



ProRail Nebraska News

Dedicated to supporting and advocating for railroad service in the State of Nebraska

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Volume XXIX

November 2019

ProRail Nebraska & Citizens for Improved Transit present

A Transportation Symposium

Saturday, December 7, 2019 – 9:00 am – Lincoln, NE

Where: St. Marks Episcopal Church on the Campus, 13th & R Streets, Lincoln, NE

Time: 9:00am (Doors open about 8:30 am)

All ProRail Nebraska meetings are open to the general public!

Tentative Agenda

8:30 – Doors open for Registration & Refreshments – coffee and pastries

9:00 - Welcome & Introductions (Matt Roque, PRN President and Dick Schmeling, CFIT President)

9:10 – Report on Rail Passenger Assn. (RPA) National Meeting – Jim Hanna, PRN Liaison

9:30 – NE DOT Mobility Management Study, Phase 3 – Lincoln/Omaha Intercity Feasibility Study – Kari Ruse, NDOT Transit Liaison Manager

10:15 – Omaha Bus Rapid Transit and Regional Metro Area Transit Authority – Jason Rose, Outreach Coordinator, Omaha Metro Transit

10:45 - Break

11:00 – Kawasaki Lincoln Rail Car Plant – Brian Saucerman, Rail Plant Manager

11:30 – StarTran Update – Mike Davis, StarTran Transit Manager

Noon - Adjourn to R Street for ride in downtown Lincoln on StarTran Trolley

For more information contact Bob Kuzelka (402) 417-9424 (Lincoln) email rkuzelka1@unl.edu. It may be possible to participate by conference phone. Contact Bob if interested.

Directions to Reach the December 7th Meeting

MEETING LOCATION: St. Marks Episcopal Church on the Campus, 13th & R Streets, Lincoln, NE. Take O Street to 13th, turn north on 13th and proceed three blocks to the church. See map on page 8.

PARKING INSTRUCTIONS: Parking should not be a problem on this non-football Saturday but it will cost. The UNL lot to the east of the church has guest meters plus there are city meters on the streets but usually for only 90 minutes. Remember to bring change! You can also park in the LARSEN Building lot which is south of the church across “Q” Street (850 Q St.) for \$1.00/hr.

Rail Passengers Association
Report on RailNation California Conference 2019
By Jim Hanna, PRN Dist. 4 Director & Liaison to RPA

[NOTE: To view the full 9-page report with color photos, go to the PRN website
<http://www.trainweb.org/prorailnebraska/index.htm>]

The annual fall meeting of the Rail Passengers Association (RPA) took place at the Sheraton Hotel in downtown Sacramento, California on October 18-20, 2019. I must confess to having used air transportation as my schedule did not allow time to go via the California Zephyr. I am pleased to report that both the Denver and Sacramento airports use rail guided rubber tired people movers to convey passengers from the concourses to the terminal buildings.

Saturday morning the General Session opened with the theme “Creating Amtrak 2.0”. RPA President Jim Matthews noted that because of the good grass roots work by RPA members in the field, especially during the battle to save the Southwest Chief, and staff efforts to gather and disseminate information to members of congress and the Federal Railroad Administration, congress is now coming to RPA for information and advice about Amtrak!

California Council Representative Doug Kerr followed with “California Passenger Rail – 50 Years of Improvement”. Fifty years ago California was the land of automobiles and Los Angeles was the car capitol of the U.S. Today LA Union Station hosts 90 trains and over 100,000 passengers a day. Plans are in place for the station to support the new high speed rail system being built, the size of the underground passageways to the platforms is being doubled, and to make it a through track operation instead of a stub end terminal. California has three of the top five Amtrak corridor services, BART, five light rail systems, and SMART.

Jim Matthews returned to list some of the RPA successes of the past year. Thanks to the U.S. Supreme Court refusing to hear an appeal by the American Association of Railroads on behalf of the freight railroads of a lower court decision that the Federal Railroad Administration does have the authority to enforce the prioritization of passenger trains over freight, the FRA and Amtrak are now allowed to work together to develop metrics and standards for on-time performance. Saving the Southwest Chief was a huge victory that brought local political power from communities along all the western long distance routes to bear on congress to make them aware of the economic damage that would result from loss of those trains. RPA’s work has successfully induced congress to increase rail appropriations in each of the last several years. Amtrak is even starting to realize that RPA has much expertise to offer and is starting to listen.

