Regulatory Impact Assessment and Regulatory Flexibility Act Analysis

ADA FINAL RULE: RAIL SYSTEM ACCESSIBILITY

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Introduction

Overview

This document evaluates the benefits, costs, and other impacts of a DOT rulemaking related to the accessibility of commuter rail transportation and intercity passenger rail service. In keeping with Executive Order 12866, Executive Order 13563, and DOT policy, the analysis has been prepared with the goal of "assessing the costs and benefits of regulatory alternatives," allowing policymakers to make regulatory decisions in light of the "best reasonably obtainable scientific, technical, economic, and other information" (E.O. 12866).

Benefits and costs of the rule are presented in the sections below. Based on the information gathered for this analysis, the overall benefits and costs of the rule are relatively modest, since many aspects of rail service accessibility are already required by existing regulations. Compliance costs are estimated at about $1.8 million in construction costs, plus some minor increases in operational costs for certain commuter rail systems that use mini-high platforms. Benefits of the rule are mainly in the form of serving passengers with disabilities in a more integrated setting.

General Benefit-Cost Principles

The basic framework for regulatory evaluation is an examination of the future world with the regulation in place, versus a baseline of the future world in the absence of the regulation. The analysis ordinarily takes a "societal" perspective in which all benefits and costs are included regardless of to whom they accrue. Non-monetary impacts are quantified to the extent possible, for example by converting travel time savings or emissions avoided into monetary terms. Benefits and costs that accrue in future periods are also converted to present value terms using a discount rate that accounts for the time value of money. As E.O. 13563 recognizes that "some benefits and costs are difficult to quantify," qualitative impacts of the rule are also included in the analysis.

Benefit-cost analyses in the transportation field typically look at safety, mobility, and/or environmental impacts and attempt to identify the alternative that will maximize societal net benefits. In this case, the final rule is not primarily intended to make travel safer or more efficient in the conventional sense, though there would be the potential for some small travel time savings, as discussed in the Benefits section. Instead, the rule is aimed at ensuring equal access to transportation services as a civil right under the Americans with Disabilities Act. The analysis reflects this focus.

Summary of Provisions

The rule would generally require all new or altered rail stations in commuter or inter-city passenger service to meet a performance standard whereby persons with disabilities, including wheelchair users, could access all accessible cars of each train using that station that are available to other passengers. In cases where the track is not shared with existing freight service, this standard would need to be met through level-entry boarding, i.e. coordination of the platform height with train car height. In cases where the track is shared with freight service, the standard

could be met through level boarding, or – with approval from FTA (for commuter rail) or FRA (for intercity service) – through mini-high platforms (with multiple stops as may be necessary), carborne lifts, station-based lifts, ramps, bridge plates, or a combination of these approaches. The additional flexibility for services that share track with freight rail is provided due to concerns regarding the wider clearance required by freight cars. The current proposal has been substantially revised since the 2006 Notice of Proposed Rulemaking (NPRM), based in part on comments received on the docket.

Methodology Overview

To understand the impacts of the rule, the study team reviewed the comments submitted in response to the 2006 NPRM, keeping in mind the subsequent revisions to the rule; gathered published data on current accessibility practices, compliance costs, and planned rail service expansions and station renovations; participated (by telephone) in a meeting of the American Public Transportation Association's commuter rail CEO forum; and interviewed staff from FTA, Amtrak, and commuter railroads.

Key questions for cost analysis included the current and planned future accessibility approach for each railroad, and the resulting number of new or altered stations that would, under the final rule, require accessibility features that exceed those of the baseline, as well as the incremental costs of those features. In evaluating the potential impacts of the rule, it was assumed that railroads would select the compliance option that was most consistent with their operational practices and that would minimize their overall costs, including any upfront equipment costs and/or changes in staffing and operations. Benefits were assessed qualitatively using information about the improvements in rail accessibility.

Summary of Regulatory Baseline (No Action)

Several sections of current regulations deal with the platform-vehicle interface for commuter rail and inter-city passenger rail. The basic approach, as laid out in 36 CFR 1192 and 49 CFR 38 and interpreted by DOT Disability Law Guidance of September 1, 2005, is that full-length level boarding is the standard for new or altered platforms wherever feasible. Level boarding is defined as no more than a 3-inch horizontal and 5/8-inch vertical gap between the train and platform. DOT has acknowledged that a variety of factors (e.g. equipment wear and suspension) make these gap standards difficult to achieve in the real world, and 49 CFR 37, Appendix A, Section 10.3.1(9) provides an exception where it is not "technically or operationally feasible" to meet the gap requirements. This exception is potentially open to interpretation, but has been interpreted by DOT to include cases where freight train clearance requirements, sections of curved track, or other situations preclude the use of full-length high platforms. In these cases, mini-high platforms, car-borne or platform-mounted lifts, ramps or bridge plates are permitted by regulation, though DOT guidance views high platforms with bridgeplates as the preferred option to be used wherever possible. "Mini-highs" are small raised sections of the platform, accessed by ramps, that provide for level boarding of one or two cars with the assistance of a bridgeplate. Rail operators who use mini-highs or similar approaches are required to provide access to each train, but are generally not required to "double stop" to permit access to multiple cars, except in cases where there is no available accessible seating in the car that ordinarily aligns with the mini-high.

Nearly all commuter, inter-city, and high-speed passenger railroads receive Federal funding and are thus also subject to the Rehabilitation Act of 1973 and its implementing regulations, including the general requirement to provide "services [...] in the most integrated setting that is reasonably achievable" (49 CFR 27.7(b)(2)). Again, DOT has viewed this as requiring level boarding wherever possible, or at least an approach (such as carborne lifts) that does not tend to segregate wheelchair users from other passengers.

In practice, the accessibility approach that railroads employ varies from line to line and in some cases from station to station, based on the train equipment in use, technical constraints, passenger volumes, staffing practices, and other factors. Railroads that own and control their right-of-way, such as the Long Island Rail Road, have generally adopted high platforms as their standard approach, not only for accessibility reasons but also because it reduces station dwell time. Amtrak likewise uses high platforms on the Northeast Corridor. By contrast, railroads that operate on freight-owned tracks generally do not provide high platforms due to issues regarding freight clearance. A few of these, such as the Westside Express Service (WES) in Portland, Oregon, have been able to implement level boarding from high platforms by building gauntlet tracks (i.e., a set of double, interlaced tracks on the same railbed) that allow freight trains to pass through station areas with a sufficient clearance envelope from the high platform. More commonly, these railroads use low platforms with mini-highs or wayside lifts, often with a systemwide approach that ensures that the mini-high or lift aligns with the same car at each station. Wayside lifts are the most common approach for Amtrak stations outside of the Northeast Corridor. A small number of railroads have instead focused on purchasing lift-equipped coaches, which provide flexibility when there is a need to board passengers from several different levels (e.g., high platform, low platform, and street level).

The table below summarizes the status of each of these accessibility approaches under the current and the draft final rule. As the table shows, many of the differences are relatively minor; railroads would generally face similar requirements under the draft final rule. Railroads who share with freight services would be able to use the same accessibility practices, with some exceptions and modifications, as they do now.

Summary of Draft Final Rule vs. Current Rule

Accessibility Approach for Platform-Car Interface at New or Altered Stations	Status Under Current Regulations	Status Under Draft Final Regulations
Level boarding	Must be used unless not technically or operationally feasible.	Must be used unless station-area track on that line or system is shared with existing freight service. FTA/FRA must approve the alternative approach.

Accessibility Approach for Platform-Car Interface at New or Altered Stations	Status Under Current Regulations	Status Under Draft Final Regulations
Carborne lift	Permissible if level boarding is not feasible. At least one car per train must be lift-equipped.	Permissible in systems where station-area track is shared with existing freight service, if all accessible cars serving the station are lift-equipped and the approach is approved by FTA/FRA.
Mini-high platforms	Permissible if level boarding is not feasible. Double-stopping is not required except where no accessible spaces remain in the relevant car.	Permissible in systems where station-area track is shared with existing freight service, if approved by FTA/FRA. Double-stopping required on request of passenger.
Wayside/platform lift	Permissible if level boarding is not feasible. At least one car per train must be accessible. Double-stopping is not required except where no accessible spaces remain in the relevant car.	Permissible in systems where station-area track is shared with existing freight service, if the lift provides access to all cars (e.g., a mobile lift) and the approach is approved by FTA/FRA.

The draft final rule would not alter any of the existing regulations related to other aspects of commuter rail and inter-city passenger rail accessibility, such as the accessibility of station ticketing and waiting areas, onboard facilities, or reservation systems. It would also leave in place all existing responsibilities to retrofit accessibility features at "Key Stations" in public transportation systems and at all Amtrak stations, according to the schedules adopted in statute and prior rulemakings. Amtrak did not meet its 2010 deadline but continues to work toward accessibility of all stations, and has produced a comprehensive inventory of the accessibility level at each of its stations. No nationwide inventory is available for commuter rail stations, and the range of current accessibility varies widely. Many newer commuter rail stations are fully ADA-compliant, but some older stations – those that were not designated as "Key Stations" by their agency and that have not been altered since the passage of ADA – still remain without any accessibility features at all.

Other Assumptions and Limitations

This analysis attempts to capture the impact of the rule on planned new and altered stations and new rail systems, based on interviews, published information from the railroads (e.g. capital improvement plans), and industry-wide sources such as the APTA station database. However, capital projects of this nature are subject to funding constraints, permitting delays, and political decisions, while new projects (not currently planned) may emerge in the future based on funding availability or new policy priorities. Therefore, estimates of planned station construction are inherently variable, particularly as the forecast goes further into the future. This analysis uses a 10-year forecast period (2011-2020) as the longest period for which reasonably detailed and reliable information can be obtained. Within this period, Amtrak has used 2011-2015 as its implementation period for bringing its existing stations into ADA compliance.

This analysis also excludes the potential effects of state or local accessibility guidelines and standards as they relate to rail stations and platforms. For example, regulations issued by the Massachusetts Architectural Access Board require full-length level boarding at new commuter rail stations and at least a 2-car length mini-high platform at altered and renovated stations (521 CMR 18). In general, state accessibility regulations supersede federal rules only when they provide for more (rather than less) accessibility. However, analyzing 50 sets of state regulations and their interaction with existing and proposed federal regulations is a complexity that is beyond the scope of the current analysis. To the extent that any of the affected railroads would need to comply with state regulations, the impacts of the draft final federal rule would be lessened or eliminated since the prevailing state rules would be stricter.

For simplicity, the analysis also assumes that adoption of the rule would not affect military use of the railroad network under the Strategic Rail Corridor (STRACNET) program. It is assumed that the rule would not supersede these defense requirements.

Analysis: Commuter Rail Transportation

There are 24 commuter rail systems in the United States (See Table 1)[1]. Commuter rail is defined by the American Public Transportation Association (APTA) as service provided on regular railroads or railroad rights of way by either self-propelled cars or cars pulled by locomotives that pick up passengers in stations only. It generally links suburbs to major urban areas. According to the APTA Public Transportation Factbook, Americans took a total of 472 million unlinked commuter rail trips in 2008, 4.5% of all trips taken on public transportation that year. Commuter rail trips make up 20% of the passenger miles traveled on public transportation. Commuter rail systems also saw the largest percentage point increase in accessibility from 1993 to 2008 of all modes, during which the percentage of cars that were accessible by lift, ramp, or station infrastructure went from 43% to 83%.

Because the universe of commuter rail systems is small, we aimed to reach as many systems as possible. We started our research with those who submitted comments to the original Notice of Proposed Rulemaking in 2006. We then used the APTA Public Transportation Infrastructure Database's Commuter Rail Route Segment Table from December 2008 to identify new systems, proposed routes, and those under construction, and made it a priority to contact those who were new or considering expansion, as the rule's impact would be limited to new and altered stations. We also used online searches to verify the information from 2008, as some plans either passed to the construction stage or were laid aside. We then interviewed 9 commuter rail agencies individually. Lastly, we were able to hear from agencies on an APTA conference call that also

[1] The 24 systems listed in Table 1 are not the same as the 23 agencies listed in Table 28 of the Public Transportation Factbook. Table 1 includes four newer systems: New Mexico's Rail Runner Express; Austin, Texas' Capital MetroRail; Portland, Oregon's Westside Express Service; and Minnesota's Northstar. It excludes Pennsylvania DOT's Keystone Express and Portland, ME's Downeaster service as they are operated and marketed as Amtrak services and are covered in the Amtrak section of this report. In addition, Trinity Railway Express (TRE) is operated jointly between Fort Worth and Dallas, and is presented as a single listing in Table 1 despite being listed twice in the APTA Factbook.

included other commuter rail industry experts. That call provided more general information about accessibility practices in different operating environments.

