

**RONY**



## ***RAILROADS OF NEW YORK***

*Executive Director*  
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### **2020 LEGISLATIVE OVERVIEW**

#### **RONY Overview**

Railroads of New York, Inc. (RONY) represents four Class I Railroads (CSX, Canadian National, Canadian Pacific and Norfolk Southern) and 36 Short Line and Regional Railroads that directly employ over 3,700 individuals in NYS. RONY's member railroads provide access to the nation's 140,000-mile freight rail network, enabling many of New York's industrial, manufacturing and agricultural businesses to reach markets across the country and throughout the world via all U.S. ports and to realize a substantial competitive advantage over other businesses that lack access to the rail network. In addition to providing considerable economic benefits to the New York-based customers our railroad members service, freight rail is also the most environmentally-friendly way to move goods and products by land, as moving goods by freight rail reduces highway gridlock, lowers greenhouse gas emissions and reduces emissions of particulate matter and nitrogen oxides. In addition, freight rail is also the safest way to move freight by land, including transporting hazardous materials that are required by Federal law to be shipped by rail because of the safety benefits freight rail provides over other land-based modes of transportation.

#### **Climate Leadership and Community Protection Act**

Last year, New York State enacted the Climate Leadership and Community Protection Act, an ambitious environmental initiative that is designed to drastically reduce statewide greenhouse gas emissions across all sectors of the economy, including the transportation sector. As detailed in the law, an initial Scoping Plan will be developed over the next couple of years that will make recommendations on regulatory measures and other state actions that could be taken to help attain the established emissions limits. Specific to transportation, this includes the following:

- Performance-based standards for sources of greenhouse gas emissions
- Land-use and transportation planning measures aimed at reducing emissions from motor vehicles
- Measures designed to promote the beneficial electrification of personal and freight transport

In order to help achieve the statewide emissions reduction goals as outlined in the law, shifting long-haul freight movement from trucks to rail would significantly contribute to reducing emissions in the transportation sector. According to the U.S. Environmental Protection Agency (EPA), the transportation sector accounts for approximately 27% of total

***Member Railroads***  
Adirondack Scenic RR  
Arcade & Attica RR  
B & H Rail Corp.  
Batten Kill Railroad, Inc.  
Buffalo & Pittsburgh Railroad, Inc.  
Buffalo Southern Railroad, Inc.  
CSX Transportation, Inc.  
Canadian National Railway Co.  
Canadian Pacific  
Central New York Railroad, Inc.  
Clarendon & Pittsford Railroad Co.  
Consolidated Rail Corporation  
D & H Railway  
Depew Lancaster & Western Railroad Company  
Falls Road Railroad Co. Inc.  
Finger Lakes Railway Corp.  
Genesee & Mohawk Valley RR Co.  
Genesee & Wyoming Railroad  
Ithaca Central RR  
Livonia, Avon & Lakeville Railroad  
Lowville & Beaver River RR Co.  
Massena Terminal RR  
Middletown & New Jersey Railroad LLC  
Mohawk, Adirondack & Northern RR  
New York & Atlantic Railway Co.  
New York & Lake Erie Railroad  
New York New Jersey Rail, LLC  
New York & Ogdensburg Railway Co.  
NY Susquehanna & Western Railway  
Norfolk Southern Railway Co.  
Ontario Central Railroad Corp.  
Ontario Midland Railroad Corp.  
Owego & Harford Railway  
PanAm Southern  
Providence & Worcester Railroad  
Rochester & Southern Railroad  
SMS Rail Lines of New York  
South Buffalo Railway Co.  
Syracuse, Binghamton & NY RR  
Wellsboro & Corning Railroad  
Western New York & Pennsylvania RR  
***Associate Members***  
American Rail Engineers Corp.  
Bergmann Associates  
Bowers & Company CPA's, PLLC  
Brookhaven Rail, LLC  
CHA LLP  
C & S Engineering, Inc.  
Creighton Manning Engineering, LLP  
Delta Railroad Construction Inc.  
Erdman Anthony  
Erie County IDA  
Frank Tartaglia, Inc.  
Frontier Railroad Services LLC  
HDR Engineering, Inc.  
HNTB Corporation  
JMT of New York, Inc.  
McCarthy Rail Insurance Managers  
RailPro Industries, Inc.  
RailWorks Track Services, Inc.  
Sojitz Corporation of America  
Southern Tier Extension Railroad Authority  
Stella-Jones Corp.  
Tectonic Engineering Consultants, -  
Geologists & Land Surveyors  
Tracks Unlimited LLC  
Unitrac Railroad Materials  
W.J. Riegel Rail Solutions  
Wheeler Lumber  
***Contributing Members***  
A & K Materials, Inc.  
Cattaraugus County IDA  
Chenango County IDA  
D.A. Collins Companies  
Delaware & Ulster Railroad  
Hardesty & Hanover, LLP  
Kal Krishnan Consulting  
Koppers Inc.  
Lincoln Transportation Insurance Brokers  
Modjeski & Masters, Inc.  
Nisus Corp.  
Nordco Inc.  
RailComm, LLC  
Railroad Construction Co. Inc.  
Rhinehart Railroad Construction, Inc.  
Rusco Group Inc.  
Saratoga Railroad Engineering  
Sherwood Lumber Corporation  
Star Headlight & Lantern Co. Inc.