RPA Vice President of Policy and Government Affairs, Sean Jeans-Gail, spoke of “Red Lines” RPA has drawn in dealings with Amtrak:

- Amtrak’s mission is public service, not profitability.
- Existing services must be preserved.
- New services must not be built by cannibalizing existing trains.
- Daily service is the minimum acceptable service level.
- Service levels must be maintained – “Death by a thousand cuts” is not acceptable.

RPA has found common ground with an Amtrak over their proposal for a new federal grant program to fund startup of new services in rapidly growing regions. Amtrak is willing to listen to RPA about which corridors are most important for development. They are using the results of a recent RPA member survey and FRA studies based on their “Connect” tool, software that has been proven to accurately predict economic benefits of improved transportation between population centers. Unfortunately, the Trump administration has specifically forbidden the FRA to continue to use this study tool or to publish its results. RPA is working to overturn this. Creating economic benefits is one thing all political factions can support.

Three concurrent sessions followed. I chose the “Making Change Happen” track. First up was Karen Christenson presenting “Rural Rail: Reforging the Essential Connection Between Cities and the Countryside”. Trains are essential to the economic health of rural areas by creating jobs there. China has proven that high technology jobs can exist in small communities with connections by high speed trains. Trains can also relieve the automobile

congestion that is choking many large cities and are the most sustainable method. State and local DOTs are so stuck on roads that they have trouble comprehending other transportation solutions. Many excellent foreign models are available that we can use.

Robert Munson was next, proposing that conversion of many commuter railroads into regional railroads could lead to resurgence in passenger service. The problem is that in many places it is not legally possible to create the agencies necessary to support transit across political boundaries. He sees a place for the federal government to use its powerful “carrots and sticks” to enable regional systems. Regional rail can grow into corridor systems, which will lead to expansion of the national network.

The final presenter was Mike Christensen, President of the Utah Rail Passengers Association. He noted that Amtrak actually has three lines of business:

- The Northeast Corridor
- The long distance interstate routes
- Other corridors

There is a Utah Transit Authority that serves about 2.5 million people in a limited area, but the Utah DOT does not support transit. During discussion among the presenters a common theme was that local government fiefdoms in the U.S. create barriers to cross boundary transportation systems. Fighting the typical “roads only” mentality will take getting people to speak up to public officials and to show the economic benefits of transit as well as the costs.

After lunch there was another set of concurrent sessions, and I continued with the track “Making Change Happen” with another presentation by Doug Kerr titled “Be Heard and Make a Difference”. Since each of us is only one in about 391,000,000 Americans we feel like our voice does not matter. In fact, we get changes in national policy by convincing enough of our 435 congressmen and 100 senators to vote for our ideas, and relatively few people ever take time to write or talk to them. The same is true at the state and local levels. Even if you are not a constituent, your position as an RPA member makes you a representative of a large organization and gives you a voice. Bring them a clear, concise, focused message. RPA staff can provide useful information. Tell a personal story supporting your position. Make sure your facts are correct. Your audience is very good at spotting misinformation. Develop good relationships with congressional staffers who deal with transportation issues. Seek allies. Mayors (especially) and city administrators on Amtrak routes have a strong stake in RPA’s mission, and their opinions have a surprising amount of clout with state and national elected officials. Contact these people periodically. Remind them when you visit that you have come on your own time and at your own expense because you believe your message is right for your country and/or state. You will have much more credibility than a paid lobbyist.

The General Session reconvened after the concurrent sessions, with a recap of what was discussed at all of them for the benefit of those who were at another session. Some of the highlights were the realization that Amtrak does make money, lots of it, but just not for Amtrak. The big benefits go to the towns it serves. Transit system ridership is not always highest on routes with large populations. Amtrak customers want high quality food service! Statistics on numbers of passengers per departure provide an accurate measure of train popularity, but Amtrak does not use that measurement. An Amtrak conductor and RPA member who was present said that Amtrak’s biggest problem is its inability not to start every conversation with the word “NO”! Jim Matthews noted that, contrary to popular opinion, young people are politically active, but in non-traditional ways. They are very adept at expressing their opinions and raising money using social media.

