on May 14, to expire Aug. 13. The bulletin discusses the current heightened threat environment, with threats becoming more complex and volatile in 2021.

Additional details describe the types of potential extremist attacks and possible targets and motivating factors. DHS further explains how it and the Federal Bureau of Investigation (FBI) are responding to the threats.

CISA Cyber Alert Concerns Ransomware Attacks on Infrastructure

A recent [National Cyber Awareness System \(NCAS\) Alert](#) from the Cybersecurity and Infrastructure Security Agency (CISA) and the Federal Bureau of Investigation (FBI) discusses the DarkSide ransomware

attack on Colonial Pipeline, and the continued threat to railroads and all other U.S. critical infrastructure (CI) entities.

The alert discusses the attack on Colonial Pipeline, and urges CI asset owners and operators to not only take on a heightened state of awareness but also adopt recommended mitigation strategies meant to reduce the risk of system compromise by ransomware attacks and severe business or functional degradation in the event of an attack.

ASLRRA strongly recommends their members work with their IT teams to secure their systems, and for those teams to [subscribe](#) to CISA's NCAS alerts. ASLRRA's [On-Demand Webinar](#) library also features a three-part series on cybersecurity, presented and sponsored by Collins Aerospace. Look for the following titles in the Technology category using the webinar link.

- Part 1: Introduction to Cybersecurity for Short Line Railroads
- Part 2: Security Controls for Short Line Railroads
- Part 3: Resiliency for Short Lines



Some States Offer Short Line Tax Credit, Mickelson & Company Explains

ASLRRA member Mickelson & Company has compiled a list of several railroad tax credits passed or being considered by state legislatures nationwide. Representatives from Mickelson & Company will discuss ways to access state and local railroad tax credits at both ASLRRA's [Central and Pacific Region Meeting](#), June 7 to 9 in Kansas City, Mo., and the [Eastern and Southern Region Meeting](#), June 21 to 23 in Louisville, Ky.

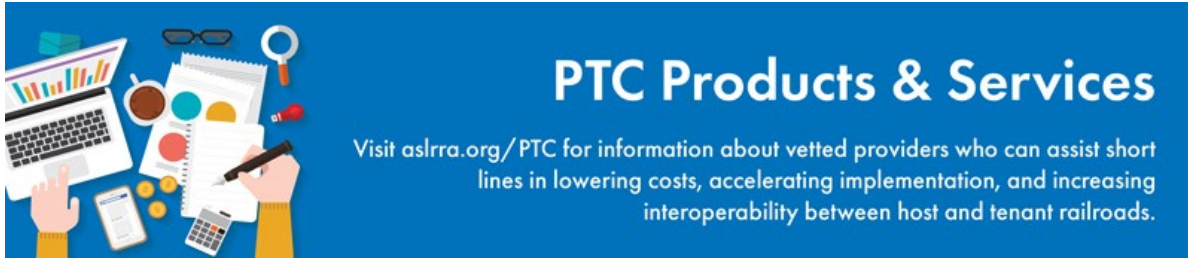
Arkansas unanimously passed a tax credit similar to the national 45G short line tax credit. The credit, which goes into effect in 2021, provides matching state funding for track improvement work, a 50 percent tax credit capped at \$5,000 per track mile.

Georgia's state tax credit for track improvements has been extended to 2028. The credit was introduced in 2019 and originally scheduled to end in 2023. It offers a 50 percent tax credit for improvements to tracks operated by Class II and III railroads, capped at \$3,500 per track mile.

In 2020, Oklahoma increased the cap for credit amount per track mile, to \$5,000 from \$1,500. Like other programs, the state offers a 50 percent tax credit. Alabama also has a short line tax credit program, at 50 percent, with a \$3,500 cap. The other two states with similar tax credits are Oregon and Kentucky.

Louisiana is currently considering a state railroad tax credit, 50 percent capped at \$7,000 per track mile. Mississippi and Minnesota also considered these programs, but they were not passed by state legislatures this year.

Railroads interested in state tax credits, but that operate in states without them, can contact [Mickelson & Company](#) to learn more about advocating for these programs.



ASLRRA Announcements

Regional Meetings are One-Stop Shop for Important Rail Industry Information

By bringing together representatives from many of the railroad industry's various domains, ASLRRA's regional meetings serve as a one-stop shop for railroads wanting to come away with the most relevant, most recent industry information.

Consider some of the presentations that will be available at both the June 7 to 9 [Central and Pacific Region Meeting](#) in Missouri and the June 21 to 23 [Eastern and Southern Region Meeting](#) in Kentucky.