Table 1. Commuter Rail Systems

System	Metropolitan Area
New Mexico Rail Runner Express	Albuquerque, NM
Alaska Railroad Corporation	Anchorage, AK
Capital MetroRail	Austin, TX
Maryland Area Rail Commuter (MARC)	Baltimore/ Washington
Massachusetts Bay Transportation Authority	Boston, MA
Metra	Chicago, IL
South Shore Line (NICTD)	Chicago, IL / South Bend, IN
Trinity Railway Express	Dallas/Fort Worth, TX
Metrolink	Los Angeles, CA
Tri-Rail	Miami, FL
Northstar	Minneapolis-St. Paul
Music City Star	Nashville, TN
Shore Line East	New Haven, CT
MTA Long Island Railroad (LIRR)	New York, NY
MTA Metro-North	New York, NY
New Jersey Transit	New York / Philadelphia / Atlantic City
Southeastern Pennsylvania Transportation Authority (SEPTA)	Philadelphia, PA
Westside Express Service	Portland, OR
FrontRunner	Salt Lake City, UT
North County Transit District Coaster	San Diego, CA
Caltrain	San Francisco, CA
Altamont Commuter Express	San Jose / San Joaquin, CA
Sounder	Seattle, WA
Virginia Railway Express (VRE)	Washington, DC

Docket Summary

We reviewed and summarized all rail-related comments on the docket for the NPRM published in 2006 (DOT-OST-2006-23985), aside from those that dealt with strictly procedural or legal issues. The purpose of the docket review was to (1) gain insight into the likely approaches that

commuter and inter-city passenger railroads would take to meet new platform accessibility requirements, (2) understand the staffing and operational considerations associated with different accessibility approaches, and (3) gather any available data on the costs of relevant equipment or construction.

The docket review was conducted with the understanding that the regulatory proposal has been significantly revised since these comments were submitted, and that some commenters may have misinterpreted the original proposal. Due to these limitations, much of the information in the docket is not directly applicable to the current analysis, but provides valuable context on railroad operations and current conditions.

The table in Appendix B presents a summary of the key points from each commenter. Generally speaking, there was a split in the comments between the older systems of the northeast and the newer systems in the south and west. The former group tended to object to the potential increase in the number of bridgeplates deployed, increases in dwell time, the gap requirements, and challenges with using 1:8 slope ramps. The latter group of railroads have generally designed their systems with a single mini-high platform, and expressed concerns about the impact of high platforms on shared freight operations. Most of these concerns are now moot due to the way the proposed rule has been revised. However, the newer systems were also adamant that having to build new stations to a different design would reduce the system's accessibility as a whole, for example by resulting in situations where passengers could board a car at one station but could not readily alight from it in another station without a major change in railroad operations or staffing. Again, these concerns relate largely to the prior version of the rule rather than the final rule, though there could be cases where commuter rail agencies would need to employ effective passenger communication to prevent these situations.

Some newer systems also have stations that serve cars of different floor heights, handling this either with bi-level mini-highs or a combination of mini-highs and platform- or car-based lifts. A limited number of rail systems, notably Metra in the Chicago area, already make extensive use of car-based lifts.

With regard to cost data, the high level of variation in service levels, equipment, and labor costs among the railroads creates a wide range of quoted costs, and many of the submissions did not provide enough detail on the sources of data or methods of estimation. According to some commenters, increasing staffing to one crew member per car in order to deploy bridgeplates at high-level platforms would cost $2.1 to $3.5 million per year, and deploying these bridgeplates at each stop would increase dwell times anywhere from 90 seconds to 9 minutes. Information from another commenter indirectly suggested a cost of approximately $65,000 per car for adding a car-based lift. Estimates of high-level platform construction costs were around $5 million, or around $9 million if tracks must also be moved. This figure would need to be adjusted to reflect only the *incremental* cost of a high platform compared to the agency's current standard (e.g. low platform with a single mini-high). This cost information was taken into consideration in the cost analysis below, though in most cases the reported costs are not relevant for the final rule, or more detailed information was available. Likewise, although the issue of gauntlet tracks is somewhat less relevant for the new regulatory proposal, these estimates ranged from $1 to $15 million, depending on local conditions and right-of-way costs.

Interviews
Using the docket comments and the APTA route database, we made a list of systems that were likely to have significant numbers of new or refurbished stations in the next 10 years. Then, via a combination of one-on-one interviews, an APTA moderated phone call with commuter rail CEOs, and online research, we gathered information on their current plans for accessibility and their likely response in the face of the new rule. To make the most of the information requests allowed by the Paperwork Reduction Act, we aimed for a sample that included geographic and system diversity, and we also focused on new systems still under construction that are not included in the 24 systems listed above: Denver FasTracks, Sonoma Marin Area Rail Transit (SMART), and Sun Rail in Orlando, Florida. One-on-one telephone interviews were conducted with:

- Virginia Railway Express
- Alaska Railroad
- Metra
- MBTA
- Tri-Rail
- Denver FasTracks
- Sonoma Marin Area Rail Transit
- Sun Rail
- North County Transit District COASTER

In addition, the Commuter Rail CEO group at APTA offered us their time during a conference call to gather information on the state of practice at various systems across the country. On the call were representatives from:

- Trinity Railway Express
- Seattle Sounder
- North County Transit District COASTER
- BNSF's Passenger Operations, which works closely with Metra, the Seattle Sounder, and the Minnesota Northstar
- Caltrain
- Metra
- SEPTA
- Metro-North
- Amtrak
- APTA (Kathy Waters, chair of the group and former head of rail operations at MARC)

Between the interviews and the conference call, we were able to hear from a broad spectrum of commuter rail operations, ranging from the established systems of the Northeast and Chicago to the newer systems in the West and South. This broad range view was important, as the regulation affects the types differently. For the purposes of this report, we divided existing commuter railroads into three rough groupings based on their current accessibility approach and likely

response. The first group consists of the primarily older systems of the Northeast; the second is the "New Starts" systems built after the passage of the ADA in 1990; and the third group includes five systems with unique characteristics. Six commuter railroads that are either under construction or in final design were included as a fourth group for analysis.

Table 2. Primarily Older Systems in the Northeast

System	Stations	Level	Mini-High	Station Based Lift	Car Based Lifts	No Accessible Features	Source
MBTA	134	24	73			37	Capital Improvement Plan and system map
Shore Line East	9	8		1			System website
Metro-North	120	102	4			14	System website
LIRR	124	123	1				System website
NJT	153	57	18			78	System website
SEPTA	154	currently transitioning to level boarding where possible, meaning numbers are changing frequently					System map, news articles, interview

Three of the systems in the Northeast already have high-level platforms at a majority of their stations (LIRR, Metro-North, and Shore Line East) and use level boarding for new and altered stations wherever it is feasible. The other three, New Jersey Transit, SEPTA, and the MBTA, are currently transitioning their existing stations to level boarding where possible and using level boarding as their design standard for new stations.

The MBTA has made a majority of its stations accessible through either level boarding or mini-highs. All new construction uses level boarding, including the entirety of the recently completed Greenbush Line and the proposed South Coast Rail. SEPTA is transitioning line-by-line and current capital projects include the construction of high-level platforms on the Doylestown line and mini-highs on the West Trenton line. New Jersey Transit has recently completed its accessibility requirements under the Key Station provision of the ADA, and has incorporated level boarding into new construction, such as the Meadowlands Sports Complex station.

Overall, while all of these systems do share with freight along some part of the system, they own or control large portions of their right-of-way and have adopted level boarding as their standard

wherever possible, especially for new stations, in keeping with existing regulations. For agencies in this group, the draft final regulation therefore involves little change from existing regulations and agency practices and would not be expected to have any significant cost implications. Operational impacts should also be quite limited since these agencies are already accustomed to having passengers board and alight at high platforms. New Jersey Transit, for example, mentioned in its earlier docket comments that having enough bridgeplates to meet demand can be a problem, but it is one that they are addressing already.

Overall cost impact of the rule for this group of commuter rail services:
No significant impacts were identified; these agencies' existing practices and design standards meet or exceed the performance standard in the final rule. While several sets of docket comments cited potential staffing or operational costs, these were based on a previous version of the rule and are generally not relevant to the rule as it has been revised.

Table 3. Newer Systems Outside the Northeast

System	Stations	Level	Mini-High	Station Based Lift	Car Based Lifts	No Accessible Features	Source
Tri-Rail	18		18				System website
VRE	17				17		Interview
Coaster	8		8				Docket submission
ACE	9		9				System website
Albuquerque	12		12				System website
Nashville	6		6				System website
Sounder	10		10				System website and docket submission
Trinity Railway Express*	10		10				Interview
Portland WES	5	5					System website
UTA Front Runner	13		13				Docket submission
Northstar	6		6				System website
Austin	9	9					System website
Metrolink	54		54				System website

*Has 2 mini-highs of two different sizes, one on each end of the platform, to accommodate different sized cars

For the newer systems listed in the table above, the picture is more varied. These systems were built after the ADA was passed, and accessibility features were incorporated into system designs. However, because these services share track with freight services, they have (with some exceptions) been unable to use high platforms due to the refusal of freight railroads to permit their use because of clearance issues. As a result, all stations in these systems are accessible, but very few offer level boarding.

Specifically, more than three-quarters of the newer systems opted for mini-high platforms. Mini-highs are generally placed consistently at one end of the platform (e.g. the northern end), enabling the railroads to place a conductor in the corresponding car to provide assistance at each stop, and giving passengers some certainty as to their ability to board and alight. Virginia Railway Express is the only system in this group to have adopted solely car-based lifts.

Two systems were able to provide level boarding. In Portland, OR, gauntlet tracks were built to accommodate freight movements through station areas, while Austin purchased low-floor non-FRA compliant cars (i.e., cars that do not meet safety standards for operating in mixed passenger-freight traffic) that provide level boarding on low platforms. (In some ways, the Austin system is more akin to a light rail system, but it runs on existing freight rail tracks, operates during peak periods only, and is usually classified as commuter rail. There is time-based separation from freight service to ensure safety.)

Under the current regulations, systems that use mini-highs are required to double stop only if the accessible spaces in the car(s) aligned with the mini-high are full. The new regulation states that "individuals with disabilities, including individuals who use wheelchairs, must have access to all accessible cars in each train using the station." This implies that if the cars in the consist that are not aligned with the mini-high are also accessible (i.e., excluding certain 1950s-era vehicles that do not offer sufficient interior clearance for a wheelchair user) the train crew would be expected to honor a request from a passenger with a disability to board one of those other cars from the mini-high, even if this requires double-stopping. (Otherwise, there would not be equal access to those other cars.) Honoring these requests would be a relatively infrequent occurrence: in most cases the disabled passenger would naturally prefer to board at the first opportunity rather than wait for re-positioning, and the rule applies only at new or altered stations, rather than system-wide.

Based on interviews with commuter railroads, the potential for additional double-stopping does not appear to pose staffing or operational concerns. Tri-Rail and Trinity Railway Express, both of which use mini-highs and consider their disabled ridership to be high relative to other commuter railroads, stated in interviews that the affected population is still so small (around 0.5% of ridership) that such requests would be very infrequent, and that the time needed for occasional repositioning (about 90 seconds, as noted in the MBTA's docket submittal) is within scheduling tolerances and would not have significant impacts on operations, on-time performance, or costs. (Such a delay might be problematic for railroads that operate on much tighter timetables, for example along the busy Northeast Corridor, but railroads on these corridors generally use level boarding rather than mini-high platforms.)

Given the limited number of such stops that would realistically be required, the occasional double-stop is within the normal variation of travel times for most commuter rail trips, and indeed must be planned for even under current rules, which require double-stopping whenever the accessible seating area is fully occupied. The costs in terms of additional travel time for commuter rail passengers have thus not been quantified here because of the small magnitudes involved, though they are noted in the summary section below.

Additionally, VRE, because it uses lift-equipped coaches, must, under the new regulation, ensure that all accessible cars that serve new stations are lift-equipped. Currently, 64 out of the 70 cars that it operates daily are lift-equipped, and VRE is planning to replace those few older cars as funds become available. In an interview, VRE stated that it does not anticipate any additional costs from the rule, since they share with freight services and expect to have a 100% lift-equipped fleet by the time any new stations are built or existing stations renovated. Even if this is not the case, the older cars are inaccessible Budd bi-level cars, which appear to be excluded from the requirements of the rule.

