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American Short Line and
Regional Railroad Association's

VIEWS & NEWS



VOLUME 79

NUMBER 4

March 2, 2010

Upcoming Events

CSX Short Line
Workshop
March 7-9, 2010
Saint Augustine, FL

ASLRRRA Annual
Convention
May 1-4, 2010
Hilton Bonnet Creek
Orlando, FL

ASLRRRA 2010 Eastern
Region Meeting
September 12-14, 2010
Renaissance Baltimore
Harborplace Hotel
Baltimore, MD

ASLRRRA 2010
Central/Pacific Region
Meeting
October 3-5, 2010
Kansas City, MO

ASLRRRA 2010
Southern Region
Meeting
November 7-9, 2010
Atlanta, GA

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ASLRRRA WELCOMES MORE NEW MEMBERS

We are pleased to welcome the following new Railroad members:

New England Southern Railroad: New England Southern Railroad operates 100 miles of track in New Hampshire and connects with PanAm Railways. The railroad is located at 143 New Boston Road, Goffstown, NH 03045 and their main number is (603) 491-3660. Their fax number is (603) 228-9571. Please contact Owner & Manager Peter Dearness at rbldrpete@comcast.net.

Temple & Central Texas Railway: Temple & Central Texas Railway operates 7.7 miles of track in Texas and connects with BNSF. The railroad can be reached at PO Box 1083, Temple, TX 76501 and their main number

is (254)778-8300. Their website is www.patriotrail.com/project_detail.php?ProjectID=106 and their fax number is (254)778-8302. Please contact Michael Rose at mpr.tcraill@gmail.com.

And we are pleased to welcome the following Associate Railroad member:

Drake Switching Company, LLC: Drake Switching Company, LLC operates 1.5 miles of track and interchanges with BNSF and AZCR. The company is located at 5001 E. Drake Rd., Paulden, AZ 86334 and their main number is (928) 636-6004. Drake Switching's fax number is (928) 636-4825. Please contact Traffic Manager Carlos Freire at cfreire@drakecement.com.

Lastly, we are pleased to welcome the following new Associate members:

American Rail Dispatching Center: American Rail Dispatching Center (ARDC) provides rail traffic control services in the short line and regional railroad industry. ARDC is located at 2 Federal Street, St. Albans, VT 05478 and their main number is (802) 527-3536. Their website is www.railamerica.com and their fax number is (802) 527-3526. Please contact Director Thomas Murphy at thomas.murphy@ardcinc.com.

Learn more about American Rail Dispatching Center at ASLRRRA's 2010 Annual Convention in booth #406!

Burr & Forman LLP: Burr & Forman LLP represents railroads, airlines, trucking companies, and vehicle and component part manufacturers. The company represents clients in FELA, warranty claims and many other matters, as well as advises shippers and carriers on contract matters. Burr & Forman is located at 420 North 20th Street, Suite 3400, Birmingham, AL 35203 and their main number is (205) 458-5205. Their website is www.burr.com and their fax number is (205) 244-5739. Please contact Partner Turner B. Williams at twilliam@burr.com.

Great American Insurance Company: Great American Insurance Company provides railroad liability insurance for short line railroads including freight, tourist, excursion, switching and other operations. GAIC is located at 49 East Fourth Street, DTN-7, Cincinnati, OH 45202 and their main number is (513) 345-6416. Their website is www.greatamericaninsurance.com/preferredmarkets.html and their fax number is (513) 333-6234. Please contact John Florer at jflorer@gaic.com.

Are you aware of a company with different products or services than your own and interested in heightening their visibility to short line and regional railroads? Then let Cheryl Huyck know, so that she may acquaint them with the many benefits of becoming an ASLRRRA associate member. Email Cheryl at chuyck@aslrra.org or phone her at (202) 585-3431.

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RAILROADERS MEET THEIR LEGISLATORS ON RAILROAD DAY



Mark and Joan Bassett of Nevada Northern Railway meet with Senate Majority Leader Harry Reid of Nevada on Railroad Day on Capitol Hill 2010

Railroaders, suppliers and other members of the rail industry descended on Washington this past Thursday for Railroad Day on Capitol Hill 2010 to meet with their representatives to present and discuss rail-related

legislation and issues. Over 600 attendees from throughout the industry sent the message to Congress that a functioning rail system would significantly aid the U.S. economic recovery. George Betke of Farmrail System reflected that, "We [the attendees] have done a pretty good job of branding ourselves as an "association" of independent businesses serving a legitimate public purpose, with strong support from rail-dependant customers that are local economic drivers." Many attendees cited the fact that every freight rail job supports an additional 4.5 jobs elsewhere in the rail industry to support their petitions for additional government funding. Attendees returned from their meetings on the Hill with a sense that their message was heard and appreciated by representatives. Henry Posner of Iowa Interstate Railroad said, "I find Railroad Day on Capitol Hill to be one of the most interesting and important days of the year because it is an opportunity to see how we as an industry are viewed by representatives in the public sector." Tom Simpson of the Railway Supply Institute noted, "It is gratifying to see the entire railroad industry - railroads suppliers and shippers come together in Washington to demonstrate the importance of railroads to our economy and point out how decisions made in DC can affect our businesses and the nation's economy." Many attendees also appreciated how bringing members of the industry together on various issues could have a significant effect on their representatives. Charles Hunter of RailAmerica shared such an experience, saying,

"This year's Railroad Day on Capitol Hill was made a true success by having Mark Marasco from our New England Central RR's customer, Maple Leaf Distribution of Palmer, MA, accompany me. Mark really brought the true story of how his company is successful due to his partnership with the NECR to provide seamless transportation service to the New England region. Working with Mark, we were able to describe to our delegation the importance of government's involvement, both positive and negative, and the effect this has on not only the railroads but also on the railroad's customers."

