

**STATEMENT OF  
RICHARD F. TIMMONS  
PRESIDENT  
AMERICAN SHORT LINE &  
REGIONAL RAILROAD ASSOCIATION**

**BEFORE THE  
UNITED STATES HOUSE OF REPRESENTATIVES  
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE  
SUBCOMMITTEE ON RAILROADS, PIPELINES AND HAZARDOUS MATERIALS  
HEARING ON  
RAILROAD AND HAZARDOUS MATERIALS TRANSPORTATION PROGRAMS:  
REFORMS AND IMPROVEMENTS TO REDUCE REGULATORY BURDENS**

**APRIL 7, 2011**

**American Short Line and  
Regional Railroad Association  
50 F Street, N.W.  
Suite 7020  
Washington, DC 20001**  


I am Rich Timmons, President of the American Short Line and Regional Railroad Association (ASLRRA), which represents the nation's 550 Class II and III railroads. I appreciate the opportunity to list those items the short line industry believes should be included in the Rail Title of a SAFETEA-LU reauthorization bill.

First, let me say that we endorse the concepts presented by the AAR. I will expand on a number of these in my testimony but each of their recommendations either help the short line industry and/or make for a stronger Class I network which is good for the whole industry.

ASLRRA's first priority is to extend the short line rehabilitation tax credit (45G) which expires at the end of 2011. We know this is dealt with in the tax title of the bill but our hope is to include the extension in your final SAFETEA-LU reauthorization bill and we want to emphasize how important that is to the short lines. Two Members of this Committee, Congressman Shuster and Congressman Costello are original co-sponsors of our current extension legislation, H.R. 721. In the last Congress we had 262 House co-sponsors of this legislation, including 57 Members of that Congress' T&I Committee. We hope every Member of the current T&I Committee will sign on as a co-sponsor of H.R. 721. We also hope that in your discussions with the Ways & Means Committee you will emphasize how important the tax credit is to maximizing investment in infrastructure, preserving service to small and medium size shippers and improving track safety. In a fiscal environment where federal funds for maintaining freight rail infrastructure will undoubtedly be constrained, the fiscally responsible step is to encourage private enterprise to fund private sector improvements with private sector dollars. Section 45G does precisely that.

We strongly encourage the Committee to enact the so-called SHIPA legislation extending the current freeze on longer and heavier trucks to the entire National Highway System. Increasing truck size and weights will divert rail traffic to the highways increasing congestion and highway repair costs. The change will also create a huge shortfall between the truck share of highway damage and their contribution to the cost.

As indicated we support the AAR recommendations on PTC. In addition we believe the federal government should help pay for this unfunded mandate. Funding PTC is well beyond the resources of short line railroads. It will force short lines to reallocate money from much more important rehabilitation projects to a highly complex system that will result in virtually no safety benefits for the typical short line operation.

As Chairman Mica and many other Members of the Committee have stressed repeatedly, the RRIF program has the ability to invest \$35 billion into rail improvements without an appropriation and using private sector commitments to repay the loans. However, absent improvements this program will remain stuck where it has been for 10

years. In February the short line industry testified before this Committee concerning the RRIF loan program and last month we participated in a T&I staff workshop on this subject. We have made a number of recommendations including providing a TIFIA-like subsidy that would allow more flexible loan terms, increasing FRA staffing resources, bringing the Credit Council and OMB participation into line with the 90-day requirement and easing certain collateral requirements. We will provide the Committee with draft language on these subjects.

We encourage the Committee to eliminate the unintended impact on small railroads of the Hours of Service provisions in the 2008 Rail Safety Improvement Act. Clearly they were drafted to address long haul conditions, but do not fit the mostly daylight short haul operations of small railroads. Granting relief from restrictions not at all relevant to small railroad operations will not impact safety, and continue the service which shippers expect from their Class II and Class III carriers.

We urge you to reauthorize the Rail Relocation Program. This is one of the very few programs that provide direct financial assistance to railroads. While railroads were able to compete for last year's TIGER funding program, the Rail Relocation Program is geared specifically to railroads and can be enormously effective in addressing railroad safety issues associated with grade separations and improving movement in and out of yards and industrial parks.

I appreciate the opportunity to present the views of the short line industry and am happy to answer any questions.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE  
*Truth in Testimony Disclosure*

Pursuant to clause 2(g)(5) of House Rule XI, in the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include: (1) a curriculum vitae; and (2) a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness. Such statements, with appropriate redaction to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(1) Name: Richard F. Timmons

(2) Other than yourself, name of entity you are representing: ASLRRA

(3) Are you testifying on behalf of an entity other than a Government (federal, state, local) entity?  
 YES      If yes, please provide the information requested below and attach your curriculum vitae.  
 NO

(4) Please list the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by you or by the entity you are representing:  
NONE

Richard F. Timmons  
Signature

5 April 2011  
Date



**RICHARD F. TIMMONS**  
**President**  
**American Short Line and Regional Railroad Association**  
**Washington, DC**

Richard Timmons became President of American Short Line and Regional Railroad Association (ASLRRA) September 3, 2002. ASLRRA is a trade association that represents 552 short line and regional railroads, which provide local rail service in all sections of the country. Mr. Timmons represents the interests of these railroads before Congress, Federal, and State regulatory agencies and on the policy and technical committees of the U.S. railroad industry. The association also serves as a liaison between its member railroads and the large railroads of this nation.

Prior to joining ASLRRA, Mr. Timmons was employed with Norfolk Southern Railroad as the corporation's chief political liaison to the states of Pennsylvania and New York, representing the corporation's interests in the areas of legislative and regulatory policy. In addition, Mr. Timmons served for 32 years in the United States Army, retiring as a Lieutenant General. His career included a range of operational, political and staff assignments, including Commander of the Eighth Army in Korea, Chief of Staff of the United Nations Command in Korea, Commander 7<sup>th</sup> Infantry Division, Executive Officer to the Secretary of the Army and Army liaison officer to the U.S. Senate.

Mr. Timmons is a graduate of the U.S. Army War College and holds a bachelor's degree in history from Virginia Military Institute, a master's in personnel administration from Central Michigan University and a master's in journalism from the University of Alabama. He has completed postgraduate work at the Yale School of Management, the John F. Kennedy School of Government at Harvard University and the U.S. Army Command and General Staff College.

Richard F. Timmons, President of the American Short Line and Regional Railroad Association, has been named 2006 Railroader of the Year by the railroad industry trade journal Railway Age.