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*Bringing Together
State Leaders from
Across the Region
to Advocate
for Passenger Rail
Improvements*

The Midwest Interstate Passenger Rail Commission is an eight-state interstate compact commission that promotes, coordinates and supports regional improvements to passenger rail service. Our member states include Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, North Dakota and Wisconsin.

April 30, 2020

To: Katie List, FRA (katie.list@dot.gov)

Fr: Robert Guy, Chair, Midwest Interstate Passenger Rail Commission (MIPRC)

Re: MIPRC Public Testimony on Metrics and Minimum Standards for Intercity Passenger Rail Service Proposed Rule

The Midwest Interstate Passenger Rail Commission (MIPRC) is a compact among Midwestern states to promote, coordinate and support passenger rail development in our region.

MIPRC strongly agrees that having accurate and fair standards for measuring passenger rail service performance – and providing remedies when service is poor – is critical to the health and vitality of intercity passenger rail; ridership depends, in large part, on whether service is dependable.

During FY 2019, nine state-supported and eight long-distance Amtrak routes served the Midwest. Of those, only the *Hiawatha* service between Chicago and Milwaukee had an on-time record of over 80 percent during the fiscal year. Many routes had extremely poor on-time performance (OTP) – in fact, three Midwestern routes were at the very bottom of the nation’s 28 state-supported routes’ OTP, with Illinois’ *Illini/Saluki* route ranking last, at 26 percent OTP. None of Amtrak’s long-distance routes nationwide had an OTP during FY 2019 over 80 percent, and only three had OTP over 50 percent.

Section 24308(c) of title 49, United States Code, gives intercity and commuter rail passenger transportation preference over freight transportation in using a rail line, junction, or crossing. The train dispatching practices of each host railroad have a significant effect on OTP. Many host railroads have too often ignored the law by refusing to give passenger rail the priority to which it is statutorily entitled, resulting in poor and declining OTP by Amtrak on most host railroads.

According to Amtrak during fiscal year 2019 alone, this caused 6.5 million customers on state-supported and long-distance trains to arrive at their destination late. A 2019 report by Amtrak’s Office of Inspector General showed poor on-time performance wastes taxpayer dollars to the extent that a mere five percent improvement on all Amtrak routes would result in \$12.1 million in cost savings to Amtrak in the first year. The proposed rule would promote better compliance with this law.

1. Within this rule, we would particularly like to emphasize that using the Customer On-Time Performance (OTP) metric, wherein the arrival of every passenger on every train by route -- including and especially those who detrain along a route -- seems to be an accurate and fair way to measure OTP (reference: Section III. Customer On-Time Performance, pg. 17837 of proposed rule). We also concur that providing metrics to measure the degree of customer lateness on an individual host railroad are very important.

2. Amtrak and state DOTs with intercity passenger rail service also need a clear, results-oriented way to address poor OTP that is caused by the host railroad. The ability for them to bring complaints before the Surface Transportation Board and requiring the STB to initiate an investigation and “make recommendations to improve the service, quality, and on-time performance of the train and to award damages and prescribe other relief” is an important component of assuring that complaints can be resolved and OTP improved. (reference: Section II, subsection A: PRIIA, pg. 17836 of the proposed rule).
3. We also agree that train schedules should be re-aligned to distribute what is now “recovery time” added at the end of a train schedule to instead distribute that time along the train schedule, and that recovery time redistribution should not be allowed to add time to the overall train schedule (reference: Section IV, subsection C, #2: Train Schedule Principle: Recovery Time Redistribution, pg. 17839 of proposed rule).
4. As required by section 207 of the Passenger Rail Investment and Improvement Act (PRIIA), strengthening other metrics and standards for passenger rail performance and service quality -- including cost recovery, on-board services, stations, facilities and equipment -- are very important. We want to especially highlight that developing metrics for measuring the transportation needs of our rural communities, typically not well-served by other forms of intercity transportation, should be a clear component of this rule.

We thank the FRA for providing this opportunity for public comment; we will provide specific comments on how the rule can be strengthened/clarified through a written statement submitted by June 1.