Railroad Day on Capitol Hill 2010 began with an early morning briefing at the Grand Hyatt Washington by Obie O'Bannon, Sr. VP-Legislative Affairs of the Association of American Railroads and Adam Nordstrom of Chambers, Conlon & Hartwell, outlining the schedule for the day and offering tips to a record-breaking crowd of railroad industry members as to the best ways to get their message across. Attendees proceeded with a full day of meetings where they presented many pressing issues for the industry, in particular the Investment Tax Credit (H.R. 1806), which would give a 25% tax credit to railroads and other rail-related businesses. In a statement to Progressive Railroading Magazine, ASLRRRA President Richard F. Timmons said, "Federal policies like the short-line tax credit will enable companies to make over \$330 million in track upgrades each year, and support thousands of new jobs in the rail industry." Attendees found an overwhelmingly positive reaction to their presence on the Hill, with several senators and congressmen committing themselves to supporting short line rail legislation in Congress.

A growing practice among attendees of Railroad Day is bringing their children to the day's meetings and events so as to give these young railroaders an inside look at their nation's government and, hopefully, learn a bit more about the railroad industry in the process. Mr. Posner commented that, "my one regret is that I still have not managed to bring any of my children with me but I keep working on it."

Following their day on the Hill, attendees returned to the Grand Hyatt for the Legislative Reception and Dinner where they mingled with various congressional and industry representatives and enjoyed original musical entertainment from John Touchton and Consensual Sound, the all male singing group from Sidwell Friends School in DC. After many speeches and laughs, Railroad Day on Capitol Hill 2010 came to a close, with all in attendance agreeing that their meetings and interactions with one another proved to be very promising for the railroad industry's progress in 2010.

Check out videos and pictures from Railroad Day on Capitol Hill 2010 in our next issue of Views & News on March 16!

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NEW RAIL INDUSTRY MEDIA CAMPAIGN/REPORT RELEASED

The Association of American Railroads recently debuted its latest “Freight Rail Works” advertising. The new campaign consists of TV, radio, print and online components. This is the fourth year of the campaign. In a prepared statement, AAR Spokesperson Patti Reilly noted that, “A healthy freight rail system is vital to American jobs and the nation’s recovery....this campaign goes a long way in raising awareness of the many public benefits delivered by America’s freight railroads.”

The AAR has also released a report, “Great Expectations: Railroads and the U.S. Economic Recovery.” Among the statistics noted in the report are that freight railroads generate \$265 billion in total annual economic activity and that every one freight rail job supports another 4.5 jobs elsewhere in the country. At the recent legislative reception and dinner held February 25 to conclude Railroad Day On Capitol Hill, lapel pins with the numerals “4.5” were made available to attendees to wear and raise attention to this statistic.

For more information about “Freight Rail Works,” link to www.freightrailworks.org. To read and reference the “Great Expectations” report, click [here](#).

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SENIOR RAIL EXECUTIVES REVIEW SOFA SAFETY FINDINGS



(FRA Administrator Joe Szabo, at left, discusses the findings of the SOFA Working Group with members Ty Drago, at middle, and Joe Gallant, at right. Mr. Gallant, who is also with the FRA, served as the group’s chair and conducted the February 25 meeting. Photo by member Rob Svob Jr.)

Additional to the activities of Railroad Day On Capitol Hill, February 25 was also the occasion of the Federal Railroad Administration’s Switching Operations Fatality Analysis (SOFA) Working Group’s initial presentation of its findings to the rail industry. As reported in the February 2 edition of Views & News, the group – made up of representatives from the FRA, the Association of American Railroads, the American Short Line and Regional Railroad Association, the Brotherhood of Locomotive Engineers and Trainmen, and the United Transportation Union – has been at work for over a year undertaking detailed review and analysis of the 55 switching-related fatalities that occurred in the industry from January 1, 2004 through the present time.

The meeting was held in Crystal City, Virginia, just across the Potomac River from Washington, DC. After opening remarks by FRA Administrator Joe Szabo, FRA’s Joe Gallant presented an overview of the day’s activities. Next, FRA Consultant Gary Connors presented an initial summary of the group’s findings, including notable commonalities present in the data. Attendees then broke into groups to explore behavioral, cultural and related situational problems that may have contributed to switching fatalities, and how these problems, if they continue, might best be overcome.

Attendees at the meeting included ASLRRA President Rich Timmons, AAR Senior Vice-President Bob VanderClute, BLET President Paul Sorrow, UTU President Mike Futhey, and the senior operating and safety officers of the Class 1 railroads. Operating and safety executives attending and contributing from short line and regional railroads included Tom Leopold from Anacostia & Pacific, Jim Benz and Tyrone James from Genesee & Wyoming, Mick Burkart and Jeff Johnson of the Iowa Interstate Railroad, Gary Vaughn of Watco Companies, and Jim Hill and Ken Malone of the Wheeling & Lake Erie Railway.

The group and its assistants carefully noted the comments and recommendations made by the attendees and will work to consider and incorporate them in its final report, which is expected by this summer.

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TIGER GRANT WINNERS CAPTURE FUNDS

The U.S. Department of Transportation recently announced the recipients of its Transportation Investment Generating Economic Recovery (TIGER) grant program. Funding for the grants was appropriated in last year's American Recovery and Reinvestment Act (ARRA). Although \$1.5 billion in TIGER funding was available, USDOT received requests totaling \$57 billion and over 1,400 funding applications – so many that USDOT had to abandon earlier announced plans to list the applications on their website.

A total of 51 recipients will share in the available funding. Grants benefiting passenger rail and rail transit total \$574.1 million, about 38 percent of the overall total, while those aiding freight rail total \$408.8 million, about 27 percent. The three freight rail projects that will receive the largest amount of funding – all of which will be administered through federal and state transportation agencies – are:

- \$105 million in support of the Crescent Corridor Freight Rail Project in Tennessee and Alabama, which aids the continued development of Norfolk Southern's rail intermodal route from the Gulf Coast to the Mid-Atlantic.
- \$100 million in support of the Chicago Region Environmental and Transportation Efficiency (CREATE) Program in Illinois, a package of 78 individual projects that address freight rail congestion in the Chicago area.
- \$98 million for the National Gateway Freight Rail Corridor Project in Maryland, Ohio, Pennsylvania and West Virginia, a package of rail infrastructure and terminal projects aimed at providing improved transportation service options on three major CSX rail corridors in the Midwest and along the Atlantic Coast.

