



Amtrak's Rights and Relationships with Host Railroads

September 21, 2017

Jim Blair – Director Host Railroads

Today's Amtrak System



Amtrak's Services



Northeast
Corridor



Long
Distance



State-
supported

- **Northeast Corridor (NEC)**

- 457 miles
- Washington-New York-Boston
- 11.9 million riders in FY16

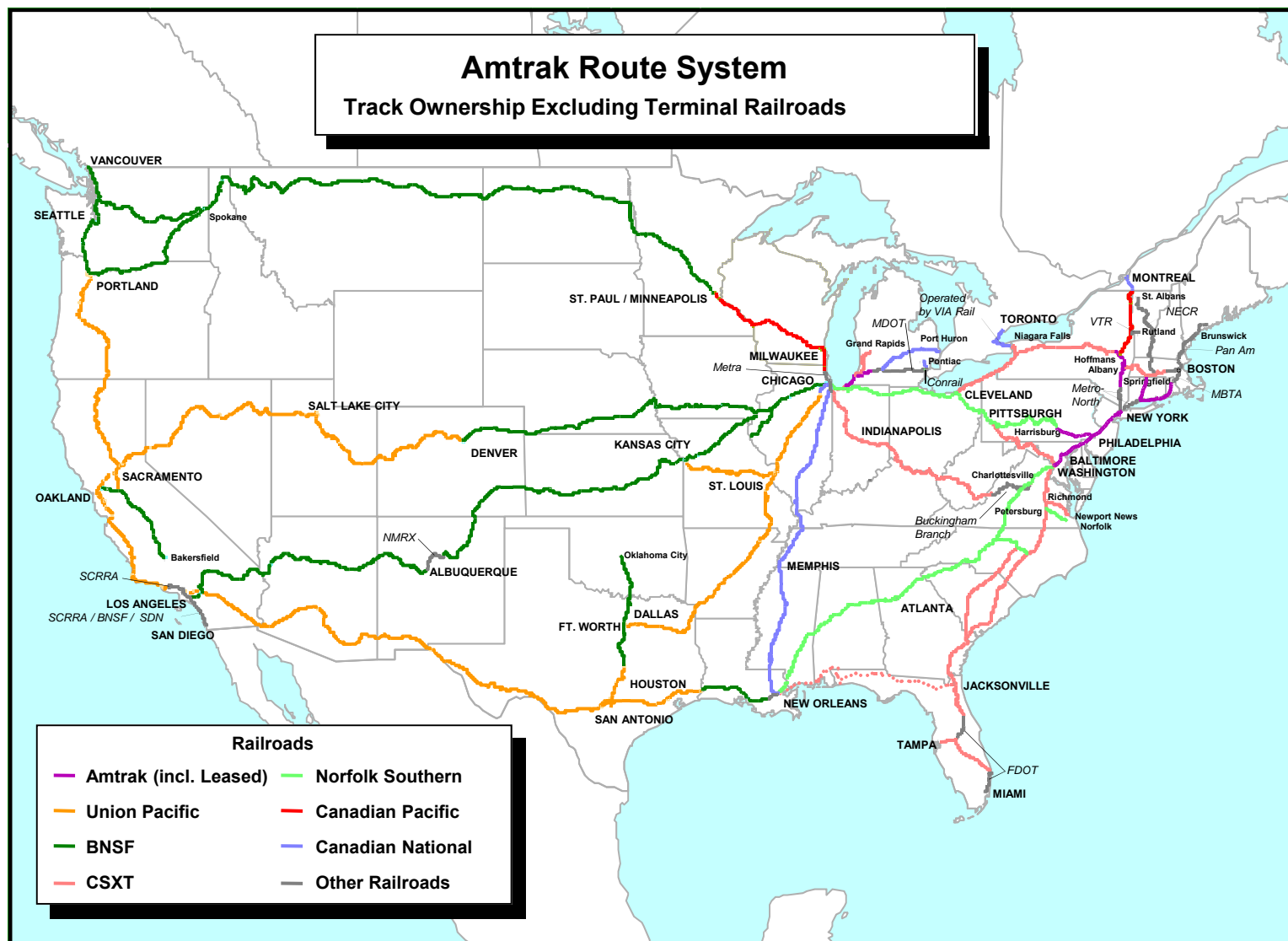
- **Long Distance (LD) services**

- 15 routes
- Up to 2,438 miles in length
- 4.65 million riders in FY16

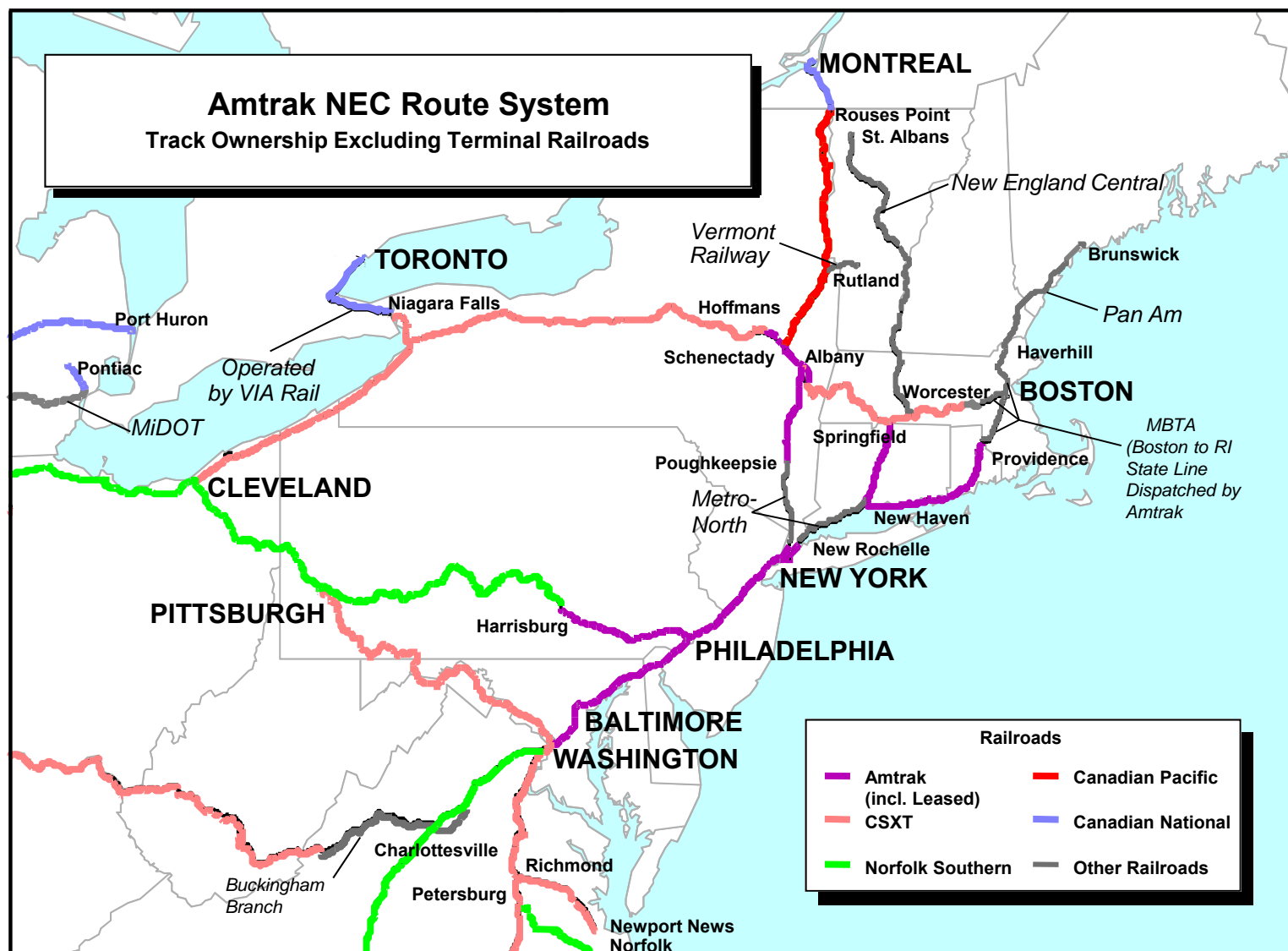
- **State-supported trains**

- 29 routes
- 19 partner states
- Up to 750 miles in length
- 14.7 million riders in FY16