U.S. greenhouse gas emissions. In addition, freight railroads accounted for just 0.6% of total U.S. greenhouse gas emissions in 2015 and just 2.3% of transportation-related greenhouse gas emissions. EPA stats also show that from 2005 to 2015, greenhouse gas emissions from the freight rail sector decreased by 8.2%, while they increased in the trucking sector by 4% over that same time period. Many of these emissions improvements in the freight rail industry are due to technological advances that help cut fuel consumption, including putting into service more efficient locomotives, improved freight car designs that allow for increased amounts of freight on trains, implementing advanced computer software systems that calculate the most fuel-efficient speed for a train over a given route and monitor locomotive functions to ensure peak efficiency and installing technologies that reduce train idling.

In the transportation sector, greenhouse gas emissions are directly related to fuel consumption, an area where freight rail transport has significant advantages over trucks. According to the Association of American Railroads (AAR), moving freight by rail instead of truck reduces greenhouse gas emissions by approximately 75%. Railroads, on average, are approximately four times more fuel efficient than trucks and can move one ton of freight more than 470 miles per gallon of fuel – a 101% improvement since 1980 - and a single freight train can replace several hundred trucks on the road. In 2018 alone, U.S. freight railroads consumed 710 million fewer gallons of fuel and emitted 7.9 million fewer tons of carbon dioxide that they would have if their fuel efficiency had remained constant since 2000. As an illustrative example, if just 10% of the freight that moves by the largest trucks moved by rail instead, fuel savings would be more than 1.5 billion gallons per year and annual greenhouse gas emissions would fall by more than 17 million tons – equivalent to removing 3.2 million cars from the highways for a year or planting 400 million trees.

The freight rail industry invests significant capital back into the rail network to help ensure a safe, efficient and environmentally-friendly mode of freight transportation, with the nation's Class I railroads alone investing nearly \$30 billion annually. These investments will only continue to increase as the Federal Highway Administration has recently forecasted that total U.S. freight shipments will rise from an estimated 18.1 billion tons in 2015 to 25.5 billion tons in 2040, a 41% increase. One growing sector of freight transport that will especially impact New York State is the state's rapidly growing renewable energy sector. As the state looks to greatly expand its renewable energy portfolio, the freight rail system provides one of the best ways to transport components such as wind turbine parts and biofuels.

Promoting the use of freight rail over trucks will help advance many of the state's clean energy and emissions reduction goals. To help further these efforts, it is important that New York State continue to partner with the freight rail industry to help keep the state's rail network in a safe operating condition. This will help our state's freight rail carriers attract more customers which will in turn reduce the amount of truck traffic on our highways.

Included in the Governor's 2020-21 Executive Budget proposal is \$17.5 million for freight rail infrastructure projects and a separate \$10 million allocation for a mix of freight rail, passenger rail and port-related projects. Many of New York's freight rail companies rely on these funds to maintain the state's rail network in a state-of-good-repair and to remain economically viable in an increasingly competitive freight-based economy. However, this important funding program has remained flat over the past five years. **Going forward, RONY supports building on the recent success of this funding program and requests that NYS continue to enhance the program, bringing it to a \$50 million annual level, the same level it was during the 2005-10 NYSDOT Bond Act period.**

**In addition, RONY also welcomes the opportunity to work with our state leaders in the Legislature and Cuomo Administration to explore innovative approaches to help incentivize shippers to move goods by rail instead of truck for long-haul shipments.** Together, these programs can provide distinct benefits to the many industrial, commercial and agricultural businesses across the state that rely on, or would like to use, the NYS freight rail network to ship and receive goods in a safe, economical and environmentally-friendly manner.



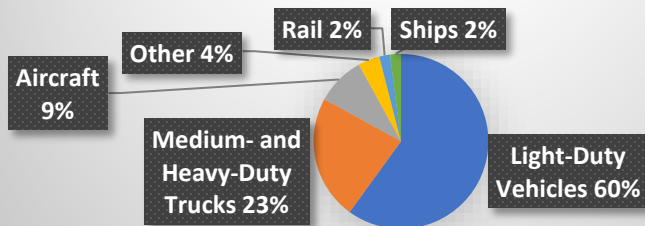
## ENVIRONMENTAL BENEFITS OF FREIGHT RAIL

Freight railroads are the most environmentally-sound way to move freight over land. According to the Association of American Railroads, on average, trains are four times more fuel efficient than trucks. They also reduce highway gridlock, lower greenhouse gas emissions and reduce emissions of particulate matter and nitrogen oxides.