Of special note is the awarding of a grant totaling \$17,551,028 to aid R.J. Corman Railroad Group short lines in Kentucky, Tennessee and West Virginia. Referred to as the "Appalachian Regional Short Line Project," this funding will be used to rehabilitate railroad track on five R.J. Corman short lines in these states.

A full listing of grants is available at <http://www.dot.gov/documents/finaltigergrantinfo.pdf>.

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BIG TRUCK ADVOCATES COUNTERED BY CABT

Laura McNichol of the Coalition Against Big Trucks (CABT) here updates about recent developments related to efforts to halt the expansion of truck size and weight:

The Coalition Against Bigger Trucks (CABT) and its field organizers continue to work hard countering Americans for Safe and Efficient Transportation's (ASET) continued push for heavier trucks. In addition to ASET, a number of other industry groups have joined the fight and these proponents of bigger, heavier trucks are much more organized than they have been in the past. While we have 122 cosponsors on the SHIPA bill to their 51 on Rep. Michaud's heavy truck bill, there is no question we all need to increase the pressure as they continue to lobby Congress regularly. Seven short line representatives participated in the most recent CABT lobby blitz in early February and received very positive responses from Congressional offices when discussing the short line diversion argument. It's clear that the facts are on our side, but we need to make sure members of Congress continue to hear them.

Short lines interested in helping counter truck weight increases can contact Laura McNichol at CABT to get involved: 703-535-3131 or lmcnichol@cabt.org.

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ASLRRRA 2010 CONNECTIONS BREAKOUT TRACK: FINANCE & ADMINISTRATION

In anticipation of ASLRRRA's 2010 Annual Convention from May 1-4 in Orlando, FL, we will be running a series on the Breakout Tracks to be featured at the meeting. This issue of Views & News highlights the sessions in the Finance & Administration Breakout Track. Registration and room information will be available online soon. Visit www.aslrra.org for more information.

Session 201: The Medicare Part B Recovery Concept: A Significant Opportunity for Retiree Medical Savings

Barbara Hawes, Sr. VP, Aon Consulting

PBM claim analysis conducted by Aon Pharmacy and Medicare experts has revealed that a nuance in Medicare rules may be causing plans that cover retiree drugs to be leaving significant Medicare dollars unclaimed.

Data shows that many claims for the short list of drugs covered under Medicare Part B are actually being filled and dispensed in out-patient pharmacies, and being paid under The Plan's Outpatient prescription drug program coverage rules, instead of under doctor's office visit coverage rules appropriate as part of the Medicare Part B administration. Drugs actually administered in the doctor's office are typically billed directly to Medicare Part B. However, the same drugs – when filled in a retail or mail-order pharmacy are not always being routed to Medicare Part B. Instead, these drugs (and other similar drugs) which are eligible for 80% reimbursement by Medicare Part B are often billed to The Plan.

Aon Consulting's pharmacy benefits consultant Barbara Hawes will discuss the opportunity, potential savings, recovery process and parameters for success.

Session 202: Planning Your Railroad Retirement: Don't Gamble With the Future - Know Before You Go - RR101

Joseph M. Waechter, Assistant to the Management Member, U.S. Railroad Retirement Board

There are new questions that arise with the recent changes to railroad retirement age. Are there benefits to continuing to work past age 60 with 30 years of service? Can I work and draw a railroad retirement pension? How much can I earn while retired? What is a current connection and why is that important to me? What should I be doing now to prepare? What benefits should I expect? This topic is designed to answer the questions of railroad employees who have several years of service and they are either approaching or thinking about retirement in the foreseeable future. Learn what you can do now to be better prepared for the future.

Session 203: The Trials and Tribulations of Obtaining, Contracting For and Use of Stimulus Money for Rail Projects – A Case Study

Moderator: Barry McClure, EVP, Ironhorse Resources, Inc.

Garland Horton, President, Aberdeen & Rockfish Railroad

Mike Ogborn, Managing Director, OmniTRAX, Inc.

The stimulus money was doled out to the states and they are responsible for directing the use of the funds. Find out how you might be able to obtain some of these funds to help improve and grow your operation. Using OmniTRAX's major stimulus project in Kansas as an example, you'll learn how the money actually flowed first to the state and then to the railroad. The presentation will also include examples of other short line railroads who received stimulus money (indirectly through a state agency).

Session 204: Mitigating Safety Risks Through Employee Assessment and Development

Moderator: Rose Lang, Sr. VP, Aon Risk Services

Veronica Harvey, Ph.D., SVP, Aon Consulting
Matthew Shadrick, SVP, Aon Consulting

Safety and Workers' Compensation costs go hand in hand. By using solid risk mitigation strategies in hiring the right leaders and the right employees, you can build a safety culture that positively impacts your whole organization. What are the risks of an aging workforce and pending retirements? Can you manage human error potential and drive a safer culture? How are you attracting and retaining a new generation of workers who are more likely to work safely? Can you keep up with demand while retaining critical talent and transferring specialized knowledge?

This topic is designed to address risks and trends associated with the above and share strategies to mitigate these. You will learn how to identify these short and long-term strategies via surveys and case studies from professionals that serve rail clients in this space. Learn how you can prepare your organization for the future with the best leaders and best hiring practices to drive a safe culture.

