



Will Stimulus Set New Direction?

If America borrows hundreds of billions of dollars to create jobs but doesn't change its core problem — a transportation system that rests on the shaky premise of cheap, imported oil — we'll continue to slip.

—Brian O'Neill, *Pittsburgh Post-Gazette* op-ed, Dec. 11

Transportation for America (a coalition the NARP Board voted Dec. 10 to join) is pressing to “green” the transportation stimulus, but it is a tough fight.

State highway departments claim \$64 billion of ready-to-go projects, but Robert Puentes of The Brookings Institution says up to 95% are for traditional transportation programs—a prejudice toward highways and bridges. Moreover, “not all states have released their lists.” Transit agencies have \$47.8 billion for a two-year program; \$12.2 billion are “ready-to-go.”

Deron Lovaas [of Natural Resources

Defense Council] “compared the process unfavorably to the open debate on the auto bailout. ‘We put the CEOs through the paces. We put the companies through the paces. We need to do it with state Departments of Transportation,’ Lovaas said” (quotes are *The Hill*, Dec. 17).

President-Elect Obama must make clear that the stimulus package he hopes to sign in January will not reinforce the “core problem” O'Neill cites. That means, in part, giving passenger trains a significant piece of the action.

- Amtrak testified in October to \$410 million in “immediate capital needs.”
- States for Passenger Rail Coalition developed a list of \$1.4 billion worth of intercity passenger train projects; the group says “most of these projects can be obligated in 90 days.”
- The U.S. Conference of Mayors lists \$1.06 billion of intercity passenger train

projects they say will provide 3,599 jobs.

Amtrak identified additional capital needs, and those should be part of stimulus as well. Orders for new equipment do not happen overnight, but rolling stock will create immediate jobs for design work and a much larger number of manufacturing jobs down the road when the nation, unfortunately, is still likely to be in a recession.

The House T&I Committee has identified \$5 billion for intercity passenger train capital funding needs, including \$1.5 billion directly to Amtrak. ■

The Mayors' list is at www.usmayors.org, click on “Ready To Go” report, then select Amtrak from the drop-down menu.

Sens. Kerry and Specter's High Speed Rail Bill

Senators John Kerry (D-MA) and Arlen Specter (R-PA) introduced S. 3700, the High Speed Rail for America Act November 19. They plan to reintroduce the bill early in 2009; it will get a new number.

Kerry said, “At a time when our economy desperately needs a jumpstart, we need an effective national investment that puts Americans back to work...A first-rate rail system would protect our environment, save families time and money, reduce our dependency on foreign oil, and help get our economy moving again.”

Specter touched on the need to be prepared for when—not if—oil prices spike again. “We must continue to focus our energies on building and maintaining a strong national passenger rail system in order to ease congestion of air and highway corridors connecting high-growth markets, as well as to meet energy and environmental goals.”

The legislation has \$8 billion in tax exempt bonds and \$10 billion in tax credit

bonds over six years for high-speed intercity rail facilities, and \$5.4 billion in tax credit bonds for rail infrastructure. The bill makes technical changes to existing law regarding rail bonds.

The bill creates two categories of rail bonds: super high-speed intercity rail facility bonds and rail infrastructure bonds. The former are only for projects with a maximum sustained speed of 150 mph or more. Proceeds from all bond sales must be spent within five years.

On the policy side, the bill creates an Office of High Speed Rail at the Federal Railroad Administration. This office would be the clearinghouse for all high speed rail activities, including determining eligibility for the tax credit bonds.

The Department of Treasury is required to study “potential excise taxes that could be dedicated to offset expenses related to high speed rail.”

Please urge your Senators to support this legislation. ■

High Speed Rail Funding in Amtrak Reauthorization

The law's \$1.5 billion authorization for high-speed rail corridor development is a matching program (up to 80% federal share) for states, groups of states forming an interstate compact, or Amtrak (Sec. 501; Dec. News table).

However, the law authorizes only a total of \$5 million for Sec. 502, under which U.S. DOT on Dec. 15 issued Requests for Proposals for private development of the federally-designated HSR corridors. The 502 funds are for preliminary engineering on no more than one proposal from each corridor.

