

**EMPLOYER STATUS DETERMINATION**  
**South Central Florida Express, Inc.**

This is the determination of the Railroad Retirement Board regarding the status of the South Central Florida Express, Inc., (SCFE) as an employer under the Railroad Retirement Act (45 U.S.C. §231 et seq.) (RRA) and Railroad Unemployment Insurance Act (45 U.S.C. §351 et seq.) (RUIA). SCFE has not previously been determined to be an employer under the RRA and the RUIA.

Information about SCFE was furnished by Mr. Dick Conley, of SCFE. SCFE began operations on September 17, 1994. On September 17, 1994, SCFE had seventeen employees who were first compensated on that date. SCFE operates over 100 miles of track as a common carrier interchanging with two railroads, CSX Transportation in Sebring, Florida, and the Florida East Coast Railway in Lake Harbor, Florida. SCFE also operates over twenty-one miles of track of the Florida East Coast Railway. SCFE has eight locomotives and fifty six freight cars.

Section 1(a)(1) of the RRA defines the term "employer" to include:

(i) any express company, sleeping car company, and carrier by railroad, subject to subchapter I of chapter 105 of Title 49; \* \* \*  
[45 USC § 231(a)(1)]

Section 1(a) of the RUIA (45 U.S.C. § 351(a)) contains essentially the same definition.

The evidence establishes that SCFE is a carrier operating in interstate commerce. Accordingly, it is determined that SCFE became a rail carrier employer under the Railroad Retirement and Railroad Unemployment Insurance Acts effective September 17, 1994, the date on which it first compensated employees.

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