



April 20, 2022



FRA Releases Statement on Federal Mask Mandate Ruling

On Monday a federal judge struck down the mandate requiring masks to be worn on public transportation and in public conveyances. The Transportation Security Administration (TSA) subsequently announced it would no longer enforce its security directives requiring mask use, and the Federal Railroad

Administration issued its own statement yesterday concerning the matter:

"The April 18, 2022, court decision ([Health Freedom Defense Fund, Inc. et al v. Biden et al](#)) means that the Centers for Disease Control and Prevention (CDC) public transportation masking order [is not in effect at this time](#). Therefore, the [Transportation Security Administration \(TSA\) will not enforce](#) its Security Directives requiring mask use on public transportation and in transportation hubs at this time. Similarly, the Federal Railroad Administration will not enforce Emergency Order No. 32, [Emergency Order Requiring Face Mask Use in Railroad Operations](#), at this time. CDC recommends that people continue to wear masks in indoor public transportation settings. Also, TSA's withdrawal of its directives does not preclude a transportation operator from imposing its own face mask requirements."

FRA's statement can be found on its [COVID-19 information website](#).

ASLRRRA Will Debut Mobile Classroom and Learning Management System at Annual Conference

Attendees at the ASLRRRA Annual Conference and Exhibition will be among the first to preview the Short Line Training Center's Mobile Classroom and Online Learning Management System, a new project developed by ASLRRRA and member Iowa Northern Railway Company (IANR) and supported by a fiscal year 2020 CRISI grant from the Federal Railroad Administration (FRA).

The mobile classroom will be in Booth 916. The Short Line Training Center is a comprehensive safety education and training program for short line railroads that will offer a broad range of regulatory, compliance and safety coursework and materials, available to learners at the click of a mouse. The program includes computer-based training courses delivered via an online Learning Management System (LMS), in person instructor-led seminars and locomotive simulator training.

Stop by to check out the mobile classroom, test your skills with one of our mobile simulators, and view a demo of courses currently available in the Online Training Center LMS. [Register](#) now for the conference, held May 1 to 3 in St. Louis, Missouri.



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The advertisement features a collage of images including a truck engine, a yellow traction motor, a blue traction motor, a wheel set, and a blue and black locomotive pulling a train.



2022
ASLRRR Annual Conference & Exhibition
May 1-3 | St. Louis, MO

The logo features the year '2022' in large red numbers, with a stylized blue and white graphic of the Gateway Arch and a train bridge in the background.

Countdown to Annual Conference Begins

Anticipation is building for the ASLRRR Annual Conference and Exhibition, which is now less than two weeks away.

The Hyatt Regency St. Louis is the only hotel still offering special rates for the ASLRRR Conference. Shuttles will run continuously between the hotel and convention center while events are taking place.

Individuals can still [register](#) for the conference, which will feature 11 educational tracks with over 30 different sessions on topics like cybersecurity, rail car and locomotive maintenance, grant requirements, sustainability and more. Conference keynote speakers Representative Rodney Davis (R-ILL.) and Federal Railroad Administration (FRA) Deputy Administrator Jennifer Mitchell will offer their insight during the General Session, which is also when the Association will recognize winners of its annual awards and induct two new members into the Short Line Hall of Fame.

[Register now for the conference!](#) Remember, individuals **must** be logged in to their ASLRRR accounts prior to attempting to register. Those without an ASLRRR user account should email aslrra@aslrra.org to create one, while organizations needing to register five or more employees at one time should send a list with employee names, titles and email addresses to ASLRRR's Julie Duriga at jduriga@aslrra.org.

Very limited space is still available for companies interested in purchasing a booth in ASLRRR's Expo Hall. There are also some [sponsorship opportunities](#) still available. Contact ASLRRR's Kathy Keeney at kkeeney@aslrra.org for information about both expo booths and sponsorships.



Association Comments on Washington Attempt to Regulate Crew Size

ASLRRA filed [comments](#) with the state of Washington's Utilities and Transportation Commission in response to the Commission's rulemaking on crew size.