The \$325 million “Congestion Grants” capital program (up to 80% federal share) is for states, or Amtrak in cooperation with states, to “reduce congestion or facilitate ridership growth in intercity rail passenger transportation.” Amtrak, the Surface Transportation Board, or the Secretary of Transportation can define eligible corridors (Sec. 302; Dec. News table).

Safety and Other Provisions In The New Rail Law

The Positive Train Control mandate in H.R. 2095 (Public Law 110-432; Oct.-Nov., Dec. *News*) is not the law's only safety provision. (Except as noted, numbers in parentheses are sections in the law's "Division A—Rail Safety.")

The Federal Railroad Administration's Associate Administrator for Safety has "Chief Safety Officer" added to the title, raising safety's profile at FRA (101). Safety violation monetary penalties against the railroads are raised (302). By the end of 2009, the DOT Secretary must begin to publish an annual report of all safety actions against railroads (303). Within four years, Class I and passenger railroads, and railroads the Secretary deems "inadequate" in their safety performance, must submit to the Secretary an overall safety risk reduction program (103).

A nationwide safety certification program for conductors will be implemented within 18 months. The Secretary later may do this for other crafts (402).

Hours of Service: Freight railroads must schedule crews and employees with an eye towards fatigue reduction and eliminating cumulative sleep loss. Starting in July, 2009, freight train crews and signal workers must get at least 10 hours of uninterrupted rest between shifts (vs. eight hours now, which by interpretation allows one call to notify the employee of an upcoming assignment). Shifts may not exceed 12 hours (no change). However, a 276-hour monthly cap on duty time per employee (vs. over 400 now) includes "limbo time" (time spent waiting for dead-head transportation or in transportation). Through October 16, 2009, excess limbo time (after 12 hours) is limited to 40 hours per month; thereafter, it is reduced to 30 hours monthly (108).

By mid-October, 2011, the DOT Secretary must "establish hours of service requirements" for commuter and intercity passenger train employees "that may differ from" the freight-train requirements described above. The Secretary is to request that the Railroad Safety Advisory Committee (on which NARP sits) work to craft these rules within 18 months.

Should the Secretary fail to promulgate passenger-specific standards by the above deadline, passenger carriers would become subject to the above standards the new law imposes for freight.

Railroad managers must allow employees prompt medical attention when requested, and may not discipline them

for receiving this attention (419).

Housing of track crews must be reformed by the end of 2009. Crews then must be able to rest free from noise under the carrier's control, with "indoor toilet facilities, potable water, heating and air-conditioning and other features to protect the health of employees" (420).

The law *authorizes* \$50 million a year (2009-2013) for a technology grant program for railroads to deploy PTC and additional safety technologies, such as track integrity monitoring systems or electronically controlled pneumatic brakes. Priority will go to programs that are interoperable among railroads, that benefit high-risk corridors and that benefit both passengers and freight (105).

The law authorizes \$20 million over four years (2010-2013) for safety infrastructure improvement grants that could improve the safety of any part of railroads, including passenger stations (418).

Rail-highway grade crossings: The Secretary must work with the 10 states with the most grade crossing fatalities in the previous three years to find specific solutions (202). The Secretary is to give states model legislation to improve motorist visibility and sightlines at grade crossings (203). A national grade crossing inventory will be established (204). Railroads must post a toll-free phone number at *all* grade crossings for the public to report hazards or malfunctions (Class II or III railroads may be exempt from the toll-free requirement; 205).

There is a \$7 million authorization over five years to support Operation Lifesaver (OL)-administered, rail safety education activities, including grants to OL's state

programs (206).

For Passengers: The National Transportation Safety Board is to create a Rail Passenger Disaster Family Assistance program to coordinate contacts among the federal government, rail carriers and passengers' families after an accident (501-503).

The Secretary must "complete a study to determine the most safe, efficient, and cost-effective way to improve the safety of rail passenger station platforms gaps in order to increase compliance with the requirements under the Americans with Disabilities Act" (404).

