



December 2, 2021



ASLRRA 2021 Conference & Exhibition Concludes

ASLRRA's Conference & Exhibition, the first in-person annual event in 30 months, concluded on November 19 in Phoenix, Arizona. More than 1300 attendees were able to take advantage of 36 educational workshops, presented by 90 subject matter experts and attend an Exhibit Hall with more than 160 companies present.

As Chuck Baker, ASLRRA President, said in his remarks at the opening General Session, "As an Association, we have had a record-breaking year as far as membership goes – we've had more than 135 members join in 2021 – before this, we had never even had 100 new members join in a single year. Our supplier members have been so incredibly supportive of the association – throughout the year getting the railroads what they need to thrive, and here at this event through record-setting sponsorships and a packed exhibit hall."

ASLRRA also announced new Board Members following the meeting including:

- Central Region - Bruce Carswell (Jaguar Transport Holdings, Inc.), Bobby Franklin (TNW Corporation) and Danny Robbins (**Dardanelle & Russellville Railroad Co.**) elected to fill an unexpired term
- Pacific Region - Don Smith (Genesee & Wyoming Railroad Services, Inc.)
- Eastern Region - Bob Babcock (Indiana Rail Road)
- Southern Region - Thomas Greene (Paducah & Louisville Railway)
- Associate Member Representative - Kareen Gray (Wabtec Corp.)
- Young Professional Member Representative - Daniel Gibson (L.G. Barcus & Sons, Inc.)

Elected to a second term were:

- Eastern Region – Ed Foley (Genesee & Wyoming Railroad Services, Inc.)
- Southern Region – Laura McNichol (Watco)

ASLRRA would like to thank the following individuals for their contributions to our organization as they leave the board:

- Eastern Region - Stephen Weaver (Strasburg Rail Road)
- Central Region – Mark Wegner (Twin Cities & Western Railroad)
- Pacific Region - Jeff Van Schaick (Jaguar Transport Holdings, Inc.)
- Southern Region - Tom Garrett (Paducah & Louisville Railway)

- Associate Member Representative - Shea McLaughlin (CDL Electric Company)
- Young Professional Member Representative - Karen McCash (Collins Aerospace)

MARK YOUR CALENDARS – ASLRRA's 2022 Convention & Exhibition will be held May 1-3, 2022 in St. Louis, Missouri.

RAISE Grants Awarded by DOT

On Friday, November 19, U.S. Secretary of Transportation Pete Buttigieg [announced](#) that the Biden Administration will invest nearly \$1 billion in American infrastructure through the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grants program. The funding has been awarded to 90 projects in 47 states, the District of Columbia and Guam.

Congratulations to ASLRRA members Rapid City, Pierre & Eastern Railroad, Inc., and Wisconsin & Southern Railroad who will be beneficiaries of the awarded Grants.

Mississippi counties of Wayne, Greene and George also received a \$2 million Planning Grant, which will help East Mississippi Intermodal Railroad plan for improvements along a 56-mile Class III rail line. The rail line is expected to fill a rail service gap between the Port of Pascagoula and the Meridian rail hub.

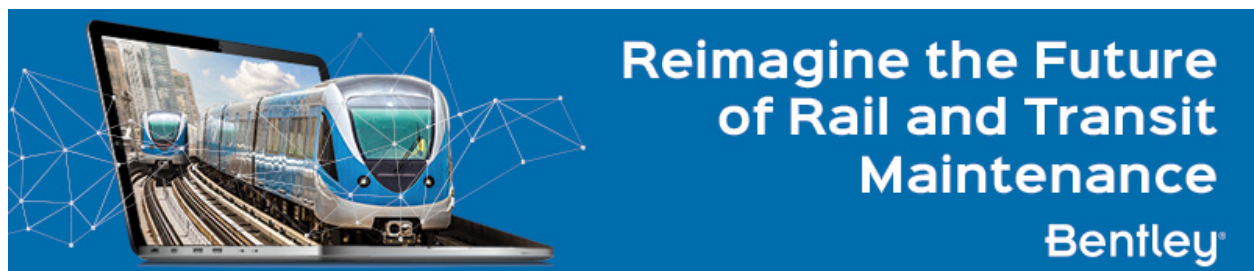
Click [here](#) for a listing of Grants, and [here](#) for a listing of Planning Grants.

