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SAVE THE DATE FOR GREEN SIGNALS AHEAD! THE FUTURE OF RAIL EXPANSION IN THE BAY STATE

**By Richard Ruddolph, Ph.D.,
Chair, Rail Users' Network**

Please join us at the Rail Users' Network's Annual Meeting / Public Forum taking place at the Metropolitan Area Planning Council's office at 60 Tremont Pl. in downtown Boston. This free, exciting event is taking place on Friday, Oct. 11, 2019 from noon to 5 p.m. It will highlight the efforts underway to improve and expand passenger rail / rail transit in Massachusetts.

The program will begin at high noon with a brief RUN business meeting to elect board members with opening remarks given by Marc Draisen, Executive Director, Metropolitan Area Planning Council and RUN's Chair, Richard Rudolph, who will briefly talk about RUN's history and some of the challenges that rail advocates

are currently facing across North America. The public forum will start with Massachusetts State Senators Eric Lessor (Long Meadow) and Jo Comerford (Northampton) who have been invited to greet attendees, as well as give welcoming remarks regarding the East West Rail Study and the proposed Northern Tier Rail Study.

The roster of invited speakers includes Jim Aloisi, former transportation commissioner and Principal, Trimount Consulting. He will talk about the MBTA's two-year Rail Vision Project launched in 2018 to identify cost-effective strategies to transform the existing commuter rail system into one that better supports improved mobility and economic competitiveness. Ethan Britland, MassDOT's Project Manager, will provide an update

on the East-West Rail Study, which could lead to the expansion of passenger rail service from Boston to Palmer, Springfield and Pittsfield, MA. Our third speaker, Astrid Glynn, will talk about the South Coast Rail Project, which is now proceeding "full speed ahead." Gov. Charlie Baker has dedicated more than \$1 billion in state bond funds to complete the first phase, which will extend the Middleborough commuter rail line to New Bedford and Fall River. We have also invited John Dalton, Green Line Project Manager, to provide an update on the Green Line Extension Project, which will extend the existing MBTA Green Line Service north of Lechmere Station into the communities of Somerville, Cambridge and Medford.

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WHAT'S IN THE MTA REORGANIZATION PLAN?

By Andrew Albert

On July 24, the MTA Board, at the Governor's direction, voted to approve a massive and complex MTA Reorganization Plan. While it is clear that steps had to be taken, given the massive predicted deficit beginning in 2021, many are not convinced that the steps outlined in the Reorganization Plan are necessarily the correct ones. Alix Partners, a consulting firm, was paid over \$4 million to come up with this plan, and even admitted at one of the Board Briefings that

they had never undertaken a reorganization plan for any institution as complex as the MTA, whose health affects not only the New York metropolitan region, but arguably much of the Northeastern U.S.

Given the new makeup of the MTA Board, with many new gubernatorial appointments, it was never in doubt that this plan would be approved. Many of us were hoping that there might be some changes made by the Board during the discussion, but that did not take place. Instead, this plan was proposed as a "blueprint"

for how to move forward, and was presented as a "work in progress" that could be changed later on, if things did not progress as anticipated. So exactly what's in it?

1. The operating agencies—New York City Transit (subways & buses), the Long Island Rail Road, Metro-North Railroad, Bridges & Tunnels—should be responsible for service delivery, safety, operations, & maintenance, rather than general support functions, such as planning, capital improvements, etc.

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NJ TRANSIT CELEBRATES ITS 40TH ANNIVERSARY, AS SERVICE CONTINUES ON A DOWNWARD PATH

By David Peter Alan

It was a low-key celebration that took place at New Jersey Transit's Board meeting on July 17. The occasion was the 40th anniversary of the founding of the agency. The agency observed the occasion by honoring its longest-serving employees, including an agent who still sells bus tickets after 60 years' service. President and CEO Kevin S. Corbett (a new title) and Transportation Commissioner Diane Guterrez-Scaccetti (who, by statute, is also Board chair) praised the agency for its progress over the past four decades, including the transit that it now provides to the Garden State's residents and visitors. There were also exhibits of transit artifacts from the era and a video about the past 40 years and the agency's history, entitled *A Journey Through Time: 1979-2019*, which can be found on their website, www.njtransit.com.

On July 17, 1979, the legislature passed, and Gov. Brendan T. Byrne signed, the Transportation Act of 1979, which established NJT as a bus company and authorized it to buy out and take over the failing operations of the former Public Service Coordinated Transport, the bus company owned by utility Public Service Electric & Gas Co. It consisted of many of the state's bus routes and the Newark City Subway, the sole surviving streetcar line, which is now part of NJT's Newark Light Rail. The rail side of NJT was founded nearly 3½ years later, at the beginning of 1983, when Conrail was required to stop running local passenger trains. Metro-North, part of New York's MTA, and SEPTA's Rail Division in Philadelphia were founded on the same day and for the same reason.

Many New Jerseyans who remember their transit in the 1970s agree that it was terrible. It was unreliable, and many trains were annulled. Conrail, which rose feebly from the ashes of the bankrupt Central Railroad of New Jersey, Penn Central and Erie-Lackawanna (itself a weak combination

of the ailing Erie and Lackawanna) railroads, ran the service with great difficulty. There was hardly enough money for operations, much less enough for infrastructure and equipment, despite some help from the Commuter Operating Agency at the New Jersey Department of Transportation (NJDOT). To make matters worse, Public Service was working hard to get rid of its bus company, renamed Transport of New Jersey in 1971. Joyce J. Zuczek, an employee with 43 years' service and currently Secretary to the NJT Board, told this writer that a consultant's report had detailed the state of transit in New Jersey at the time, and that the employees at NJDOT had dubbed the report "the horror story."

Over the years, the agency integrated its rail and bus networks, under centralized management and with a more-unified fare structure. Many of its original managers, as well as some who came later, have become industry leaders. This writer particularly remembers Sen. Francis X. Herbert, who sponsored the original bill. With the help of Gov. Byrne and despite strong opposition from privately-owned bus companies, the bill passed by a single vote. Commissioner Louis J. Gambaccini organized the agency's structure and assembled its original management team; a few of whom are still active. Herbert, Gambaccini and Byrne all died in 2018. For more detailed coverage of NJT's origins and history, see this writer's article: *NJT at 40: People, Politics and Progress*, on the *Railway Age* website. The link is:

<https://www.railwayage.com/passenger/commuterregional/njt-at-40-people-politics-and-progress/?RAchannel=home>.

What the senior managers did not mention at the July Board meeting, but many rider-advocates (including this writer) did, is that service today is much like it was 40 years ago. The rail system is as unreliable as it was then, with some trains canceled during their runs, while many more are annulled before they are scheduled to leave their points of

origin. To make matters worse, there has never been a dedicated funding source for the agency, and it must fight every year for grants from the state legislature and other sources. Gov. Philip Murphy and his administration proposed an increase of \$25 million; about 1% of the agency's budget. Senate Majority leader Loretta Weinberg managed to secure an additional \$50 million, but even that increase will not go far toward paying for NJT's rising costs.

There are several reasons why so many trains have been annulled lately. There is a severe shortage of engineers and a less-severe shortage of conductors. Equipment is also scarce, since some of it is out of service to be outfitted for Positive Train Control (PTC), a train-stopping system that, by act of Congress, must be installed and implemented before the end of next year. Other equipment is removed from "regular" service for special events, such as rock concerts and other shows at the Meadowlands Stadium. On those evenings, some commuters don't have their regular train to take them home. Riders are screaming, as they did 40 years ago, but now they have social media for the purpose.

It does not appear that any significant improvement will come anytime soon. While new engineers are being trained, it will probably take a year or two before there are enough of them to run the currently-advertised service. There are also plans to order more equipment, but it will take time to build, test, certify, and deliver it. NJT officials are not hazarding a guess about when rail service will return to the level of two years ago.

The Democrats firmly control Trenton, with the governorship and both houses of the legislature. Many of them blame former Gov. Chris Christie, a Republican, for the agency's woes. Many advocates believe that blaming Christie is an excuse that has gone stale. Even some Democrats, including Weinberg, have

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RUN URGES WV GOVERNOR TO RECONSIDER PAYMENTS

(Editor's Note: The following is a letter sent by the Rail Users' Network to West Virginia Gov. Jim Justice.)

