

Transportation Update

DECEMBER 2010

— Compiled by Illinois Farm Bureau®



FMCSA Launches New Compliance, Safety, Accountability (CSA) Program for Commercial Trucks & Buses

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FMCSA Press Release

On December 13, the U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) launched the Compliance Safety Accountability (CSA) program.

The centerpiece of CSA is the Safety Measurement System (SMS), which will analyze all safety-based violations from inspections and crash data to determine a commercial motor carrier's on-road performance. The new safety program will allow

FMCSA to reach more carriers earlier and deploy a range of corrective interventions to address a carrier's specific safety problems.

"The CSA program will help us more easily identify unsafe commercial truck and bus companies," said U.S. Transportation Secretary Ray LaHood. "Better data and targeted enforcement will raise the safety bar for commercial carriers and empower them

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MAT10 Summit report in the offing

The report of the MAT10 Summit effort will be out soon. Participants completed their work earlier this month. Staff is now putting the information in a form suitable for publishing.

The MAT10 brought a divergent cross section of the industry together to find common ground – and points of dissimilarity. The effort was not an attempt to entice various groups to coalesce around a given issue.

The effort relied heavily on studies that had already been done to identify key

transportation issues.

In advance of the Summit, a Visioning Committee developed draft concepts and statements for Summit participants to react to. Adding to this ready-made basis for discussion, participants in the Summit brought their own concepts and topics to add to the mix.

The outcome was a list of statements deemed important to the participants at the Summit. Those, in-turn, were rated

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CSA

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to take action before safety problems occur.”

The program also advances the Obama Administration’s open government initiative by providing the public with safety data in a more user-friendly format. This will give consumers a better picture of those carriers that pose a safety risk. CSA was also tested in nine pilot states before the program was launched.

“We worked closely with our partners in the motor vehicle community to develop this powerful new program,” said FMCSA Administrator Anne S. Ferro. “CSA is an important new tool that will help reduce commercial vehicle-related crashes and save lives.”

The SMS uses seven safety improvement categories called BASICs to examine a carrier’s on-road performance and potential crash risk. The BASICs are:

- Unsafe Driving
- Fatigued Driving (Hours-of-Service)
- Driver Fitness
- Controlled Substances/Alcohol
- Vehicle Maintenance
- Cargo-Related, and
- Crash Indicator.

Under FMCSA’s old measurement system, carrier performance was assessed in only four broad categories.

By looking at a carrier’s safety violations in each SMS category, FMCSA and state law enforcement will be better equipped to identify carriers with patterns of high-risk behaviors and apply interventions that provide carriers the information necessary to change unsafe practices early on.

Safety interventions include early warning letters, targeted roadside inspections and focused compliance reviews that concentrate enforcement resources on specific issues identified by the SMS.

FMCSA will continue to conduct onsite comprehensive compliance reviews for carriers with safety issues across multiple BASICs. And, where a carrier has not taken the appropriate corrective action, FMCSA will invoke strong civil penalties.

To learn more about the new CSA program, visit <http://csa.fmcsa.dot.gov/>. To see the new SMS, visit <http://ai.fmcsa.dot.gov/sms>. PLEASE NOTE: For parties interested in downloading data for more than one carrier, please visit the SMS Download page at: <http://ai.fmcsa.dot.gov/SMS/Data/Downloads.aspx>.



MAT10

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using a weighted indexing system to gauge the level of support across the industry. The result is a selection of major transportation policy concepts identified with an indication of their viability in the real world.

Among the highest rated measures was the call for a national vision for transportation. For decades, the construction of the Interstate system had focused the nation’s effort. Since then, we’ve seen a hodge-podge of divergent targets.

Watch for the MAT10 report.



Watch for the MAT10 Summit report, out to county Farm Bureaus soon.

CSA in a nutshell

CSA 2010 expands the current *Safestat* safety rating system where trucking companies are regulated in four categories (Driver, Vehicle, Safety Management, and Accident) to the new CSA system of seven categories (see article at left.) None of the regulations affecting drivers or trucking have been changed, but under this program, regulators will be able to intervene sooner if they see a problem.

Development of the CSA has been through an “initiative” of the FMCSA over the past 7 years. It has not been done via rulemaking, though changes to how a carrier’s safety rating may be published will take that route.

The new database is based on a live feed of data, not just information from audits. If the CSA score goes above an established threshold, the carrier is notified and asked how they will remedy the problem. Depending on the severity of the problem, that could lead to a safety compliance review or the carrier being placed out-of-service.

For more information, visit the CSA website at: <http://csa.fmcsa.dot.gov/default.aspx>

Year-over-year traffic climbs

Source: *Progressive Railroading*

In November, U.S. car loadings rose 4.5 percent and intermodal traffic jumped 11.3 percent compared with November 2009 levels, according to the [Association of American Railroads \(AAR\)](#).

However, seasonally adjusted data shows carloads declined 1.1 percent and intermodal traffic dipped 0.4 percent vs. October totals.

November marks the 11th straight month in which rail volumes were higher than year-earlier levels. That hasn't happened since January 2006.