Sunday morning the business meeting was opened by RPA President Jim Matthews. He reported on the many successes RPA has had in the past two years. RPA has proved to congress that trains provide economic benefits to served communities that are six to seven times the federal money invested. Wins have been made in all three branches of government. Infrastructure bills are popular across both aisles of congress and with the executive branch. We just need to push for a larger piece of the pie for rail. Getting to this point has been very expensive. Fortunately the RPA had been the beneficiary of a very large bequest several years ago from a deceased member that made it possible to undertake these productive efforts. RPA is now at a point where it has to increase its income in order to continue pressing forward at the pace that is needed.

Amtrak Reports Record Ridership & Revenue in FY2019

[RailwayAge.com](#) - November 9, 2019



One of Amtrak's 75 new Siemens Charger diesel-electric locomotives

According to Amtrak's preliminary Fiscal Year 2019 (Oct. 1, 2018-Sept. 30, 2019) report, the railroad set ridership, revenue and financial performance records toward its FY 2020 goal of "achieving operational break-even."

Preliminary results for FY2019 include operating revenue of \$3.3 billion, a 3.6% increase over FY2018; an operating loss of \$29.8 million, a \$140.9 million, or 82.6% improvement, from FY2018's \$170.6 million operating loss; capital investment of \$1.6 billion, 9.4% higher than the prior year; and 32.5 million customer trips, a year-over-year increase of 800,000.

Amtrak's "Mutual Agreement to Arbitrate"

[RailwayAge.com](#) - November 10, 2019

A change to the so-called "Arbitration Clause" buried deep within Amtrak's "Terms and Conditions" for ticket sales that stipulates mandatory arbitration--effectively, preventing passengers from filing lawsuits against Amtrak 'including, but not limited to, claims for negligence, gross negligence, physical impairment, disfigurement, pain and suffering, mental anguish, wrongful death, survival actions, loss of consortium and/or services, medical and hospital expenses, expenses of transportation for medical treatment, expenses of drugs and medical appliances, emotional distress, exemplary or punitive damages arising out of or related to any personal injury," has captured the attention of legislators and passenger rail advocates.

The 488-word Arbitration Clause appears two-thirds of the way into Amtrak's 15,500-word Terms and Conditions. The modification to the clause occurred earlier this year, closely following a \$265 million court settlement resulting from Amtrak's May 12, 2015 Frankford Junction overspeed derailment in Philadelphia on the Northeast Corridor, in which eight people died and 238 were injured. The clause received almost no attention until Nov. 8, when *Politico* broke the story. It is expected to be addressed at a Nov. 13 House Transportation Committee Subcommittee on Railroads, Pipelines, and Hazardous Materials hearing on Amtrak, and has also caught the attention of the Senate Commerce Committee, which has Amtrak oversight.

Federal law prohibits airlines from such a practice, but bus operators, cruise ship lines and rideshare companies already have such an arbitration clause that prohibits post-crash passenger/survivor lawsuits.

A link to the full article appears on the ProRail website <http://www.trainweb.org/prorailnebraska/>.

Construction of Omaha's ORBT is in Full Swing!

Omaha Metro's RideORBT.com Website - November 3, 2019



The first ORBT 60-foot articulated bus powered by CNG manufactured in Alabama. (Photo: O-Metro)

Construction on the new stations for Omaha's first bus rapid transit system is in full swing.

The work marks some solid progress for an ORBT (Omaha Rapid Bus Transit) project that has been years in the making. But it also means Dodge Street drivers will experience lane closures and traffic disruption for the coming weeks.

Along the north side of Dodge Street, station construction is underway at 33rd Street near Mutual of Omaha and Midtown Crossing; 42nd Street; 49th Street; 62nd Street by the University of Nebraska at Omaha; 72nd Street by Crossroads Mall; 84th Street; and just west of 90th Street.

At Westroads, construction is ongoing at the existing Metro transit station to make adjustments for the ORBT line. That will be ORBT's westernmost station and a turnaround point for buses looping between Westroads Mall and downtown. "ORBT's really starting to take shape in a variety of ways," said Jason Rose, Metro's outreach coordinator.

As station construction proceeds, contractor Dimensional Innovations continues to build the canopies for each station at its Overland Park, Kansas, location. Also last week, a team from Metro visited the New Flyer of America bus manufacturing plant in Anniston, Alabama, to inspect the first ORBT bus, Rose said.

Jason Rose will be one of our guest speakers at the December 7th Transportation Symposium. (See page 1 for details.)