August 21, 2019

The Honorable Jim Justice
State Capitol-1900 Kanawha Blvd E
Charleston, WV 23505

Dear Governor Justice:

The Rail Users' Network is the only nationwide rail advocacy group that speaks for the riders of long distance, commuter, and rail transit customers. We have members all over the US, and have been successful in bringing and expanding rail service to various parts of the country. That is why we are writing to you today, to express our dismay and outrage over proposed cuts that will negatively affect rail service to West Virginia.

As you know, the Maryland Department of Transportation has proposed discontinuing rail service on their Brunswick Line to stations in West Virginia, due to West Virginia's lack of payment for MARC

services in your state. We hope you will reconsider this decision, and once again have this important rail service on which hundreds, if not thousands rely, running in your beautiful state.

Not having rail service to Harpers Ferry (an important tourist attraction), Martinsburg, or Duffields is short-sighted, to say the least. Having this easy access from the Washington, D.C. area has inspired thousands of tourists to visit your beautiful state, spending money in restaurants, stores, and hotels. It may well guarantee a return visit, resulting in even more tax dollars spent in the Mountain State. Of course, when there used to be morning departures from Washington to Martinsburg, tourists could easily take a day trip and see the sights, then return in the afternoon. With the present schedule, that is no longer possible, which we believe hurts tourism to West Virginia. Of course, NO SERVICE will add considerably to the misery. As we're sure you're aware, many commuters utilize this line to commute to jobs in the Washington, D.C. area, thus depriving those folks of the benefits of living in West Virginia, but

working in the DC Metro area. And if many of these folks switch to driving, there will be additional costs to keeping highways maintained, which may require considerably more dollars than keeping the trains running. So, it seems to us that the dollars saved in not funding the rail service will be more than compensated for in additional highway maintenance, lost tourism, lost tax revenue, etc.

Of course, we understand there is other rail service in the State, having ridden the *Cardinal* many times. But one does not cancel out the other. The Brunswick Line of MARC is important for a variety of reasons, and we hope you will not be sending out a signal that West Virginia is not a rail-friendly state. Rails helped to build West Virginia, and can continue to do so, given the chance.

Sincerely,

Richard Rudolph, Ph.D.
Chair
Rail Users' Network

The Rail Users' Newsletter is published quarterly by the Rail Users' Network, a 501 (c)(3) nonprofit corporation. Current board members include:

Name	Location	Affiliation
Richard Rudolph, Chair	Portland, ME	NARP / TrainRiders Northeast, Maine Rail Group
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Chuck Bode, Membership Secretary	Philadelphia, PA	Tri-State Citizens' Council on Transportation
Steve Albro, Treasurer	Cleveland, OH	Cleveland RTA Citizen Advisory Board
David Peter Alan, Esq.	South Orange, NJ	Lackawanna Coalition
Mela Bush-Miles	Boston, MA	Greater 4 Corners Action Coalition (MBTA)
James E. Coston, Esq.	Chicago, IL	Corridor Capital LLC
Bill Engel	Canal Fulton, OH	Ohio Rail Tourism Association
Dana Gabbard	Los Angeles, CA	Southern California Transit Advocates
Steve Hastalis	Chicago, IL	National Federation for the Blind
J.W. Madison	Albuquerque, NM	Rails Inc.
Andy Sharpe	Philadelphia, PA	SEPTA
Phil Streby	Peru, IN	Indiana Passenger Rail Alliance
Ken Westcar	Woodstock, ON	InterCity Rail

Please send comments, letters to editor or articles for possible publications to the Rail Users' Network at:
RUN; P.O. Box 8015, Portland, ME 04104 or email to rrudolph1022@gmail.com

Editor for this issue: Paul Bubny

FROM NEW MEXICO AND THE LAKE SHORE LIMITED

By J. W. Madison

Albuquerque:

This is extracted from the August meeting of the Albuquerque Transit Advisory Board (TAB)

Health Warning: Some of this is pretty positive.

The City government transit (ABQRide) director has resigned. No details. The Chair of the TAB is calling for greater public attendance at TAB meetings and for the TAB to establish town halls around the city to seek public input related to transit. Author's Note: One wonders how well our benighted BRT system would have fared with the public had it been presented all along with proven alternatives (like You Know What) by more people and groups than just Li'l Ol' Rails Inc and a few gutsy advocates who preceded us.

There is an interesting youth group in town called Together for Brothers (T4B). One of their efforts is asking young "men of color" to take pictures focused on the transit system and to caption same. This goes to youth development, greater awareness of transit safety, and the condition of the bus stops. T4B also has a "bicycle cohort" in which young men (of any color I guess) learn to build and fix bicycles. In the spirit of the early apprentice locomotive mechanics forging their own tools, these young guys, if they finish the program, leave with their own working bicycle, and a sense of the virtues of transit. Bus transit

anyhow, unless they visit someplace else.

Another Author's Note: As a "practicing" feminist, I'm concerned as to where the women are in all this. But the fact is; lost and unproductive young men, or some of them, are a serious risk to the safety and well-being of society — especially the women. T4B appears to be doing its bit to turn some skilled and self-proud young men loose on our streets.

BRT driver training has begun, so we may start to see the new "ART" (diesel replacement) buses on the street. Maybe someday we'll actually have our BRT running, for what that's worth.

Between NYC and Chicago:

We advocates have been involved in the disaster stalking national passenger Rail since the present regime took over at Amtrak, and most of the arguments are familiar to us. But there's another scary dimension to this that we've been ignoring, since it might look Second Tier compared to all the other fights we're trying to fight.

Last April 15, I rode the *Lake Shore Limited* westbound on a family visit trip. Somewhere between Albany and Syracuse, I went to dinner. As most readers are aware, "dinner" has been reduced to a box of something like Healthy Choice and a small drink. But this time we didn't sit down to table service. We had to

stand in line at the kitchen door like charity cases to order our meal.

There are no hand rails, no straps, no anything in that part of the car to hang onto when the train lurches, and it lurches enough. I'm fairly nimble for my age (75), but I almost took a hard fall during one of said lurches, both hands full of "dinner".

Anderson's destructive policy of sabotage to the national passenger rail system goes beyond inconvenience, beyond a healthy disagreement about how to move America around. It's become physically dangerous. Some sleeper passengers are not in the best of health or agility. And many (and their loved ones) are affluent enough to put up a hell of a noisy lawsuit.

Come to think of it, looking at this from the point of view of our less kindly opponents, alienated (and possibly injured) passengers and the resulting moral and legal difficulties and public uproar are pretty solid ways to screw up our long-distance passenger rail network.

We have laws related to negligence and endangerment, especially if you're paying through the nose to be neglected and endangered. Don't we?

J. W. Madison is a RUN Board Member and president of Rails Inc, based in Albuquerque, NM.

SAVE THE DATE FOR GREEN SIGNALS AHEAD! THE FUTURE OF RAIL EXPANSION IN THE BAY STATE

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A panel presentation focused on Passenger Rail / Transit Advocacy will also be held following the above presentations. The invited panelists include Karen

Christensen, Western Massachusetts Rail Coalition; Jared Johnson, COO and Development Director, TransitMatters; John Kyper, Chair, Sierra Club's North-South Link Sub-Committee; C.A. Webb, President, Kendall Square Associates; and Mela Bush Miles, Chair, T-Riders Union.

The afternoon session will close with an audience forum, which will provide an opportunity for members of the audience to share their ideas and concerns regarding passenger rail / rail transit in Massachusetts.

RUN's annual meeting / public forum is designed not only for rail advocates, but also civic and business leaders,

environmentalists, planners, real estate developers and members of the general public who are interested in knowing more about passenger rail in Massachusetts.

Although this is a free event, registration is required. Be sure to register on the Rail Users Network website: <https://railusers.net>.

RAIL ADVOCACY IN THE BAY STATE

By Richard Rudolph, Ph.D.
Chair, Rail Users' Network

Reprinted from *Passenger Train Journal*
2019-3, Issue 280.

This is the eighth in a series of articles that highlights what rail advocates are doing to improve and expand passenger rail and transit services in North America.