- An overview of Federal Railroad Administration (FRA) priorities and initiatives
- A review of the Transportation Security Administration's (TSA) new training rule
- Discussions of the FRA's Part 214 and Part 243 regulations
- An introduction to the Surface Transportation Board and anticipated policy moves
- Talks on how to capitalize on rail track improvement tax credits and applying for CRISI grants
- A shipper's perspective on building relationships and business
- A look at the no-cost resources available to railroads from the Short Line Safety Institute (SLSI)
- Information about the SmartWay program and its benefits for railroads
- An update on ASLRRA's legislative efforts at the national level

There are even more sessions than listed above. ASLRRA is always focused on putting together meetings that make the most of their short three-day span, emphasizing both breadth and depth of information. And between sessions, networking breaks allow participants to talk with meeting sponsors or connect with industry peers.

Other activities available to attendees at both meetings are the SLSI Safety Train tour and a golf tournament. Follow this link to register for the [Central and Pacific Region Meeting](#), or this link to register for the [Eastern and Southern Region Meeting](#).

Small Railroad Members Invited to Join ASLRRA Committee

ASLRRA's Small Railroad Committee is seeking members who are interested in serving on the committee by participating in calls and meetings and working collaboratively to identify needs and services to support small and independent railroads throughout the industry.

Small Railroad Committee membership is open to all ASLRRA railroad members who are small or independent railroads and are not part of a holding company. The committee's mission is to serve as

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an information-gathering resource for small railroads that share many common interests and issues, and to offer ASLRRA the collective perspective of member companies concerning matters impacting small railroads, such as engagement, training and education needs, and regulatory compliance issues.

Committee Chair Dan Sabin, president of Iowa Northern Railroad Company, is issuing an open invitation to all interested individuals to attend the Small Railroad Committee's upcoming call and/or in-person meeting, detailed below.

- Committee Call
Tuesday, May 25, 2:00-3:00pm EST, via Zoom
- In Person Committee Meeting
Monday, June 21, 4:00-5:00pm EST, Galt House Hotel, Louisville, KY

If you are interested in joining the committee and attending the upcoming call and/or meeting, please email [Sabrina Waiss](#) to be added to the committee list and receive call and meeting details. Please contact [Sabrina Waiss](#) or Committee Chair [Dan Sabin](#) with any additional questions about committee membership.

ASLRRA Out and About

Baker Discusses Short Lines at Two Virtual Events

ASLRRA President Chuck Baker was a guest speaker at two virtual events this week, the Annual Bank of America Transportation, Airlines and Industrials Conference and the Railway Association of Canada (RAC) Shortline Committee Meeting.

For the Bank of America event, Baker participated in a panel discussion titled "Short Line Rails: A Growth Engine." He was joined by Jack Hellman, chairman, president and CEO of ASLRRA member Genesee & Wyoming Inc.

During the RAC committee meeting, Baker gave a presentation on the perspectives of U.S. short lines and participated in a question and answer segment.



Save the Date for ASLRRA's Annual Conference

2021 Phoenix Convention Center Phoenix, AZ November 17-19	2022 St. Louis Convention Center St. Louis, MO May 1-4
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Visit aslrra.org/events to learn more



ASLRRRA Webinars – Live or On-Demand

Upcoming Webinars

[Benefits of Using Rail from Shipper & Logistics Perspective](#) - May 26, 2021

Join ASLRRRA and SmartWay for a discussion about how and why shippers use rail in moving freight, featuring representatives from SmartWay partners BASF and Celtic Logistics. Participation is free for

both ASLRRRA members and non-members, and attendees will have an opportunity to participate in facilitated Q&A throughout the presentation.

Learn About Important Railroad Topics with ASLRRRA's Recorded Webinars

ASLRRRA offers more than 100 webinar recordings covering a variety of railroad topics, from human resources to crisis communications, federal regulations to legal issues. Find them in the Association's [On-Demand Webinar Library](#). Recordings are free to members and available by subscription to non-members.

[Click here](#) for more ASLRRRA events.

Industry Events and Announcements

June 8-11: SLSI's Leadership Development Training Course Helps Managers Hone Their Skills

Only nine spots remain in the Short Line Safety Institute's (SLSI) online [Leadership Development Training](#) course, taking place June 8 to 11.

Managers at every level of experience can learn from the interactive sessions that help them provide more effective communication, deliver constructive feedback, manage agreements and build high-performance teams.

SLSI's training events are offered at no cost to railroads and their employees. Watch this [video](#) to learn more about SLSI's Leadership Development Program, or go directly [here](#) to register for the course. Railroads can also arrange to have a training course for their employees at their location. Contact SLSI's Sam Cotton at sam.cotton@shortlinesafety.org with questions or to schedule a course.

[Click here](#) for more industry events.

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