Overall, based on the data collected and the interviews with railroads, the rule does not appear likely to have any significant impact on accessibility costs or operations for this group of railroads. All of the systems share with freight services, and as such would retain much of their existing flexibility to use alternatives to level boarding, albeit subject to FTA approval. Requirements to "double stop" on request at mini-high platforms did not generate concern about operational or cost implications. The one agency in this group that could potentially be affected, VRE, would likely still be in compliance with the rule and has already taken steps to move toward greater accessibility.

Overall cost impact of the rule for this group of commuter rail services:
No significant impacts were identified for this group. There is the potential for small increases in operating costs and passenger travel times from an increased number of double-stops at mini-high platforms. Several sets of docket comments noted these costs, but the resulting cost estimates provided were not useful because they were based on the incorrect assumption that all cars of each train would need to stop at the mini-high at every station, rather than simply upon request of a disabled passenger at stations that are built or altered after the final rule takes effect.

Table 4. Other Existing Systems

System	Stations	Level	Mini-High	Station Based Lift	Car Based Lifts	No Accessible Features	Source
Metra	239	49			190		Interview and docket submission
South Shore Line	20	12		3		5	System map
Caltrain	32		5	19	19	8	System website
MARC	43	8	1	14		20	System map and website
Alaska Railroad	10			10			Docket submission

The five systems above are those that do not fit neatly into either of the two major categories previously discussed. Metra, in Chicago, is the third-busiest commuter railroad in the nation, with by far the most stations, some of which use street-level boarding. Its commitment to providing access from stations of all different heights has led it to use the car-based lift as its primary accessibility approach. Metra has equipped 60% of its fleet with carborne lifts, so that three cars in a five-car consist are accessible. The other cars are Budd bi-level cars from the 1960s and 1970s, whose interiors are not accessible. Based on our interview and a review of Metra's vehicle inventory, it appears that all Metra cars in service are either lift-equipped or are pre-1980 vehicles with inaccessible interiors. Metra plans to have its fleet fully accessible by 2030 by buying new cars and phasing out the Budd cars.

One of Metra's eleven lines, the Metra Electric, already has level boarding at its 49 stations.[2] All other Metra lines are shared with freight. Metra's application of this accessibility approach to any new and altered stations would therefore appear to be consistent with the rule: it already provides level boarding on the line not shared with freight, and on the others it is moving toward full access via carborne lifts. While not all of its cars are accessible, the language in the rule that passengers must have access to "all accessible cars" anticipates situations such as this, where the only cars that cannot be accessed (i.e. the remaining Budd cars) are themselves inherently inaccessible.

The South Shore Line, operated by the Northern Indiana Commuter Transportation District, from Chicago to Northern Indiana is the last remaining interurban line. It runs on Metra Electric's track, with high level platforms, for a little over half its run before running almost like a trolley through the streets to South Bend Airport. While on the Metra Electric line and at the airport terminus, it has high platforms, and three stations have lifts, but five stops have no accessibility

[2] Some non-Key Stations on this line nonetheless remain inaccessible, because they lack elevators or other means to move from street level to the elevated platform, but they all offer level boarding. Regulations regarding station access, as distinct from the platform-vehicle interface, are not being changed by the proposed rule.

features, including several where boarding is from the street level. Under both the current rule and the draft final rule, if those stations are altered, the NICTD will need to at least add a station-based lift and develop a plan to staff and operate it, or provide level boarding if there are no freight conflicts.

MARC Train and Caltrain have a number of similarities. They both took over passenger lines from freight railroads in the 1980s, just before the passage of the ADA, making them more similar to the older systems of the Northeast when it comes to accessibility. MARC uses a combination of level boarding, mini-highs and station based lifts, while Caltrain uses mini-highs, car-based lifts, and station based lifts. MARC still has a number of inaccessible stations that will need to be made accessible when they are refurbished at the end of their lifespan. However, this requirement exists under the current rule as well as under the draft final rule, and both rules would require level boarding in cases where there are no freight clearance conflicts.

According to its website, Caltrain only deploys car-based lifts at certain accessible stations where it also has station-based lifts, and not all of its cars are lift-equipped. As Caltrain refurbishes its existing inaccessible platforms, it would, at a minimum, need to add a station-based lift at each station, at a cost of $8,550 per lift. Again, however, this would need to occur under both the current and the draft final regulations. One difference would be that under the draft final rule, the lift would need to be mobile (portable) to permit access to all cars, but mobile lifts are widely available and do not appear to command any price premium over lifts that are not portable. Caltrain staff said in an interview that they would ideally like to transition to mini-highs, but due to funding constraints, they do not envision that in the near term.

The last system is the Alaska Railroad, which runs a unique combination of passenger and freight services; it is classified as commuter railroad for certain reporting purposes (e.g., the APTA Factbook) even though most of its passenger services are long-distance and vary seasonally. The Alaska Railroad currently serves 10 stations (plus flag stops on some routes), with accessibility via station-based lifts. They are considering a more conventional commuter rail service in Anchorage with five stations using diesel multiple units (DMUs) and wheelchair ramps or mini-highs. Alaska Railroad was the only railroad to suggest potential cost savings from the draft final regulation compared to existing rules. They have proposed station upgrades at three stations, two in preparation for the commuter rail service, and were told by FTA that they needed to provide level boarding (by building gauntlet tracks, if necessary) if they modified the platforms. Because they share with freight along the length of their corridor, their understanding of the new rule is that it would allow them to find other ways to provide access on their projects. This would need to be confirmed, but suggests that the draft final rule would at least not have any negative cost implications compared to the current baseline. (Alaska Railroad also expressed concern about which agency, FRA or FTA, would review its proposed accessibility plans under the draft final rule.)

In summary, for this group of railroads, there is again no significant cost impact from the regulation. Metra plans to continue its use car-based lifts on the 10 of 11 lines that are shared with freight services and increase the percentage of accessible cars over time, and the South Shore Line, MARC, and Caltrain will require essentially the same set of accessibility upgrades under both the current and draft final regulation. In an interview, Alaska Railroad expressed hope

that the rule will allow them to move forward on projects by providing other options for providing access.

Overall cost impact of the rule for this group of commuter rail services:
No significant impacts were identified because the accessibility improvements that these railroads would need to make at new or altered stations under the final rule are essentially the same as those required under current regulations. Docket comments citing other costs were based on the prior version of the rule and are generally no longer applicable.

Table 5. Proposed Systems

System	Stations	Level	Mini-High	Station Based Lift	Car Based Lifts	No Accessible Features	Source
Sonoma Marin Area Rail Transit	13	13					Interview
Ann Arbor-Detroit	6			6			Project documents via SE Michigan Council of Governments website
KRM Wisconsin Commuter Rail	9				9		Project website
Denver FasTracks	28	22			6		Interview
SunRail	12		12		12		Interview
Denton County A-Train	6	6					Project website

In addition to the 24 systems already in operation, there are a number of systems in the planning, design, and construction stages. Of those, there are six which are likely to see some degree of operation within the 10-year analysis period. One is Sonoma Marin Area Rail Transit (SMART), which will run DMUs to 13 stations in Sonoma and Marin counties. They are currently planning to provide level boarding via gauntlet tracks and are working closely with Portland, Oregon, in their planning process. Southeast Michigan would like to see commuter rail between Detroit and Ann Arbor, on a shared freight line. Right now, they are exploring station-based lifts as an opportunity to start quickly with refurbished cars from Amtrak. Kenosha, Racine, and Milwaukee, Wisconsin, (KRM) are seeking funding for an extension of a Metra line from Kenosha to Milwaukee, providing access not only to Chicago but also from suburban Milwaukee into the city center. This line would use Metra's lift-equipped cars. Sun Rail is Orlando's

planned commuter line, which is planning to operate lift-equipped cars but also have mini-highs. The Denton County A-train will use the same cars as Austin's Capitol Metro to provide low-floor level boarding. Because all of these lines share with freight (except for Denton County, which is planning for level boarding) their accessibility approaches should be acceptable under the rule, with no difference in costs compared to existing regulations.

The most complex new system is Denver's FasTracks program, which is also the only system that reported back a significant cost from the regulation. The commuter rail portion of the FasTracks program will consist of four lines, three of which will not share with freight. The three lines that will not share with freight will have high-level boarding. The fourth line is used by BNSF and routinely carries over-dimensional freight, posing alleged clearance issues for high platforms. Although a final decision on accessibility has not yet been made, FasTracks is leaning towards using car-based lifts. Currently, they are planning to equip 9 cars, or a third of their fleet, with lifts. Each lift costs $50,000 to install (see cost estimates below), and each car requires one lift on each side, at a total cost of $100,000 per car. Equipping these 9 cars with lifts would cost roughly $900,000. Under the new rule, which requires access to all accessible cars, FasTracks would need to equip the remaining 18 cars at an incremental cost of $1.8 million.

Overall cost impact of the rule for this group of commuter rail services:
An estimated $1.8 million in cost impacts due to need to equip additional cars on Denver's Northwest Line with lifts.

Additional Unit Cost Information
During the interviews, we gathered cost estimates of the various methods of providing accessibility. The range of reported costs is summarized below.

- Mini-high platform: Costs cited ranged from $30,000 (SunRail, planned costs) to $400,000 (MBTA, reported costs for a mini-high being constructed at Wedgemere Station, out of a total project cost of $2 million).[3] The differences between these figures may be the result of different platform size and design standards, differing site constraints and labor costs, and/or weather conditions and the corresponding need for durability.
- High-level platform: Estimates here ranged widely. Metrolink estimates that it would cost $1 million to make its mini-high platforms high-level, while the MBTA estimated $8-10 million, which includes the cost of demolition for the old platform, and ramping, canopies, and structures for the new one. Most estimates were around $5-6 million, though Caltrans said they could build a double-sided platform with shelters and parking for $3 million.
- Low-level platform: $4.1 to $5.5 million.
- Lift-equipped car: $2.4 million (VRE) to $5.2 million (Denver). The incremental cost of adding a lift appears to be $50,000 per lift (Denver, SunRail, Metra) or $100,000 per car in cases where both sides of the vehicle require a lift.

[3] MBTA Board Meeting Notes, January 6, 2010, http://www.mbta.com/about_the_mbta/board_meetings/, and Assistant General Manager's comments, http://transportation.blog.state.ma.us/blog/2010/02/wedgemere.html.

- Mobile station-based lift: $8,550, according to a price quote from Adaptive Engineering, Inc., a manufacturer.
- Gauntlet tracks: Estimates ranged from $0.7 million (SMART) to $15 million (MTA). After analyzing the estimates, the costs appear to break down as roughly $1 million for platform and track laying, $2 million to install a signal with Positive Train Control capabilities, and additional costs for right-of-way acquisition, which varies widely according to local land values.

Proposed Expansions

From the APTA route database and interviews, we gathered information on other proposed routes, and found others via online research. Table 6, below, includes the plans we found that have begun the funding process. Some, like the new station for Shore Line East, are very likely to be constructed in the near future, while others, like Nashville's 5 additional commuter rail lines, have been planned but are currently awaiting funding, demand estimates, or broader community support. Using the cost data we acquired from interviews and docket submissions, we made estimates of the impact on potential expansions. (The MBTA's estimate of $8-10 million per high platform was not used with respect to planned new construction, because that estimate included significant costs for demolition of the existing low platform and for canopies and other elements that are not required by the rule.)

Table 6. Proposed Expansions

System	Planned Extensions	Planned New Stations	Accessibility mode	Potential Impact of Draft Final Rule
MBTA	South Coast Rail	8	Level boarding	None. Already planning level boarding
Shore Line East	new Westbrook station	1	Level boarding	None. Already planning level boarding
VRE		7	Car-based lift	None. All expansions are on freight tracks and nearly all accessible cars in regular service are lift-equipped.
Tri-Rail		14	Mini-high	None. All expansions are on freight tracks
Coaster	Infill	1	Mini-high	None. All expansions are on freight tracks
Albuquerque	Infill	2	Mini-high	None. All expansions are on freight tracks
Nashville	5 other lines	~30	Mini-high	**Likely no impact – see discussion below**
Sounder		2	Mini-high	None. Line shares with freight
Portland	Salem extension	3	Level boarding	None. Already planning level boarding.