ASLRRA urges the commission to withdraw the rulemaking. The Association's comments note that the state's law is preempted by the ICC Termination Act of 1995 49 U.S.C. § 10501(b). In addition, the Federal Railroad Administration (FRA) has said it will promulgate

regulations addressing minimum crew size under its authority delegated by the Federal Railroad Safety Act.

The comments go on to identify potential problems with the wording of the Washington statute, such as phrasing inconsistent with Surface Transportation Board railroad classifications and language that could give Washington regulators the ability to dictate train crew staffing in the state.

ASLRRA member parent company Genesee and Wyoming Inc. also submitted comments on behalf of its three short line railroads in Washington.

Railroad Retirement Board to Resume In-Person Service

Starting April 25, the Railroad Retirement Board (RRB) [will reopen](#) its field offices to in-person services on a limited, by-appointment basis.

Offices will be open from 9 a.m. to 3 p.m., Monday through Friday. Appointments can be made by phone, or through individual offices through mail, fax or the Secure Message feature on each office's website. Use the RRB's [Field Office Locator](#) to find the closest office.

Office of Advocacy Invites Small Businesses to Virtual Roundtable Discussing Davis-Bacon Act

The Small Business Administration's (SBA) Office of Advocacy will hold a [virtual roundtable](#) to speak with stakeholders about the Department of Labor's [proposed rule](#) regarding the Davis-Bacon Act.

The rule would update and modernize regulations in the Davis-Bacon Act concerning labor standards applying to federal and federally assisted construction projects. Railroads considering these types of projects may wish to participate in this round table discussion, which will take place on April 25.

Those wishing to participate must RSVP by email to Janis.Reyes@sba.gov.

Federal Highway Administration Talking Freight Seminar Focuses on Equity

The Federal Highway Administration's next meeting in its ["Talking Freight" seminar series](#) will take place on April 26. This month's seminar will focus on equity consideration in goods movement.

Although this seminar may be highway and trucking centered, it could be useful for any railroad considering an application to the U.S. Department of Transportation (DOT) for a discretionary grant from programs like CRISI, INFRA, RAISE, and PIDP and looking for guidance on how to address equity in transportation as part of an application, which is clearly a priority within this DOT.

Follow the link above to register for the seminar.



ASLRRA Urges Members to Reach Out to House Democrats

Representative Sylvia Garcia (D-Texas) is preparing to send a letter to House transportation appropriators seeking \$500 million for CRISI grants for fiscal year 2023. This is in addition to the \$1 billion guaranteed in the recent infrastructure bill. ASLRRA's Government Affairs Team is encouraging railroad members to reach out to House Democratic-member offices and encourage them to join Garcia's letter.

Having many signatures on the letter shows a strong level of support and could lead to higher funding levels. Congressional offices can connect with Garcia through Courtney Broderick at Courtney.Broderick@mail.house.gov. ASLRRA's [Tom Lynch](#) and [Zach Radford](#) can also help members reach out to lawmakers. The deadline to contact Garcia's office is April 25.

ASLRRA staff is also working to finalize a House Republican-led letter and is pursuing letters in the Senate.

Kansas Establishes State Tax Credit for Short Line Infrastructure Spending

Kansas has joined six other states in having a state tax credit program to provide infrastructure funding to Class II and III railroads.

Kansas Governor Laura Kelly [signed the program into law](#) on April 14. The program allows Class II and III railroads to claim a state tax credit equal to 50 percent of their eligible track maintenance spending, capped at \$5,000 per track mile.

Based on an estimated 1,700 Class II and III railroad track miles in the state of Kansas, the law creates a reliable and predictable \$8.6 million annual funding program. It is currently in place for 10 years, from 2022 to 2031.

Like the federal 45G tax credit, this tax credit can be assigned to another Kansas state income taxpayer provided they ship on a Class II or III railroad in the state of Kansas. The short line railroads in Kansas championed this effort and ASLRRA member Mickelson and Company played a critical supporting role.