More From "Division B-Amtrak"

For the Washington Metropolitan Area Transportation Authority, \$1.5 billion in capital over 10 years is *authorized* (601). WMATA lacks a dedicated source of funding but says about 40% of Metrorail peak hour riders are federal employees.

2010 Winter Olympics: Amtrak, in consultation with Washington State and the Dept. of Homeland Security is to "facilitate expanded passenger rail service across the international border" and "process efficiently rail passengers traveling... across the international border" (406). ■

LaHood to lead DOT

Rep. Ray LaHood (R-IL), the next DOT secretary, has a mostly pro-Amtrak voting record; he cited Amtrak's importance first at the Dec. 19 announcement of his selection. Rep. Oberstar praised him as a "bridge builder" with a "mindset of getting things done."

Spreading NARP's Message To Businesspeople

In Fullerton, CA, NARP Representatives Patrick Montague and Dennis Lytton, and Chairman George Chilson, gave a one-hour presentation of NARP's Vision of expanded passenger train service on July 9. They used materials created in coordination with NARP staff. Their experience can serve as a guide for efforts elsewhere, perhaps including yours!

The occasion was a Fullerton Railway Plaza Association (FRPA) quarterly dinner program; NARP provided the program. FRPA "is dedicated to the preservation of the railroad heritage of Southern California through the creation of a large Interactive Railroad Attraction in the City of Fullerton," and is supported by Fuller-

ton Chamber of Commerce members, civic agencies and invited sponsors and guests.

The 80-strong audience included two former mayors, district staffers for Rep. Ed Royce (R-CA) and Assemblyman Michael Duvall (R), and Duvall's unsuccessful November-election opponent.

The opportunity came as the result of a relationship cultivated by Montague.

Based on this experience, Chilson, Montague, and Lytton offer the suggestions below to other NARP members with similar opportunities, whether your focus is our Grow Trains Campaign or general

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Saving Seattle's Eastside Rail Line, Revitalizing Washington Rail Advocacy

The NARP Board, at its October meeting in Portland, heard All Aboard Washington (AAW, formerly Washington Association of Railroad Passengers) leaders tell of their major victory in Seattle. The 40-mile Eastside Rail Corridor (ERC) connects one million people in 10 suburbs. It became disused in the 1990s, owner BNSF sought to abandon it and the Port of Seattle acquired it.

A Bad Land Swap Idea: In 2006, King County Executive Ron Simms, advanced a complex plan involving a purchase and swap between the Port of Seattle and the County—the Port would acquire Boeing Airfield and the County would get the ERC. As a land-swap, it was not subject to a public vote. Simms' goal, however, was to rip up the rails and convert ERC into a trail.

AAW into Action: AAW took this as a call to arms. President Tony Trifiletti noted that the ERC "parallels I-405, the most congested freeway in the state, and it runs through East Side communities that are exploding" because of the presence of Microsoft and other tech companies.

Aware of the public's tendency to pigeonhole passenger train advocates as policy wonks and railfans, AAW Executive Director Al Runte used connections and name recognition gained in his run against Seattle's incumbent mayor to publicize AAW's case for the regional benefits of rail service. He wrote a series of hardhitting op-eds lambasting the County's short-sightedness and lack of transparency, and met with King County council members and Port officials.

AAW was persistent in attending County hearings and meetings and organizing protests. Trifiletti told of testimony at a Sound Transit Board meeting that he orchestrated with a coalition partner, making sure "nobody had the same thing to say—25 people spoke with 25 different messages, all of which were relevant."

Meanwhile, AAW maintained a steady local media presence. Chairman Chuck Mott, on a popular Seattle area morning talk-radio show, used simple, dollar-and-cents language to underline that ERC investment was a bipartisan issue.

AAW's arguments went beyond the language of transportation policy, to a wider conversation about what the public wanted the region to be like in the future, what ambition they had for their economy, and what toll they wanted this growth to take on the environment. Through hard work

and persistence, rail advocates gave the community a voice in their future.