Residents in Western Massachusetts are looking forward to the extension of Amtrak's passenger rail service from Springfield to Holyoke, Northampton and Greenfield this fall. In addition, MassDOT is conducting a study to examine the costs, benefits and investments necessary to implement passenger rail service from Boston to Springfield and Pittsfield. The 18-month, \$1-million "East-West Passenger Rail Study" is underway. Consultants are looking at six different options, three of which will make it to a final round later this summer.

At MassDOT's first public meeting on this topic, held in Springfield last March, attendees expressed concerns regarding one of the proposed alternatives: a 90-minute express bus service on the Massachusetts Turnpike from Springfield Union Station to Boston's South Station. This idea was quickly rejected by members of the audience, including Karen Christensen, President of the Train Campaign, which is working to restore passenger rail service over the Housatonic Railroad to New York City.

Christensen believes Western Mass leaders and activists need to unite around passenger rail service. She has proposed the formation of a Western Mass Rail Coalition which would include a number of rail advocacy groups to ensure that MassDOT understands the needs of the western Mass region. "This isn't just about preferring trains to buses," she said. "It is about revitalizing economic growth across Western Mass. It's about solving Boston's housing crisis by attracting new residents to live the good life in more reasonably-priced homes in our cities and towns. It's about redressing inequality of opportunity for

working people and students living in economically-depressed urban areas, and neglected rural areas, which lack adequate transit options connecting them to regional employers and educational institutions, and to the hot economy in the Boston area."

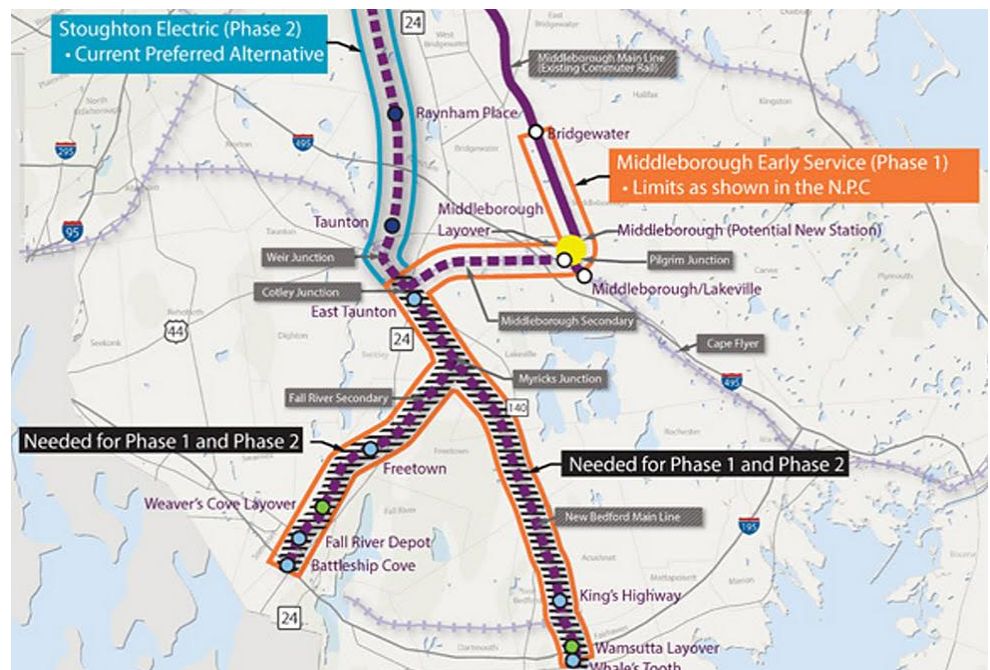
Sen. Jo Comerford, who represents residents in Northampton, has filed a separate bill calling for another study to determine the feasibility of restoring passenger service between North Adams, Greenfield and Boston. The proposed service, designed to complement the proposed east-west rail service, would enable residents living in western counties to more easily travel along the Rt. 2 corridor by train and provide "a more environmentally friendly option." The new service would run over Pan Am Southern's line from North Adams to Fitchburg and then over MBTA's commuter rail line to North Station in Boston. The proposed bill was recently passed by voice vote in the Massachusetts Senate, but must be approved by the House / Senate Conference Committee, formed to reconcile the 2020 state budget, and the governor.

Meanwhile, transit advocates in Eastern Massachusetts have been active in

responding to the MBTA's two-year Rail Vision Project launched in 2018 to identify cost-effective strategies to transform the existing Commuter Rail system into one that better supports improved mobility and economic competitiveness. Members of Transit Matters, a local advocacy group, believe the current model is outdated: it assumes everyone works 9 to 5 and on weekdays. The current commuter rail network provides rush-hour service and one- or two-hour service gaps between trains at other times. This contributes to traffic congestion and forces lower-income workers to drive. For many lower-income households, vehicle expenses are a large fraction of household spending, requiring difficult cutbacks elsewhere.

Members of Transit Matters have met with MBTA and MassDOT to share their ideas regarding their proposed "regional rail system." It includes system-wide electrification, high-level platforms and the purchase of EMUs for faster, more frequent service all day with trains running every 30 minutes in the suburbs and every 15 minutes in urban neighborhoods. This would not only increase ridership and lead to greater revenue, but also encourage

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Massachusetts Gov. Charlie Baker has committed more than \$1 billion in state bonds to fund the first phase of the South Coast Rail project, which would extend the Middleborough Line to New Bedford and Fall River.

RAIL ADVOCACY IN THE BAY STATE

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transit-oriented development, which would address the region's housing crisis. Finally, the organization proposes free transfers among regional trains, subways and buses and proposes fares that are equal to subway fares within the subway's service area.

Transit Matters views the ongoing effort to electrify the Fairmount / Indigo Line as low hanging fruit and supports the efforts of Mela Bush Miles, a Rail Users' Network Board Member and Chair of the Fairmount / Indigo Transit Coalition, which lists 30 organizations among its members. The Coalition has been waging a decade-long campaign to convert this low-frequency suburban line to rapid urban rail service. The line runs from South Station through low income / working class neighborhoods of Roxbury, Dorchester, Mattapan and Hyde Park, ending in Readville. Thanks to their efforts, fares have been reduced to \$2.40 to match the T's other rapid transit fares except for the last stop in Readville, which is in another commuter rail zone, boosting the fare price to \$6.50. The Coalition is also working to increase frequencies to match the other MBTA rapid transit lines. This would not only boost ridership, but also help justify electrification of the line and the purchase of EMUs needed for the new service.

The Rail Vision Team working on the MBTA's project since 2018 has identified seven service alternatives featuring a range of service approaches and technologies to move forward in the next phase of analysis. The alternatives include higher frequency, all day, bi-directional service with predictable, consistent schedules. They vary regarding service type, electrification and other key factors. The ultimate decision will be based on an evaluation of costs, ridership potential and operational feasibility "as well as broad

public conversations in 2019." The MBTA has hired other consultants to begin working on a new contract; the eight-year contract with Keolis, the commuter rail operator, runs through the end of June 2022, but it allows for two two-year extensions if necessary.

Another endeavor, the South Coast rail project, is now proceeding "full speed ahead" according to MassDOT's Secretary Stephanie Pollack. Commuter rail service to Fall River and New Bedford ended in 1958. Restoration was first proposed in the 1980s, with consideration given to three different routes: an extension of what is currently the MBTA's Stoughton Line; utilizing the Middleborough/Lakeville Commuter Rail line and westward on the Middleborough Secondary; or utilizing the three-mile Attleboro By-Pass which connects the Northeast Corridor to the Attleboro secondary just north of the city. All three proposed routes used the same lines from Taunton south to Fall River and New Bedford.

During Gov. Bill Weld's administration in the 1990s, the state legislature directed the MBTA to further study these alternatives. Although an alternative analysis showed it would cost more via Stoughton, the report recommended it as the most cost-effective due to its high ridership.