System	Planned Extensions	Planned New Stations	Accessibility mode	Potential Impact of Draft Final Rule
SunRail	Phase II	5	Mini-high and car based lift	None. All expansions are on freight tracks
Northstar	St. Cloud	4	Mini-high	None. All expansions are on freight tracks
Fort Worth	sw2ne	15	Not yet determined	Shares with freight, so the only change would be ensuring that lifts are on all cars if they plan to use car-borne lifts
Austin to San Antonio	Lone Star Rail	16	Not yet determined	**Likely no impact – see discussion below**
Metra	Two proposed extensions and two new lines	~33	Either car based lift or level boarding	**Likely no impact – see discussion below.**
Alaska Railroad	Anchorage Commuter Rail	5	Mini-high or wheelchair ramp	None. All expansions are on freight tracks

In Nashville and Austin-San Antonio, decisions have not yet been made on whether the planned new services would run on freight-shared track or newly built dedicated track. In the former case, the rule would have no cost impact since (with FTA approval) the railroads could use mini-high platforms, as Nashville already does, or another acceptable approach. In the latter case, the railroads would need to provide level boarding, which would entail additional construction costs for high platforms. However, level boarding is already required by current regulation wherever it is feasible, so there is no net difference between the requirements of the draft final rule and the current rule.

Analysis of Metra's expansion plans is complicated slightly by the fact that one planned segment of new track will not be shared with freight. Because the draft final regulation makes its exception in cases where the "line or system" (not segment) shares station-area track with existing freight services, the current approach appears to be acceptable. Conversely, if this segment is viewed as a distinct line that does not share with freight, then level boarding would be required under the draft final rule, as it would be under the current rules (unless infeasible). Either way, there is no net impact from the draft final rule.

Overall cost impact of the rule for this group of commuter rail services:
No significant impacts were identified because the accessibility features planned for these expansions appear to meet the performance standard of the final rule.

Commuter Rail Summary

Overall, few railroads reported any significant cost implications from the rule in terms of station construction or rolling stock. In large part this is due to the similarity of the rule to existing requirements, and the provisions for services that share with freight trains. However, systems that use carborne lifts as their accessibility approach will need to purchase more accessible equipment (or accelerate their planned replacement of non-lift equipped vehicles) to ensure that access to all cars is available. Total incremental costs were estimated at $1.8 million.

Reported operational impacts were also quite limited due to the modest nature of the changes. The most likely impact would be additional double-stopping at mini-high platforms, with railroad staff describing this as a minor concern due to the relatively infrequent requests that would be received. Agencies that make use of level boarding are already addressing staffing issues related to the use of bridgeplates.

Likewise, the costs of FTA review and approval were not perceived to be significant, because of the review cycles that are built into the existing planning process for stations and services. (This could be different for one planned service, the Denton County A-Train, which does not plan to seek Federal funding, except that this service already plans to use level boarding.)

Several agencies noted or implied that the cost of accessibility features had led them to avoid non-essential alterations at some stations, to avoid "triggering" accessibility requirements at non-Key Stations. This had led to a somewhat degraded environment at some stations, reducing the attractiveness of the rail service. To the extent that the rule would further increase the accessibility-related costs of station alteration, this trend would be exacerbated, but again most railroads would not experience any major differences.

Analysis: Intercity Passenger Rail Transportation

Background: Amtrak Accessibility Status and Projects

Intercity passenger rail service in the U.S. is provided primarily by the National Rail Passenger Corporation (Amtrak), a government-owned corporation established for this purpose.[4] Amtrak serves over 500 stations, with total ridership of just over 27 million in fiscal 2009. The majority of Amtrak's route-mileage runs on track owned by freight railroads, particularly on its long-distance routes. However, Amtrak (and state agencies that work in partnership with Amtrak) owns the heavily traveled Boston-Washington Northeast Corridor as well as smaller passenger rail corridors in New England, New York, Pennsylvania, and Michigan.

Amtrak's standards for platform heights relate to the floor height of the equipment that serves the stations. On the Northeast Corridor and certain other locations, platforms are high-level (48"ATR), with level boarding. On other routes, platform heights are typically 8" ATR or lower, and accessibility, where it exists, is typically via a platform-based lift, though there are some mini-high platforms in use. A small number of stations also handle equipment with different floor heights and use a combination of platform heights and lifts.

Although many accessibility regulations apply only to new or altered facilities, Section 12162(e) of the ADA contains a separate requirement that all existing intercity rail stations be made accessible to persons with disabilities by July 26, 2010. For purposes of the ADA, a "station" generally consists of property used by the general public and related to the provision of rail transportation, including passenger platforms, designated waiting areas, ticketing areas, restrooms, but not flag stops (stations at which Amtrak stops only on passenger request).

Amtrak did not meet the 2010 deadline but continues to work toward the requirement. Section 219 of the Passenger Rail Investment and Improvement Act of 2008 (PRIIA) required Amtrak to evaluate the condition of intercity stations that it serves and to report to Congress on: improvements needed to make such stations compliant with the ADA; potential barriers to achieving compliance; the identification of parties responsible for compliance; the costs associated with needed improvements; and the dates when such improvements can be made. Amtrak provided a report to Congress on February 1, 2009 entitled *Intercity Rail Stations Served by Amtrak, A Report on Accessibility and Compliance with the Americans with Disabilities Act of 1990.* A supplemental report was issued in October 2010 to update Congress on progress that Amtrak has made toward compliance with the ADA at stations it serves through 2010 and to describe plans for 2011.[5]

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[4] Amtrak remains the nation's sole provider of intercity passenger rail services. A number of small "heritage" railways and dinner trains continue to operate over short distances for educational and recreational purposes rather than inter-city transportation as such. Recently, some states have also discussed the option of using other rail authorities and providers for planned high-speed service, but no other entities are providing such service at this time.

[5] *Intercity Rail Stations Served by Amtrak, An Update on Accessibility and Compliance with the Americans with Disabilities Act of 1990,* National Railroad Passenger Corporation, October 27, 2010. http://origin.www.amtrak.com/servlet/ContentServer?c=Page&pagename=am%2FLayout&p=1237608345018&cid=1241245669222

Based on the latest data from these reports, there are now 482 Amtrak-served stations that are required to be ADA compliant. Of these, Amtrak has full responsibility for ADA compliance for 341 platforms, shared responsibility for 64 platforms, and no responsibility for 77 platforms. In Amtrak's reports, stations were described as "not accessible," "fully accessible," or as having "barrier-free access" to platforms and trains. This last category covers situations where passengers with mobility impairments, including wheelchair users, can move from the street or parking facility to the platform and board the train, yet certain elements of the station (e.g. restrooms) continue to be inaccessible. (Note that none of these designations is equivalent to "ADA compliant," which includes other features such as ADA-compliant signage, accessible train information display systems[6], and tactile detectable warning strips.)

Of the 482 Amtrak served stations that must be made accessible, Amtrak determined that 191 would not be fully accessible in 2011, including 65 that would not even have barrier-free access in 2011. Amtrak's comprehensive Accessible Stations Development Plan assessed the costs associated with making each of these stations accessible to, and usable by, persons with disabilities. These costs include a modest figure for condition improvements due to deferred maintenance or for bringing stations up to state of good repair (SGR) where necessary. A station in disrepair poses challenges that disproportionately affect travelers with disabilities. Therefore, in the context of rail stations, SGR work is integral to ADA work because in most instances, ADA improvements do not benefit passengers with disabilities unless the facility itself is in acceptable operating condition. Amtrak's calculations were based on Amtrak's Guidelines on Platform Design, which generally calls for 48" ATR platforms on the Northeast Corridor and 8" ATR platforms on other routes. Amtrak's report notes that portable wheelchair lifts are the standard approach to providing access to trains from the low platforms typically used outside the Northeast Corridor. Cost estimates are based on procurement of portable wheelchair lifts and wheelchair lift enclosures/protective sheds, and their installation at platforms. Amtrak also notes, however, that selected stations will use mini-high platforms instead of portable wheelchair lifts. It further notes that in some station environments, these are intended only as temporary improvements, while in others they are intended as permanent.

Based on these assumptions, Amtrak estimated the platform-related costs of making these 191 stations accessible at $182 million, or $44 million for just the set of 65 stations that lack barrier-free access. These estimates are based on the current set of regulations and do not include any potential impacts of the rule.

[6] Amtrak has Passenger Information Display Systems (PIDS) at many stations, but not all of those systems are fully ADA compliant. Amtrak has developed a fully compliant PIDS that provide both audio and visual messages for passengers – including passengers who are deaf, hard-of-hearing, blind or visually impaired. Amtrak intends to deploy PIDS system-wide, providing real-time train status information and emergency messages controlled from Amtrak's information technology system.

Table 7. Amtrak-Estimated Costs of Station Platform Accessibility Under Current Law and Regulations

Stations that Must be Made ADA Compliant			482
Stations not Fully Accessible in 2011			191
Amtrak Estimated Cost to Make These Platforms Fully Accessible (2009 dollars)			
ADA	$173,463,000		
State of Good Repair	$8,623,000		
Total	$182,086,000		
Stations not Barrier Free in 2011			65
Amtrak Estimated Cost to Make These Platforms Fully Accessible (2009 dollars)			
ADA	$41,797,000		
State of Good Repair	$2,001,000		
Total	$43,798,000		

Potential Cost Implications of Draft Final Rule

As noted in Amtrak's report, the railroad plans an extensive effort to renovate stations over the next 5 years to improve accessibility. These alterations would trigger the requirements of the rule to the extent that they occurred after the rule's implementation date. In general, Amtrak's current and proposed accessibility approach – i.e., level boarding on the Northeast Corridor and other passenger corridors, and mobile platform-based lifts at other stations where track is shared with freight – appears to meet the performance standard of the rule.

Under the rule, FRA approval would be required for new or altered stations where level boarding is not planned. Amtrak staff noted that FRA already reviews Amtrak's plans for platform-related work under the terms of Amtrak's funding agreement. However, the current agreement allows Amtrak to proceed with work unless FRA raises an objection in a timely manner. The review provisions of the draft final rule now require that Amtrak receive affirmative FRA approval of a non-level boarding solution at a given station. Depending on the working relationship between Amtrak and FRA, this requirement could impose some small administrative costs and/or project delays for Amtrak.

The other area for potential cost implications would be in cases where track is not shared with freight and yet Amtrak plans for low platforms with mobile lifts rather than level boarding. In email correspondence, Amtrak reported typical construction costs of $2,200 per linear foot for 8" ATR platforms, versus $4,100 per linear foot for 48" ATR platforms. For a typical 1200-foot platform, this equates to approximately $2.3 million in incremental costs for each station that might require high platforms (or $1.3 million for the 700-foot platforms used in short-corridor service.) The additional cost per linear foot includes not only higher material costs due to the larger structure size but also the need for accessible ramps, stairs, and railings that come with a higher platform.

We attempted to assess the number of stations where this situation might exist, using information from Amtrak's report[7] on platform ownership. This indicated whether a platform was owned by a freight railroad or another non-freight entity such as a local government, state DOT, or commuter rail agency. In those cases where a freight railroad owned the platforms, it was assumed that the freight railroad operated freight trains on those tracks. Ownership of tracks was corroborated with the National Atlas of the United States.[8] Amtrak's latest system timetable (Fall 2010/Winter 2011) was also checked as a source of data on services and the status of barrier-free and accessible stations.

This information allowed us to determine an upper bound estimate on the number of stations potentially affected by the rule in the near term, i.e. those stations that Amtrak plans to renovate, and where existing freight service may not be present. Our analysis yielded a total of 34 such stations, of which 15 lack barrier-free access, with the rest having barrier-free access that is less than fully accessible (full list in the Appendix).

This station count must be considered as an upper bound estimate – it cannot be assumed that freight trains do not operate through those stations solely because the freight railroad does not own the platform/tracks. Amtrak staff stated that information on freight train passage is not kept in database form and would require station-by-station research on operating rights. Anecdotally, a number of the stations on the list are known to have at least occasional freight service, and many others are on the Northeast Corridor or other state-owned passenger corridors where level boarding is standard. Some (such as Woburn, Mass.) have even had high-level platforms added after the compilation date of the Amtrak report. Moreover, the rule makes its exception for freight in cases where freight service uses station-area track on that line or system, not just at the station in question.

