

Durbin Statement On New Federal Railroad Administration On-time Performance Rule

November 17 2020 2:39 PM



WASHINGTON – U.S. Senator Dick Durbin (D-IL) today issued the following statement after the Federal Railroad Administration (FRA) issued a new Amtrak on-time performance (OTP) rule that sets a new metric for measuring Amtrak delays caused by freight rail interference:

“If implemented properly, this new FRA rule will improve Amtrak’s passenger rail service and efficiency,” Durbin said. “By properly measuring the role freight rails play in Amtrak delays, we can improve Amtrak on-time performance, better hold freight rails accountable, and save taxpayer dollars. I commend FRA Administrator Batory for working with Amtrak and the freight railroads to address this problem because the people of Illinois – and Amtrak riders nationwide – deserve assurance that they can arrive at their destination in a safe and timely manner.”

Last year, Amtrak published a [report](#) from its Office of the Inspector General (OIG) that found that nationwide, Amtrak's trains were late 27 percent of the time in Fiscal Year (FY) 2018 and nearly 60 percent of those delays were due to freight interference. Durbin sent letters to Amtrak and the FRA to continue a longstanding and crucial discourse on the negative effects of OTP on Illinois Amtrak riders—particularly along the Chicago-to-Carbondale *Illini/Saluki* route—at the hand of freight railroads. The full text of the letter to Amtrak is available [here](#). Full text of the letter to FRA is available [here](#).

The report found that OTP was a key factor driving Amtrak's operating loss of \$171 million during FY2018. The report also found that improving and maintaining on-time performance on all Amtrak routes, particularly on long-distance lines, would result in \$41.9 million in annual cost savings and revenues, plus an estimated \$336 million in equipment savings.

The report again highlights the dismal OTP along the *Illini/Saluki* route in particular, citing OTP as low as six percent for Northbound *Illini* trains and 17 percent for Northbound *Saluki* trains during FY2018. This is a stark decline from an already-low 29 percent OTP on this route as of FY2017. Further, the report details how poor OTP leads Amtrak to pay financial penalties for crew staffing violations—and that out of the 1,329 penalties for late trains in FY2018, 811 of these penalties were paid to engineers on the *Illini/Saluki* route.

Freight railroads continue to ignore their statutory obligation to provide Amtrak with preference on their tracks. As a result, freight interference has hampered Amtrak's financial stability as well as reliability for riders—and it caused roughly 60 percent of Amtrak's delays in FY2018.

Durbin has consistently taken an active role in holding Canadian National (CN) accountable for repeated freight interference and speed restrictions that have plagued the *Illini/Saluki* route with some of the worst OTP in the country.

Last year, Durbin introduced a bill that would improve Amtrak on-time performance (OTP) in Illinois and around the country by providing Amtrak with the ability to take the freight railroads to court in order to enforce current law, which requires freight railroads to provide preference to passenger rail operating on their rail lines. The *Rail Passenger Fairness Act* would provide Amtrak with the ability to sue the freight railroads to enforce its statutory preference.