

The song “Goin’ Down the Road Feeling Bad” was a staple in the Grateful Dead’s concert set from 1970 until the group’s 1995 demise. Jerry Garcia apparently learned the song from Daney Bramlett during the Trans Continental Pop Festival, a legendary 1970 tour across Canada, which featured some of the world’s biggest rock bands.

The song’s subject and tone almost make it an intermodal anthem, reflecting the inherent conflict between truckers and other intermodal players. (“Goin’ down the road feeling bad, hey, hey, hey, yeah, don’t wanna be treated this a way.”)

Intermodal’s challenge has always been to “look like truck” to the end customer. A plethora of parties have worked to make the entire process “seamless” by integrating truck movements at origin and destination.

Intermodal carriers needed to find a way to interchange equipment among all the parties in a timely, efficient and equitable manner. Since the motor carrier industry had already solved this problem in the era before deregulation — when long-haul moves involved multiple truck companies — it seemed logical to use it as a template for the rest of the industry.

The first industry attempt at a standard contract to oversee equipment interchange occurred in 1970. The result was the original Uniform Intermodal Interchange Agreement (UIIA) that was developed and administered by the Equipment Interchange Association, a motor carrier group. Under the auspices of the Intermodal Transportation Association, formed in 1980, the UIIA continued to be revised and enhanced, providing operating efficiencies and eliminating paperwork requirements.

The UIIA is entering its fourth generation as an industry standard. Each generation correlates to a specific phase in intermodal’s development. The first generation (1970-79) was for motor carriers only. The second generation (1980-90) saw railroads join so as to manage their fleets of trailers. The third generation (1991-2004) saw the inclusion of ocean carriers as container traffic became a key component of intermodal. This latest generation will reflect the wide range of equipment providers (chassis pools, bi-modal carriers and 3PLs) and their varied requirements in areas such as equipment condition and indemnity.

In a free market, competitive tension between participants is natural. In the early 1990s, truckers, upset about incurring fines for shipments with incorrect weights, achieved passage of the Intermodal Safe Container Act of 1992, setting national standards for the intermodal movement of freight containers. To ensure that trucks hauling containers on highways were not overweight, the law required shipper certification that was passed along among ocean carriers, railroads and motor carriers.

The railroads and ocean carriers did not closely follow the legislative process — until the rule-making was implemented. Only then did the railroads and ocean carriers respond with a flurry of activity that resulted in the Intermodal Safe Container Transportation Act of 1996, substantially modifying the 1992 act.

Since then, equipment roadability has become the leading industry issue.

In 1997, the American Trucking Associations petitioned the secretary of transportation to shift the liability for out-of-service violations from the motor carrier to the “tenderer” of the equipment. This was followed by numerous attempts to legislate solutions at the individual state level. Ultimately, recognizing the patchwork approach, all players decided to work together and seek federal pre-emption.

On Dec. 21, 2006, pursuant to provisions of SAFETEA-LU, the Federal Motor Carrier Safety Administration proposed a rule-making on “chassis roadability.” Comments were due March 21. The Association of American Railroads, the ATA and the Ocean Carrier Equipment Management Association were expected to submit interpretations that reflect the divergent needs of their membership.

Meanwhile, the one trade association representing all modes, the Intermodal Association of North America, seeks to find common ground through the UIIA. The Intermodal Interchange Executive Committee, a nine-member industry group that administers the UIIA, has worked diligently to develop best practices that are feasible and equitable.

Continued intermodal growth and success depends on an interdependent network of service providers. If equity and efficiency are not present in those relationships, we can no longer assume that the spectacular growth of the past 15 years will continue.

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Going down the road together

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