SURFACE TRANSPORTATION BOARD

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SURFACE TRANSPORTATION BOARD ISSUES FINAL RULE TO IMPROVE WAYBILL SAMPLE DATA COLLECTION

The Surface Transportation Board today announced the adoption of a final rule improving its Waybill Sample data collection by creating a more robust dataset for decision-making and analyses, without adding undue burden on railroads. Specifically, the rule would increase the sampling rates of certain non-intermodal carload shipments and specify separate sampling strata and rates for intermodal shipments. The Board initiated the rulemaking proceeding as part of the Board’s efforts to reform rate review and make its procedures more accessible, efficient, and transparent.

The final rule follows a notice of proposed rulemaking (NPRM) issued in November 2019. The Board received numerous comments on the NPRM, and after careful consideration, the Board adopts the rule proposed in the NPRM with some modifications.

The Board expects that the enhanced dataset would provide more comprehensive information to the Board and other users of Waybill Sample data in a variety of contexts, such as exemption decisions, stratification reports, traffic volume and rate studies, Board-initiated investigations, certain rate cases, and any other waybill data-related analysis the Board currently performs or might seek to perform in the future. In addition to the changes to the sampling rates and strata, the final rule eliminates the manual (paper) system for reporting waybill data due to its current lack of use and the absence of support among commenters for its continuation.

The final rule will be effective on January 1, 2021, so that reporting carriers have sufficient time to prepare for the revised requirements.

The Board’s final rule in Waybill Sample Reporting, Docket No. EP 385 (Sub-No. 8), may be viewed and downloaded from the Board’s website here.

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