Session 205: Hours-of-Service and Temporary Workers - Important Considerations Before Opening Pandora's Box

Judy Petry, Controller, Farmrail System

Robert M. Perbohner, Counsel to the Management Member, U.S. Railroad Retirement Board
Insurance Rep TBD

In light of recent hours-of-service rule changes that limit the number of hours and days trainmen may work in month, how are railroads supplementing their work force? Many are looking at utilizing temporary employees as a means to solve the needs of the railroad and its customers. But what exactly does the term "temporary" mean? What about "contracting" with outside agencies as a way to supplement our workforce? What is the impact on your Railroad Retirement Liability? Will they be covered by your FELA insurance? What is the impact on your various insurance policies? Come to this presentation to learn how to avoid the potential pitfalls are of hiring temporary employees and/or contracting the work out.

Session 206: Railroad Tax Maintenance Credit Update

James A. Bowers, Partner, Bowers & Company, CPAs, PLLC

Mark Mickelson, President, Mickelson & Company, LLC

Status of the 45G tax credit will be dissected in depth. Items to be covered will include expenses that qualify for the credit; maximum credits allowed based on track mileage; utilization of the credit (carryforwards/carryback); and possible assignment of the credit.

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FRA REMINDS OF CROSSING COMPLIANCE DEADLINES

Tom Woll, the Federal Railroad Administration's Highway-Rail Crossing Safety Engineer, has written for Views & News this update of Railway Safety Improvement Act requirements for crossings and related important deadline dates. This article is reprinted verbatim from what Mr. Woll has written, and the bolds and underlines are his own:

The Rail Safety Improvement Act of 2008 (RSIA 2008), Public Law 110-432, passed by Congress which became effective October 16, 2008, requires each and every railroad carrier to Inventory and Number all of their crossings and provide updated Crossing Inventory information to the FRA by specified dates, and to establish and maintain a telephone emergency notification system (ENS) with signs posted on both sides of the crossing. Congress established several important dates for these events to be completed.

The first date is **October 16, 2009** (already passed) whereby all unreported crossings (un-Inventoried which are called "new") were to be reported to FRA. Every crossing, public, private, and pedestrian, both at-grade and grade-separated, is required to have a crossing inventory number assigned. This includes port and dock areas, railroad yards, and rail yard facilities belonging to private companies. The latter are considered to be private crossings and one number can be assigned to all the crossings in that facility. This means that every crossing in

the nation is to be identified, assigned a Crossing Inventory Number, and the information provided to FRA to be put into the National Crossing Inventory File. The assignment of Crossing Inventory Numbers, completion of the initial Inventory Form, and submitting it to FRA, is the responsibility of the Operating Railroad.

The second important date is rapidly approaching, **April 16, 2010**. By this date, all crossings are required to be in the correct name of the Operating Railroad (not the crossing owner, unless both are the same), and any such crossings that are not in the correct name of the current Operating Railroad, are to be transferred to the correct railroad, or closed, as appropriate. This means that every crossing is to be correctly assigned to the proper Operating Railroad by this date. It is the responsibility of the Operating Railroad to ensure that every crossing belonging to it is correctly identified in the Inventory File. It is the responsibility of every railroad to verify this on the FRA Safety Data Website and any crossings that are incorrectly identified as belonging to that railroad, are to be correctly transferred to the proper Operating Railroad or Closed.

The third deadline date is **October 16, 2010** whereby all of the remaining data for all crossings belonging to an Operating Railroad is current and accurate. It is the responsibility of the Operating Railroad to ensure that all of the Location, Classification, and Railroad type information (especially train count data) is correct and current. This requirement is the responsibility of the Operating Railroad and NOT the crossing owner. Then, every year thereafter, by September 30th, this data is required to be updated. It is important to have actual GPS values for each crossing, so it is a good idea to get that data now rather than having to do it later, especially for any private and pedestrian crossings.

RSIA 2008 sets a fourth date of **April 16, 2010** where railroads are to establish a telephone Emergency Notification System and post ENS Signs on both sides of a crossing for at every grade crossing, including every public, private, and pedestrian crossing. However, the Law requires the FRA to establish the details and process by Rulemaking by this date. So, until the FRA establishes the Final Rule, railroads are NOT required to implement this section of the Law. FRA is currently in the process of developing the Notice of Proposed Rulemaking (NPRM) which is expected to be released on May 31, 2010. So, the actual requirement for implementation of any ENS, could be as much as a year away.

In the future, any changes in crossing status, like the opening of a newly installed crossing, transfer of crossings to a different Operating Railroad, closing or line abandonment, is required to be reported to the FRA within three (3) months of the activity. Also, starting on **September 30, 2011**, and annually thereafter, every crossing record will need to be updated or verified as current and correct which will be determined by the Effective Date of the Record.

This is not a FRA requirement or deadline – this is a CONGRESSIONAL Requirement by Law. All data fields as specified are required to be completed. The States are required to update the Highway Information for all public crossings, both at-grade and grade-separated. FRA will do a Rulemaking in the future to further define requirements for compliance.

For further information and details, refer to the FRA Crossing Inventory Program Webpage at <http://www.fra.dot.gov/us/content/801>. Specific crossing inventory data and crossing records can be found and obtained at FRA's Safety Data Website at <http://safetydata.fra.dot.gov/officeofsafety/>. To obtain crossing inventory numbers to assign to any “new” crossings, or to discuss specific issues, contact Tom Woll, FRA Crossing Inventory Program Manager, at 202-493-6290.

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DEADLINE APPROACHING FOR NOMINATING RAILWAY AGE SHORT LINE/REGIONAL RAILROAD OF THE YEAR

Deadline next Monday, March 8th! Send in your railroad's application today!!

The following article is from Railway Age Magazine and concerns the upcoming Short Line/Regional Railroad of the Year competition:

The deadline is fast approaching for nominations advocating the stellar short line and regional railroads of 2010; Railway Age is accepting nominations for its annual Short Line/Regional Railroad of the Year competition through Monday, March 8, 2010.