It's Almost Membership Renewal Time

If you are a ProRail Nebraska member, please watch for your 2020 membership renewal letter which will be mailed in late November. If you would like to become a member, please send a check for \$20 (more is always welcome!) to Morrie Tuttle, ProRail Nebraska Secretary, 1910 Lake St., Lincoln NE 68502-3816 or call Morrie at (402) 435-5454 for more membership information.

StarTran Ridership Increase Highest in State

Richard Schmeling, PRN Board Member - October 28, 2019



Lincoln StarTran CNG-powered bus new in 2017

StarTran Transit Manager Mike Davis said the Federal Transit Administration (FTA) has finalized its data that show Lincoln transit ridership increased about 3.6 percent from 2017 to 2018. The increase of about 85,000 riders earned StarTran the award for largest increase in ridership of urban systems in Nebraska.

The FTA had previously presented StarTran with an award for the largest ridership increase in the four-state region. The FTA now says that award was based on "draft" figures showing a 27 percent increase in Lincoln's ridership.

Davis said the increase in ridership coincided with the implementation of the Transit Development Plan in 2016. Ridership was down 3.2 percent from 2014 to 2015 and 5.8 percent from 2015 to 2016 before increasing 4.5 percent from 2016 to 2017.

Mike David will be one of our speakers at our Transportation Symposium December 7th followed by a ride in Downtown Lincoln on one of StarTran's rubber-tired trolley buses.

ProRail Nebraska (PRN) Statement of Mission and Objectives

Adopted October 12, 2019

(Mission) PRN is a member organization advocating for improved passenger rail and all forms of surface public transportation serving Nebraska. It is an affiliate of the Rail Passenger Association (RPA), which advocates for passenger rail service on a national basis. Our priority objectives are:

- **(MIPRC)** Nebraska became a member state of the Midwest Interstate Passenger Rail Compact in the Midwest Council of State Governments in 2001. The Compact created the Midwest Interstate Passenger Rail Commission (MIPRC), an association made up of officials and citizens appointed by the Governors and Legislatures of member states (currently 8) in the Midwest. Nebraska's representation could include two State Senators and two public representatives appointed by the Governor. MIPRC's purpose is to coordinate and advocate for development of passenger rail service in the several Midwest states. In 2018 the Nebraska Legislature withdrew the state's membership. PRN advocates that Nebraska pass legislation to rejoin MIPRC. Upon taking this action the Nebraska legislative and executives branches should take full and active participation in MIPRC. Such participation must include but not be limited to appointing a full contingent (4) of representatives from Nebraska to the commission and the continuation of paying the state's annual membership dues to the commission.
- **(OMA/LNK Commuter)** The urban region of Lincoln and Omaha contain the major population centers and growth in Nebraska. PRN advocates establishing commuter public transportation service including commuter trains for this Omaha/Lincoln urban region. We urge Nebraska Department of Transportation to study the feasibility for such commuter service.
- **(Urban and Rural Public Transit)** The movement of citizens within and between the urban and rural areas of the Nebraska is critical to the economic and social development of the state. PRN advocates and supports programs, private and public agencies and organizations that plan, develop, support and finance such means of public transport.
- **(NE-CHI Service)** The Illinois and Iowa DOTs are designing the establishment of a second Chicago – Iowa train service which would be routed through Quad Cities and Des Moines and would terminate in Omaha/Council Bluffs. PRN advocates this line be established to include service through Omaha terminating in Lincoln. We encourage the State of Nebraska and the cities of Omaha and Lincoln to actively participate in this multi-state project to insure such a Nebraska termination.
- **(CA Zephyr)** The AMTRAK California Zephyr is an impressive train, but it operates through Nebraska only once a day at night with east and west service. PRN advocates for additional daylight AMTRAK passenger service between Chicago and Denver through Lincoln and Omaha in Nebraska. We encourage the State of Nebraska and the cities of Omaha and Lincoln to actively participate in and support such increased service.
- **(Stations)** PRN advocates for the expansion of the use and accessibility of the AMTRAK stations with full staffing in the state as hubs for all surface public and private passenger transportation systems.
- **(OMA/LNK to KC)** PRN advocates for the creation of passenger service between Omaha and Lincoln and Kansas City.

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Fall Meeting Sat. Dec. 7th in Lincoln 9 AM to Noon – See Page 1 for details.