Governor Weld's successors over the past two decades have approved plans for the return of passenger rail to Fall River and New Bedford. Some progress was made during the Deval Patrick administration. In 2007, he renewed the state's commitment to the South Coast Rail project by investing \$17.2 million to fund the project's three-year planning phase. The state also purchased the rail right-of-way from Taunton south to New Bedford and Fall River from CSX, and obtained federal funding to reconstruct three rail bridges in New Bedford. The Army Corps of Engineers released a Draft Environmental Impact Statement which recommended that the South Coast Rail

project be routed through Stoughton and that the service be electrified, stating that the projected increase in ridership and decreased travel time and reduction in air pollution would outweigh the increased cost of electrification.

The current governor, Charlie Baker, was initially skeptical about the South Coast Project during his first run for governor. Since then, Baker has changed his mind. In March 2017, state officials announced a two-phased approach: it would use the existing Middleborough/Lakeville Line to bring trains to the region on an interim basis until the Stoughton Electric Alternative was built. Baker now is dedicating more than \$1 billion in state bond funds to this first phase which will extend the Middleborough Line to New Bedford and Fall River.

The project also includes building six new passenger stations, two layover facilities and reconstruction of almost 30 miles of track along the New Bedford main line and the Fall River secondary line. In addition, the existing Middleborough secondary track will be upgraded. The U.S. Army Corps of Engineers has approved the final federal permit required to advance the project and the MBTA has awarded a contract to AECOM to manage the phase I construction project.

Given the tortuous history of the South Coast project, it isn't surprising that there is opposition and skepticism regarding whether or not the state will proceed with the Stoughton plan if it actually builds Phase 1. Former Transportation Secretary James Aloisi, who serves on the Board of Transit Matters, recently published an article in *CommonWealth Magazine*, urging reconsideration of the Baker administration's approach to providing rail service to the Southcoast. He believes Phase I will harm more riders than it helps and fails to guarantee that the project will ever advance beyond that phase.

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WHAT'S IN THE MTA REORGANIZATION PLAN?

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This would result in the consolidation of 40 functional groups within the operating agencies into a central new department, reporting to a Chief Operating Officer. The Chief Operating Officer would report to the Managing Director, who would report to the Board, as well as the CEO.

2. All Capital-related functions will be handled by a new Capital Construction group, responsible for all construction projects across the MTA. This group will be responsible for planning, development, and delivery of the Capital Program. The upshot of this is that many of the responsibilities of the various agency Presidents will be taken away from them, and handled by this new group. It remains to be seen what that means for coordination, planning, and service interruptions during construction.

3. A new Chief Engineering Officer will be appointed, responsible for quality and sustainability of infrastructure. This would address inconsistency among the various parts of the MTA, and assure quality and standards are met.

4. A new Customer Communications function will provide better customer engagement across all the agencies, which would include service updates, timetables, customer feedback, etc. It is anticipated that the MTA's various applications would be standardized, and hopefully, easier to navigate.

5. The MTA will combine the various duplicative functions that exist throughout the agencies, such as Human Resources, IT, procurement, etc. There are currently many layers involved in all these functions, many of

which could be combined, which will undoubtedly involve layoffs, which are currently being considered. The estimates are between 2,000 & 2,700 possible layoffs.

It is not yet clear whether some of these are part of the collective bargaining process, which would likely be involved in the various contract negotiations, many of which are currently underway.

6. A Chief Transformation Officer will be appointed, reporting directly to the MTA Board, which is now required by State Law. He/she will be responsible for all reorganization efforts across the

Many expect difficulties in carrying out these initiatives, fearing that the elimination of existing "silos" will result in new "silos" being created.

MTA. These would include the reorganization, development of business functions, streamlining business processes, quality assurance, and internal controls. The Chief Transformation Officer will implement the reorganization plan and hire a Director of Quality Assurance. Issues of waste, fraud, abuse, and legal violations will continue to be the purview of the MTA Inspector General.

7. The MTA will appoint an Accessibility Officer, who will report directly to the CEO. This will ensure the progress currently underway in NYC Transit, the Long Island Rail Road, and Metro-North Railroad, continues system-wide.

The bottom line? Many expect difficulties in carrying out these initiatives, fearing that the elimination of existing "silos" will result in new "silos" being created. Many have expressed frustration with the lack of public input into these initiatives, and the very short time the public had to make any

comments regarding these changes. Some of these are legislatively mandated as a result of the "deal" that was made with the State Legislature concerning approval of congestion pricing.

Many transportation advocates have expressed real concern with some/all of these proposals. Mitchell Moss, director of New York University's Rudin Center for Transportation Policy, said, "I didn't see anything very innovative or creative in that report. It was just a rethink of traditional management structures, something any graduate student or professor could have done. It was a nice copy & paste job." Leon Daniels, a former managing director at Transport for London, said, "As soon as you start to attach the fundamental function of the operating businesses, you get into some troubles. And my advice is the MTA shouldn't get into this area without considering what the consequences might be."

So, this is where we are right now. The "transformation" plan is approved, and we are awaiting the appointment of the Chief Operating Officer. Much is riding on this plan, and how it is implemented. It relies on some very aggressive union re-negotiations, which is anything but certain. It could possibly result in some work stoppages, or slowdowns. MTA Chair Pat Foye has said the Board will be kept informed every step of the way. We shall certainly see.

The MTA is the economic engine of the entire region, and while some reorganization is certainly warranted, given the duplicative functions throughout the agency, care must be taken to insure a seamless transition. 10 million daily riders are counting on it.

Andrew Albert is Vice-Chairman of RUN, the Chair of the NYC Transit Riders Council, and Riders' Representative on the MTA Board.

RUN CANADIAN REPORT: AUGUST/SEPTEMBER 2019

By Ken Westcar

A nationwide scan of positive news on the passenger rail and transit front revealed several projects including the Kitchener/Waterloo (west of Toronto) "ION" LRT that's now up and running with strong ridership. Tunneling under obstructing Toronto-area highways to provide GO Transit with trackage to expand its services to Kitchener/Waterloo on an all-day/two-way service by 2024—or thereabouts—is now in progress. REM, an LRT-based, 42-mile (67km) rapid transit project in Montreal is also moving forward at a good pace and appears close to schedule. Ottawa's LRT expansion continues with testing on completed route segments. The Alberta cities of Edmonton and Calgary continue LRT systems expansion.

However, in British Columbia, a well-designed and properly costed plan for LRT between the closest SkyTrain terminal and Surrey (a large Vancouver suburb) was cancelled by recently elected Surrey mayor Doug McCallum and replaced with a SkyTrain extension that he claimed would be completed for the same C\$1.6 billion as the original LRT project. In an August 6 editorial, the *Globe and Mail* (a well-respected Canadian national newspaper), began a paragraph "Spoiler alert: not even close," to open an all too familiar account of where ill-qualified politicians, ignoring expert advice, have used their power to embark on personal flights of transit fantasy. They also included Ontario premier Doug Ford in this bunch.

In B.C.'s case, the original C\$1.6

billion will only pay for half the planned Skytrain extension, terminate it in a low-density neighborhood, and drastically reduce its traveller utility—the worst imaginable outcome. The newspaper has joined other voices in insisting that neither the Canadian nor B.C. governments contribute further to the project. Possibly it will remain a shameful example of the tragicomedy of political interference that's only too typical of public transportation know-nothings inhabiting high public office.

On the heavy passenger rail front, VIA Rail continues to push its proposed high-frequency project on a now-abandoned alignment

For those of us in the passenger rail and transit advocacy field, the bad elephant in the room is often a lofty decision-maker who has no industry experience.

between Toronto, Montreal and, ultimately, Quebec City. It's desperate to escape the capacity restrictions imposed by CN on the current route along the shore of Lake Ontario. There's been much commentary on this proposal, both technical and financial with the primary concern being that it will bypass its substantial customer base in Kingston, Brockville, Belleville and Oshawa, among others. The proposed route follows the historic, often curve-riddled and heavily encroached CP Havelock subdivision along the Canadian Shield, where northern bedrock merges with glacial till in the St. Lawrence River valley.

Reaching average operating speeds planned by VIA over this terrain will

be technically challenging, and there are concerns the proposed capital budget will be woefully inadequate. It would also pass through small communities like Glen Tay and Perth where passenger demand will be thin. One has to hope that it's not another tragicomedy in the making. Project fiascos can sour planners, taxpayers and politicians toward rail projects and drive them to photo-op-rich highway construction.

