

## **Amtrak threatens to stop Central Florida service**

Amtrak threatened to end service in Central Florida and said legislation promoting SunRail violates its agreement on use of the tracks.

*By John Frank and Marc Caputo*

A game of chicken between Amtrak and the state could jeopardize one of Gov. Charlie Crist's legacies: Central Florida commuter rail.

Amtrak sent a letter Thursday to the state Department of Transportation threatening to end rail service in the SunRail corridor, alleging the state violated an agreement over the use of the shared Orlando-area tracks and over liability for accidents.

But Florida officials are questioning its move as a dishonest bluff, and say they won't meet demands for new negotiations.

"They are just trying to create fear here, and there's nothing to support it," said Kevin Thibault, the state's assistant secretary for engineering and operations.

The dispute stems from a somewhat contentious special legislative session in December when lawmakers approved a package of legislation designed to kick-start SunRail, pour more money into South Florida's Tri-Rail and entice the federal government into committing billions to start high-speed rail in Florida.

Crist touted the legislation as a major accomplishment of his tenure. He said it would provide more jobs, transform Florida transportation and help revive Florida's economy.

The legislation he signed cleared up a series of snags holding back the \$1.2 billion SunRail deal to purchase and overhaul 61 miles of track from DeLand to Poinciana now owned by freight carrier CSX. The law put taxpayers on the hook for train accidents caused by CSX in which damages exceeded \$200,000.

The state knew "that Amtrak would not agree to assume additional liability exposure that is attributable solely to SunRail commuter operations," Amtrak president Joseph Boardman wrote to Transportation Secretary Stephanie Kopelousos on Thursday. Amtrak also contends the contract requires Amtrak's consent for the sale.

Amtrak gave Florida 30 days to strike a deal. The letter asks lawmakers to pass legislation giving Amtrak the same no-fault liability protections afforded CSX. Without them, the risk of liability exposure in an accident might be too great to continue service, an Amtrak spokesman said.

The federally subsidized corporation warned Kopelousos in November that the legislation would infringe on the 2008 agreement, but Amtrak said letters were ignored.

Some lawmakers accused Amtrak of having ulterior -- though unclear -- motives.

Sen. Mike Fasano, R-New Port Richey, said that Amtrak's letter was "a total surprise" because he had never been contacted by the company even though he heads his chamber's transportation budget committee and co-sponsored the rail legislation.

"Amtrak is not being truthful. It's not being honest," Fasano said. "Amtrak is essentially the federal government. So why do they need indemnification? I don't appreciate Amtrak doing this so late in the game. Now we have the fed government almost holding the state hostage."

But Jill Chamberlin, a spokeswoman for Florida House Speaker Larry Cretul, said the House was aware of Amtrak's issues.

"When we learned that Amtrak had some concerns late last year, our staff talked to DOT and CSX. We concluded this is a contract matter between DOT and CSX and it should be managed at the agency level," she said.

The dispute does not affect current service in the Orlando area and does not apply to other Amtrak rail lines in the state. But whether it will affect state negotiations over East Coast rail service is an open question.

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