AAW Documents A Crucial Fact: Trifiletti identified the campaign's turning point as an effort by Thomas Payne, a former rail-industry executive, to walk and photograph the entire route, documenting what AAW had said all along: that the rail was in good condition, contrary to claims by the Port and County.

It also led to the discovery of "station blisters" along the line—where the right-of-way widened to 200-300 yards. These swaths of land happened to be at strategic points, including one near Microsoft's corporate headquarters.

AAW sponsored a chartered bus corridor tour for the local media. Thanks to Payne's work, AAW could literally show that the ERC was incredibly valuable as a passenger rail line. The media coverage led to public recognition that the ERC was most valuable—to the public and the controlling interests that owned the rights-of-way—as a rail line.

Major Victory: The Port nixed the proposed swap, kept the line, contracted with a third party to run freight service on it, and will develop real-estate on the now-valuable land—and the potential for commuter rail service is preserved. (There have been delays in final approval of the

transaction; the target date is March 31.)

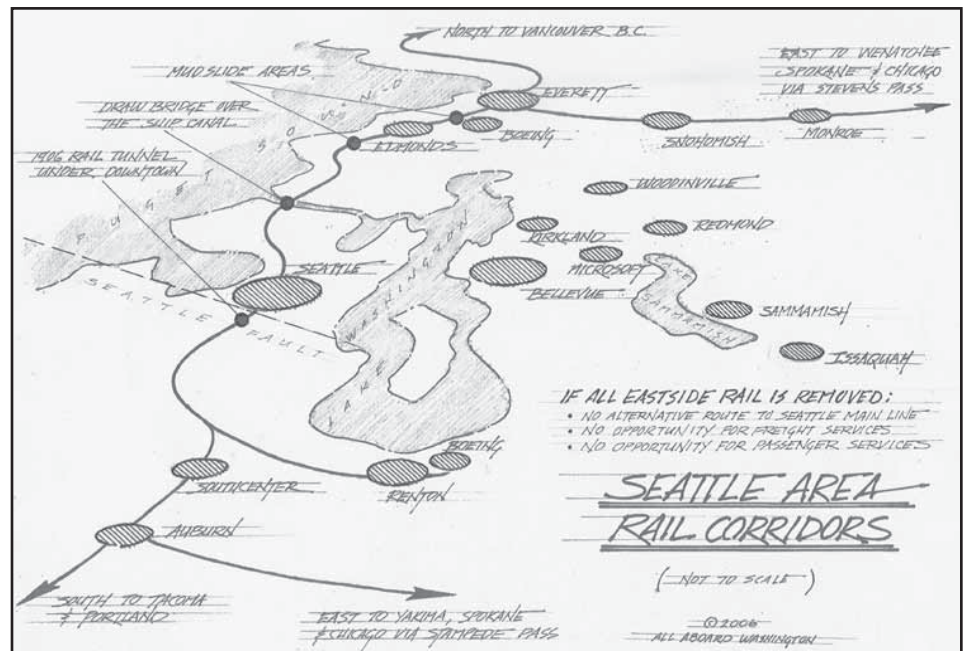
AAW Made Stronger: Before the project began, membership was stagnating and, said Mott, an insularity came to dominate the association's thinking. He called the ERC effort "a very serious, uphill battle that, despite everything else and overwhelming odds, we strongly felt we had to win..."

During the effort, AAW formalized its Board of Directors meetings, overhauled bylaws, changed its name, and brought in consultants to help increase membership and raise funds.

Runte said broadening the audience was crucial: "We refused to keep talking to ourselves. We decided it was time to get out into our community in many more meaningful ways than just having meetings and talking about 'woe is us.'" ■

Read Our Year-End Letter

Go to our website at <http://www.narprail.org/yearend> to read our letter to members and stakeholders across the country. This has been a very exciting year in rail advocacy and we want to give you a recap, plus a look forward to 2009.