Also in November, railroads brought 465 rail cars out of storage, leaving 317,810 cars — or about 20.8 percent of the North American fleet — still idle, according to the AAR.



Illinois Commerce Commission authorizes bridge and grade crossing projects

Source: *Progressive Railroading*

The [Illinois Commerce Commission \(ICC\)](#) has granted approval for the demolition and reconstruction of the East Denker Road bridge over CN/Illinois Central Railroad track near Bluford in Jefferson County. Work is scheduled for completion by December 2012.

The state's Grade Crossing Protection Fund (GCPF) will cover 60 percent of the project's \$761,000 cost. CN/IC, Jefferson County and the Webber Township Road District will pay the remainder.

The ICC also granted approval for BNSF Railway Co. to renew grade crossing surfaces near Litchfield, Girard, Adair and Gladstone. Work is slated for completion in September 2011.

The GCPF will cover the entire

\$265,916 cost. BNSF will be responsible for future maintenance expenses.

Finally, the ICC granted approval for upgrades to a Norfolk Southern Railway crossing near Homer. To be completed in 12 to 18 months, the work calls for installing new automatic flashing light signals and gates, and improving roadway approaches.

The GCPF will cover 95 percent of automatic warning device costs estimated at \$530,906 and 100 percent of highway approach improvement costs estimated at \$148,725. NS will be responsible for all remaining installation costs, and future operating and maintenance expenses associated with the warning devices.



Class I's not "revenue adequate" in 2009

Source: *STB Washington Report*

In November, the U.S. Surface Transportation Board (STB) issued a decision stating that no Class I railroad was "revenue adequate" in 2009, which suggests none of the large railroads attained a rate of return equal to or greater than the STB's estimation of the rail industry's cost of capital.

The STB had earlier determined that the rail industry's cost of capital in 2009 was 10.43 percent. The STB in turn compared that percentage with

each of the railroad's return on investment disclosed in their 2009 annual reports. If a railroad's return on investment meets or exceeds the cost of capital, the STB determines the particular railroad as "revenue adequate."

The STB's 2009 tax-adjusted return on investment percentages for the nation's seven Class I railroads are as follows:

- BNSF Railway: 8.67 percent
- CSX Corp: 7.3 percent
- Canadian National: 6.04 percent

- Kansas City Southern Railway: 6.51 percent
- Norfolk Southern Railway: 7.69 percent
- Canadian Pacific Railway: 6.28 percent
- Union Pacific Railroad: 8.62 percent



Class I's are the largest railroads, those with annual gross operating revenue of more than \$319.3 million (varies with inflation).

Inland waterway funding challenge averted

Source: *Waterways Council, Inc.*

The National Commission on Fiscal Responsibility and Reform—aimed at reducing the government's budget deficit—issued its final report at the end of November **without** the inclusion of an earlier recommendation by the Commission Co-Chairmen for the nation's waterways system to be fully-funded by commercial users.

That funding would come through an **increase of the diesel fuel tax to pay for 100% of new waterway Construction, Rehabilitation, and Operations and Maintenance.**

Four days later, the Commission's report failed to win the 14 votes needed to send it onto Congress for further action. The plan won support from 11 of 18 Commission members.

Waterways Council, Inc. and the American Waterways Operators issued a letter to the

Commissioners on November 23 decrying the earlier proposal. The letter focused on the unfairness of charging 100% of the costs of maintaining and improving our waterways to just one user of the system when so many others benefit from our locks and dams.

In pointing out likely consequences of such a proposal, the letter stated, "While we applaud the efforts and goals of the Commission, we think that this particular proposal would unfairly penalize one user of our waterways resulting in higher costs of maintaining our roads and bridges, a significant increase in air pollution, more dependence on foreign oil, a reduction in the export of steel, coal, grain and other critical bulk commodities costing jobs and hurting our struggling economy."



Cornell University: Requiring U.S. Ships for Food Aid Increases Costs

Source: *AFBF.*

A study by Cornell University reveals that shipping food aid to countries costs nearly 50 percent more than it should because of the federal Jones Act that requires U.S.-flagged vessels to carry the grain and other products.

The Cornell research shows the increased shipping costs for non-emergency food aid sent to Africa amounted to \$140 million in 2006. The research shows that the U.S. could double its non-emergency food aid to Africa if it didn't have a U.S. cargo preference rule.

Farm Bureau supports repeal of the Jones Act.



Omnibus appropriations considered, then dropped

Source: *Waterways Council, Inc.*

An almost 2,000-page Omnibus Appropriations bill emerged late on December 14 in the Senate, with the Corps to receive \$5.32 billion for FY '11 (before its share of an across-the-board \$1.35 billion government-wide rescission is carried out). In FY '10, the Corps received \$ 5.445 billion. Specific Corps accounts are shown at right:

By December 20, with the then-current Continuing Resolution (CR)

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Corps Program	Enacted in FY 2010	Proposed Omnibus for FY 2011
Investigations	\$160 million	\$130 million
Construction	\$2.031 billion	\$1.823625 billion
Mississippi River & Tributaries	\$340 million	\$325 million
Operations & Maintenance (O&M)	\$2.4 billion	\$2.475 billion
Regulatory	\$190 million	\$193 million
Flood Control/Coastal Emergencies	\$ 0.00	\$30 million
Expenses:	\$185 million	\$187.375 million\
Office of the Assistant Secretary of the Army for Civil Works	\$5 million	\$6 million

Asian carp developments

Source: *Waterways Council, Inc.*

There have been three significant developments with regard to Asian Carp issues recently.

