# **TRANSPORTATION LAW JOURNAL**

2015 No. 1 Volume 42 Copyright © 2015 by the Transportation Law Journal TABLE OF CONTENTS ARTICLES Breaking Down the Bumbershoot: Energy and Marine Umbrella Insurance Policies in the Wake of Indemnity Insurance Co. of North America v. W&T Offshore Matthew T. Drenan ..... 1 One Small Problem with Administrative Driver's License Suspension Laws: They Don't Reduce Drunken Driving Steve R. Darnell ..... 23 A Program Derailed: The Inefficiencies of the Federal Railbanking Process, and How to Get It Back on Track Bryson Smith ..... 81 NOTE The LNG Engine That Could: Creating Regulatory Certainty for LNG in Freight Locomotives R.J. Colwell 131 COURT REPORTS Olga Knight, Mackenzie Shields, Joshua Nowak, Shaquille Turner, and Jenya Berino ..... 141





Dear Reader:

The Transportation Law Journal is pleased to present Volume 42 number 1. This edition features three articles, one student note, and five court reports covering diverse, thought-provoking topics in transportation law.

The first article discusses the lessons learned from *Indemnity Insurance Co. of North America v. W & T Offshore* regarding the interpretation of exhaustion clauses in energy and marine insurance umbrella policies, with noteworthy implications for the offshore energy industry. The second article provides a comprehensive study of the history and efficacy of administrative driver's license suspension laws, as well as new empirical research examining the impact of such laws on the incidence of drunken driving. The third article explores the costs and inefficiencies of the current process by which abandoned railroad corridors are converted to public recreational trails and offers possible judicial and statutory solutions for improving the federal railbanking program. Finally, the student note provides an overview of the current federal regulatory scheme for LNG rail transportation and discusses various issues, including infrastructure, safety, and quality standards necessary to facilitate widespread adoption.

As I leave my editorial post at the Transportation Law Journal, I am indebted to the authors and students that contributed their time, effort, intellect, and insight to the 2014-2015 publications. I also wish to thank the remarkable faculty and staff at the University of Denver Sturm College of Law for their energetic and capable support of journal activities and events. Finally, many thanks to Michelle Thom for carrying the torch in 2015-2016.

Best regards,

Patricia Thwaites 2014-2015 Editor-in-Chief

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