FRA Asks Freight Railroads to Review Conductor Certification Programs

On November 12th, ASLRRA received a [letter](#) from Amit Bose, Deputy Administrator, Federal Railroad Administration (FRA), concerning fatalities and serious injuries of conductors, some with less than one year of experience.

The FRA was directed by Congress as part of the recently passed Infrastructure Investment and Jobs Act (IIJA) to review these statistics. Upon review of certain Class 1 conductor certification training programs, FRA has concern with the duration of training required for certification of a conductor. As a result of the program reviews, the Operating Practices Division has been instructed to conduct comprehensive reviews of all railroad conductor certification programs, including short lines.

FRA and ASLRRA suggest short line railroads review their programs to ensure regulatory compliance including training durations. ASLRRA conductor certification program template (Part 242) was updated earlier this year, and is available for members on the ASLRRA [website](#). Questions? please contact [JR Gelnar](#) or [Jo Strang](#).





ASLRRA Offers Support for Biden's Climate Action Plan in Letter to Secretary Buttigieg

On November 19, ASLRRA provided a [letter](#) to Transportation Secretary Buttigieg outlining the challenges that small business railroads have had in investing in green technology, and the actions ASLRRA is taking with the Federal Railroad Administration to assist short line railroads in climate-based research initiatives and data sharing across the industry in an effort to improve on the already low greenhouse gas emissions impact of freight rail. ASLRRA

called upon Buttigieg to support research initiatives involving the short line industry including developing affordable options for implementation, and offered short line expertise to the Department of Transportation teams as the Action Plan moves forward.

Amit Bose Responds to Confirmation Questions on Status of ATI Inspection Waivers

In a [letter](#) dated November 23, 2021, Federal Railroad Administration (FRA) Deputy Administrator Amit Bose detailed the Railroad Safety Advisory Committee's (RSAC) efforts to establish a regulatory pathway for railroads to utilize ATI technology, especially Automated Track Geometry Measurement Systems (ATGMS). Six Class Is had petitioned FRA for testing programs, and all were granted. FRA's analysis of one test program's data demonstrated that monthly walking inspections of turnouts and other structural areas, coupled with ATGMS and reduced visual inspection frequency, maintained the overall safety of the track being inspected.

Bose noted that RSAC has an ongoing task related to track inspection, including reaching a consensus-based automated track inspection rulemaking, and one of the objectives of the test programs is to establish a technical foundation to support RSAC's analysis of potential options for safely incorporating ATI technology into FRA's safety regulations. To further that effort, FRA is approving extensions for all unfinished Test Programs until November 23, 2022.

ASLRRA is a member of RSAC.

WEBINARS AVAILABLE ON DEMAND

With more than 150 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.



Senator Tom Carper Tours Delmarva Central Railroad (DCR)

Led by DCR, and joined by local officials including Seaford Mayor David Genshaw and Sussex County Commissioner Michael Vincent, as well as representatives from Perdue Agribusiness, GoRail and the American Short Line and Regional Railroad Association, the Senator visited the railroad's Seaford Transload Facility, opened in 2019, as well as a swing bridge modernization project in development. The team also reviewed a rail/barge

terminal concept that could take thousands of truck moves off Delaware roads each year,



Senator Carper and Cliff Gunstra, Vice President and CMO, DCR review the facilities.

meaningfully reducing road congestion and transportation-related emissions. "Delmarva Central Railroad is a vital part of moving goods through the region and keeping our economy moving forward," said Senator Carper. "Just last week, Congress passed the bipartisan Infrastructure Investment and Jobs Act, which makes extraordinary investments into our nation's infrastructure, and helps short lines like DCR with more funding opportunities through grant programs. It's important to recognize how railroads large and small are driving growth across the country and doing so in a way that cuts emissions."