With these limitations in mind, we compiled Amtrak's own station-level cost estimates for this subset of 34 stations that may or may not have freight service. Amtrak estimates that improvement costs for these platforms would total about $13 million to $39 million, as shown in the table below. The lower figure is for platforms at the smaller group of stations that do not have barrier-free access. The higher figure also includes stations which do have barrier free access but are not fully accessible. These estimates are based on Amtrak's calculations and the current set of accessibility regulations.

[7] *Intercity Rail Stations Served by Amtrak, An Update on Accessibility and Compliance with the Americans with Disabilities Act of 1990*

[8] US Department of the Interior, Railroads of the United States. http://www.nationalatlas.gov/mld/railrdl.html

Table 8. Stations Potentially Affected by the Rule:
Amtrak Stations to be Renovated Where Freight Service May Not Be Present

Stations not Fully Accessible in 2011			191
Of These, Stations that May Not Have Freight Railroad Service			**34**
Amtrak-Estimated Cost to Make These Platforms Fully Accessible (2009 dollars)			
ADA	$36,767,000		
State of Good Repair	$2,149,000		
Total	**$38,916,000**		
Stations not Barrier Free in 2011			65
Of These, Stations that May Not Have Freight Railroad Service			**15**
Amtrak-Estimated Cost to Make These Platforms Fully Accessible (2009 dollars)			
ADA	$12,432,000		
State of Good Repair	$799,000		
Total	**$13,231,000**		

Under the rule, the cost of accessibility improvements would exceed Amtrak's published estimates by $1.3 to $2.3 million per station wherever the following are true: (1) the station is on a line that is not shared with freight, and thus level boarding would be required under the rule, and (2) Amtrak's cost estimation is based on a (less expensive) low platform with mobile platform lift, rather than a full-length high platform. Ultimately, it was not possible to identify the specific stations where these conditions might exist, because Amtrak's report cited general design standards and station size categories rather than station-by-station accessibility plans, and because Amtrak did not have station-specific information about freight movements readily available. **More to the point, however, at any station where level boarding might be required under the new rule, it would also be required under existing regulations, unless technically infeasible.** Therefore, while accessibility costs under the new rule could, for a handful of stations, conceivably exceed what Amtrak has estimated in its reports, the costs are essentially the same as what would be required under current regulations.

High-Speed and Expanded Intercity Passenger Rail

In addition to current Amtrak services, several states and regions have high-speed rail projects in the planning or design stages, funded through the High-Speed Intercity Passenger Rail (HSIPR) program and other initiatives. These services would involve multiple new or renovated stations that could be affected by the requirements of the new rule. In general, high-speed rail services almost always employ level boarding as their means of access because it minimizes station dwell time. For example, the New Haven – Springfield corridor, which received HSIPR funding, plans to use level boarding at all stations.[9]

Therefore, the rule is not expected to have any impact on these planned high-speed services, because they would use level boarding irrespective of the requirements of the rule. They would also be required to use level boarding, even under current regulations, unless it were not technically feasible. Existing FRA guidance for grantees, while not strictly binding on all

[9] Connecticut DOT bulletin, Spring 2009, http://www.nhhsrail.com/PDF/Newsletter_final.pdf.

projects, has also recommended the use of high platforms for high-speed services: "[T]he platform height should be equal to the car floor height. It is recognized that high-level platforms may, on a site-specific basis, entail facilities to protect freight operations (e.g., "gantlet" tracks)."[10]

Cost Summary

In general, the analysis indicates that cost impacts of the rule will be limited to a very small subset of new and altered commuter and inter-city passenger rail stations – namely, those that use an accessibility approach that would be acceptable under current regulations but not under the draft final regulations, such as providing carborne lifts on some (but not all) cars. Among current and planned commuter rail systems, these situations are few, and the required changes are relatively minor (e.g., an additional $100,000 per rail car for lifts, or about 2% of the car's $5.2 million purchase price). Total compliance costs were estimated at about $1.8 million. There would also be some small operational cost impacts at a few systems where additional double-stopping would be required at any new or altered mini-high platforms.

An additional set of potential impacts comes from a set of no more than 34 Amtrak stations that do not share with freight services but for which level boarding may not currently planned as part of the railroad's accessibility capital program. In these cases, however, level boarding is already required by current regulations wherever it is technically and operationally feasible. Therefore, there should be no change to the cost of the improvements under the rule, even if these costs exceed Amtrak's published estimates. Amtrak would also experience some administrative costs and potential project delays from the final rule's requirement for FRA approval of accessibility plans at new stations.

It was not possible to speak with representatives from every commuter railroad in the U.S. due to time and resource constraints and the restrictions of the PRA. Therefore, the discussion of likely impacts and costs should not be viewed as exhaustive, though for the reasons noted above, the available data and the many operational similarities between railroads make it possible to forecast the general nature of the impacts with a reasonable degree of certainty even for railroads that were not contacted directly.

[10] Federal Railroad Administration, Office of Railroad Development, *Railroad Corridor Transportation Plans: A Guidance Manual*, rev. July 8, 2005, p.5.

Benefits Discussion

Background

As noted above, the rule is primarily aimed at promoting equal access to transportation services as a matter of civil rights under the Americans with Disabilities Act. Conventional benefits such as travel-time savings or reductions in transportation-related injuries are relatively modest, as the rule's provisions are aimed at a minority within the population. That being said, a large number of Americans have mobility impairments that affect their use of rail transportation. Approximately 3.3 million Americans (1.4 percent of the population) use a wheelchair or similar device, and another 10.2 million (4.4 percent) use another type of mobility aid, such as a cane, walker, or crutches.[11] Commuter railroads contacted in the course of this study indicated that roughly 0.5 percent of their ridership consists of wheelchair users. Amtrak statistics for fiscal year 2008 show that the railroad transported approximately 175,000 passengers who declared themselves as disabled and indicated that they would need the use of wheelchairs – about 0.6% of total ridership. Amtrak estimates that approximately 9,000 other passengers who were mobility-impaired did not declare themselves as disabled when they made a reservation.[12]

Improved barrier free platform/train access benefits a population that extends beyond those of wheelchair users. According to the latest available Census data, of the 291.1 million people in the 2005 population of the United States, 54.4 million, or 18.7 percent, reported some level of disability. Of people aged 15 and older, 27.4 million (11.9 percent) had difficulty with ambulatory activities of the lower body. About 21.8 million people (9.4 percent) had difficulty climbing a flight of stairs. Roughly 3.3 million people (1.4 percent) used a wheelchair or similar device and 10.2 million (4.4 percent) used a cane, crutches, or walker to assist with mobility. In addition, improved accessibility benefits many other passengers, such as those travelling with small children, infants in strollers, or carry-on luggage.

Amtrak ridership among persons with disabilities has generally been growing (see table below for 2001-2005 statistics). In 2005, 223,996 passengers, or just under 1% of ridership, took advantage of the reservations service available to passengers with disabilities and their companions. The actual total may be higher, as some passengers with disabilities either do not make advance reservations or do not identify themselves as passengers with disabilities.[13]

[11] US Bureau of the Census, Americans with Disabilities, 2005.

[12] *Intercity Rail Stations Served by Amtrak, A Report on Accessibility and Compliance with the Americans with Disabilities Act of 1990,* National Railroad Passenger Corporation, February 1, 2009.

[13] *Before the Department of Transportation, Docket OST-2006-23985, Transportation for Individuals with Disabilities, Comments of National Rail Passenger Corporation,* July 28, 2006.

Table 9. Passengers with Disabilities Data: Ridership
Calendar Year 2001 to 2005

	2001	2002	2003	2004	2005
Passengers with Disabilities	96,826	103,606	117,633	133,337	**143,971**
Passengers with Mobility Impairment	55,289	51,509	55,790	57,551	**57,436**
Companions	17,488	16,571	19,427	20,909	**22,590**
Total	**169,603**	**171,686**	**192,850**	**211,797**	**223,996**

Benefits
The rule will ensure that travelers with disabilities will be able to access all cars of each train at new and altered rail stations, and that level boarding will be employed wherever it is not precluded by freight clearance. Although in many situations the rule does not differ greatly from existing regulations or practices, the general effect will be to move rail services in the direction of improved accessibility.

The rule's use of an objective standard (i.e., the presence or absence of freight service) for requiring level boarding, rather than the current standard of "technically feasible," arguably gives greater clarity and predictability to rail providers regarding what is expected in each situation. By including an FRA/FTA review cycle in accessibility plans (other than for level boarding) it also ensures that these determinations are made fairly. The rule also anticipates the need for continued freight movements and provides railroads with flexibility in meeting the accessibility performance standard in these cases.

Overall, the primary benefits of the rule's move toward additional accessibility are as follows:

- First, the ability to access all cars will promote a more integrated transportation setting, in which passengers with disabilities will less frequently be limited to particular boarding or alighting locations. In particular, in cases where level boarding is used, travelers who use wheelchairs will be able to board the train in essentially the same manner as all other passengers and with only minimal intervention from staff. This is in keeping with the intent of ADA and other legislation to ensure that persons with disabilities are not unnecessarily treated differently from others.

- Second, providing access to all cars improves the robustness of the accessibility approach, ensuring that passengers with disabilities can continue to access a train even if a particular lift or mini-high is out of service at that time. For example, in cases where only one car of each train is lift-equipped, a mechanical failure of that lift would make the service completely inaccessible. With all cars lift-equipped or with the use of level boarding, this problem is averted. This represents an important improvement to the *de facto* availability of transportation services for passengers with disabilities, improving their ability to reliably access jobs, appointments, and other destinations. For many travelers with mobility impairments, access to inter-city passenger rail transportation is particularly important because of its role as an alternative to air travel, especially for

travelers whose disabilities make it impractical or even impossible to use commercial air service.

- Third, the ability to access any car of the train can provide small travel-time savings and other benefits for passengers with disabilities, inasmuch as they can choose a car that is closer to their parking space, transfer point, or final destination. Although the differences are usually small, the layout of some stations is such that passengers must "backtrack" several hundred feet in order to use a mini-high or lift, and this distance can be quite onerous for travelers with some types of mobility impairments. Creating access to all cars also helps to ensure that passengers with disabilities have equal access to specialized cars, such as "quiet cars" where cellular telephone use is not permitted.

- Fourth, non-disabled passengers will also tend to benefit from increases in the use of level boarding because of reductions in station dwell time, which can improve travel time and reliability. Passengers with luggage, strollers, or other items also tend to find level boarding more convenient.

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INTERVIEWEES

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Appendix A

Amtrak's Comments on the NPRM of 2006 provided additional data on platforms that then had high level platforms.[14] This same document lists the type of Amtrak equipment stopping at each station and their associated floor heights, and those stations where commuter rail equipment shares the platforms with the floor heights of the commuter rail equipment.

[14] *Before the Department of Transportation, Docket OST-2006-23985, Transportation for Individuals with Disabilities, Comments of National Rail Passenger Corporation,* July 28, 2006.

