



Train Wreck Times – August 3, 2020

IMPORTANT SAFETY LEGISLATION:

We are pleased to report Congressmen Posey and Mast have sponsored **special rail safety legislation** in the House and it has passed the first step to becoming a law. The bill requires the Federal Railroad Administration and Federal High-Way Administration study pedestrian and motorist safety issues along the Virgin Trains route. They have two years to report back to the US DOT, House, Senate and FDOT their findings and recommendations. (*The Bill is attached.*)

Last week, they attached their bill as an amendment to the appropriations bill currently being considered by Congress. It sets aside \$2 million of unused Railroad Rehabilitation and Infrastructure Financing monies for the study. Both Congressmen spoke on the floor of the House in support and it passed by a voice vote. We now hope it remains a part of the bill as it moves through both houses in Washington. You can watch their comments here:

<https://www.youtube.com/watch?v=-8uAWea4VF4>

<https://drive.google.com/file/d/19ravdqnlZmCF4Qq5eH1aYjl1xLLxAmtH/view>

FDOT Makes the National News – OMG!

Between COVID, the elections and hurricanes, you probably haven't heard about forgeries at FDOT...yes, forgeries. Politico, a national news site published an article detailing an investigation into the actions of the General Counsel for FDOT, Erik Fenniman. The FDOT Inspector General has found evidence Fenniman changed wording on a document after a Freedom of Information Act Request and forged other attorneys' signatures on letters so as not to be responsible for the content. He has since resigned and the investigation is on-going. We'll be following developments.

One signature forged was on a letter to St. Lucie Village regarding the Brightline rail system...*"Someone probably will die in connection to this Brightline in St. Lucie County," Lozada said, admitting the safety risks of a project the state has defended. "I could see why someone may not want their signature on that and... put the signature of someone who is no longer here."*

<https://www.politico.com/states/florida/story/2020/07/26/florida-transportation-official-accused-of-actively-hiding-public-records-1303481>

UPDATES:

Supreme Court actions: The Court granted All Aboard Florida/Virgin Trains and the US DOT a 30-day extension to counter IRC's request that SCOTUS hear the appeal of the US District Court decision. They now have until August 21st to file their briefs. The SCOTUS then begins a conference on September 29 when they decide what cases they will hear in the coming months. We will keep you posted.

Elections: We have been very disturbed by the dirty tricks being played by Tim Zorc's opponent for his County Commission seat. Reminiscent of the shady tactics of Virgin Trains' Tallahassee lobbyists, Tim's opponent hired a well-known muck-raker to smear Tim and his good name. They have even involved Tim's mom in the smear as well as taking pictures from Tim's family's Facebook page in an attempt to make him look foolish.

We also want everyone to know, Tim voted with Commissioners Bob Solari and Joe Flescher against a terrible Mask Bill. As Tim pointed out, it is unenforceable and would require 2-year-olds to wear masks! It should be noted, this ordinance would not cover Vero Beach, Sebastian or Indian River Shores. Tim would have gladly voted for a more practical ordinance, but the proposer refused to amend it.

Please remember A to Z when you vote for the county commission! Our candidates are Bob Auwaerter and Tim Zorc – A to Z! You can help us save lives and livelihoods by making sure Auwaerter and Zorc – A to Z – are on the county commission.

IN THE NEWS:

A Union Pacific freight train carrying lumber, chemicals and hazardous materials derailed last week near Tempe, AZ with the resulting fire causing portions of a 100-year-old bridge to collapse. **SOUND FAMILIAR?** Looking at the pictures and imagining an FECR train carrying Liquefied Natural Gas tankers across the 100-year-old St. Lucie River Bridge is frightening! We know the FRA is considering allowing LNG on any rail system in the country. When will our elected representatives say something?

<https://www.azcentral.com/story/news/local/tempe-breaking/2020/07/29/train-derailment-large-fire-over-tempe-town-lake/5534888002/>

<https://www.usatoday.com/story/news/nation/2020/08/02/tempe-town-lake-bridge-partially-detonated-after-train-derailment/5567005002/>

The Florida Business Journals ran an article recently about Virgin Trains which included a lot of facts and a little fiction. We were pleased to see it. "That year (2019), the company attracted 1 million riders and \$22.1 million in revenue, according to a report to bondholders. That's just 48% of its ridership goal and 28% of its revenue goal. Virgin Trains ended 2019 with a net loss of \$189 million, a deficit 63% deeper than its \$116 million net loss in 2018...". We continue to believe their goal is to become too big to fail so they have double freight capacity once the passenger portion defaults.

You can read it here or it is attached as a word document.

<https://www.bizjournals.com/southflorida/news/2020/07/24/cover-story-virgin-trains-long-term-goals.html>

Sadly, the FEC/Virgin Trains corridor remains a very dangerous place even without the higher speed trains running.

<https://www.palmbeachpost.com/news/20200719/man-killed-by-train-in-west-palm-beach>

Often times it appears there's nothing we can do in our fight against Goliath, but there is always something to be done. Right now, it's voting for local, state and federal officials who understand our plight and are willing to help. Soon it will be making calls and writing letters to various officials. We also need you to share our information with neighbors and friends because there is power in numbers. As we learn about FDOT and forgeries, about the financial failings of the trains and understand more fully the dangers of both freight and passenger systems in our region, we need the backing of more and more residents.

With your support and enthusiasm, we can continue to develop new relationships with elected officials, bureaucrats and the media...they all help us in the fight to make the trains safe. From Washington to Tallahassee to our local counties and towns, we need you with us every step of the way.

So stay safe, stay informed and when it's time – be loud! It's NOT a done deal!

Sincerely,

Susan Mehiel
Alliance for Safe Trains
828-606-5369