Carper serves as the Senate's Environment and Public Works Committee Chair.

Congress Returns to Face a Busy Calendar as the End of the Year Approaches

Congress must pass a government-funding bill by Friday as a long-term spending bill still hangs in limbo. The most recent government spending bill expires in just days, on Friday, December 3, so Congress will need to pass a stopgap funding measure to avert a shutdown of government programs. Congress will likely end up extending funding for several weeks, possibly into late January or even February, providing legislators with more time to negotiate a longer-term spending bill that could include increases in funding for programs like the Consolidated Rail Infrastructure and Safety Improvements Program.

This month Congress will also need to address raising or suspending the debt limit, as federal budget officials contend the U.S. government may not be able to pay its bills as soon as December 15. And further complicating the agenda, Senate Democrats are planning to debate, amend and advance the President's \$1.75 trillion social spending bill this month as well. That bill, also known as the Build Back Better bill, passed the U.S. House of Representatives on November 19 by a vote of 220-213, with all Democrats in support (except one) and all Republicans opposed.

ASLRRA Weighs In with House T&I Committee About Possible Discrimination Within the Federal Passenger Rail Contracting Industry and the Creation of a DBE Program

Per helpful feedback from the short line freight rail community, ASLRRA submitted a [statement](#) for the record to the House T&I Committee regarding its recent hearing on discrimination in federal passenger rail programs and the possible creation of a Disadvantaged Business Enterprise (DBE) program at FRA. As federal passenger rail programs often overlap with federal programs affecting the short line freight industry, ASLRRA weighed in with its insight and concerns about standing up a new DBE effort at FRA.

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As the Committee considers this effort, ASLRRA offered several suggestions, including avoiding any fixed-dollar or percentage set aside, as railroad-specific firms are limited; encouraging alternative solutions like improved resources, education and awareness expanding and perfecting database and search tools for DBE firms; and advancing any efforts that could be helpful to facilitate connections and ensure that ample resources are available for DBE firms to learn how to compete.

ASLRRA has already had informative discussions on this topic together with FRA and the Conference of Minority Transportation Officials (COMTO), and ASLRRA's submission to the House transportation panel echoes many of the concerns ASLRRA has raised with these stakeholders and will continue to voice in future conversations with key policymakers.



Note for Conference Attendees:

Yesterday, ASLRRA sent information including downloadable documents from speakers, a final attendee list, and links to photos. If you were registered for the event and did not receive the email, please check your spam folder.

ASLRRA Announcements

Place ASLRRA's Short Line Education Fund on Your Holiday Donation List

In the few short years since it was established, ASLRRA's Short Line Education Fund has awarded several scholarships to employees of small railroads, supported the development and launch of Leadership Development, General Code of Operating Rules (GCOR), and Advanced Designated

Supervisor of Locomotive Engineers (DSLE) training seminars, and is poised to roll out additional educational offerings in the year ahead.

Your tax-deductible contribution supports our work to develop important industry education and training programs, deliver training to employees of small railroads, and conduct valuable research on behalf of the short line railroad industry.

Please add the Short Line Education Fund to your list and [make a donation](#) today!

Note: please log in to the ASLRRRA website before making your donation.

CISA and FBI Urge Organizations to Remain Vigilant to Ransomware and Cyber Threats This Holiday Season

The [Cybersecurity and Infrastructure Security Agency](#) (CISA) and the [Federal Bureau of Investigation](#) (FBI) [issued](#) a cybersecurity reminder for public and private sector organizations to remain vigilant and take appropriate precautions to reduce their risk to ransomware and other cyberattacks leading up to and during the holiday season. [This advisory](#) is based on observations on the timing of high impact ransomware attacks that have occurred previously rather than a reaction to specific threat reporting. Specifically, malicious cyber actors have often taken advantage of holidays and weekends to disrupt critical networks and systems belonging to organizations, businesses, and critical infrastructure.



