



## Rail Freight Assistance Funding — \$10.356 Million in New State Budget

Three caucuses, the Senate Republicans and House and Senate Democrats have reached agreement on a new \$27.948 billion budget. As this newsletter was produced, the three parties to the agreement were seeking the support of the Governor. Railroad funding fared very well with the Legislature recognizing the importance of freight rail in improving our economy and creating jobs. The rail freight assistance number is virtually identical to the funding available last year. An RTAP, still being negotiated, number was not available in time for this newsletter publication. KSRRRA staff and lobbyists will continue to keep you updated.

## PA Passenger & Freight Rail Plan Update

As mentioned in the last newsletter, The Pennsylvania Department of Transportation (PennDOT) is in the process of preparing an Intercity Passenger and Freight Rail Plan. This plan will serve as the basis for federal and State rail investments and will also fulfill the requirements of the Railroad Safety Enhancement Act of 2008, State Rail Plans, and the PA Rail Freight Preservation and Improvement Act Comprehensive Rail Freight Study. This plan is being developed with the participation and input of the Keystone State Railroad Association, passenger and freight rail representatives, system users and other stakeholders. To that end, two roundtable meetings were held, one in June and one in July, to allow stakeholders an opportunity to present their views and ideas. There will also be three regional meetings held around the state to give other stakeholders a chance to weigh in as well. (Dates listed in the calendar of this newsletter) This plan, which is expected to be completed in the fall, will be an important tool to help Pennsylvania continue to foster and grow a vibrant rail freight network. Thank you to all KSRRRA members who took the time to participate in this process.

## KSRRRA Adopts Resolution Supporting Tax Credits

The Board of Directors of the Keystone State Railroad Association adopted a resolution at its July 21<sup>st</sup> board meeting urging the Pennsylvania delegation of the United States Congress to support and vote for passage of the “Short Line Tax Credit” and the “Infrastructure Tax Credit.” Both pieces of legislation are currently being considered in this session of Congress. These tax credits are extremely important to the railroad industry, particularly the railroad industry in Pennsylvania. We are confident that our legislators will agree and will back these bills. Two weeks ago, Senator Specter agreed to co-sponsor S.461, the bill to extend the Short Line Tax Credit. We very much appreciate his support. On July 22<sup>nd</sup> the PA Rail Freight Advisory Committee also adopted a similar resolution in support of this legislation.

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## Legislative Update

**HB 1932 (Petarca - D)** - Amends Title 66 (Public Utilities) prohibiting any Class I railroad to operate a railroad locomotive in reverse or backup position on any main line or secondary line unless one of the following applies: when an emergency exists, while performing switching operations, where the railroad locomotive is engaged in the transportation of passengers; providing a \$1,000 penalty.

**HB 1933 (Petarca - D)** - Introduced and referred to committee on House Consumer Affairs, HB 1933 Amends Title 66 (Public Utilities) requiring a public utility engaged in a railroad business shall place whistle post signs to the right of the main track in the direction of approach exactly one-quarter of a mile from the entrance to crossings to notify engineers or operators of locomotives who blow a whistle and ring a bell as the locomotive approaches the crossing as a warning to the public; providing the whistle post signs shall consist of a "W" identifiable on a square plate mounted on a post and shall be: visible to an engineer or operator of a locomotive within the cabin or caboose car, kept in good repair, replaced promptly when necessary.

**HB 1934 (Petarca - D)** - Introduced and referred to committee on House Consumer Affairs, HB 1934 Amends Chapter 27 of Title 66 (Public Utilities) requiring a contract carrier shall maintain a driver qualification file for each driver it employs. The driver qualification file may be combined with the personnel file of the employee; providing driver disqualification and limitations; requiring an alcohol and controlled substance test for contract carriers; providing guidelines for vehicle inspections.

**HB 1935 (Petarca - D)** - Introduced and referred to committee on House Transportation, HB 1935 Amends Title 66 (Public Utilities) requiring employees of the railroad to carry photo identification furnished them by the railroad on their person at all times; providing engineers, conductors, brakemen or other members of the crew of a locomotive or train being operated upon rails, including operation on a railroad crossing over a public street, road or highway, shall not be required to exhibit their driver's license upon demand by a police officer in connection with the operation of a locomotive or train within Pennsylvania.

## KSRRA Calendar—Important Dates

|                  |   |                  |
|------------------|---|------------------|
| September 15     | PA Intercity Passenger & Freight Rail Plan Public Meeting | Harrisburg, PA   |
| September 16     | PA Intercity Passenger & Freight Rail Plan Public Meeting | Carnegie, PA     |
| October 11-13    | ASLRRRA Eastern Region Meeting                            | Indianapolis, IN |
| October 27       | KSRRA Annual Meeting                                      | Harrisburg, PA   |
| October 28       | RFAC Meeting  | Harrisburg, PA   |
| January 10, 2010 | NRC 31st Annual Conference                                | Ft. Myers, FL    |
| May 1-4th, 2010  | 2010 ASLRRRA Annual Convention                            | Orlando, FL      |

## KSRRA Welcomes New Member

KSRRA Welcomes Burns, White & Hickton as a New Associate Member

The Keystone State Railroad Association is pleased to announce that law firm of Burns, White & Hickton has joined the association as an associate member.

Since 1987, Burns, White & Hickton has built a reputation as one of the nation's pre-eminent firms in the areas of transportation law and railroad litigation. They have gained this reputation due to their thorough understanding of their clients' needs in the transportation industry. Burns, White & Hickton offers a wide range of legal services to assist short line and regional railroads. Their practices include: FELA litigation, general litigation, employment discrimination, labor relations, property sales/leases, contract drafting and negotiations and other transactional representation. Their offices are located in Pittsburgh and Philadelphia, Pa., Princeton, N.J., Wheeling, W.V., Cleveland, Ohio and Wilmington, Del. For further information, please call TH Lyda, Esquire at 412-995-3147 or visit us at: [www.bwhllc.com](http://www.bwhllc.com).

We appreciate their support of KSRRA and we look forward to working with them.