

240021

US Surface Transportation Board
Docket Number EP-728
Amtrak Preference

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Members of the Surface Transportation Board:

As a long time passenger of Amtrak trains, I am dismayed to learn that the Surface Transportation Board (STB) has begun to create a Policy Statement on how the Board will treat preference of Amtrak trains over freight traffic. Congress has already created a law (49 US Code Section 24308c) which essentially states that host railroads have to give preference to passenger trains unless they could win an exemption by proving that preference would materially lessen the quality of transportation provided to freight shippers. It now appears that the Board wants to defy the lawmaking powers of Congress and force Amtrak to prove to the STB that a host railroad's failure to give preference does not materially lessen the quality of freight transportation. This is not the purview of the original law or of Amtrak. This is the host railroad's responsibility to prove to the STB if preference of passenger trains affected freight traffic. Host railroads are legally required to give passenger trains preference over their rails, and any detriment they perceive because of this is their responsibility to prove.

I call upon the STB to withdraw this Policy Statement for the benefit of the rail-riding public because I believe that it is not the job of the STB to change what laws say or how they are applied. This is the job of elected lawmakers.

Respectfully,

Christian Pace, DVM

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