For those of us in the passenger rail and transit advocacy field, the bad elephant in the room is often a lofty decision-maker who has no industry experience and/or is prone to manipulation by external interests. The outcome can vary between stalling critical investment, choice of the wrong solution (as in the Surrey, B.C. case) or capital budget blow-ups because short-term politics displaced hard, evidence-based decision making. Given that such malfeasance is often catastrophic for social, economic and environmental progress, it's frustrating when the perpetrators are not held to account or, more egregiously, rewarded handsomely for failure.

While rail advocates should support and applaud properly conceived and executed transportation projects, we will be continually challenged to effectively intervene in ill-considered or corrupt ones. Presenting facts is seldom the route to success when infrastructure investment decisions are based on ignorance, delusion and inappropriate interference. Perhaps we need to be satisfied that we are at least making an honest effort and may yet be on the right side of history.

Ken Westcar is co-coordinator of InterCityRail.

NJ TRANSIT CELEBRATES ITS 40TH ANNIVERSARY, AS ITS SERVICE CONTINUES ON A DOWNWARD PATH

Continued from page 2

called on Murphy to get the state's transit moving in the right direction. Weinberg wants to see a new plan by Labor Day. Time will tell whether or not she gets it.

In the meantime, proponents of the Gateway Program, the region's largest set of proposed projects, are stepping up their campaign to build new Hudson Tunnels, a new Portal North Bridge in the Meadowlands, and other projects that carry a total price of \$30 to \$33 billion. They are backing away from considering the vastly-less-expensive method and vastly-less-invasive procedure now being used to repair the Canarsie Tunnels on New York City's 14th Street "L" subway line; a method proposed by faculty engineers from Columbia and Cornell Universities at the request of Gov. Andrew Cuomo. Instead, they are pushing for a new \$15-billion tunnel, with no repairs to the existing tubes planned for an entire decade, while they claim that the performance of the existing tunnel is unsatisfactory.

The Gateway Program Development Corp. is now becoming a "commission" with expanded patronage appointments for Cuomo and Murphy, and with authority to receive grant and loan proceeds to build Gateway projects, but without the authority to borrow money for those projects. While it appears difficult to fathom how that particular change in structure will facilitate financing for any of the Gateway projects, that prospect receded even further from reality last month. During the last days of the Christie administration, NJT committed itself to imposing a surcharge on fares to and from New York Penn Station to help pay for New

Jersey's share of the cost for the Gateway Tunnel. Last month, in a surprise move, Sen. Weinberg declared that proposal dead. For more detailed coverage, see Part 7 of this writer's Gateway series in *Railway Age: A Misleading Analysis of Delays, A New Commission, and A New Obstacle to Funding*, posted August 13 on the *Railway Age* website. The link is: <https://www.railwayage.com/passenger/part-7-a-misleading-analysis-of-delays-a-new-commission-and-a-new-obstacle-to-funding/?RAchannel=home>.

The Federal Transit Administration (FTA) has given the Gateway Hudson Tunnels Project and Portal North Bridge Project failing grades, due to lack of local financial support. That means they will not get federal grants, either. Gateway plans to apply again soon, but it does not appear to this writer that circumstances have changed, nor that the FTA's rating will, either.

While advocates are divided on whether the Gateway Program represents a good investment, or whether there will ever be enough money to build the Gateway projects as proposed, ordinary riders are not seriously concerned about them; at least not now. They just want their trains back.

David Peter Alan is a RUN Board member from New Jersey, Chair of the Lackawanna Coalition (an advocacy organization in the state) and a Contributing Editor at Railway Age. He has been covering events at NJ Transit and advocating for its riders for many years.

RAIL ADVOCACY IN THE BAY STATE

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The projected travel time is unappealing. It will take 90-95 minutes, given that the line will not be electrified and proceeds along a fairly indirect route. Trip frequency is also a major deterrent. During peak travel times, Fall River and New Bedford would only get three trains. At other times, trains will operate on a three- to 3.5-hour

frequency. The proposed service, Aloisi wrote, would be "the worst example of the antiquated commuter rail model put up since the 1960s," for it doubles down on a failing business model based on long-outdated notions of the demographics and desires of intercity rail riders. It disregards varied lifestyles and the needs of folks who need convenient and reliable transportation.

The executive officers of the South Coast Development Partnership, on the other hand, applaud Baker in advancing the Phase I project, for it simply extends an existing service line and won't impact current riders. It is a down payment on the full build and will better connect residents to economic opportunity and make the region more competitive going forward. They admit a 90-minute commute is not ideal, nor is the frequency of trains, but endorse the plan because of the current trip times endured by commuters traveling by car or bus into Boston. The alternative is over two hours in traffic during peak periods while time on the train can be used productively.

They also challenge Aloisi's suggestion regarding building a new route using the Mansfield-Taunton branch rather than the Stoughton alignment. They see it as another distraction. MassDOT has looked in detail at Attleboro, Mansfield and other NEC options. "Working with the Army Corps of Engineers, MassDOT and the MBTA agreed on the Stoughton Electric Route (the full build) as the most feasible and practicable alternative for South Coast Rail." Phase I is a down payment.

Rail advocates elsewhere could be jealous given the activity in Massachusetts; however, MassDOT and the MBTA seem to be great in planning, but slow on delivery. The 10-year investment plans of the late 1980s, for example, included the Green Line Extension to Somerville and Medford and the replacement of the aging Orange Line subway cars. Three decades later, they are finally happening.

PASSENGERS RESPOND TO BETTER RELIABILITY AND NEW TRAINS

By Anthony Smith

At long last passenger satisfaction has begun to improve, buoyed by a keener focus on improved reliability, and by the arrival of new trains on some routes, according to the latest set of results from the twice-yearly National Rail Passenger Survey (NRPS).

More improvement is essential, but it must be hoped the positive changes captured by the latest round of NRPS heralds the start of a trend that signals the rebuilding of passenger trust in the railway.

Overall passenger satisfaction with the railway rose nationally to 83% in spring 2019 – up significantly compared to spring 2018 (81%) and Autumn 2018 (79%). Across the network as a whole, satisfaction with punctuality/reliability also rose to 77% this spring, also up significantly compared to spring 2018 (72%).

The journey experience makes a big difference: Across many operators the most significant improvements in overall satisfaction were the provision of better internet connection and more power sockets (overall national satisfaction with Internet connection rose by 7% and by 5% for the availability of power sockets).

Three operators – all in the London and the South East sector – saw significant improvements in overall passenger satisfaction: Southern (+12%), Great Western Railway (+6%) and Southeastern (+5%). These improvements closely reflect a keener focus on improved reliability, better passenger information and/or the arrival of new rolling stock.

As it happens, the amount of improvement registered on those three operators was enough to deliver a significant overall improvement across the national network as a whole, even though no other train operating companies saw a statistically significant improvement in their overall satisfaction

score compared with spring 2018.

Nationally, less than half of passengers (47%) are satisfied their ticket offers value for money, though even at that level this score is significantly up compared to spring 2018, when the same measure stood at 45%.

Overall satisfaction at a national level with the level of crowding on the train also rose significantly this spring to 72% (up from 70% a year ago).

For regional operators, overall satisfaction (83%) did not change significantly compared to spring 2018 (84%). Underneath this headline figure were significant declines in satisfaction for factors including the upkeep/repair of the station buildings/platforms (-5%).

For the long-distance operators, the proportion of journeys rated as very or fairly satisfactory overall was not significantly different to scores a year ago. Satisfaction improved significantly with station shelter facilities (+3%) but fell for car parking facilities (-6%) and for the level of crowding on the train (-2%).

The National Rail Passenger Survey (NRPS), is one of the largest published passenger satisfaction surveys of rail passengers in the world. In the latest survey—between 4 February and 14 April 2019—Transport Focus surveyed 30,119 passengers.

You can read the [full report](#) or review summary [‘at-a-glance’ reports](#) for each train operator on the [Transport Focus website](#).

Rail reform – speaking up for passengers

While the latest NRPS results do rather suggest that major investment in infrastructure projects and new trains will help, these changes won't rebuild trust in the railway by themselves. Rail operators

must also deliver a careful balance of doing what is supposed to be done, showing care for customers and demonstrating a human sense of treating people well and fairly.