Industry observers, be they suppliers or rail operators themselves, are invited to nominate the short line and/or regional railroad in North America they believe deserves recognition for outstanding performance. Short lines and regionals can nominate themselves. The 2010 winners will be awarded specially designed plaques at the American Short Line and Regional Railroad Association's Annual Convention in Orlando, Fla., at ASLRRA's gala closing dinner on Tuesday, May 4.

Articles describing their achievements will appear in Railway Age's April 2010 issue, which will be distributed at the ASLRRA's Annual Convention. Railway Age will work with the winners to publicize the awards in online and national media, as well as any in-house websites available.

Submit your entries to: Douglas John Bowen, Managing Editor, Railway Age, 345 Hudson Street, 12th Floor, New York, N.Y., 10014. E-mail: dbowen@sbspub.com. Fax:(212) 633-1863. Entries should contain the name, position, and contact information of the nominator and an approximately 500-word description of the achievement(s) of the nominated railroad. (Longer and short descriptions are admissible; 500 words is only a guideline.)

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GCOR ORDERING INFORMATION

A note from J.R. Sampson, Vice Chairman of the GCOR Committee and VP of Safety for OmniTRAX, Inc.:

The GCOR 6th Edition is now available for ordering in various formats from Staples at the following web address:

<http://dpskc.biz/gcor>

In addition to the new rule book itself, a copy of the GCOR Transition Guide (contains changes from the GCOR Fifth Edition to the GCOR Sixth Edition) will be included with each copy of the GCOR ordered.

Prices for the GCOR and Transition Guide are unchanged from the 2005 GCOR 5th Edition. Pricing information will automatically populate when completing the website order form.

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ECONOMIC ANALYSIS FIRM PREDICTS DOUBLE-DIGIT CARLOAD GROWTH

Progressive Railroading Magazine recently reported the results of an economic study that suggests that a normal seasonal trend could produce double-digit year-over-year carload growth for Class 1 railroads in the months ahead.

The analysis, prepared by Robert W. Baird & Co. and entitled "Domestic Truck, Intermodal and Rail Trends," stated that the strong fall harvest for corn, wheat and soybeans should continue to drive up agricultural product volumes in the coming months. It noted that chemical volumes have increased the past two months, "with anecdotes of improved trends for plastic exports," and further noted that automobile production levels have remained stable compared with recent quarters.

Meanwhile, coal production "remains the loan laggard," according to the report. However, "commentary from recent investor conferences suggest stronger export coal trends, particularly for metallurgical coal, as well as anecdotes of weather and industrial production-related electricity generation needs resulting in customer coal

stockpile reductions, which could drive modest year-over-year growth for overall coal volumes in 2010,” the analysts noted.

The report went on to note that, concerning intermodal, domestic container gains continue to drive overall volume growth. “Throughout the recent downturn, domestic intermodal has continued to gain marketing share from over-the-road trucking as fuel prices, scale efficiencies and better rail service remain key drivers of conversion,” the analysts wrote. “Looking ahead, we expect domestic container growth to continue as the broader freight environment firms.” Moreover, “bottoming fundamentals” suggest the headwinds facing international intermodal volumes have diminished and growth will return as “easy comparisons lap and economic fundamentals improve.”

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CSX APPOINTS, CHANGES MARKETING EXECUTIVES

CSX has announced changes in its Marketing & Sales Department, including that area involving short line marketing.

Fred Eliasson, who may be contacted at fredrik_eliasson@csx.com, has been appointed VP-Emerging Markets. Mr. Eliasson succeeds Derrick Smith, who has recently taken a vice-presidency in the CSX Finance Department.

Reporting to Mr. Eliasson is Clark Robertson, who will serve as CSX’s AVP-Regional Development and may be contacted at Clark_Robertson@csx.com. Reporting to Mr. Robertson is Len Kellermann, who continues as CSX’s Director-Regional & Short Line Development, and may be contacted at Len_Kellermann@csx.com.

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RRB TAX AND BENEFIT OVERVIEW: PART 2 OF 3

With the approach of tax time, the Railroad Retirement Board has released a series of questions and answers related to federal income tax and railroad retirement benefits. The RRB reminds that individuals with specific questions about retirement benefits should contact an RRB office and those with specific questions about federal income tax should contact an IRS office. This is the second of three parts; the first was published in our previous edition, and the third will be published in our next edition:

What is the significance of the employee contribution amount?

For railroad retirement annuitants, the employee contribution amount is considered the amount of railroad retirement payroll taxes paid by the employee that exceeds the amount that would have been paid in social security taxes if the employee’s railroad service had been covered under the Social Security Act. The employee contribution amount is referred to by the IRS as an employee’s investment, or cost, in the contract. An employee contribution amount is not a payment or income received during the tax year. Only employee and survivor annuitants may have an employee contribution amount shown in Item 3 of their Form RRB-1099-R.

The contributory amount paid (NSSEB portion of tier I and/or tier II) is considered income and is reported to the IRS. The contributory amount paid is either fully taxable or partially taxable depending on whether the employee contribution amount has been used to compute a tax-free (nontaxable) portion of the contributory amount paid. If no employee contribution amount is shown on Form RRB-1099-R, then the contributory amount paid is fully taxable.

The use and recovery of the employee contribution amount is important for annuitants since it affects the amount of taxable income to be reported on income tax returns. There is a tax savings advantage in using (recovering) employee contributions since it may reduce the taxability of the contributory amount paid and in turn the amount of taxable income.

Annuitants should refer to IRS Publication 575, Pension and Annuity Income, and Publication 939, General Rule for Pensions and Annuities, for more information concerning the tax treatment of the contributory amount paid (see items 6 and 7 below) and use of the employee contribution amount.

If an employee contribution amount is shown on my Form RRB-1099-R, may I use the entire amount?

The employee contribution amount shown is attributable to the railroad retirement account number. This means that the employee contribution amount must be shared by all eligible annuitants under that same railroad retirement account number.