It would have taken approximately 4 million additional trucks to handle the 72 million tons of freight that originated in, terminated in, or moved through NYS by rail in 2014.

Tier 4 locomotives are the most advanced diesel locomotives in service that are being increasingly used by railroads. Tier 4 locomotive technology reduces particulate emissions from diesel locomotives by as much as 90% and nitrogen oxide emissions by as much as 80%.

### U.S. Transportation Sector GHG Emissions by Source



In the yard, freight railroads utilize anti-idling technologies to minimize fuel consumption and air pollution such as Automatic Engine Start Stop units that turn off a locomotive if it has been idle too long and Auxiliary Power Units (APU) which are small diesel engines that keep the main locomotive engine warm when powered down to prevent freezing in cold weather. APU's, for example, can reduce emissions from one locomotive by more than 80 tons of nitrogen oxides, 12 tons of carbon monoxide and three tons of particulate matter per year.

### Greenhouse Gas (GHG) Emissions Benefits

According to data from the U.S. Environmental Protection Agency (EPA), non-transportation sources such as power plants and manufacturers accounted for approximately 73% of U.S. greenhouse gas emissions in 2015, with transportation accounting for the other 27%. Freight railroads accounted for just 0.6% of total U.S. greenhouse gas emissions in 2015, and just 2.3% of transportation-related greenhouse gas emissions.

EPA stats also show that from 2005 to 2015, greenhouse gas emissions from the freight rail sector declined by 8.2%, while they increased in the trucking sector by 4% over that same time period.

With greenhouse gas emissions being directly related to fuel consumption, moving freight by rail instead of truck lowers greenhouse gas emissions by 75%.

If just 10% of the freight that moves by the largest trucks moved by rail instead, fuel savings would be around 1.5 billion gallons per year and annual greenhouse gas emissions would fall by approximately 17 million tons, equivalent to removing around 3.2 million cars from the highways for a year or planting 400 million trees.

*In 2017, U.S. freight railroads moved a ton of freight an average of 479 miles per gallon of fuel, more than double the 1980 average of 235 miles per gallon. To help drive this increase fuel efficiency, freight rail companies have removed from service thousands of older locomotives and replaced them with new, more efficient locomotives; increased the amount of freight on railcars and trains; developed and implemented highly-advanced computer software systems that can calculate the most fuel-efficient speed for a train over a given route, determine the most efficient spacing and timing of trains on a railroad's system and monitor locomotive functions and performance to ensure peak efficiency; and, installed idling-reduction technologies, such as stop-start systems that shut down a locomotive when it is not in use and restart it when it is needed, and expanded the use of distributed power to reduce the total horsepower required for train movements.*

## **Two-Man Crew Legislation – S7151 (Kennedy)/A9090 (Magnarelli)**

RONY opposes legislation that would require freight rail companies to operate trains with at least two crew members aboard freight trains in New York State. Numerous studies have shown that mandating at least two crew members would have no impact on the safety of railroad operations. Freight railroads remain the safest way to transport goods over land and railroad safety has significantly improved in recent years. According to the Association of American Railroads, since 2009, the mainline train accident rate is down 10%, the equipment-caused accident rate is down 11%, the track-caused accident rate is down 26%, the derailment rate is down 9% and the hazmat accident rate is down 48%.

In May 2019, following over five years of intensive study and stakeholder outreach, the Federal Railroad Administration (FRA) issued a decision to affirmatively not require trains to have at least two crew members aboard after coming to the conclusion that rail safety data does not support a train crew staffing rulemaking. The ruling stated, in part, “FRA’s accident/incident safety data does not establish that one-person operations are less safe than multi-person train crews. Indeed, as FRA noted in the NPRM, existing one-person operations ‘have not yet raised serious safety concerns’ and, in fact, ‘it is possible that one-person crews have contributed to the [railroads’] improving safety record.... FRA reviewed accident/incident data over a seventeen-year period ending in 2018 and could not determine that any of the accidents/incidents involving a one-person crew would have been prevented by having multiple crewmembers”.

In addition, as part of this decision, the FRA noted that this decision represents an affirmative decision not to regulate crew size with the intention to preempt state laws. The decision states, “FRA has determined that no regulation of train crew staffing is necessary or appropriate at this time and intends for the withdrawal to preempt all state laws attempting to regulate train crew staffing in any manner”.

### **RONY 2020 Executive Committee**

Charles Hunter, President (Genesee & Wyoming Railroad)  
Ray Martel, Vice President (Livonia, Avon & Lakeville Railroad; B&H Railroad; Western New York & Pennsylvania Railroad)  
Charlie Monte Verde, Secretary (Genesee Valley Transportation)  
Jane Franz, Treasurer (Buffalo Southern Railroad)  
Michael Fesen, Member-at-Large (Norfolk Southern Railway)  
Arielle Giordano, Member-at-Large (Canadian Pacific Railroad)  
Maurice O’Connell, Member-at-Large (CSX Transportation)

### **RONY Staff**

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