Alabama, Arkansas, Georgia, Kentucky, Oklahoma, and Oregon all have similar short line tax credit programs, and ASLRRA is hopeful there could still be one or two more states passing similar laws this year.

Railroads operating in a state without a short line railroad tax credit that would like to get involved in helping create one can reach out to fellow railroads in the state, the state railroad association if there is one, representatives at Mickelson and Company or to our team at ASLRRA to get started.

The text of the bill can be found [here](#). The short line railroad tax credit begins with "New Sec. 18" on page 7.



As an ASLRRRA Preferred Provider, Loram offers Discounts on Tie and Track Inspection Services to ASLRRRA Members.

Click to learn more!



ASLRRRA New Members

Know a company that would benefit from joining and participating in ASLRRRA? Please contact ASLRRRA's Senior Vice President of Membership and Business Development Kathy Keeney via [email](#) or on (202) 585-3439.

ASLRRRA Welcomes Four Associate Business Members



[Dynamic Ticket Solutions, LLC](#), based in Vernon Hills, Illinois, provides relationship management systems for the tourist railroad and excursion train industry. It assists customers with ticket purchasing, membership, volunteer, affiliate, donor and group management. Each system delivered starts with a core set of code/ideas, then the software is customized to fit your railroad's business rules. Our primary contact is President [Michael Kuehl](#), who can be reached on (856) 779-0230. **Learn more about the company in Booth #128 in the expo hall at our annual conference and exhibition.**

Knight Nicastro MacKay

experience representing railroads around the country in defense of FELA, grade crossing, trespasser, FRSA, employment discrimination, and property matters. Its seasoned trial lawyers have a track record of returning defense verdicts in high-exposure cases in challenging venues. Its indemnity recovery attorneys have a strong background assisting railroads with all aspects of risk transfer strategies for vendors and their insurers. Our primary contact is firm Member [Chad Knight](#), who can be reached on (303) 815-5869.

[Knight Nicastro MacKay, LLC](#) is a full-service litigation firm. From its offices located across the mid-west and west, Knight Nicastro MacKay attorneys bring over 100 years of



[REMPRES LLC](#), based in Lisle, Illinois, provides intelligent operations & technology for the intermodal container supply chain. Services include outsourced gate, yard and ramp operations and lift equipment maintenance. Technology

solutions include automated gate and OCR, IoT-based terminal equipment monitoring and yard management systems. Our primary contact is Sales Director [Bill Louis](#), who can be reached on (331) 481-0461. **Learn more about the company in Booth #209 in the expo hall at our annual conference and exhibition.**



Enriching lives and the world

[Sumitomo Corporation of Americas](#), established in 1952 and headquartered in New York City, has eight offices in major U.S. cities. SCOA is the largest subsidiary of Sumitomo Corporation, one of the world's leading traders

of goods and services. Its core business units include Steel and Non-Ferrous Metals, Transportation and Construction Systems, Tubular Products, Infrastructure, Chemicals and Electronics, Media and IOT Applications, Real Estate, Mineral Resources and Energy, and Food. The primary contact for its rail business is Product Manager [Eddie Yogo](#), who can also be reached on (312) 259-8063. Many thanks to ASLRRA's Jo Strang for the assist with this new membership.

ASLRRA Members of Note

Short line and regional railroads are known for their willingness to think outside the box to build their business and better serve customers. ASLRRA is proud to showcase the accomplishments of its members.

Buckingham Branch Railroad Converts Company from Truck to Rail Shipments, Helping it Thrive

*By Jim VanDerzee
Manager of Industrial Development, Buckingham Branch Railroad*

With most change, there is risk. New rail customers often must invest capital in rail infrastructure, usually without knowing if rail is a good logistical solution. Fear of this risk often steers prospective customers toward shipping freight with trucks.

Tucker Timber Products in Keysville, Virginia is a second-generation, family-owned railroad crosstie producer. They have been producing crossties at a mill adjacent to an active railroad main line track since 1986 but were shipping their crossties by truck because they lacked a sidetrack. With sidetrack

construction estimated at over \$500,000, the risk was too great to make the investment without testing the rail shipment process.