ASLRRRA Webinars – Take Advantage of On-Demand Learning in December

Check out ASLRRRA's [On-Demand Webinars Library](#) and access more than 150 recorded webinars on a range of industry-specific topics. Recordings for all seven webinars from our popular 2021 Legal Series are now available, see below for detailed descriptions and check them out online today!

[STB Hot Topics](#) - In this session, David Rifkind, Partner, Stinson LLP, covered new Board members, new dynamics, and old merger rules.

[NTSB Investigations](#) -The National Transportation Safety Board investigates only approximately 20 rail calamities each year. Tom Tobin and Dan Braude of the Wilson Elser Law Firm have represented railroads and other transportation providers in dozens of NTSB investigations and their presentation helped take some of the mystery out of the process.

[Utility Crossings and Broadband Development](#) - Subject matter experts David Drach, Railroad Real Estate Consulting, LLC and Matthew Hammer, Daley Mohan Groble, PC, examined the FCC's Broadband Deployment Advisory Committee's State Model Code for Accelerating Broadband Deployment and existing state statutes governing utility crossings.

[Encroachments & Trespass: On the RR, It's All About Property](#) - In this important webinar we discussed what railroads can do to ensure that their property rights are secure, with expert presenters from the law firm of Dyer & Peterson.

[Section 889: Protecting the Security of the RR Supply Chain](#) - Susan Warshaw Ebner, Partner, Stinson LLP, and Mark Sidman, General Counsel & Corporate Secretary, Anacostia Rail Holdings Co., explained the new requirements and discussed the challenges railroads face in implementing Section 889 requirements.

[Strategically Defending a FELA Toxic Tort Case](#) - This presentation discussed the new FELA threat posed by toxic tort cases claiming diesel exhaust and other exposures caused cancer, plaintiffs' law firm business models in filing such lawsuits, and how to strategically defend the claims from inception to defense verdict.

[Environmental Update - Who's on First?](#) - HDR's Kevin Keller provided an update of current environmental regulations and how they potentially impact the freight rail industry.

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

Out and About

ASLRRRA Safety Staff Attend Industry Meetings on Behalf of Members

The Switching Operations Fatalities Analysis (SOFA) Working Group met November 30 – December 2 in Clearwater, Florida to discuss and analyze three switching fatalities. JR Gelnar, Vice President, Safety & Compliance, ASLRRRA was in attendance representing short lines.

Jo Strang, Senior Vice President, Safety & Regulatory Policy, ASLRRRA attended the Association of American Railroads' (AAR) Safety Operations Management Committee (SOMC) virtually on December 1, representing the short line industry.

Industry Events and Announcements

OLI Set to Celebrate 50th Anniversary

Operation Lifesaver's 50th Anniversary is right around the corner! Join their year-long celebration in 2022 celebrating #50YearsofRailSafety by prominently displaying Operation Lifesaver's 50th Anniversary logo on your trains, sharing their rail safety messages, following them on social media and using the hashtag #50YearsofRailSafety throughout the year.

ASLRRRA members Napoleon, Defiance & Western Railway (Pioneer Lines), Wheeling & Lake Erie, and the Ohio Central Railroad (G & W) have signed on to place OLI Logos on their locomotives in 2022!

For more information on how to participate in OL's anniversary celebrations next year, to ensure you are on their mailing list and to receive OL 50th anniversary artwork please reach out to Jennifer DeAngelis at jdeangelis@oli.org (202.815.4340).

VA DOT Grant Applications for Rail, Public Transportation, and Commuter Assistance Programs Open Today

The Virginia Department of Rail and Public Transportation (DRPT) will begin accepting applications for rail, transit, and commuter assistance grants for the 2023 Fiscal Year at 12:01 A.M. Wednesday, December 1, 2021. The annual grant application period runs through February 1, 2022.

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Rail, transit, and commuter assistance funds are available through multiple state and federal sources to support public transit service, human service transportation, senior transportation, TDM, and rail programs in Virginia. Current Application Guidance for all DRPT administered grants, including eligible project categories, is available online at olga.drpt.virginia.gov. Please note that all applications must ALSO be submitted online.

[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.