—J. Craig Thorpe, Courtesy All Aboard Washington

A rendition by artist J. Craig Thorpe of the effect of removing the Eastside Rail Corridor. The line on the left side of Lake Washington is the Portland-Seattle-Vancouver, BC mainline (used by the *Cascades Service* and *Coast Starlight*). The line across the top is the Everett-Spokane-Idaho-Montana-Minneapolis line (used by the *Empire Builder*). The Eastside Rail corridor connects the major population centers of Renton, Bellevue, Kirkland, Redmon, Woodinville, and Snohomish. It also serves many corporate headquarters, including Microsoft and Boeing.



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our mission: a modern, customer-focused national passenger train network that provides a travel choice americans want.

Fullerton

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passenger train advocacy.

• **Bring engaging visuals.** The presenters brought a master color copy of the news release of NARP's vision—with maps—from the NARP website, and a master color copy of Rep. Oberstar's release on H.R. 2095. Color sets were

reproduced locally for the audience and the image also was projected on an LCD projector. Each place setting received a packet of the releases, maps, brochure and newsletters.

• **Know the audience.** Fullerton offered a big demographic cross-section with varying business interests and degrees of train-related technical knowl-

edge. A survey taken by the NARP officials found that most present were not regular train riders. Thus, Chilson crafted his message for an audience aware that passenger trains could be useful in dealing with rising energy costs but with only a general knowledge of train service.

• **Be prepared for tough questions.** The audience was generally supportive, but also had clear ideas about their needs, expectations for their tax dollars, and the resources they want made available. The audience asked about current train service deficiencies, including chronic lateness and insufficient station parking. Other questions related to Amtrak's ability to operate high speed rail, the train manufacturing industry in the U.S., NARP's public outreach efforts, and NARP's advocacy efforts directed at elected officials.

• **Bring membership applications.** Although this was a rail group, just three of those present were NARP members. All 80 had NARP membership brochures in hand when they left.

• **Find ways to keep the group involved in NARP's efforts.** As a result of the presentation, NARP will participate in Fullerton Railroad Days, an annual event drawing an average of 45,000 attendees from all over California. The next one is May 2-3, 2009. This should be a big membership recruitment opportunity.

Postscript: FRPA Founder Robert Root, 86, former Fullerton mayor, died in October from complications of a stroke, but FRPA continues to move forward with Bob's vision. Montague will keep in touch "to see how NARP can be supportive and also further our partnership." ■

TRAVELERS' ADVISORY

Inauguration Day (Jan. 20)—Washington's Metrorail (subway, bus) plans essentially day-long rush-hour service, peak fares (maybe higher) and full parking lot charges. VRE and MARC plan special schedules with all trains requiring advance-purchased tickets (\$25 flat round-trip fare). Commuter trains skip close-in stops (VRE will stop at L'Enfant). Updated info and—for commuter rail—reservations are at:

- www.metroopensdoors.com
- www.mtmaryland.com
- www.vre.org

Amtrak also expects big crowds but has not announced service plans.

VIA Rail Dec. 2 timetable—Minor schedule changes, including New York-Toronto *Maple Leaf* in Canada. Big change: tri-weekly Toronto-Vancouver *Canadian* now takes four nights but makes almost all connections in Toronto (including Niagara Falls but not *Maple Leaf*).

Crescent Atlanta-New Orleans leg will not run Jan. 26-29, Feb. 2-5,

9-12, and 16-19 (including westbound trips that leave New York one day earlier). No alternate transportation. Delays expected for trains running the full route on the intervening days.

Bellingham, WA, gains checked baggage on trains 516 and 517, but not 513 or 516.

THRUWAY BUSES

Grass Valley and Nevada City—*Capitol Corridor* buses ended Nov. 15. Gold Country Stage now links Auburn (connecting to other *Capitol Corridor* buses), Grass Valley and Nevada City points. Pay driver \$2 cash; Transfer program not honored.

Galveston extension of Houston-Longview *Texas Eagle* connection is running again; still requires 48-hour advance reservations. The service was annulled due to Hurricane Ike.

Flint-Battle Creek minor changes to most buses, plus afternoon bus leaves Flint at 3:25 PM (1:40 later), for better connection with train 355 at Kalamazoo (instead of Battle Creek).