The Buckingham Branch Railroad (BB) operates the main line adjacent to Tucker Timber. BB's creativity and flexibility helped encourage and facilitate Tucker Timber's conversion to rail shipping. Because main line rail traffic is light at that location, BB allowed Tucker Timber to temporarily load railcars on the main line. This unconventional solution required flexibility and coordination between Tucker Timber and BB's Operations Team.

BB also established new working relationships with the procurement team of its Class 1 partner, Norfolk Southern, resulting in new Norfolk Southern crosstie shipment sourcing from Tucker Timber with an assigned railcar pool. BB helped prove that rail is a good logistical solution for Tucker Timber, enabling Tucker Timber to grow their business over the last two years and even secure new business with customers outside of trucking distance.

Tucker Timber is now constructing a sidetrack to secure their rail business for the future, financed in part by a \$422,000 Virginia Rail Industrial Access grant BB helped them obtain in 2021. The new

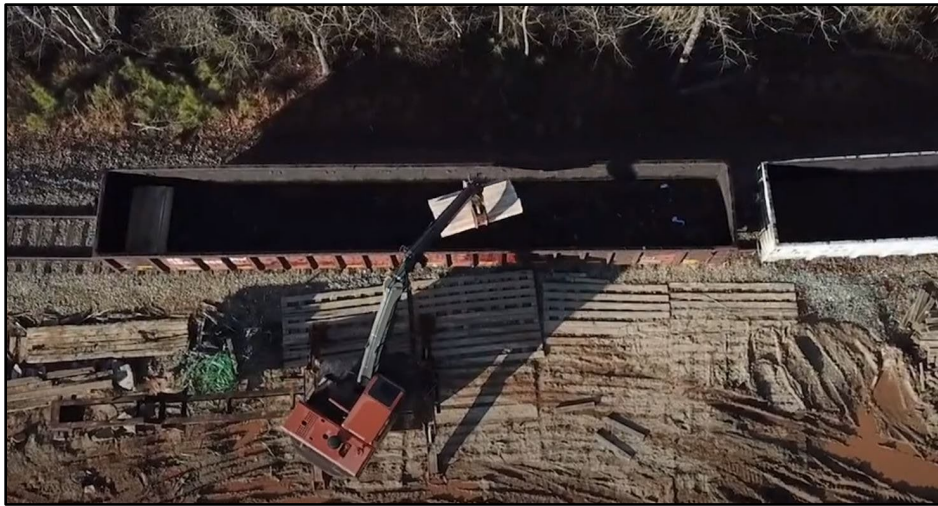


Photo Courtesy of Buckingham Branch Railroad

Crossties are loaded on a railcar stopped on the mainline of ASLRRRA member Buckingham Branch Railroad. Buckingham Branch allowed potential customer Tucker Timber Products to load cars in this unconventional way so they could experience the benefit of rail shipping before committing about half a million dollars to construction of a sidetrack.

sidetrack will improve the efficiency of Tucker Timber's mill operation so they can redeploy approximately \$400,000 of loading equipment to other uses to grow their business.

Tucker Timber expects to grow their carload volume to over 168 after their sidetrack is complete, which equates to about 672 truckloads per year diverted from the highway. BB is proud to have played an important role in helping Tucker Timber prosper. These two family-owned businesses now have a great future together.

ASLRRA Announcements

Optimize Track Inspections with Aurora from Preferred Provider Loram Technologies

Track inspections help railroads identify and manage problems and potential problems to ensure operational safety and regulatory compliance. To aid with the inspection process, ASLRRA Preferred Provider Loram Technologies offers its Aurora Track Inspection Technology to ASLRRA members at preferred pricing through the Association's Member Discount Program.