If an employee contribution amount is shown on your Form RRB-1099-R and your annuity beginning date is July 2, 1986, or later, you may be able to use some or all of the employee contribution amount shown to compute the nontaxable (tax-free) amount of your contributory amount paid. Therefore, your contributory amount paid and total gross paid shown on your Form RRB-1099-R may be partially taxable.

If an employee contribution amount is not shown on your Form RRB-1099-R, you cannot use or share the employee contribution amount. Therefore, your contributory amount paid and total gross paid shown on your Form RRB 1099-R are fully taxable.

When more than one annuitant is or was entitled to a contributory amount paid under the same railroad retirement account number, any eligible annuitants may not use the entire employee contribution amount shown on their Form RRB-1099-R for themselves. They must first determine the amount of the total employee contribution amount they are individually entitled to use. That means determining:

* The portion of the total employee contribution amount still potentially available for use, and

* The portion of that amount that must be shared by those eligible annuitants currently receiving contributory amounts paid.

How are contributory and noncontributory pension amounts taxed?

Amounts shown on Form RRB-1099-R are treated like private pensions and taxed either as contributory pension amounts or as noncontributory pension amounts. The NSSEB portion of tier I and tier II (shown as the contributory amount paid on the statement) are contributory pension amounts. Contributory pension amounts may be fully taxable or partially taxable depending on the presence and use (recovery) of the employee contribution amount. Vested dual benefits and supplemental annuities are considered noncontributory pension amounts. Noncontributory pension amounts are always fully taxable and do not involve the use of the employee contribution amount.

For annuitants with annuity beginning dates before July 2, 1986, the contributory amount paid is fully taxable. These annuitants cannot use the employee contribution amount, even if the amount is shown on Form RRB-1099-R, to compute a nontaxable amount of their contributory amount paid because their employee contribution amount has been fully recovered. Since the contributory amount paid is fully taxable, the total gross pension paid in Item 7 of Form RRB-1099-R is fully taxable.

For annuitants with annuity beginning dates from July 2, 1986, through December 31, 1986, the contributory amount paid may be partially nontaxable for the life of the annuity. These annuitants may be able to use some or all of the employee contribution amount to compute a nontaxable contributory amount paid. Once that nontaxable amount is computed, it does not need to be recomputed and can be used for each tax year unless there is a change in the employee contribution amount, annuity beginning date, date of birth used to determine life expectancy, or the number of eligible annuitants receiving contributory amounts paid. Therefore, the contributory amount paid in Item 4 and the total gross pension paid in Item 7 of Form RRB-1099-R may be partially taxable.

For annuitants with annuity beginning dates effective January 1, 1987, and later, the contributory amount paid may be partially nontaxable for a specified period of time based on life expectancy as determined by IRS actuarial tables. These annuitants may use some or all of the employee contribution amount to compute the nontaxable amount of their contributory amount paid. Once that nontaxable amount is computed, it does not

need to be recomputed and can be used for each tax year unless there is a change in the employee contribution amount, annuity beginning date, date of birth used to determine life expectancy, or the number of eligible annuitants receiving contributory amounts paid. Therefore, the contributory amount paid in Item 4 and the total gross pension paid in Item 7 of Form RRB-1099-R may be partially taxable. However, once the specified life expectancy is met, the employee contribution amount is considered fully recovered, and the contributory amount paid and total gross pension paid are both fully taxable.

The contributory amounts paid of disabled employee annuitants under minimum retirement age are fully taxable and these annuitants cannot use the employee contribution amount. Therefore, the contributory amount paid in Item 4 and the total gross pension paid in Item 7 of Form RRB-1099-R are fully taxable. (Minimum retirement age is generally the age at which individuals could retire based on age and service, which is age 60 with 30 or more years of railroad service or age 62 with less than 30 years of railroad service.) However, once the disabled employee annuitant reaches minimum retirement age, the annuitant may use the employee contribution amount shown on Form RRB-1099-R to compute the nontaxable amount of his or her contributory amount paid.

The RRB does not calculate the nontaxable amount of the contributory amount paid for annuitants. Annuitants should contact the IRS or their own tax preparer for assistance in calculating the nontaxable amount of their contributory amount paid. For more information on the tax treatment of the contributory amount paid, vested dual benefits, supplemental annuities, the employee contribution amount, and how to use the IRS actuarial tables, annuitants should refer to IRS Publication 939, General Rule for Pensions and Annuities, and IRS Publication 575, Pension and Annuity Income.

Does Form RRB-1099-R show the taxable amount of any contributory railroad retirement benefits or just the total amount of such benefits paid during the tax year?

Form RRB-1099-R shows the total amount of any contributory railroad retirement benefits (NSSEB and tier II) paid during the tax year. The RRB does not calculate the taxable amounts. It is up to the annuitant to determine the taxable and nontaxable (tax-free) amounts of the contributory amount paid using the employee contribution amount.

Can an employee contribution amount change?

Yes. The employee contribution amount shown on Form RRB-1099-R is based on the latest railroad service and earnings information available on the RRB's records. Railroad service and earnings information (and the corresponding employee contribution amount) often changes in the first year after an employee retires from railroad service. That is when the employee's final railroad service and earnings information is furnished to the RRB by his or her employer. As a result, the employee contribution amount shown on the most recent Form RRB-1099-R may have increased or decreased from a previously-issued Form RRB-1099-R.

Any change in an employee contribution amount is fully retroactive to the railroad retirement annuity beginning date. Therefore, the nontaxable amount of the contributory amount paid should be recomputed. This could affect the taxable amounts reported to the IRS on prior income tax returns. Generally, an increase in the employee contribution amount is advantageous, as it will yield a larger tax-free amount. However, a decrease in the employee contribution amount may be disadvantageous since it may result in an increased tax liability. In any case, annuitants should determine if any change in their employee contribution amount would require them to file original or amended Federal income tax returns for prior tax years.

