

EMPLOYER STATUS DETERMINATION

Walkersville Southern Railroad, Inc.

This is the decision of the Railroad Retirement Board regarding the status of the Walkersville Southern Railroad, Inc. (WS), as an employer under the Railroad Retirement and Railroad Unemployment Insurance Acts.

WS was incorporated in January 1991 to restore rail service to a 4.8 mile rail line between Walkersville and Frederick, Maryland. In June 1993 WS completed the clearing of brush and weeds from the line. In July 1993 the State of Maryland entered into an operating contract with WS. WS began operating by rehabilitating the line on November 12, 1993. The Company has no compensated employees, all work being performed by volunteers, although it expects to have a staff of paid employees when the rehabilitation is completed. It interchanges with the Maryland Midland Railway. In ICC Finance Docket No. 32329 WS filed a notice of exemption which became effective September 14, 1993.

The WS is operating a railroad in interstate commerce in the United States. Accordingly, the Board holds that it is a rail carrier employer under the Railroad Retirement and Railroad Unemployment Insurance Acts from the date on which it began to operate, November 12, 1993.

Glen L. Bower

V. M. Speakman, Jr.

Jerome F. Kever

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