Amtrak's Host Railroads



Amtrak's Host 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)

Backdrop: Amtrak's Statutory Rights

- 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.



“Operating Agreements” with host railroads

- 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

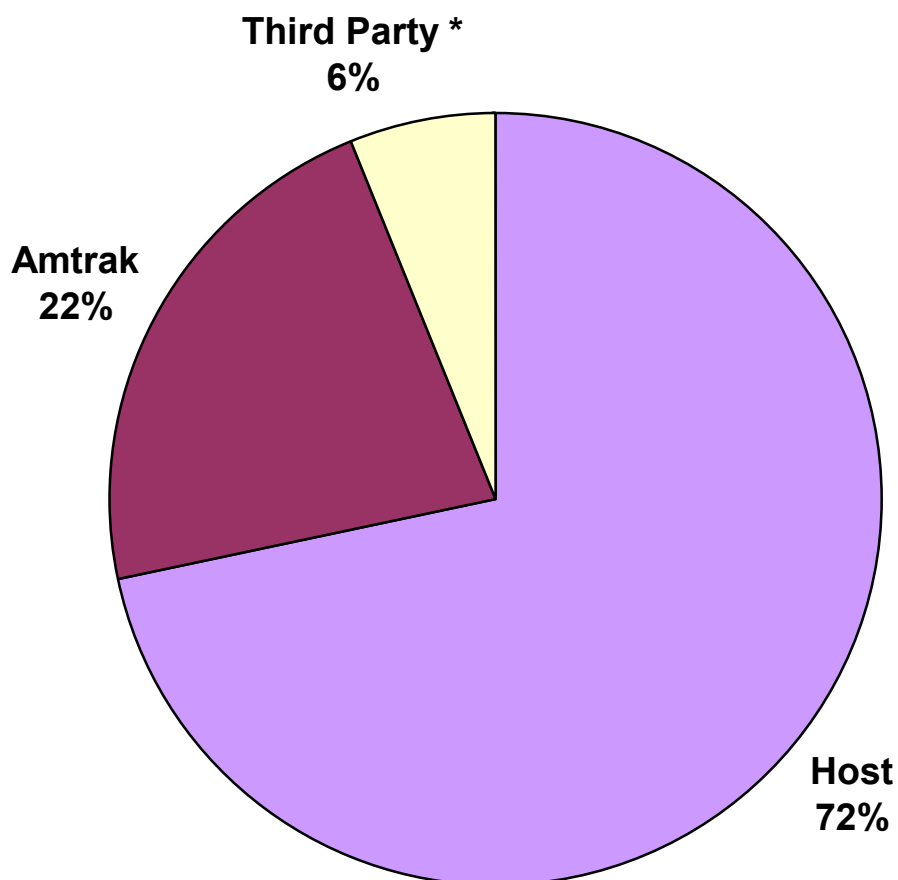
- Rail passenger transportation provided by Amtrak has “preference over freight transportation in using a rail line, junction, or crossing....”
- A host may seek to have preference modified by the STB by demonstrating that providing preference “materially will lessen the quality of freight transportation provided to shippers”.
- No host has sought to demonstrate this.



- 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.



