Amtrak’s Rights and Relationships with Host Railroads

September 21, 2017
Jim Blair – Director Host Railroads
Today’s Amtrak System

- Orange: Long Distance
- Blue: State Supported
- Red: Northeast Corridor
- Dashed: Suspended service
Amtrak’s Services

- **Northeast Corridor (NEC)**
  - 457 miles
  - Washington-New York-Boston
  - **11.9 million** riders in FY16

- **Long Distance (LD) services**
  - 15 routes
  - Up to 2,438 miles in length
  - **4.65 million** riders in FY16

- **State-supported trains**
  - 29 routes
  - 19 partner states
  - Up to 750 miles in length
  - **14.7 million** riders in FY16
Amtrak’s Host Railroads

Amtrak Route System
Track Ownership Excluding Terminal Railroads

Railroads
- Amtrak (incl. Leased)
- Norfolk Southern
- Union Pacific
- Canadian Pacific
- BNSF
- CSX
- Other Railroads
Host Railroads by Mileage

• **97% of Amtrak route miles** are on host railroads
  - 20,000 host railroad miles
  - 700 Amtrak miles

• **70% of Amtrak train-miles** are on host railroads:
  - BNSF Railway (6.69 million train-miles)
  - Union Pacific Railroad (6.09 million train-miles)
  - CSX Transportation (5.85 million train-miles)
  - Norfolk Southern Railway (2.36 million train-miles)
  - Canadian National Railway (1.45 million train-miles)
  - Metro-North Commuter Railroad (1.34 million train-miles)
The Rail Passenger Service Act of 1970 and subsequent amendments, now codified at 49 U.S.C. §§ 24101 et seq., provides Amtrak with rights on host railroads, including:

- Access to any rail line in the US.
- Use of host railroad facilities.
- Payments based on host’s incremental cost.
- Amtrak preference over freight transportation.
- Additional trains.
- Accelerated speeds.
- Condemnation authority.
37 negotiated Operating Agreements with 30 different railroads translate statutes to host-specific terms and conditions including:

- Operation of existing service
- Service standards
- Implementing new service
- Liability apportionment
- Dispute resolution
- Payment amounts and terms for services provided by the host
Myths of Amtrak Access

- By Federal law, Amtrak is granted access to the entire national rail network.
  - Including host railroad property such as station buildings, platforms, and other facilities.

- There is no fee for access to the national network granted to Amtrak.

- This access is not restricted to routes where Amtrak already has or previously had service.
Preference Over Freight Transportation

- Rail passenger transportation provided by Amtrak has “preference over freight transportation in using a rail line, junction, or crossing…."

- A host may seek to have preference modified by the STB by demonstrating that providing preference “materially will lessen the quality of freight transportation provided to shippers”.

- No host has sought to demonstrate this.
Amtrak Payments to Host Railroads

- Incremental cost reimbursement
  - The short-term avoidable cost incurred by the host due to the presence of Amtrak operations on its rail lines.
  - Sometimes includes host railroad staff employed due to the presence of Amtrak.
- Quality Payments/Performance penalties.
  - Operating agreements seek to incent good performance and penalize poor performance.
Performance Influenced by Host Railroads

Sources of Amtrak Train Delay

- **Host**: 72%
- **Amtrak**: 22%
- **Third Party**: 6%

Primary host delay categories:
- Freight Train Interference
- Slow Orders
- Passenger Train Interference
- Signals
- Routing
- Maintenance of Way

Primary Amtrak delay categories:
- Passenger-related
- Locomotive failure
- Crew & System

* Unused Recovery Time Not Included.
• **Standard liability coverage**
  
  • Amtrak has a unique contractual no-fault liability arrangement with its host railroads, an excellent safety record, and a decades-long history of standing behind its liability commitments to hosts. This combination provides the lowest-cost liability arrangement.

  • Amtrak extends these arrangements to state sponsors by contract.
Amtrak is also a “Host” Railroad

- **Six freight railroads operate on Amtrak Lines**
  - Norfolk Southern
  - CSX
  - Providence & Worcester
  - NECR
  - Pan Am
  - Conrail

- **Most operations at night.**

- **These railroads pay Amtrak’s fully allocated costs.**

- **Regular coordination on industrial development, engineering design, operations planning.**
Amtrak as “Host”

FREIGHT RAILROAD TRACKAGE RIGHTS ON AMTRAK’S NORTHEAST CORRIDOR
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