

EMPLOYER STATUS DETERMINATION
Savannah Port Terminal Railroad, Inc. (SPTR)

This is a determination of the Railroad Retirement Board concerning the status of the Savannah Port Terminal Railroad, Inc. (SPTR) as an employer under the Railroad Retirement Act (45 U.S.C. §231 et seq.) and the Railroad Unemployment Insurance Act (45 U.S.C. §351 et seq.).

In Surface Transportation Board (STB) Finance Docket No. 33613, decided June 1, 1998, SPTR was given authority to acquire and operate the lines previously operated by the Savannah State Docks Railroad.

Information furnished by Mr. William A. Jasper, Vice President of SPTR, stated that SPTR has 21 employees who were first compensated on June 9, 1998, the date operations began. SPTR operates a total of 23 miles of track within a terminal area located at the Georgia Ports Authority in Garden City, Georgia. SPTR interchanges approximately 46,000 railcars per year with the Norfolk Southern and CSX Transportation.

Section 1(a)(1) of the Railroad Retirement Act (45 U.S.C. §231(a)(1)), insofar as relevant here, defines a covered employer as:

(i) any carrier by railroad subject to the jurisdiction of the Surface Transportation Board under Part A of subtitle IV of title 49, United States Code;

Sections 1(a) and 1(b) of the Railroad Unemployment Insurance Act (45 U.S.C. §§351(a) and (b)) contain substantially similar definitions, as does section 3231 of the Railroad Retirement Tax Act (26 U.S.C. § 3231).

SPTR is a carrier by rail within the meaning of section 1(a)(1)(i) of the Railroad Retirement Act. Therefore, the Board determines that SPTR became an employer under the Acts effective June 9, 1998, the first date that operations began.

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