Aurora uses state-of-the-art imaging technology to scan railroad tracks, evaluating the condition of every tie and identifying problems like rail seat deterioration and rail base corrosion. That data gets turned into an easy-to-understand report customized to railroads' specific needs, helping companies find issues that compromise track safety and efficiency. Not only can railroads then make plans to repair deficiencies, they can evaluate whether they are in compliance with industry regulations.

ASLRRA members can improve operations at a lower cost with Aurora from Loram Technologies. To learn more about Aurora and the other products and services available through other ASLRRA Preferred Providers, visit the Association's [Member Discount Program website](#). Members can save on things like personal protective equipment and employee health insurance, or get support with positive train control or grant writing.

ASLRRA Out and About

Gelnar Travels to Oklahoma for AAR Committee Meetings

ASLRRA Vice President of Safety and Compliance JR Gelnar is in Oklahoma City, Oklahoma this week for the Association of American Railroads (AAR) Hazmat and Tank Car Committee meetings.

The committees will discuss multiple items regarding hazmat and tank car safety including updates from the Federal Railroad Administration (FRA), the Pipeline and Hazardous Materials Safety Administration (PHMSA) and Transport Canada.

Ogborn Chosen as Member of Colorado DOT Selection Committee

Mike Ogborn, former ASLRRA board chair and current chair of the Colorado Freight Advisory Council, was appointed to the selection committee to choose the first ever Freight Mobility and Safety Branch Manager at the Colorado Department of Transportation (CDOT)

Ogborn will be the private sector representative of the freight industry in Colorado. The Freight Branch Manager Ogborn and his fellow committee members are charged with choosing will direct and supervise the newly created Freight Mobility and Safety Branch, which will plan, design, and implement programs and projects that enhance freight mobility and safety within the state.

CONNECT REMOTELY AND CONTINUE LEARNING WITH ASLRRRA WEBINARS

With more than 150 recordings available, there's a webinar to meet the needs of everyone on your team. Visit aslr.org/webinars to view a complete list of available recordings.



ASLRRRA Webinars – Live or On-Demand

Keep Up with Worker Issues Through On-Demand Webinars

ASLRRRA's webinars have covered regulatory topics addressing worker-related issues. Recordings of these webinars and copies of presentation materials are available in ASLRRRA's [On-Demand Webinar Library](#). Look for the following titles:

- Roadway Worker Protection (RWP) Hot Topics
- Diagnosis, Protocol, Compliance and Regulation – A Guide to Better Understanding Sleep Apnea
- Marijuana and CBD - New Drug Testing Issues
- Protecting Roadway Workers from Zika, West Nile, Tick Bites and Other Warm-Weather Threats

These webinars are just a few of the over 150 recordings available to ASLRRRA members. Non-members can access on-demand webinars by purchasing a subscription. View our [webinar page](#) and click on the On-Demand Webinar button to log in and access recordings.

Upcoming Webinars

[Part 243 Railroad Obligations with Contractors](#) – June 1, 2022

Join FRA Staff Director Rob Castiglione to understand what your obligations are as a railroad when engaging with contractors under Part 243, including Roadway Worker Protection (RWP). Attendees will have an opportunity to participate in Q&A at the end of the presentation. Presenters include Castiglione and ASLRRRA's Jo Strang and JR Gelnar.

This webinar is free for both ASLRRRA members and non-members.

Click [here](#) to learn more about ASLRRRA's education offerings.

Industry Events and Announcements

Short Line Safety Institute Safety Tip Discusses Proper Lifting Techniques

The Short Line Safety Institute's [newest safety tip](#) focuses on the importance of using proper lifting techniques to avoid injury. The safety tip is also available in [video format](#). Use one or both at your next safety briefing!

The safety tip identifies the risk factors in manual material handling and offers some best practices for lifting heavy items safely. This tip is one of several available on the Short Line Safety Institute's [website](#). Other tips deal with a variety of topics including railroad regulations, hazardous materials and general health concerns.

Find the Short Line Safety Institute in Booth 510 at the ASLRRA Conference and Exhibition. Stop by to find out what they can do for your railroad in 2022 and beyond.

Click [here](#) for a calendar of industry events.

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