Amtrak Stations Potentially Affected by the Rule -- Might Not Have Freight Service & Not Barrier-Free in 2011

			Costs of Platform Improvements (Thousands of 2009 dollars)					Nominal Floor Heights of Cars Serving Amtrak and Shared Stations in 2006		
Station	State	ADA Responsibility	ADA	State of Good Repair	Total	Station Classification	Stations with 48" Platforms in 2006	Amtrak Equipment	Commuter Equipment	Nominal Floor Heights
Laguna Nigual	CA	SCRRA/Amtrak	$263	$0	$263	Small-Shelter-Unstaffed				
San Clemente Pier	CA	Amtrak	$549	$76	$625	Small-Platform-Unstaffed		Surfliner	Bombardier bi-level	18 & 35"
Mystic	CT	Amtrak	$536	$85	$621	Small-Shelter-Unstaffed		Amfleet		51"
Wallingford	CT	Town of Wallingford/Amtrak	$534	$13	$547	Small-Shelter-Unstaffed		Amfleet		51"
Windsor	CT	Amtrak	$649	$23	$672	Small-Shelter-Unstaffed		Amfleet		51"
Newark	DE	Amtrak/DTC	$296	$6	$302	Small-Shelter-Unstaffed		Superliner	Silverliners, Bombardier coach	51"
Woburn	MA	MBTA/Amtrak	$256	$0	$256	Small-Caretaker		Amfleet	Pullman-Standard, Bombardier, MBB single level, Kawaski bi-level	51"
Dowagiac	MI	Amtrak	$769	$44	$813	Small-Caretaker		Amfleet, Horizon, Superliner		18 & 51"
New Buffalo	MI	City of New Buffalo	$322	$0	$322	Small-Shelter-Unstaffed		Horizon, Superliner		18 & 51"
Ardmore	PA	SEPTA	$1,430	$0	$1,430	Small-Caretaker		Amfleet	Silverliners, Bombardier coach	51"
Coatesville	PA	Amtrak	$1,066	$18	$1,084	Small-Shelter-Unstaffed		Amfleet		51"
Downingtown	PA	SEPTA	$1,519	$235	$1,754	Small-Shelter-Unstaffed		Amfleet	Silverliners, Bombardier coach	51"
Elizabethtown	PA	Amtrak	$1,217	$160	$1,377	Small-Shelter-Unstaffed		Amfleet		51"
Middletown	PA	Amtrak	$1,563	$14	$1,577	Small-Shelter-Unstaffed		Amfleet		51"
Mount Joy	PA	Amtrak	$1,463	$125	$1,588	Small-Shelter-Unstaffed		Amfleet		51"

Amtrak Stations Potentially Impacted by the Rule – Might Not Have Freight Service & Not Fully Accessible in 2011

			Costs of Platform Improvements (Thousands of 2009 dollars)					Nominal Floor Heights of Cars Serving Amtrak and Shared Stations in 2006		
Station	State	ADA Responsibility	ADA	State of Good Repair	Total	Station Classification	Stations with 48" Platforms in 2006	Amtrak Equipment	Commuter Equipment	Nominal Floor Heights
Chatsworth	CA	SCRRA/Amtrak	$1,452	$0	$1,452	Small-Shelter-Unstaffed		Surfliner	Bombardier bi-level	18, 35 & 51"
Laguna Nigual	CA	SCRRA/Amtrak	$263	$0	$263	Small-Shelter-Unstaffed				
San Clemente Pier	CA	Amtrak	$549	$76	$625	Small-Platform-Unstaffed		Surfliner	Bombardier bi-level	18 & 35"
San Diego - Old Town	CA	NCTD	$592	$18	$610	Small-Shelter-Unstaffed		Surfliner	Bombardier bi-level	18 & 35"
Solano Beach	CA	NCTD	$1,969	$0	$1,969	Medium-Staffed		Surfliner	Bombardier bi-level	18 & 35"
Berlin	CT	Amtrak	$258	$1	$259	Medium-Staffed		Amfleet		51"
Hartford	CT	Amtrak	$1,713	$763	$2,476	Medium-Staffed		Amfleet		51"
Meriden	CT	Amtrak	$901	$0	$901	Medium-Staffed		Amfleet		51"
Mystic	CT	Amtrak	$536	$85	$621	Small-Shelter-Unstaffed		Amfleet		51"
New Haven	CT	State of Connecticut	$739	$0	$739	Large-Staffed	Y	Acela, Amfleet		51"
New London	CT	Amtrak	$1,043	$0	$1,043	Medium-Staffed	Y (also 8")	Acela, Amfleet	Comet	51"
Wallingford	CT	Town of Wallingford/Amtrak	$534	$13	$547	Small-Shelter-Unstaffed		Amfleet		51"
Windsor	CT	Amtrak	$649	$23	$672	Small-Shelter-Unstaffed		Amfleet		51"
Newark	DE	Amtrak/DTC	$296	$6	$302	Small-Shelter-Unstaffed		Superliner	Silverliners, Bombardier coach	51"
Wilmington	DE	Amtrak/DELDOT	$726	$0	$726	Large-Staffed	Y (also 8")	Acela, Amfleet, Heritage, Viewliner	Silverliners, Bombardier coach	51"
Boston-Back Bay	MA	MBTA	$2,981	$53	$3,034	Medium-Staffed	Y	Acela, Amfleet	Pullman-Standard, Bombardier, MBB single level, Kawaski bi-level	51"
Springfield	MA	Amtrak	$1,649	$84	$1,733	Large-Staffed		Amfleet		51"

			Costs of Platform Improvements (Thousands of 2009 dollars)					Nominal Floor Heights of Cars Serving Amtrak and Shared Stations in 2006		
Station	State	ADA Responsibility	ADA	State of Good Repair	Total	Station Classification	Stations with 48" Platforms in 2006	Amtrak Equipment	Commuter Equipment	Nominal Floor Heights
Woburn	MA	MBTA/Amtrak	$256	$0	$256	Small-Caretaker		Amfleet	Pullman-Standard, Bombardier, MBB single level, Kawaski bi-level	51"
Aberdeen	MD	Amtrak/MARC	$1,376	$24	$1,400	Small-Caretaker		Amfleet	Kawaski bi-level, Sumitomo single level	51"
Dowagiac	MI	Amtrak	$769	$44	$813	Small-Caretaker		Amfleet, Horizon, Superliner		18 & 51"
New Buffalo	MI	City of New Buffalo	$322	$0	$322	Small-Shelter-Unstaffed		Horizon, Superliner		18 & 51"
St. Louis	MO	City of St. Louis	$1,415	$0	$1,415	Large-Staffed		Amfleet, Horizon, Superliner		18 & 51"
Albany-Rensselaer	NY	CDTA Facilities, Inc./Amtrak	$725	$0	$725	Large-Staffed	Y	Amfleet		51"
Poughkeepsie	NY	Metropolitan Transportation Authority/Metro-North	$1,717	$39	$1,756	Small-Caretaker		Amfleet	M-series MU, Bombardier coach	51"
Ardmore	PA	SEPTA	$1,430	$0	$1,430	Small-Caretaker		Amfleet	Silverliners, Bombardier coach	51"
Coatesville	PA	Amtrak	$1,066	$18	$1,084	Small-Shelter-Unstaffed		Amfleet		51"
Downingtown	PA	SEPTA	$1,519	$235	$1,754	Small-Shelter-Unstaffed		Amfleet	Silverliners, Bombardier coach	51"
Elizabethtown	PA	Amtrak	$1,217	$160	$1,377	Small-Shelter-Unstaffed		Amfleet		51"
Exton	PA	SEPTA	$1,976	$52	$2,028	Small-Shelter-Unstaffed		Amfleet	Silverliners, Bombardier coach	51"
Middletown	PA	Amtrak	$1,563	$14	$1,577	Small-Shelter-Unstaffed		Amfleet		51"
Mount Joy	PA	Amtrak	$1,463	$125	$1,588	Small-Shelter-Unstaffed		Amfleet		51"
Paoli	PA	Amtrak	$1,204	$77	$1,281	Medium-Staffed		Amfleet	Silverliners, Bombardier coach	51"
Dallas	TX	City of Dallas	$253	$0	$253	Medium-Staffed		Superliner	Bombardier bi-level, Budd RDC	18 & 35"

			Costs of Platform Improvements (Thousands of 2009 dollars)					Nominal Floor Heights of Cars Serving Amtrak and Shared Stations in 2006		
Station	State	ADA Responsibility	ADA	State of Good Repair	Total	Station Classification	Stations with 48" Platforms in 2006	Amtrak Equipment	Commuter Equipment	Nominal Floor Heights
Richmond - Staples Mill Rd.	VA	Amtrak	$1,646	$239	$1,885	Large-Staffed		Amfleet, Heritage, Viewliner		51"

Appendix B.

Summary Table of Docket Comments, 2006 NPRM

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
Delaware DOT:	Operate Delaware Transit Corporation (DTC), commuter rail contracted to SEPTA, share track with Norfolk Southern	Either bridge plates stored on station platforms (not enough for each door to have one) or mini-highs with folding bridgeplates, one mini high per platform	Not if each door is required to have a bridgeplate. Use of the single mini-high could potentially require double-stopping	Providing access to ALL cars will increase dwell times, which must be maintained precisely on the NEC. Like all passengers, disabled passengers should be expected to go to the door nearest them, thus only one or two bridge plates needed	None

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
North Coast Transit District:	COASTER commuter rail: use 28 Bombardier Bi-Levels (floor height 24" above track) and seven MK Rail F40 or EMD F59 locomotives, shares with BNSF. 8 stations, some shared with METROLINK and Amtrak Pacific Surfliner	designed for one Mini-high and bridge plate per track,	Use of the single mini-high could potentially require double-stopping to be in compliance	Should not apply to new stations within existing SYSTEMS. If you don't do it system-wide, you could enter a car accessibly and then not have a mini high when you got out, leading to double spotting. A variety of floor heights operate in CA	If they were required to install and operate mini highs at all car doors, they would need to add another crew member to each train. One new crew member = 125,000. With five consists that comes to 625,000 a year. If they did not add a crew member, dwell times could increase from 30-45 seconds to over 90 seconds, which would require the purchase of an additional consist = 250,000 for two new crew members, plus annual operating and maintenance funding at $380,000

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
Metra (x2):	10 out of 11 lines share ROW, 11th is the Metra Electric. 244 stations, 5 downtown terminals, 1,000 + cars (75% have track-level boarding, 25% are electric with high-level boarding) 62% of stations are fully accessible, 11% partially. Planning potentially 4 new lines, all on existing freight railroads	Level boarding with bridge plates on Metra Electric, Car-borne lifts on 60% of diesel vehicles meaning 2 fully accessible cars on each diesel train (cost of installation: 30 million) Plan to have all cars with lifts by 2030	not on 10 of 11 lines until 2030	High-level platforms may obstruct drivers views, not enough space at stations to build gauntlet tracks, share ROW	Making all cars high-level would require replacing the fleet at a cost of 2.5 - 3.0 billion equipping 479 cars for 30 million provides rough estimate of $62,630 per car- based lift
Borough of Elizabethtown, PA:	restoring an historic station to make it handicap accessible	mini-high	Use of the single mini-high could potentially require double-stopping to be in compliance	historic station canopy is too low for high-level platform	
Nashville:	6 stations, share track with Nashville and Eastern Railroad Corporation	mini-high and bridge plates	depends on how many mini-highs they have	gauntlet tracks create more work for the railroad dispatcher and increase the potential for accidents	gauntlet tracks = 1,000,000

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
Michigan DOT:	Likely writing in concerning Amtrak Michigan Services, although there are proposals for commuter rail in Detroit and Ann Arbor. The docket submission does not provide a context.			Varying floor heights, freight ROW, and tolerances prevent level boarding; the whole consist should be viewed as a unit that is accessible or not, and DOT should define 'technically or operationally infeasible'	
DART/FWTA:	Trinity Railway Express: share with BNSF, operates two types of cars with two different floor entry heights, light rail shares track at key stations and is yet a third level. Average trainset is either 3 bi-level cars (6 doors) or two rail diesel cars (3 doors). Use one attendant and one engineer.	provide access via bi-level mini-highs	Use of the single mini-high could potentially require double-stopping to be in compliance	Existing stations may already be sited along curves where recommended tolerances are exceeded, most modern cars have pocket doors that cannot be flush with the exterior, is removing at-grade crossings a safety feature which would need to be replaced at all stations, rather than a few, need a dimensional definition of the word "narrow". Do not share platforms with Amtrak, why should they match car floor heights?	If they needed a bridge plate at all doors, dwell time would triple or they would need one attendant per car which would have a total cost of $2,134,600 a year, equal to 15% of the operating budget. Since they cannot, in fact, have full high platforms because of two different car heights, they would have to stop at each mini-high, a solution so onerous they would likely recommend ceasing service

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
Metrolink (Riverside County Transportation Commission sent in additional information):	Southern California Regional Rail Authority: 54 passenger stations, 40,000 daily riders on 145 weekday trains over 635 track miles, of which it owns 297, the North Coast Transit District owns 338, and BNSF and UPRR own the rest. 619 miles of track are shared with BNSF and UPRR, and 219 are shared with Amtrak. Cars are 25" above track. Amtrak serves 20 stations. Riverside letter mentions a Perris Valley expansion.	one mini-high at each station	Use of the single mini-high could potentially require double-stopping to be in compliance	DOT has previously clarified that double-stopping would not be necessary except when wheelchair spaces in the car at the mini-high were already taken. The Hoyt Cinemas court case says that disabled persons cannot expect to sit anywhere, can they expect to board anywhere?	Placing platform at rail car floor height would cost 1,000,000 per platform, making total estimated cost $85 million, no space for gauntlets, bridgeplates would add 5-9 minutes, for average length (4 cars) on average line (11 stations) avg. trip time would increase from 1:45 to 2:45, while the longest trains (6) on the longest routes (14) would go from 2:20 to 4:15.