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MEETINGS & CONFERENCES COMING UP

ASLRRA's 2010 Regional Meetings have been scheduled! More details on each of the meetings will become available throughout the year. Check in with http://www.aslrra.org/meetings_seminars/index.cfm for more information!

March 2-3, 2010 15th Annual AAR Research Review: To be held at the Pueblo Marriott Convention Center in

Pueblo, Colorado. The subject of the conference is “Meeting the Industry’s Technology Goals.” Register online at www.regonline.com/15thannualreview.

March 23, 2010 New England Rail Forum & Expo: To be held at the DCU Center in Worcester, MA. Exhibitors include Progressive Railroading Magazine, RailWorks Corporation, Stella Jones Corporation, and many more. More information and registration is available on the New England Railroad Club website: <http://www.nerailroadclub.com/expo.php>.

April 22, 2010 The Annual NRC Railroad Construction and Maintenance Equipment Auction: To be held in Washington, PA on the rail yard of the Balfour Beatty Rail facility. A discounted room rate is available at the Hilton Garden Inn <http://www.hiltongardeninn.com/en/gi/hotels/index.jhtml?ctyhocn=PITSPGI>. Call (724) 743-5000 and ask for the NRC Auction rate. For more information, visit the event’s listing on the NRC website: <http://www.nrcma.org/ps.railroadequipmentauctions.cfm?ID=180>.

May 1-4, 2010 ASLRRA Annual Convention: To be held at the Hilton Bonnet Creek in Orlando, FL. More information available on ASLRRA’s website: http://www.aslrra.org/meetings_seminars/index.cfm.

June 6-9, 2010 104th Annual Meeting of the American Railway Development Association (ARDA): To be held at the Westin Savannah Harbor Resort in Savannah, GA. ARDA is an association where the industrial and economic development, real estate, environmental, technology, and legal types (railroaders and consultants) of the rail sector meet and exchange knowledge and information. For more information, visit www.amraildev.com.

September 12-14, 2010 Eastern Region Meeting: To be held at the Renaissance Baltimore Harborplace Hotel in Baltimore, MD.

October 3-5, 2010 Central Pacific Region Meeting: To be held in Kansas City, MO.

November 7-9, 2010 Southern Region Meeting: To be held in Atlanta, GA.

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MEMBERS IN THE NEWS

OmniTRAX, Inc. announced that Alan C. Thiem has joined the company in the role of Regional Director of Marketing and Sales. Alan will focus on business development opportunities as well as marketing and sales for an assigned territory... **RailAmerica, Inc.** President and CEO John Giles will present at the J.P. Morgan Aviation, Transportation & Defense Conference in New York City on, March 10... **RailComm** was recently selected as the provider of the GCOR dispatch system for Genesee & Wyoming’s New York and Pennsylvania Railroad and Ohio Central Railroad. RailComm uses a state-of-the-art Doman Operations Controller (DOC) system to be accessed through a web-enabled Software-as-a-Service (SaaS) delivery model, through which a railroad can be remotely dispatched anywhere and internet connection is available... **RMI** was recently awarded Union Pacific’s Partnership Award, recognizing RMI’s enhancement of its OASIS Terminal Operating System. The system helps support UP’s HUB group business, chassis roadability initiatives, and enhanced UMLER data utilization... **ShipXpress Inc.** recently expanded its sales team by appointing John Flournoy and David Kennedy as Vice Presidents of Sales and Marketing. Mr. Flournoy will be based in the Cincinnati area and will work closely with “large industrial customers.” Mr. Kennedy will work from Jacksonville, Fla., and will focus on planning, organizing and implementing the development of “specialized service offerings” for the ethanol industry... **Transpo Industries, Inc.** recently announced two new products: the T-28 Color-Safe Surface(tm) which is used for pavement area markings and anti-skid surfacing and T-78 Polymer Crack Sealer used for sealing and filling cracks in concrete... **Watco Transportation Services Co.** named James Mattsen Marketing Manager for the Yellowstone Valley and Mission Mountain railroads. He most recently served Progressive Rail Inc. in various capacities, including Manager of Equipment Accounting and Customer Solutions Coordinator.

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OTHER INDUSTRY NEWS

Canadian National recently announced the following appointments in its Marketing & Sales Department: Vee Kachroo as VP-Industrial Products; James Cairns as VP-Petroleum & Chemicals; Andy Gonta as VP-Bulk; Paul Waite as VP-Intermodal; Keith Reardon as VP-Supply Chain Solutions; and Doug MacDonald as VP-Corporate Marketing.....**Canadian Pacific recently announced that it had settled the last lawsuit stemming from a January 18, 2002 derailment in Minot, ND that released a cloud of anhydrous ammonia, a toxic inhalation hazard.** The release caused the death of one person and hundreds of others sought treatment for eye and lung problems. Along with the hundreds of plaintiffs who have settled individual lawsuits with the railroad, a \$7 million class-action lawsuit was settled in 2007.....**CSX and Union Pacific have announced the creation of UMAX, a new interline intermodal partnership for domestic shipments.** The railroads said that the service will launch March 29 and offer service to 600 origin-destination lanes. They added that customers will have access to more than 20,000 53-foot containers, and that shipments can move on just one transportation bill and ramp-to-ramp.....**The Federal Railroad Administration has announced a new rail trespasser prevention research study, which an FRA spokesman said was designed to identify and review rail trespassing laws and mitigation strategies.** The study will be conducted in and near West Palm Beach, FL, and will partner with that city and also with the South Florida Regional Transportation Authority.....**Iowa Pacific Holdings L.L.C.'s United Kingdom affiliate Weardale Railway** recently reconnected its rail line to the U.K. national network in Bishop Auckland. On Feb. 19, the first freight train to use the new connection moved from London King's Cross station to Stanhope on the Weardale line...**Kansas City Southern has replaced BNSF as one of the 20 U.S. transportation stocks on the Dow Jones Transportation Average.** The move follows BNSF having been taken private as a result of the recent completion of its purchase by Warren Buffett's Berkshire Hathaway LLC.....**The Ports of Los Angeles and Long Beach noted that January of this year was the second straight month in which traffic handled through the port increased.** The two ports are No. 1 and No. 2 in the U.S. for handling intermodal containers. A spokesman for the ports said that increases were largely driven by exports, primarily of scrap paper and scrap metals.

