B.C.D. 02-50

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EMPLOYER STATUS DETERMINATION
Railtex Trac Company, Inc.

This is a determination of the Railroad Retirement Board concerning the continued status of Railtex Trac Company, Inc. (RTCI) (BA No. 9841) 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.).

On September 29, 1999, Articles of Dissolution were filed on behalf of Railtex Trac Co., Inc. The Secretary of the State of Texas issued a Certificate of Dissolution of Railtex Trac Co., Inc., effective September 29, 1999. The Railroad Retirement Board's regulations provide that the employer status of any company or person shall terminate whenever such company or person loses any of the characteristics essential to the existence of an employer status. (20 CFR § 202.11). Railtex Trac Co., Inc., has been dissolved. Consequently, it no longer possesses the characteristics of an operating company. The Board therefore finds that effective with September 29, 1999, the date of dissolution of the corporation, Railtex Trac Company, Inc., ceased being a covered employer under section 1(a)(1)(ii) of the Railroad Retirement Act (45 U.S.C. § 231(a)(1)(ii)) and the corresponding provision of the Railroad Unemployment Insurance Act.

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