

Reliable Rail Service Act

Senators Tammy Baldwin (D-WI) and Roger Marshall (R-KS)

The Staggers Act of 1980 enacted major reforms in response to the railroad industry facing dire financial circumstances that threatened the long-term viability of freight rail transportation in the United States. While this law allowed railroads to have control of their operations and business decisions, it also required the rail carriers to serve the wider shipping public “on reasonable request,” a principle known as the common carrier obligation.

Unfortunately, over forty years later, the common carrier obligation lacks a clear definition. Indeed, a report from the Transportation Research Board found that “the common carrier service obligation remains poorly defined.” The need to more clearly define this ambiguous principle has taken on greater importance due to today’s market conditions, as well as increased railroad consolidation and railroad operating decisions, which have resulted in reduced capacity on our nation’s freight rail network.

Rail shippers are facing significant service disruptions and sky-high prices, all while profits for the nation’s largest railroads are at record highs. In short, railroad customers, including farmers, energy producers, and manufacturers, are left with unreliable and reduced service options at higher prices. Commonsense reform is needed to balance our nation’s freight rail transportation policy and ensure railroads provide reliable service at reasonable rates as originally intended in the Staggers Act.

The Reliable Rail Service Act would accomplish this by:

- 1) Statutorily clarifying the common carrier obligation definition and
- 2) Establishing specific criteria for the STB to consider when determining whether a rail carrier has violated its obligation

Criteria the Board would be required to consider in its assessment under the legislation include:

- Impacts of reductions or changes in the frequency of transportation or service;
- Availability and maintenance of reasonable local service schedules and delivery windows;
- Impacts of reductions in employment levels;
- Impacts of reductions in equipment; and
- Whether the service reasonably meets the local operational and service requirements of the requestor

The Reliable Rail Service Act gives the Board necessary statutory clarity along with significant discretion and flexibility to account for variations unique to local rail carrier and shipper circumstances, which will provide transparency for all stakeholders while improving STB’s oversight to help address our nation’s freight railroad supply chain challenges and lower costs for consumers.

Supporting Organizations:

Agricultural Retailers Association, American Petroleum Institute, American Chemistry Council, American Forest & Paper Association, American Soybean Association, Consumer Brands Association, Essential Minerals Association, Freight Rail Customer Alliance, Glass Packaging Institute, Growth Energy, International Dairy Foods Association, International Warehouse Logistics Association, National Grain and Feed Association, National Industrial Transportation League, National Milk Producers

Federation, National Stone, Sand & Gravel Association, North American Millers' Association, Private Rail Car Food and Beverage Association, The National Grange, Western Coal Traffic League, American Cement Association, Recycled Materials Association, Alliance for Chemical Distribution (ACD), National Farmers Union, Great Lakes Timber Professionals

American Train Dispatchers Association (ATDA), Brotherhood Of Locomotive Engineers and Trainmen (BLET), Brotherhood of Maintenance of Way Employees Division (BMWED)-IBT, Brotherhood of Railway Carmen (BRC), Brotherhood of Railroad Signalmen (BRS), International Association of Machinists and Aerospace Workers (IAM), International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers (IBB), International Brotherhood of Teamsters, Teamsters Rail Conference, National Conference of Firemen and Oilers, SEIU (NCFO), Sheet Metal, Air, Rail and Transportation Workers-Mechanical Division (SMART-MD), Sheet Metal, Air, Rail and Transportation Workers-Transportation Division (SMART-TD), Transportation Communications Union (TCU), Transport Workers Union of America (TWU), Transportation Trades Department (TTD)