First, early this month, the U.S. District Court for the Northern District of Illinois ruled against the State of Michigan and others who were seeking a preliminary injunction intended eventually to physically isolate Lake Michigan waters from any Mississippi River and Illinois River waters to the serious detriment of inland navigation. Michigan's Attorney General has announced his decision to appeal the District Court's ruling.

Second, the Obama Administration announced a new \$47 million initiative involving, among other things, 13 new projects to combat Asian Carp migration into the Great Lakes.

Third, both the House-passed long-term CR and the Senate version of the omnibus appropriations bill contained similar language expanding the Secretary of the Army's authority to the Asia Carp control measures.



Governmental Affairs Leadership Conference

February 23-24

Springfield, IL

Contact your county Farm Bureau for details.

GOP House transportation committee members named

Source: *AFBF*

Republican members have been named to the House Transportation and Infrastructure Committee that will be chaired by Rep. John Mica (R-Fla.). The committee will deal with a number of transportation issues vital to Farm Bureau, and Mica plans to complete work on the highway bill by August.

Democrats have yet to name T&I Committee members for the new Congress in 2011, although Rep. Nick Rahall (D-W.Va.) was elected by fellow House Democrats as ranking Democrat on the T&I Committee.

The Republican members are Lou Barletta of Pennsylvania, Larry Bushon of Indiana, Chip Cravaack of Minnesota, Rick Crawford of Arkansas, Jeff Denham of California, Blake Farenthold of Texas, Stephen Fincher of Tennessee, Bob Gibbs of Ohio, Frank Guinta of New Hampshire, Richard Hanna of New York, Andy Harris of Maryland, Jaime Herrera of Washington,

Randy Hultgren of Illinois, Jeff Landry of Louisiana, James Lankford of Oklahoma, Billy Long of Missouri, Tom Reed of New York, Jim Renacci of Ohio, Tim Scott of South Carolina and Daniel Webster of Florida.



Omnibus

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set to expire on Saturday and diminishing support for the omnibus appropriations bill that Senate Democrats had prepared, Congress over the weekend rushed through a three-day CR to provide funding for the federal government through Tuesday.

Majority Leader Reid announced that he was not going to bring the omnibus bill to the Senate floor and instead would negotiate a short-term CR of undetermined duration with Minority Leader McConnell, who a day before had suggested that February 18 was his preferred expiration date.

Based on provisions in the House-passed long-term CR (which cut the Corps Construction account \$194 million from FY10 levels) and in the Senate version of the omnibus will (which would have provided even less for Corps construction projects), it appears likely at this point that whatever Senators Reid and McConnell agree to will result in reduced Corps funding for the remainder of FY11.

Shortlines doing better than in 2009

The mid-November update on shortline railroads was positive. In many cases, carloadings were up more than 10 percent — and as much as 35 percent in a few cases — compared with 2009 levels.

While that's a great improvement over the prior year, the consensus appears to be that the economy — and by extension, the railroads — will recover more gradually than the industry would like.



Unwanted high speed rail dollars redistributed

In last month's election, Wisconsin and Ohio voters elected governors who pledged to stop their state's high speed rail (HSR) projects. That, despite the fact that they had won \$1.2 billion in federal stimulus grants for high-speed rail projects.

Earlier this month, the FRA announced that the \$1.195 billion in federal HSR funding dedicated to Ohio and Wisconsin will be redirected. It will now be used to support projects in the following states:

- California: up to \$624 million
- Florida: up to \$342.3 million
- Washington State: up to \$161.5 million
- Illinois: up to \$42.3 million
- New York: up to \$7.3 million
- Maine: up to \$3.3 million
- Massachusetts: up to \$2.8 million
- Vermont: up to \$2.7 million
- Missouri up to \$2.2 million
- Wisconsin: up to \$2 million
- Oregon: up to \$1.6 million
- North Carolina: up to \$1.5 million
- Iowa: up to \$309,080
- Indiana: up to \$364,980

This is in addition to the \$1.2 billion Illinois received in the first round of federal HSR stimulus funding—now being spent on replacing rails and ties between Chicago & St. Louis.



Interested in Ag Transportation Issues from Farm to Foreign Land?

Illinois Farm Bureau® is seeking 16 farmers to participate in its 10th Market Study Tour. The March 8-15 tour will focus on transportation infrastructure, ag exports, and the Free Trade Agreements with Panama and Colombia.

The tour will include trips to grain terminals, container shipping facilities, the Panama Canal, major shipping companies, government agencies, farms, and markets in the USA and the two foreign countries.

To apply for the tour, please contact your local County Farm Bureau®.

DEADLINE for applications to be received by the County Farm Bureaus is **Friday, January 14** at 4 p.m.

For more information, please contact tnelsen@iflb.org or 309-557-3112.