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CLASS I RAIL TRAFFIC

For the week ending February 20, 2010, U.S. rail volume grand totaled 29.8 billion ton-miles, down 0.7 percent from the comparable week last year. U.S. carload rail traffic was down 1.6 percent, down 7.1 percent in the East, but up 2.2 percent in the West. Notable traffic increases included metals and metal products up 44.6 percent, motor vehicles and equipment up 30.5 percent, and grain up 21.9 percent. Also for the week, U.S. intermodal rail traffic was up 19.0 percent, Canadian carload rail traffic was up 9.6 percent, Canadian intermodal rail traffic was up 12.5 percent, Mexican carload rail traffic was up 25.3 percent, and Mexican intermodal rail traffic was up 12.7 percent.

For the period January 1 through February 20, 2010, U.S. rail volume grand totaled 201.8 billion ton-miles, down 0.8 percent from the comparable period last year. Also for this period, U.S. carload rail traffic was down 1.8 percent, U.S. intermodal rail traffic was up 4.7 percent, Canadian carload rail traffic was up 12.5 percent, Canadian intermodal rail traffic was up 3.9 percent, Mexican carload rail traffic was up 24.1 percent, and Mexican intermodal rail traffic was up 31.7 percent.

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RMI RAILCONNECT SHORT LINE TRAFFIC INDEX

The RMI Railconnect Index is waybill-based and totals shipments billed by non-Class I railroads using RMI billing products. For this report, this totals 340 such railroads. This index is calculated weekly. **The below data is as of the week ending February 20, 2010,** the 7th week of 2010. Special thanks to RMI's Cheri Denton for this valuable statistical information.

Week Ending February 20	Year-To-Date
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	2010	2009	% Change	2010	2009	% Change
CARLOADS HANDLED						
Coal	11,019	16,056	-31.37%	75,506	96,373	-21.65%
Grain	14,660	12,412	18.11%	97,746	84,140	16.17%
Farm & Food (Exc. Grain)	4,864	5,081	-4.27%	32,309	33,838	-4.52%
Ores	3,805	1,442	163.87%	24,577	9,420	160.90%
Stone, Clay, Aggregates	9,075	9,352	-2.96%	60,652	61,833	-1.91%
Lumber/Forest Prods.	3,694	3,598	2.67%	23,479	23,932	-1.89%
Paper Products	5,885	6,749	-12.80%	40,262	44,442	-9.41%
Waste & Scrap Materials	4,856	5,154	-5.78%	32,566	31,210	4.34%
Chemicals	15,930	15,373	3.62%	111,609	108,997	2.40%
Petroleum & Coke	4,646	4,718	-1.53%	29,273	30,844	-5.09%
Metals & Products	8,144	6,939	17.37%	50,596	46,397	9.05%
Motor Vehicles & Equip.	950	948	0.21%	6,466	5,656	14.32%
Intermodal	6,103	7,164	-14.81%	41,989	54,682	-23.21%
All Other	2,069	1,634	26.62%	14,878	10,368	43.50%
Total	95,700	96,620	-0.95%	641,908	642,132	-0.03%

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BE SURE TO CHECK OUT ASLRRRA HOT TRACKS

Every Wednesday, the ASLRRRA staff selects several current news stories in the short line industry to post on the Hot Tracks section of the association's website. Be sure to check out www.aslrra.org every week for the latest news on short line and regional railroads!

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FORWARD YOUR PRESS RELEASES TO ASLRRRA!

One of the many benefits afforded ASLRRRA members is the posting of press releases in the HOT TRACKS Section on the ASLRRRA web site www.aslrra.org. Please make sure to add the ASLRRRA to your press release distribution list and forward them to Eileen Keane at ekeane@aslrra.org. The press release should include a link back to the news listing on your company's website.

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FOLLOW ASLRRRA ON FACEBOOK & TWITTER!

Be sure to follow the latest ASLRRRA news and developments on Facebook and Twitter!

ASLRRRA maintains both its own and also a 2010 Annual Convention Facebook page. To follow either or both, log into www.facebook.com, signing up if you are a first-time Facebook user. Search on "American Short Line and Regional Railroad Association" to get to the ASLRRRA page and on "ASLRRRA Annual Convention" to get to the Convention page, then make sure to click on "Become A Fan." For further information contact

ASLRRRA's Jenny McKinney at jmckinney@aslrro.org.

ASLRRRA also uses Twitter to tell – as do more than 40 million other Twitter users worldwide – “what we are doing.” You can view the ASLRRRA Twitter page directly at www.twitter.com/aslrro. And if you sign up for a free Twitter ID at www.twitter.com or if you already have one, you can customize it to automatically receive ASLRRRA updates, including on a mobile device, such as a Blackberry or iPhone, as well as on a conventional mobile phones capable of receiving text messages. For further information, contact ASLRRRA's Dave Mears at dmears@aslrro.org.

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HELPFUL LINKS

To use the Railinc Embargo & Permit System, including open & prepay station (OPSL) notes, link to <https://aarembargo.railinc.com/epdb/public.do> **Note: all embargo offers were required by Railinc to re-subscribe by December 1. If you have not yet done so, please contact ASLRRRA's Steve Sullivan at sullivan@aslrro.org as soon as possible.**

To reach the Railinc homepage, link to www.railinc.com.

To reach the ASLRRRA public website, link to www.aslrro.org. To reach its members'-only website, link to members.aslrro.org.

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