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
SEPTA (2x):	352 commuter rail cars, 13 rail routes, and 35 million passenger trips in FY10. Shares track with Amtrak and freight, has infrastructure over 100 years old.	high level platforms only, but not with enough bridge plates for every car	Not if each door is required to have a bridgeplate.	Level boarding clearly preferable. Where not possible, multiple mini-highs or multiple lifts would place too many potential hazards on the platform and block the conductor's line of sight. Number of bridge plates should be left to the determination of the operator. Damage to passenger platforms by freight railroads is a result of freight railroad negligence, not poor platform design. The restriction on objects within 6' of the edge should apply only to continuous objects like walls, rather than to columns, and should not apply to existing obstructions even when the station is being modified to come up to ADA standards. NEC trains are 51" above tracks, not 48".	Two gauntlet tracks = 20 million dollars, not including any station relocation or additional real estate needed

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
Central Puget Sound Regional Transit Agency:	Seattle Sounder: operates on tracks owned by BNSF. 9-12 stations (3 proposed), 3 of which are also served by Amtrak, 58 cars, 11 locomotives, all Bombardier. Use 36 cars and 3 locomotives, rent out others, track used by DOD	mini high platform with ramp to train	Use of the single mini-high could potentially require double-stopping to be in compliance	Transit Cooperative Research project has research on this issue, due out just after end of proposed comment period. Gauntlet tracks increase safety risk. Inset doors provide an extra step that helps the Sounder comply with host railroad needs. 1:8 ramps would require the assistance of train personnel for those whose age or infirmity would prevent them from managing such slope, and may weigh more than the 30 pound OSHA standard. Having designated cars for disabled passengers make it easier for emergency personal to find them in the event of an accident, Amtrak uses 48", 25" and 15"	Bridge plates at every door would require an additional crew member per train, at a cost of 2.7 million a year.

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
Utah Transit Authority:	commuter rail service between Salt Lake City and Ogden and Provo (proposed at time of submission, but Ogden is now operational and SL - Provo is under construction according to the website) 13 stations including Salt Lake Central and the new Provo line	use car with 8 wheelchair spaces as first train car, pulls up to mini-high with bridge plate	Use of the single mini-high could potentially require double-stopping to be in compliance	1:8 ramp is feasible. given FRA safety requirements, commuter rail cars will have to be 25" above, can't always make 6 foot clearance without rebuilding highways or failing to provide cover at stations, wheelchair riders would need to let conductors know which car and which stop. Could install button system, but subject to mischievous uses. Need rail cars with automatic bridge plates.	

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
NJ Transit:	11 lines, 162 stations, 67 of which are accessible. 35 key stations, 31 of which are accessible with the other 4 under construction or in design (probably done by now),	level boarding with bridge plates	Not if each door is required to have a bridgeplate.	Cannot meet gap requirements; already have stored bridgeplates, retractable edges, a gauntlet track, and mini-highs and highs. Currently, distance from centerline to edge is 67" and standard car with is 10', which leaves a 7" + gap. Current floor height and platform height are both 51" but vary more than 5/8" especially at Metro Park and Matawan. NJT concurs with FRA on allowances. Do not wish to increase reliance on bridge plates due to potential delay, also feel that bridge ramps are performing well, but are looking to place some on vehicles and increase the number in stations, make mobility devices conform to standards that include securement locations.	

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
CA DOT (2x) + capital corridor sent in own letter:	San Joaquin and Capital Corridor share with UPRR and BNSF and are used by DOD, service 25 stations. Capital Corridor serves 170 miles of track (all but 2 of which are owned by UPRR) and links San Jose, Oakland/San Francisco, and Sacramento. Links to accessible buses and is third busiest Amtrak route. Capital Corridor has 8" platforms. Pacific Surfliner shares with Metrolink and Coaster. Operate 128 cars with a height of 18.5"	San Joaquin and Capital corridors use wheelchair lift equipped cars (78). Pacific Surfliner uses mini-highs and bridgeplates	San Joaquin and Capital Corridor: yes PS: Use of the single mini-high could potentially require double-stopping to be in compliance	Amfleet cars measure 51" at top of rail. Local commuter rail Metrolink, Coaster, Caltrain, and ACE all have 25" heights and share stations, making level platforms difficult. Capital Corridor California cars and Amtrak Superliners have 18.5" floor heights.	2010 updated cost figures increased the cost per station from 6.5 million to 14.2M, with the breakdown as follows: Cost of new 2,500 ft. station track: Design, Grading and Utilities (per station): $2.0M, Track Construction - (per station): $2.2M Signal Construction - (per station); $2M Platform W/Shelters and Parking (Double Sided): $3M, Relocate Transportation Center (Depot, property, utilities, etc); $5M; Total estimated cost for station modifications (per station): $14.2M Number of stations in California with intercity rail service: 56 Estimated cost of modification to all stations:$795.2M

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
ARRC (2x):	500+ miles, 500,000 passengers in 2005. 80% of revenue from freight operations, low level platforms with long trains: 4 platforms allow for 20 car trains, and 2 for 10+. 7 consists serving 10 stations on peak days in summer Considering expansions. Part of STRACNET. Varying car floor heights. Flag stop service, meaning that not everyone boards from a station, but can provide lifts at certain whistle stops. Some stops have populations under 1,000.	wheelchair lifts at all stations	yes, if only one mobile lift is required	Will flag stop service be exempt? Exposed ramps will get icy. At 51", standard dynamic clearance is 7'8", so a high platform would need to be placed 30" from the car, also must clear snow 23' from track centerline.	

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
South Florida RTA:	Tri-Rail: 18 stations on 72 miles of track shared with Amtrak and CSX, just renovated 9 stations and added 1. Amtrak serves 5. All platforms are 8" from top of rail. Coaches are 25" and Amtrak is 51". Planning to buy 14 trailers and 10 cab cars from SCRRA with a 25" floor height. Also getting two DMU, which are 51" and will have a wheelchair lift and a trailer car in the middle at 25". Only the cab car has an ADA restroom, so they put it at the mini-high. Unclear whether the DMU trailer car will pull up to the mini-high.	For tri-rail, use mini-high at north end, for Amtrak use mobile lift. New DMUs will have car based wheelchair lift.	Use of the single mini-high could potentially require double-stopping to be in compliance.	Solutions can be found to board at two different heights, do not need level boarding.	The restroom retrofit cost 100,000+ each.

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
RTD:	Four proposed corridors. Two corridors share tracks with BNSF (44 miles) or UPP (a few miles), Denver Union Station is hub, used by Rio Grande Ski Train and Amtrak. BNSF contract limits platforms to 8" and 5' 4" from track centerline. Initially thinking about 4 cars.	Unclear. Still under construction. Potentially waiting for new ruling		Unable to make vertical clearance requirements without adjustable leveling cars, and can only meet horizontal clearance with an 8" platform. The ramp for an 8" platform would need to be 6 feet long so RTD concurs with FRA. Staffing requirements would double if bridge plates needed to be deployed at every car. You cannot force a Class I railroad to meet these restrictions. They will just deny access. Unfair to those just starting out. If excessive cost can keep an existing system from retrofitting, it should also be defined and available to new system developers as an exception.	

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
Triangle Transit Authority:	(Plans may have been changed or cancelled): Diesel multiple units on a track owned by North Carolina railroad and on track owned by TTA (purchased from CSX). Will operate separate from Amtrak and freight rail on double track 26 ft from existing track. Cars and platforms are 51" high. Extensions will be on freight rail corridors.	level boarding	yes	No solution for sharing between commuter rail and freight is adequate.	
San Joaquin Regional Rail Commission	Altamont Commuter Express: 3 weekday roundtrips between Stockton, CA and San Jose, CA. 88 miles long, 84 owned by UPRR and 4 by Caltrain. 9 stations, 3 owned by San Joaquin RRC.	mini-high	Use of the single mini-high could potentially require double-stopping to be in compliance	Heights vary among cars serving the station, and UPRR can't have platforms higher than 18".	
Normal, IL	Designing new intermodal station using 5309 funds. Initial design has 8" platform, which already 48" from main entrance. Track owned by UPRR	either car or platform based lift	currently unknown	Heights vary among cars serving the station, and UPRR can't have platforms higher than 18".	

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
MoDOT:	12 stations served by Amtrak: Amtrak owns one, the state owns one, local towns own 10. The state of MO pays at most $25,000 a year for all stations. Tracks shared with UP.	wheelchair ramps	Only if they are mobile and one per station is sufficient. If they are immobile, could potentially require double-stopping to be in compliance	Use both 51 and 18.5 heights. Many platforms are shorter than even the 3-car trains and block the street while stopped.	

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
MTA:	none provided in docket	bridge plates stored on LIRR and MNR	Not if each door is required to have a bridgeplate.	Concur with FRA. Want to maintain 1:4 and 1:6 ramp standards or will have to replace ramps. Ramps that meet 1:8 could not be stored on board trains and would require two crew members and a station based lock box. Cannot always meet gap requirements of 10" and 13". Also, ask what if wheelchair user cannot have independent access? The MTA crew assists wheelchair users while manually deploying the bridge plates. NEC height is 51 inches, not 48.	Gauntlet = 15 million

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
Cascades	Runs from Eugene, OR to Vancouver BC via Seattle, 60,000 annual ridership (up 76% from 1994), Amtrak operates on behalf of WSDOT, and also runs the Empire Builder (Seattle, Portland, Chicago) and the Coast Starlight (Seattle to LA). WSDOT owns 3/5 of trainsets and has spent 270 million on Cascades since 1973.	onboard train lifts	yes, if they are on every car	Talgo, superliner, and Bombardier all have different floor heights.	Building a new station in Stanwood, WA costs 5 million for an 8" platform.
PA DOT:	Norfolk Southern moves freight along the Keystone Corridor	mini high	Use of the single mini-high could potentially require double-stopping to be in compliance	freight lines cannot have high platforms	5 million per platform for high boarding, 2 million for gauntlet track.

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
MBTA:	126 stations, 55 train sets, 463 trains per day. 25 stations are full length high platforms, 58 have mini-highs. The full highs include terminal platforms, Old Colony stations, Rowley, and Back Bay. Each coach has a standard bridge plate. If the mini-high does not have a standard bridge plate, it has its own. No station agents except in Boston, so the train crew operates all plates (anywhere from 1 conductor to 1 conductor and 3 assistants). Mini highs are located at the outbound end,	vary by station	Use of the single mini-high could potentially require double-stopping. Stations without mini-highs are unclear in the level of service provided	It would take 10 minutes for each car to stop at the mini high	Consists = 10 million +

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?	Points made in comments	Cost Estimates if provided
Amtrak (2x):	Serve over 300,000 disabled passengers. Is the responsible party at about 425 out of the 515 stations it serves (the other 90 are owned by public entities). 50 stations renovated since 1991	varies by station	varies by station	No uniformity in rail car heights. Opposition from historic preservationists, even just to build a shed to house a station based wheelchair lift. Conflicts with freight clearance and DOD needs.	2-4 million for gauntlet or bypass tracks
Sedalia, MO:	Example of small business impact. Sedalia Downtown development incorporated owns station, rails owned by UPRR, 3 car train.	mechanical lift	yes, if mobile lift is sufficient to "provide access to all accessible cars"	At 15", need setback of 6-12" creating a loading hazard for all passengers. Would not be compatible with Superliners.	
Caltrain;	34 stations, no low floor cars, 1 accessible car with 2 wheelchair spaces per train	(from website) use a combination of platform lifts, onboard lifts, and mini-highs	only one accessible car per train, so theoretically in compliance	varying floor heights, conflict with state regulations,	

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?		Points made in comments	Cost Estimates if provided
MARC:	Share tracks with CSX and another company, have 40 stations without level platforms.	varies by station	varies by station		Crossing tracks with high platforms necessitates tunnels, bridges, elevators, etc. What about situations where high-level platform is shorter than train? Is double stopping required? Need to pay attention to military needs.	5 to 6 million to construct high level platforms at Halthorpe, MD, 203 million for the tunnels, elevators, etc.
Downeaster:	Five roundtrips between Portland and Boston, 329,000 riders, a 31% increase over the previous year	not stated	unknown		concurs with Amtrak and CADOT	
Comments from Non-Operators						
Railroads for National Defense:	branch of DOD responsible for maintaining railroads' capability to move military equipment		n/a	n/a	Certain rail lines need to be able to have M-1 tanks pass through. These are STRACNET designated and could not have high-level platforms.	
Raul Bravo:	consulting company		n/a	n/a	lays out reasons why level boarding cannot be implemented across the	