Sources of Amtrak Train Delay



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

- **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

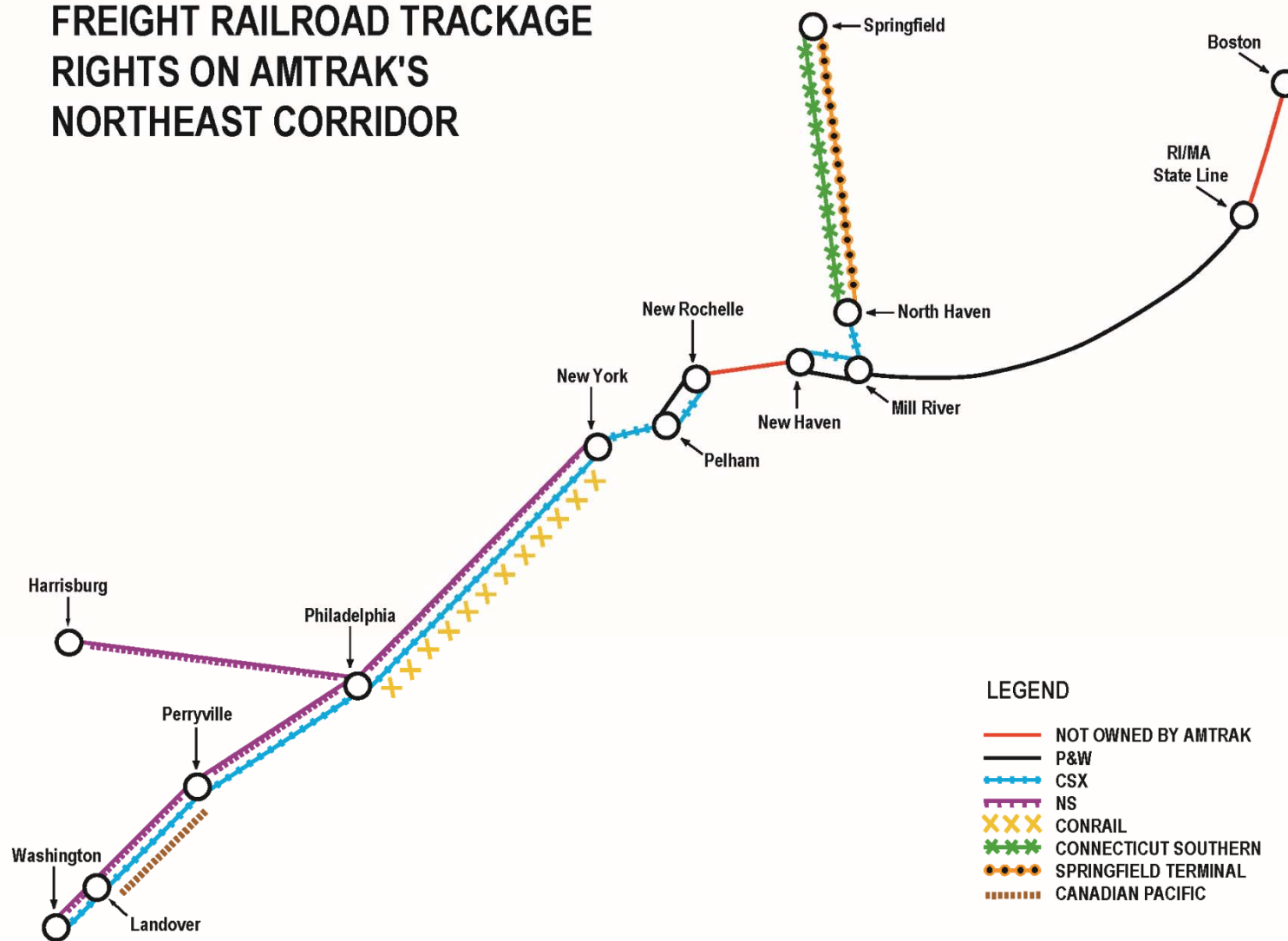
- **Most operations at night.**

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

- **Regular coordination on industrial development, engineering design, operations planning.**



FREIGHT RAILROAD TRACKAGE RIGHTS ON AMTRAK'S NORTHEAST CORRIDOR



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