Against that backdrop, Transport Focus argues it is vital that the Williams Rail Review delivers proposals that place a good relationship with passengers at the centre of any reform programme. In support of that, it recently prepared and submitted two final papers to the Rail Review on passenger trust and representation.

In its [fourth submission to the Rail Review](#), Transport Focus opted to highlight which train operators scored best and worst for levels of public trust over the past two years, using data—specifically on trust—from four waves (2017 and 2018) of the National Rail Passenger Survey. As that paper explains, this research flagged some wide variations between train operators that keenly reflect the passenger experience: the best long distance operators achieve trust scores of 70% or more. Some regional or commuter networks do almost as well at 66% but several fall below 25%, and the worst fell to 17% at one point.

Asked to compare the rail industry to other key sectors, passengers still rate it better than banks or energy suppliers, but somewhat worse than airlines and well behind the NHS or supermarkets. Clearly, alongside efforts to improve punctuality and reliability, attention must also be paid to improving communications and transparency, giving passengers a greater voice, and providing better information about disruption and delays.

On a related theme, Transport Focus's [fifth and final submission](#) to the Williams Review examined the case for independent passenger representation, and how to increase engagement with passengers on strategic planning, implementation and monitoring of the railway.

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PASSENGERS RESPOND TO BETTER RELIABILITY AND NEW TRAINS

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Transport Focus does not believe that train companies can act as a proxy for passenger interests when dealing with Network Rail and other agencies. There will always be instances where commercial interests do not match passenger aspirations. Industry will rightly seek out and listen to the views of individual customers, but it's all too easy to sideline and marginalise these voices. Moreover, given that passengers fund an ever-increasing proportion of the railway through the fares they pay, there can be no effective substitute for involving passengers in decisions about planning and delivery of services.

There is also nothing new about recognising a need for professional, independent consumer representation which can sit alongside direct engagement between industry and its consumers. On-rail statutory passenger representation began in 1947. It then changed radically and was reinvigorated at privatisation, evolving swiftly to employ independent consumer research of high quality to capture, collate and amplify the passenger voice.

So while the model may have evolved, the need for independent passenger representation and the value of it has not fundamentally changed.

Green Trains?

When Transport Focus did work in 2007 on [rail passengers and green issues](#), the "greenness" of rail travel validated passengers' choices, but didn't guide them. Last year Transport Focus also asked rail passengers [whether the last train on which they travelled was electric or diesel-powered](#). A full 80% considered electric trains better for the environment than diesel but almost half admitted if the train is on time and comfortable, they don't care how it is powered, suggesting even a year ago passengers placed more importance on the potential operational benefits of electrification (i.e. improved reliability and speed) than on the positive environmental impact of this change.

More research in this area is now essential, so we have a more up-to-date picture of how far environmental concerns are – or are not – already driving different consumer travel choices.

The target set in mid-June by the Welsh and UK governments to achieve net zero carbon emissions by 2050 will have practical consequences for how people travel – and far sooner than many of us might like to imagine. Public transport needs to remain a choice, not become a forced decision. We each make our transport decisions based on netting off choice, cost, convenience and control – the four 'C's'. Why do so many people take a taxi to the airport? It's often seen as more convenient; can make you feel more in control and may well be a rare pleasure – and even a highly cost-effective one for a group of friends or an entire family – well worth the cost.

Shared transport can only bear part of the load. Many trains are full already and stations are becoming swamped – and there must be a point when it won't be possible to add more carriages to the long trains already coming into city centres. We might need to think about hubs and then massively boosted metro and tube services for onward journeys.

Continued efforts to boost the space for more and longer trains is vital – let's get on and build HS2 as it will offer more sustainable travel choices in the future*. Bus use has been declining for a variety of reasons, but local authorities must now become brave politically and make the changes that will keep bus travel reliable and therefore attractive. It's clear from the Bus Passenger Survey that the core product is OK – where they run, people love their buses. Coach passengers also love their choice this mode offers them, but policy makers can't really seem to get their heads around how to break down some enduring stigmas that surround that product – more thinking needed here.

So, Transport Focus will be doing work with transport users on green issues to make sure the work it does going forward will reflect and amplify their views. What do you think?

**Phase one of the HS2 project to build a high speed rail line linking London and the West Midlands was the first UK*

infrastructure development to be awarded BREEAM certification for its sustainability.

Anthony Smith is Chief Executive, Transport Focus.

HYPERLOOP FEASIBILITY STUDY

By Bill Engel

What is Hyperloop? In brief, it is a European high speed surface transportation technology using tubes with a partial vacuum carrying pods powered by linear induction motors. The company behind the technology has a test facility in Toulouse, France. Inventor Elon Musk is involved with the new technology.

There is an ongoing feasibility study for a Hyperloop system to connect Cleveland to Chicago. If a top speed of over 700 MPH can be attained, the travel time between Chicago and Cleveland could be under an hour. An extension to Pittsburgh could take less than 20 minutes. This study is supported by the North Ohio Areawide Coordinating Agency and the Illinois Department of Transportation. Since this is a local area study, I will keep an eye out for the results.

There are many issues to be solved before this system could be operational. One is, how are stations to be arranged so air pressure is normal for passengers to exit or enter the "pods" but then have the pressure reduced for the pods to depart? There would be a high cost of construction. The tubes the pods would travel in could be buried, or above ground on pylons. In any case there would not be the issue of roads crossing tracks that exists with today's railroad technology. Obviously, such a system would be very expensive to build. How would fares be set to make travel attractive on the Hyperloop? There is also talk of a smaller-scale system within an urban area. It will be interesting to see what happens.

Bill Engel is a RUN Board Member based in Canal Fulton, OH.

YOU PAY HALF-FARE IF YOU ARE 65 OR OLDER, RIGHT? DON'T COUNT ON IT!

By David Peter Alan

It seems sufficiently clear-cut. Seniors who have attained the age of 65 are entitled by federal statute to pay half-fare to ride transit. There are some restrictions, but it is supposed to be a privilege of age for seniors to ride for the reduced fare. Yet many transit providers blatantly disobey the statute and impose restrictions on certain seniors that they are not permitted to impose, with the result that millions of our older people are paying up to twice the fare that the law says they should pay for their ride on a train, light-rail line, streetcar or bus.

Title 49 of the United States Code (USC) is the Transportation Code, and its Title 53 relates to transportation funding. Certain sections of that title pertain to grants for transit, and the provision that mandates reduced fares for seniors is located within Section 5307. That is the provision that authorizes Urbanized Area Formula Grants, which assist many transit providers with funding for their capital programs. The provision mandating "senior fares" provides that offering such fares is a requirement for providers who apply for grants. Section 5307 (c)(1)(D) states that any recipient "will ensure that, during non-peak hours for transportation using or involving a facility of equipment of a project financed under this section, a fare that is not more than 50 percent of the peak hour fare will be charged for any – (i) senior ... [or] (iii): individual presenting a Medicare card issued to that individual under title II or XVII of the Social Security Act (42 U.S.C. 401 *et seq.* And 1395 *et seq.*)." Subsection (ii) deals with persons with disabilities, which is beyond the purview of this article.

From the wording of the statute in question, we know that the requirement for "senior fares" is tied to grants under §5307, which includes most large transit providers and some smaller ones, but not all. Some small systems receive grants under §5311 (Rural and Small Starts), which does not have a comparable requirement, so many of those systems do not offer senior fares. The standard for proving eligibility for senior fares is generally a Medicare card,

with a photo ID used to prove the identity of the person presenting the Medicare card, which does not include a photo. The only mandated discount is half of the peak-hour base fare for a single ride, and during "non-peak hours": week-ends and mid-day or evening hours on weekdays. There is no specific standard, and some transit providers do not allow reduced fare for seniors after 3:00 pm. The legality of that practice has not yet been tested in the courts. An unrelated provision, 49 USC §5302(18) sets the minimum age for a "senior" at 65 years.

