

Northwest Railway Museum

Snoqualmie Valley Railroad • Snoqualmie Depot • Depot Bookstore
Web: www.trainmuseum.org Email: rra@trainmuseum.org
38625 SE King Street PO Box 459 Snoqualmie, WA 98065-0459
Fax: (425) 888-9311 Phone: (425) 888-0373

12 October 2000

Washington Utilities and Transportation Commission
PO Box 47250
1300 S. Evergreen Park Drive S.W.
Olympia, WA 98504-7250

RE: Docket No. TR-981102 – Railroad Operations – Rulemaking

Comment Summary:

Museum railroads have limited financial resources but have exhibited an outstanding safety record. New rulemaking should consider financial impacts on this unique type of railroad while still encouraging safety improvements that adapt to an ever-changing world. In general Museum railroads are either insular operations or are non-general system, non-insular railroads. The Federal Railroad Administration (FRA) does not regulate insular railroads but as a matter of policy regulates non-general system, non-insular railroads with a reduced set of rules. We respectfully request that the Washington Utilities and Transportation Commission adopt the FRA's regulatory policy for non-general system, non-insular railroads.

Comments:

In the United States there are approximately 100 railroads operated by Museums or small for-profit-corporations. Each of these railroads operates with a similar objective that may include demonstration of historic transportation artifacts or to provide a scenic view for tourists. In most instances, Museum railroads have limited financial resources and are dependent upon volunteer staff.

The Federal Railroad Administration (FRA) began regulating Museum railroads in 1991. Initially the FRA made no distinction between a Museum railroad and any other railroad but apparently gave some discretion to the regional offices to decide where their limited enforcement resources would be focused. Consequently there were widely differing standards applied to Museum railroads from one FRA region to the next. And the general perception in the Museum community was that several Museum railroads with impeccable safety records were deluged with orders and violations for actions that had little bearing on their limited scope of operation.

After several confusing years for the FRA and Museum railroads, Congress passed the Federal Rail Safety Act of 1994. In this new legislation, the FRA was instructed to consider financial, operational, or other unique factors when prescribing regulations that affect Museum-type railroads. Consequently the FRA decided to exclude insular railroads from its jurisdiction and this exception is noted in the applicability subsection of each federal railroad regulation. The FRA defines an insular railroad as one that is physically separated from the general system of railroads, does not have a public highway crossing, does not cross over a highway or navigable waterway, and does not operate tracks within 30 feet of another railroad.

The FRA also elected to exercise only a limited jurisdiction over non-general system non-insular railroads but this position is not reflected in the applicability subsection of each federal railroad regulation. The FRA defines a non-general system, non-insular railroad as one that is not connected to the general system of railroads but that otherwise does not meet the definition of insular. This limited enforcement includes the following: statutory provisions of safety appliance laws; locomotive inspection laws; signals inspection laws; and the hours of service restrictions on duty hours, and regulations governing hazardous materials; agency procedures; noise emission; freight car safety; accident reporting; steam locomotive inspections; grade crossing signal system safety and user fees.

The Northwest Railway Museum owns and operates a class three non-general system, non-insular railway, the Snoqualmie Valley Railroad. This common carrier transports passengers between Snoqualmie Falls and North Bend, Washington in scheduled service on weekends between April and October of each year at a maximum speed of 25 miles per hour. The railway carried approximately 27,000 passengers in fiscal 1999 and has no physical rail connection with another railway.

The Snoqualmie Valley Railroad operates turn of the century coaches with first generation diesel locomotives. Museum volunteers staff trains and engines filling the positions of Brakeman, Fireman, Conductor and Locomotive Engineer. Volunteer crewmembers must complete a comprehensive training program that includes a written examination, on the job training, and a qualifying run with an instructor.

The Federal Railroad Administration regulates the Snoqualmie Valley Railroad as a non-general system, non-insular railway. This standard still allows general oversight under the FRA's agency procedure's special and emergency powers but lessens the regulatory burden on the Museum without compromising safety. The Northwest Railway Museum respectfully requests that the Washington Utilities and Transportation Commission adopt this same standard in respect of non-general system, non-insular railroads.

Thank you for your consideration.

Sincerely,

Richard R. Anderson
Curator of Operations
Northwest Railway Museum