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Proposed modifications to 67 PA. CODE CH. 511 Rail Freight Grants OCT -1 AM 9:46

**Definitions** Chapter 511.2.

*Maintenance project*- A project wherein maintenance or accelerated maintenance under section 3 of the Rail Freight Preservation and Improvement Act (55 P.S. § 696.3) is performed, including the replacing of ties and other track and structural materials in quantities sufficient to restore a railroad line to the level necessary for compliance with Federal Railroad Administration Class 1 Track Safety Standards.

Suggested text

*Maintenance project*- A project wherein maintenance or accelerated maintenance under section 3 of the Rail Freight Preservation and Improvement Act (55 P.S. § 696.3) is performed, including the replacing of ties and other track and structural materials in quantities sufficient to restore a railroad line to the level necessary for compliance with the servicing railroads existing Class of track for the railroad line or Federal Railroad Administration Class 1 Track Safety Standards whichever is more stringent.

**Reason**

Most operating railroads are operating on mainline tracks that are already Class II or greater and this language the way it is written would preclude maintenance on those mainline tracks. In contrast some railroads seek grants to do maintenance on an existing out of service mainline, yard or industrial track that is currently excepted class track which should be at least Class 1 track if grant money is used.

**Definitions** Chapter 511.2.

*Railroad user*- A person, firm or corporation that is a direct user or developer of a rail freight transportation system, facility or service in this Commonwealth.

Suggested text

*Railroad user*- A person, firm or corporation that is a direct user or an existing corporation seeking to have rail service, or developer of a rail freight transportation system, facility or service in this Commonwealth.

**Reason**

The current language suggest that you must be an existing rail user or a developer of service (new company) to be eligible to receive a grant. Several existing corporations or industries which do not have rail service or an agreement in place for rail service are currently given grants each year. Because of this, I believe you must more clearly define an existing corporation that is seeking to have rail service installed into its facility in this Definition in some manner.