Some transit providers are more generous than the statute requires. Some allow persons who are under 65 to get "senior" fares; an example is New Jersey Transit (NJT), where the minimum age is 62, but a locally-issued "reduced fare ID" is required for riders who are 62, 63 or 64. NJT, New York's Metropolitan Transportation Authority (MTA), and others allow "senior fares" at all times, including peak hours. All transit in Pennsylvania is free for seniors who have pre-registered with a transit provider in the state, and other providers like the Jacksonville Transit Authority allow pre-registered seniors to ride free. Illinois once extended the free-ride privilege to seniors who lived in the state but later revoked it, blaming the cost of the program. Other providers, including in Los Angeles and New Orleans, offer senior fares that are less than half the "regular" base fare. Some also offer a "senior day pass" for half the price of a "regular" day pass or less. It is unclear whether or not these providers can impose additional restrictions on seniors who wish to take advantage of discounts that are more generous than the statute requires. Presumably, they can, if the additional restrictions are not unduly burdensome or administered unfairly. It appears that they could give the half-fare privilege mandated by statute to any senior with a Medicare card and ID, but could require pre-registration for additional privileges that are more generous.

No language in the statute allows transit providers to require any additional conditions for "seniors" who meet the conditions imposed by the statute, as long

as those seniors are only getting half-fare outside peak hours. Some providers adhere precisely to that requirement. Twin Cities Metro sets the ticketing machines for its light-rail system to start offering senior fares precisely at the moment when "peak hours" end for the morning. Systems in Los Angeles and Seattle will allow seniors to pay for a one-way ride without pre-registering, but seniors who want a "senior day pass" must pre-register in Seattle or purchase it in person from an agent in Los Angeles at a central location.

Other transit providers require pre-registration for any seniors to get reduced fare, which is clearly a violation of the statute. These include the systems in such cities as Washington, DC, Boston, Chicago, Miami, Atlanta, all providers in the San Francisco Bay area, Houston, San Antonio and many others. SEPTA in Philadelphia has recently joined the ranks of the violators, after having accepted a Medicare card as qualifying "senior ID" for many years.

Some providers use various tricks to prohibit some seniors, especially visitors, to ride for the discounted fare. The most common is to limit the registration process to specific locations and specific hours. In these places, seniors often can only register at a central office, like SEPTA headquarters in Center City Philadelphia, or Five Points, the busiest station on the MARTA rail system in Atlanta. Because of this restriction, many visiting seniors must pay "full fare" to get to the central registration office; itself a violation of the statute. If a visiting senior arrives during the weekend in a city whose transit provider engages in this unlawful practice, he or she is out of luck. Most such "registration offices" are only open during "normal business hours" on weekdays. Most of these providers require a locally-issued "senior ID card" for reduced fare; a time-consuming process that discourages seniors from going to the required trouble and inconvenience to be allowed to pay their rightful fare.

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YOU PAY HALF-FARE IF YOU ARE 65 OR OLDER, RIGHT? DON'T COUNT ON IT!

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There are other tricks that transit providers use, too. Some require the payment of a fee, usually \$3 to \$5, for "processing" the request for the locally-issued ID card, which usually also operates as a stored-value card for paying fares. That means that it costs several "senior fares" for no rides at all. Some stored-value cards also require a minimum amount to be added to the available reserve, even if the rider will not be in town long enough to use up that amount of money. This writer got "clipped" by the "Clipper Card" system in San Francisco that way.

Some providers impose a waiting period before a senior can get the statutory discount. The Port Authority Trans Hudson (PATH) system requires a notarized application and a \$5 fee to get the card, which is sent in the mail. Agents at the Chicago Transit Authority (CTA) and Metra have told visiting seniors that "senior fares" are only available to persons living in Metra's six-county service area in and around Chicago; a blatant fabrication. Even for seniors who are tenacious enough to insist on registering for a "Chicago card" anyway, it is sent to them by mail, so they are absolutely precluded from getting their rightful fare at any time during that particular visit to the Windy City, and they must wait for a future visit. Perhaps the most ingenious method for preventing seniors who are not regular riders from getting their legal fares is employed by the Port Authority Transit Corp. (PATCO), which operates the "high-speed" line between Philadelphia and Lindenwold, NJ. PATCO offers a 70-cent fare for seniors, which is reasonable. However, it can be

purchased only in \$20 increments; 28 fares at a time, with 40¢ left over. Only regular riders would use the line enough to make that investment. Visitors or occasional riders would not.

It is questionable whether or not these practices would be permitted if they could be properly reviewed, because they discriminate against certain seniors on the basis of where they live; a distinction that does not call for strict scrutiny under the Equal Protection Clause of the Fourteenth Amendment, but still does not seem to be backed by the "rational basis" that is legally-required for decisions by administrative agencies. Even for "local" seniors who could pre-register when they move to the area or shortly before they turn 65, requiring such registration that can only be accomplished in specific places and at specific hours might constitute an "impermissible burden" on seniors who want to pay the fare that the statute purports to allow.

Some of the practices, like PATCO requiring advance purchase of 28 fares or Chicago claiming that "senior fares" are only for local residents, appear so blatant that this writer cannot fathom that a court of competent jurisdiction would uphold them. The same could be said even of a strict pre-registration requirement, especially since the statute does not provide for one.

So why is there essentially no enforcement for the statutory "right" for seniors to travel at reduced fare? The answer is probably because the reduced fare provision is tied to \$5307 grants from the FTA. Simply stated, the FTA does not appear to care how fair or how reasonable transit providers are in giving reduced-fare rides to seniors. It reduces their revenue when providers comply with the law, and the FTA has a countervailing interest in ensuring the financial health of recipients, so they can keep their operations going

and repay loans from other sources that often accompany FTA capital grants. The only suggestion which this writer has ever received from an FTA employee was to raise the issue at the grant review to which the FTA subjects recipients every three years. That is a long time to wait for justice and "fair fares" and it is not clear that a rider who happens to be a senior would have standing to raise that issue, especially with a transit agency in a place where he or she does not live.

All of this does not mean that the situation for seniors who want their appropriately-reduced fares will forever be hopeless. It is inconceivable that transit providers will voluntarily abandon their current practices; SEPTA in Philadelphia followed the law until recently, for example. Transit providers everywhere are short of money, and it seems difficult to believe that any of them would voluntarily give up the revenue they receive from charging some seniors double fares (or more).

Still, seniors as a group have organized and gotten reforms. They could mount a litigation in federal court to challenge these practices, if enough of them get behind the movement to do so. In the past, they fought to get Social Security and Medicare. They also fought to prevent age-discrimination in employment (at least for persons under 70). In many localities, they have organized to fight against new transit initiatives. If they can join together to fight against transit, it seems reasonable that they could also join together to force their local transit provider to give all seniors the reduced fares that the federal law claims to promise.

David Peter Alan is a member of the Board of Directors of RUN and the longest-serving member of the Senior Citizens and Disabled Residents Transportation Advisory Committee (SCDRTAC) at NJ Transit. He lives and practices law in South Orange, NJ.

A SURVEY OF LONG DISTANCE AND STATE-SUPPORTED PASSENGER TRAIN SERVICE IN THE WESTERN UNITED STATES – PART SEVEN: EFFORTS TO REVIVE DISCONTINUED AMTRAK ROUTES

By Dana Gabbard

To keep this survey at a manageable length, it is being divided into multiple parts. This one deals with the three Amtrak routes in the Western U.S. that are the focus of efforts to revive them. The final installments will be on proposed new long-distance conventional rail services.

Please see the introduction to part one in the Spring 2018 issue regarding the purpose and certain other underlying aspects.

Desert Wind

During the private passenger rail era, Las Vegas was served by the Union Pacific's *City of Los Angeles* train. When Amtrak began operations in 1971, it did not include this service in its new network. Under political pressure to provide service to Las Vegas Amtrak introduced *The Desert Wind* on Oct. 28, 1979, linking Los Angeles and Ogden, UT via Vegas (with a connection to the *San Francisco Zephyr* subsequently renamed the *California Zephyr* in Ogden). Under pressure to reduce spending, Amtrak eliminated the service May 12, 1997.

Congresswoman Dina Titus has been a tireless advocate for the resumption of passenger rail service to Las Vegas from Los Angeles, convening a roundtable in 2015 of local officials and stakeholders that included, "... Oregon Representative Peter DeFazio, the ranking member of the House Committee on Transportation and Infrastructure, a needed ally if the project is to move forward." ("Passenger Rail Route From Las Vegas to Los Angeles Gaining Momentum", *Las Vegas Sun*, April 27, 2015).

