

SERVICE DATE – MAY 4, 2021

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 36468

AMERICAN ROCKY MOUNTAINEER, LLC—PETITION FOR EXEMPTION FROM
49 U.S.C. SUBTITLE IV

Decided: May 4, 2021

On February 3, 2021, American Rocky Mountaineer, LLC (ARM), filed a petition for exemption under 49 U.S.C. § 10502 with respect to its planned operation of a luxury passenger rail excursion between Denver, Colo., and Moab, Utah, on lines of Union Pacific Railroad Company. ARM requests an exemption from all provisions of 49 U.S.C. Subtitle IV for which exemption is permissible, acknowledging that the Board is statutorily precluded from exempting the proposed service from certain provisions, such as labor protection and certain damage liability issues. The Brotherhood of Locomotive Engineers and Trainmen (BLET) filed a partial opposition to ARM's petition on March 15, 2021.¹ ARM replied to BLET's partial opposition on April 5, 2021, and BLET replied to ARM's reply on April 13, 2021.

By this decision, a proceeding is instituted under 49 U.S.C. § 10502(b). The Board is not requesting the submission of additional evidence.

It is ordered:

1. Under 49 U.S.C. § 10502(b), a proceeding is instituted.
2. This decision is effective on its date of service.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

¹ On March 18, 2021, the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers submitted a notice of intent to participate in the proceeding.