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?		Points made in comments	Cost Estimates if provided
					board, no longer relevant given changes to proposal	
Midwest High Speed Rail Association:	Advocacy organization		n/a	n/a	gap standards are too strict, deploying bridge plates for all users would increase dwell times, please create a national standard and do not make platforms higher than 15" over TOR, preferably 8"	
Nippon Sharyo:	car manufacturer		n/a	n/a	all commuter railroads are already in compliance with ADA, multiple car heights on same train/same regions, vehicle mounted wheelchair lifts can facilitate the evacuation of physically disable passengers in emergency situations (if they can be manually operated)	
Association of American Railroads:	Speaking for freight railroads in particular		n/a	n/a	summarizes objections of other docket submissions	
NARP	National Association of Rail Passengers		n/a	n/a	against the regulations because of potential service reductions due to increased costs	
Empire State Passenger Rail Association	New York specific passenger rail group		n/a	n/a	against the regulations because of potential service reductions due to	

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?		Points made in comments	Cost Estimates if provided
					increased costs	
Ohio Rail Development Corporation:	branch of Ohio DOT		n/a	n/a	would be too expensive without federal funds to back it, would limit the growth of railroads in Ohio	
Bombardier:	car manufacturer		n/a	n/a	concurs with FRA on gap requirements and believes even the more tolerant gap requirements cannot always be met, notes varying floor heights, and states that the assertion that mini-highs create dangerous spaces is not based on fact, need better definition of accessible car	
BNSF:	freight railroad		n/a	n/a	provides evidence for why freight rail and high platforms cannot co-exist	

Commenter	Commenter Background	Current practice (if operator)	Would this be in compliance with the regulation?		Points made in comments	Cost Estimates if provided
Commuter Rail Operators Group:	taken from a presentation made by the group to the FTA		n/a	n/a	These included comments that DOT ADA regulations do not require level boarding, that there has been no demand for more than one accessible car per train, that mini-high platforms have proven to be reliable and cost effective, and that freight clearances prevent level boarding. A train be considered as one "vehicle" for ADA purposes, in the same manner as an articulated bus or light rail vehicle, and that providing integrated access to the train would result in longer travel times and longer dwell times, which would impact the ability of a commuter rail system to provide frequent, fast service	
Burbank Advisory Council on Disabilities	Based in Burbank, CA. Entire town voted to oppose.		n/a	n/a	against the regulations because of potential service reductions due to increased costs	

REGULATORY FLEXIBILITY ACT ANALYSIS

Introduction

The Regulatory Flexibility Act of 1980 (5 U.S.C §601 et seq.) requires agencies to evaluate the potential effects of their proposed and final rules on small business, small organizations and small Government jurisdictions.

5 U.S.C §603 requires agencies to prepare and make available for public comments initial and final regulatory flexibility analysis (RFA) describing the impact of proposed and final rules on small entities. Section 603(b) of the Act specifies the content of a RFA.

Each RFA must contain:

1. A description of the reasons why action by the agency is being considered;

2. A succinct statement of the objectives of, and legal basis for a final rule;

3. A description of and, where feasible, an estimate of the number of small entities to which the final rule will apply;

4. A description of the projected reporting, recording keeping and other compliance requirements of a final rule including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record;

5. An identification, to the extent practicable, of all relevant Federal rules which may duplicate, overlap or conflict with the final rule;

6. Each final regulatory flexibility analysis shall also contain a description of any significant alternatives to the final rule which accomplish the stated objectives of applicable statutes and which minimize any significant economic impact of the final rule on small entities.

What is a small entity?

The RFA recognizes and defines three kinds of small entities: (1) small businesses, (2) small non-profit organizations, and (3) and small government jurisdictions.

Small businesses. Section 601(3) of the RFA defines a "small business" as having the same meaning as "small business concern", which is defined under Section 3 of the Small Business Act. Small business or small business concern includes any firm that is independently owned and operated and not dominant in its field of operation. The SBA has established size criteria for all major industry sectors in the United States.

Small organizations. The RFA defines "small organizations" as any not-for-profit enterprise that is independently owned and operated and is not dominant in its field.

Small governmental jurisdictions. The RFA defines small governmental jurisdictions as governments of cities, counties, towns, townships, villages, school districts, or special districts with populations of fewer than 50,000.

Description of the reason why action by the agency is being considered

The Department is proposing to amend its Americans with Disabilities Act (ADA) and Section 504 regulations to update requirements concerning rail station platforms.

Objectives of, and legal basis for, the final rule

The draft final rules concern integrated access for persons with disabilities to trains serving new or altered intercity and commuter rail station platforms. The Department believes that in choosing accessibility solutions it is important – as the Department's 504 regulation has long stated (49 CFR 27.7(b)(2)) – that service be provided "in the most integrated setting that is reasonably achievable." The Department proposes to specifically include this principle in its ADA regulation as well. The implication of this principle in the rail station context is that the accessibility solution that provides service in the most integrated setting should be chosen.

Description and estimate of the number of small entities to which the final rule will apply

The rule applies to commuter rail and intercity rail station platforms built or altered after the effective date. Commuter rail operators and Amtrak, the intercity passenger rail operator, both of whom would generally have responsibility for ADA compliance of station platforms, are not small governmental jurisdictions.

Data on the ownership and ADA responsibility of the platforms at individual commuter rail stations were not available for this analysis. The assumption is that all are owned by commuter rail agencies which are not small government jurisdictions. Thus this analysis represents a lower bound estimate of the proposed rule's impact on small entities. Anecdotal information indicates that there may be situations on some of the older systems, e.g., Metra and Metro-North, where portions of the station complex are owned or maintained by local governments. However, the actual number of cases where a local government unit with a population under 50,000 (or small business) had ADA responsibility for platforms in commuter rail service could not be determined within the scope of this analysis.

Pursuant to the requirements of Section 219 of the Passenger Rail Investment and Improvement Act (PRIIA) Amtrak performed an evaluation of the condition of its stations and its plan for making them fully compliant with the Americans with Disabilities Act of 1990 (ADA).[15] Part of this study involved identifying ownership and ADA responsibility of the station building, platforms and parking for each station served. Cost estimates to make platforms ADA compliant were also developed. Amtrak identified 143 stations where ADA responsibility for platforms was shared by Amtrak and another entity or the sole responsibility of another entity. Of these 17 were small governments and 3 were a small business. "Small governmental jurisdiction" means governments of cities, counties, towns, townships, villages, school districts, or special districts with a population of less than 50,000. These are listed in Table 1. The statutory small business definitions vary by 4-digit SIC code and are found at 13 CFR Part 121. The small businesses included a short line railroad (NAICS code 48212), a museum (NAICS code 712110) and a hotel (NAICS code 722110). In order to be classified as a "small business" short line railroads must have <500 employees. Museums and hotels must have annual revenues of <$7 million. These are listed in Table 2.

Amtrak's latest progress report[16] indicates that barrier free access has been provided at 8 of these stations (Winslow, AZ; Wasco, CA; Ashland, KY; St. Joseph, MI; Durand, MI; Ardmore, OK; Kingstree, SC; and Gainesville, TX) by means of wheelchair lifts, pads and enclosures for the lift and other improvements to sidewalks and parking lots. An ADA-compliant platform is under construction in Kingman, AZ, and an ADA-compliant station and platform is under construction in New Buffalo, MI, where "ADA-compliant" is in reference to the existing regulations. This reduces the number of small governmental jurisdictions impacted by the proposed rule to 15.

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[15] *Intercity Rail Stations Served by Amtrak, A Report on Accessibility and Compliance with the Americans with Disabilities Act* of 1990, National Rail Passenger Corporation, February 1, 2009.

[16] *Intercity Rail Stations Served by Amtrak, An Update on Accessibility and Compliance with the Americans with Disabilities Act* of 1990, National Rail Passenger Corporation, October 27, 2010.

There is currently no case law that identifies the "trigger" levels of "significant economic impact," or "substantial number of small entities."[17] However, Tables 1 and 2 provide information that may aid the decision maker in assessing the affect on small entities These show Amtrak's estimated platform costs relative to annual revenue of the small entities where such information was available. The impact on individual governments varies from 0.2% of revenues to almost 20%. For the one small business where revenue information was available, platform costs would be 76% of annual revenues. However, when looked at from a national perspective it appears that the rule would not have a significant impact on a substantial number of small entities. Moreover, these costs are estimated based on current regulations and would be incurred even in under the status quo, with no incremental impact due to the draft final rule.

A description of the projected reporting, record keeping and other compliance requirements of a final rule including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record

This rule includes no new requirements for reporting, record keeping or other compliance requirements that are likely to impact small entities..

An identification, to the extent practicable, of all relevant Federal rules which may duplicate, overlap, or conflict with the final rule

The Department is proposing to amend its Americans with Disabilities Act (ADA) and Section 504 regulations to update requirements concerning rail station platforms.

The revised 37.41 would replace material presently found in 10.3.1(9) of Appendix A to Part 37. One of the purposes of this amendment is to maintain the status quo with respect to this requirement, given the adoption by DOT of the latest ADAAG standards, which do not include this language. The NPRM would also make conforming amendments to provisions in 49 CFR part 38 concerning commuter rail and intercity passenger cars.

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[17] *A Guide to the Regulatory Flexibility Act,* U.S. Small Business Administration, Washington, D.C., May 1996. **http://www.fws.gov/policy/library/rgSBAGuide.pdf**

We know of no other Federal rules which duplicate, overlap, or conflict with the proposed rule.

A description of any significant alternatives to the final rule which accomplish the stated objectives of applicable statutes and which minimize any significant economic impact of the final rule on small entities

There are no other alternatives that can achieve the stated objectives. The impacts cited above are the same for the proposed rule and the current regulations. The proposed rule would impose no additional burden on the small entities above and beyond that imposed by the current set of regulations and requirements.

Table 1 - Small Governmental Jurisdictions with ADA Platform Responsibility for Intercity Stations

Station	State	ADA Responsibility	Total Platform Cost	Small Entity Platform Share	Small Entity Platform Cost	Small Entity Annual Budget/Revenue	Percent of Revenues
Kingman	AZ	City of Kingman	$825,000	100%	$825,000	$231,316,219	0.36%
Carpinteria	CA	City of Carpinteria/Amtrak	$223,000	50%	$111,500	$12,970,958	0.86%
Emeryville	CA	City of Emeryville	$863,000	100%	$863,000	$37,211,681	2.32%
Wasco	CA	City of Wasco	$223,000	100%	$223,000	$26,511,082	0.84%
Wallingford	CT	Town of Wallingford/Amtrak	$546,000	50%	$273,000	$141,510,000	0.19%
Palatka	FL	City of Palatka	$587,000	100%	$587,000	$8,955,000	6.55%
Princeton	IL	City of Princeton/Amtrak	$480,000	50%	$240,000	$6,223,850	3.86%
Ashland	KY	City of Ashland/Amtrak	$279,000	50%	$139,500	$24,344,357	0.57%
Durand	MI	City of Durand	$872,000	100%	$872,000	NA	NA
New Buffalo	MI	City of New Buffalo	$322,000	100%	$322,000	$2,132,900	15.10%
St. Joseph	MI	City of St. Joseph	$475,000	100%	$475,000	$15,688,403	3.03%
Ardmore	OK	City of Ardmore	$484,000	100%	$484,000	$45,634,217	1.06%
Kingstree	SC	Town of Kingstree	$964,000	100%	$964,000	NA	NA
Gainesville	TX	City of Gainesville	$451,000	100%	$451,000	$29,242,122	1.54%
Rutland	VT	City of Rutland	$238,000	100%	$238,000	$17,601,335	1.35%
Danville	VA	City of Danville	$426,000	100%	$426,000	$101,467,120	0.42%
Sturtevant	WI	Village of Sturtevant	$776,000	100%	$776,000	$3,957,924	19.61%

Table 2 - Small Businesses with ADA Platform Responsibility for Intercity Stations

Station	State	ADA Responsibility	Total Platform Cost	Small Entity Platform Share	Small Entity Platform Cost	Small Entity Annual Budget/ Revenue	Percent of Revenues
Winslow	AZ	La Posada, LLC	$573,000	100%	$573,000	$750,000	76.40%
Mendota	IL	Mendota Museum and Historical Society	$615,000	100%	$615,000	NA	NA
Bellows Falls	VT	Amtrak/Green Mountain Railroad Corporation	$477,000	50%	$238,500	NA	NA