Benjamin J. Rosenbaum, Deputy Chief of Staff and Legislative Director for Titus, notes, "She has been supportive of restoration of passenger rail service to Las Vegas, especially reconnecting Las

Vegas and Southern California by rail, but has not endorsed any specific proposal or project over another."

Restoration efforts appear moribund at this time. Steve Roberts, President of the Rail Passenger Association of California and Nevada (RailPAC) since March, kindly shared the current priorities of passenger rail advocates in the Southwest. "As far as RailPAC's position on an expanded rail passenger network, RailPAC's position is generally in favor of it, including the *Desert Wind*. That said, the challenge is the current situation. Most of the effort and energy is focused on maintaining the existing network and trying to keep the Superliners in a state of good repair and replace the fleet. In addition, RailPAC is working with other stakeholders toward a daily *Sunset Limited*, which is probably more of a priority right now (since the service is already operating and is handicapped and threatened with discontinuance as a result of its tri-weekly schedule). But we need to keep working on the goal of bringing back the *Desert Wind* and the *Pioneer*."

The Pioneer

Union Pacific, in the private passenger rail era, provided service between Portland, OR and Boise, ID with its *City of Portland* (from Chicago) and the *Portland Rose* (from Kansas City). Neither train was assumed by Amtrak when it began operations in 1971.

To address the lack of a direct connection between the Pacific Northwest and the central intermountain region, Amtrak began *The Pioneer* linking Seattle, Portland, Boise, Ogden and Salt Lake City on June 7, 1977. Like the *Desert Wind* it connected with the *Zephyr* in Ogden. Also like the *Desert Wind*, it was the victim of budget cuts, discontinued May 10, 1997.

The Association of Oregon Rail and Transit Advocates (AORTA) since 1997 has been advocating restoration of the

Pioneer. One fruit of this effort was a provision in the Passenger Rail Improvement Act of 2008, added by U.S. Senators Ron Wyden and Mike Crapo, that a restoration study be done. Amtrak's study projected a low farebox recovery and a reduced ridership due to competing low-cost air service.

At the 2018 California Passenger Rail Summit, Amtrak CEO/President Richard Anderson was asked by an audience member, "What will you do about the studies from a few years ago of the *Pioneer* and *Sunset*?" Anderson responded, "Nothing, they don't make economic sense."

Undaunted, AORTA, along with Senators Wyden and Crapo plus others, continue to pursue the return of the *Pioneer*. The Restore the *Pioneer* Train Facebook group provides this advocacy an online presence.

North Coast Hiawatha

The Great Northern's *Empire Builder*, Northern Pacific's *North Coast Limited* and Milwaukee Road's *Olympian Hiawatha* were the principal routes between Chicago and Seattle via Montana during the private passenger rail era.

When Amtrak began operations on May 1, 1971, it had decided to only operate the *Empire Builder*. Under political pressure to serve the major cities of Montana in the southern part of the state, it introduced the *North Coast Hiawatha* on June 5, 1971, named after the Northern Pacific and Milwaukee Road routes it emulated. The above mentioned budget pressures resulted in the route being discontinued on Oct. 6, 1979.

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LONG DISTANCE AND STATE- SUPPORTED PASSENGER TRAIN SERVICE, PART 7

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Since the route was discontinued, there have been ongoing efforts by advocates toward restoration. "During the past decade, I've been actively involved in efforts to restore passenger rail service to southern Montana/North Coast Hiawatha route," states David Strohmaier, Missoula County Commissioner. Others who have labored in this effort include:

- Barry Green, Rail Passenger Association Montana state representative
- Chuck McMillan
- Mike Lustig
- Jolene Molitoris, President US Railcar
- Patricia Grabow
- Mac Plamer
- The late Warren McGee

Andrea Olsen, who represents a portion of Missoula in the Montana House of Representatives, this year authored House Resolution 34 [<https://leg.mt.gov/bills/2019/billpdf/HJ0034.pdf>] which mandates the Montana Legislature, "... to designate an appropriate interim committee ... to investigate ways to improve passenger rail transportation services in Montana."

Olsen's intent is "... to study how to bring back an integrated public transportation system to Montana, a rural state, whose development and connectivity has been historically connected to passenger rail service. We are hopeful that we can enhance and expand rail, including looking at what is required for *North Coast*

Hiawatha."

The first meeting of the interim committee [<https://leg.mt.gov/committees/interim/2019tric/>] was held July 9, 2019. Advocates are presenting data and white papers outlining the value of passenger rail, including economic benefits. Its next meeting is scheduled for Sept. 16, 2019, while the final report is due no later than Sept. 15, 2020.

The Montana for Rail Passengers Facebook group is the online presence of the advocacy for the return of the *North Coast Hiawatha*.

Dana Gabbard is a RUN Board member and executive secretary of Southern California Transit Advocates.

AMTRAK ANNOUNCES NEW STATE-SUPPORTED "VALLEY FLYER" SERVICE IN WESTERN MASSACHUSETTS

By Bill Engel

In an August 27, 2019 press release, Amtrak announced new service between Springfield, MA and Greenfield, MA. The seven-day-a-week service appears to be an extension of existing New Haven, CT to Springfield service. Station stops north of Springfield will be Holyoke, Northampton and Greenfield.

There will be four trains daily between Springfield and Greenfield. Three will continue to New Haven for connection to Northeast Corridor services. At Springfield, connection will also be available to Trains #448 & #449 (*Lake Shore Limited*) to Chicago or Boston.

The press release quoted Massachusetts Gov. Charlie Baker as supporting the new service. Also indicating their support were U.S. Representatives Richard Neal and

James McGovern.

After my initial draft was submitted, RUN Chair Richard Rudolph provided some additional info. Although fare info was not available, it was reported the cost to subsidize was estimated at about \$1 million per year. The new service will be evaluated at the end of two or three years to see if it is worthwhile to continue. Since it is a pilot project, rail riders will need to support it so it can be made permanent.

Bill Engel is a RUN Board Member based in Canal Fulton, OH.

AMTRAK CITY OF NEW ORLEANS RETURNS TO RUNNING OVER ENTIRE ROUTE BETWEEN CHICAGO AND NEW ORLEANS

By Bill Engel

In an August 19, 2019 press release, Amtrak announced that Trains 58 and 59, the *City of New Orleans*, would again serve the entire route between Chicago and New Orleans starting August 22. To celebrate the return of the train, Amtrak announced a BOGO (buy-one, get one) fare for travelers between all stations from Memphis to New Orleans.

In early May, Amtrak had stated that due to high water levels requiring the opening of floodgates on a spillway near New Orleans, host railroad Canadian National track work and other issues, the trains could not run the entire route.

The fare deals had to be booked by Aug. 31, so will have expired by the time you read this. Passenger train supporters should be glad this train is back.

Bill Engel is a RUN Board Member based in Canal Fulton, OH.

FROM THE RUN BOARD OF DIRECTORS

Rail Users' Network Newsletter is published quarterly by the Rail Users' Network, a 501 (c)(3), nonprofit corporation.

We welcome your thoughts and comments about our newsletter. Please write to us:
RUN, P.O. Box 8015,
Portland, ME 04104

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RAIL USERS NETWORK
P.O. Box 8015,
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We invite you to become a member of the Rail Users' Network, which represents rail passengers' interests in North America. RUN is based on the successful British model, which has been serving passengers since 1948. RUN networks passengers, their advocacy organizations, and their advisory councils. RUN is working to help secure an interconnected system of rail services that passengers will use with pride. RUN forms a strong, unified voice for intercity, regional/commuter, and transit rail passenger interests. By joining together, sharing information, best practices, and resources through networking, passengers will have a better chance of a vocal and meaningful seat at the decision making table.

RUN members enjoy newsletters, international conferences, regional rail forums, and other meetings to share information while working to improve and expand rail passenger service.

Membership is open to passengers, official advisory councils, advocacy groups, public agencies, tourist and convention bureaus, carriers and other profit-making organizations.

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