

RAILROAD SAFETY ADVISORY COMMITTEE (RSAC)

Minutes of Meeting April 26, 2012 Washington, D.C.

The forty-sixth meeting of the Railroad Safety Advisory Committee (Committee) was convened at 9:30 a.m., in the Board Room of the National Housing Center of the National Association of Home Builders, 1201 15th Street, N.W., Washington, D.C. 20005, by the RSAC Chairperson, the Federal Railroad Administration's (FRA) Acting Associate Administrator for Railroad Safety/Chief Safety Officer, Deputy Associate Administrator for Regulatory and Legislative Operations, Robert C. Lauby.

As RSAC members, or their alternates, assembled, attendance was recorded by sign-in log. Sign-in logs for each Committee meeting are part of the permanent RSAC Docket. The records, reports, transcripts, minutes, and other documents that are made available to, or prepared for or by, the Committee are available for public inspection at the U. S. Department of Transportation docket management system Internet Web Site under FRA Docket #2000-7257 (<http://www.regulations.gov>). Meeting documents are also available on FRA's RSAC Internet Web Site (<http://rsac.fra.dot.gov>).

For the April 26, 2012, meeting, ten of the fifty-four voting RSAC members were absent: The American Association of State Highway and Transportation Officials (1 seat), The American Petroleum Institute (1 seat), The American Short Line and Regional Railroad Association (2 seats), The Association of State Rail Safety Managers (1 seat), The International Association of Machinists and Aerospace Workers (1 seat), The International Brotherhood of Electrical Workers (1 seat), Safe Travel America (1 seat), The Transport Workers Union of America (1 seat), and The Transportation Security Administration (1 seat). Five of seven non-voting/advisory RSAC members were absent: The Labor Council for Latin American Advancement, The League of Railway Industry Women, The National Association of Railway Business Women, Secretaria de Comunicaciones y Transporte (Mexico), and Transport Canada. Total meeting attendance, including presenters and support staff, was approximately 90.

Chairperson Lauby welcomes RSAC (the Committee) Members and attendees. He asks Larry Woolverton (FRA–Office of Safety) for a meeting room safety briefing.

Larry Woolverton (FRA) identifies the meeting room's fire and emergency exits. He asks for volunteers with cardiopulmonary resuscitation (CPR) qualification to identify themselves. A large number of attendees acknowledge having completed this training.

He says the National Association of Home Builders building has an automated external defibrillator (AED), located outside the rest rooms in the building's atrium lobby.

Chairperson Lauby asks for meeting attendees to identify themselves and the organizations they represent.

Chairperson Lauby announces that new RSAC member James Schwichtenberg, the former FRA Deputy Regional Administrator for Region 4, who is Bob Keane's replacement, is present today, representing the AAR as the CN Railway Company representative. He announces that new RSAC member Larry Holbert, who is Dewey Garland's replacement, is present today, representing the Sheet Metal Workers International Association. He announces that new RSAC member Donald Grissom is present today, representing the Transportation Communications International Union/Brotherhood of Railroad Carmen.

Chairperson Lauby asks FRA Administrator Joseph C. Szabo for opening remarks.

Administrator Szabo welcomes meeting attendees.

Administrator Szabo says it is always an honor for him to appear before this group. He says by any measure, the work of RSAC is synonymous with success. He says, "In a large part to your leadership, America's railways have never been safer."

Administrator Szabo says he knows there is a long day of work ahead for meeting attendees. So, he says, he plans to keep his opening remarks brief.

Administrator Szabo says April is National Distracted Driving Month. He says from Virginia to California, the highway traffic safety community has a simple message:

ONE TEXT OR CALL COULD WRECK IT ALL.

Administrator Szabo says eliminating distractions from driving has been a priority for U.S. Secretary of Transportation LaHood, as the U.S. Department of Transportation has encouraged states to outlaw texting and talking on a hand-held cell phone while driving. He says too many people have been killed as a result of distracted driving, and the U.S. Department of Transportation is committed to ending this serious trend.

Administrator Szabo says the good news is that these bans appear to be saving lives. For example, he says, in California, in the two years since the ban took effect, highway fatalities are down 22 percent.

Administrator Szabo says FRA is continuing to call for action to eliminate the hazards associated with the improper use of electronic devices among railroad employees. He says "Together, we must foster a culture in the railroad industry that reinforces the need

to eradicate this risk, by making it socially unacceptable to use these devices while on the job.” He says at today’s meeting there will be a presentation from the Electronic Device Distraction Work Group’s recommendation for the best path forward. He says for railroad employees, distraction comes in many forms.

Administrator Szabo says FRA’s latest Safety Advisory on Restricted Speed makes clear that every source of distraction is of major concern to us. He says, “We all know, for railroad employees, even a slight lapse in attention can prove tragic.” He says FRA’s Safety Advisory describes six accidents in which operating rules and procedures governing the application of restricted speed were not complied with. He says some of the accidents likely resulted from some form of distraction; others may have been due to fatigue. He says all of these accidents occurred in the past year and involved rear-end collisions. He says they resulted in four employee fatalities, eight employee injuries, and more than \$6 million in property damage.

[For FRA’s latest safety advisory, see: *77 Federal Register* (FR) 24760 Federal Railroad Administration Safety Advisory 2012-02; Restricted Speed, dated April 25, 2012.]

Administrator Szabo says, “To be clear, this isn’t at all about blaming anyone. Rather, he says, the point of the Safety Advisory is to recognize that anyone – no matter how well trained, well qualified, and experienced they are – can fall victim to distraction. He says the key takeaway is this: In the locomotive cab, employees need to work together in concert. He says employees in the locomotive cab must make certain that electronic devices are turned off and put away. He says employees in the locomotive cab must create an environment in which the sole focus is controlling the train in full compliance with operating rules. He says this is about teamwork, i.e., it’s these checks and balances that keep conductors and locomotive engineers focused on their duties at all times.

Administrator Szabo says after reviewing the six accidents, FRA recommends the following: (1) Railroads should review the circumstances of these incidents with employees; (2) Discuss the requirements on restricted speed and related operational tests; (3) Evaluate quarterly and six-month reviews of operational testing data; (4) Increase operational testing; (5) Reinforce the importance of communication between crew members in the controlling locomotive, particularly while closely approaching fixed signals and areas requiring restricted speed; and (6) And reinforce the dangers of using electronic devices in safety-critical situations.

Administrator Szabo says the Safety Advisory also notes that, in two of the accidents, fatigue appears to have played a role. He says fatigue is yet another important issue the RSAC has begun to take on, and much more must be done. He says the Rail Safety Improvement Act (RSIA) of 2008 mandates that Fatigue Management Plans be part of any Risk Reduction Program (for freight railroads), or System Safety Program (for passenger railroads). He says FRA requested that Fatigue Management Plans be

handled by a separate RSAC Working Group, and the full RSAC accepted that task late last year. He says there will be an update on the Fatigue Management Plans Working Group later in today's meeting. He says continuing to improve safety by addressing issues like electronic device distraction and fatigue will no doubt strengthen our industry.

Administrator Szabo says, as the President continues to emphasize, strengthening the railroad industry is vital to America's economic prosperity. Administrator Szabo says when you look at the drain congestion puts on our economy, nearly \$130 billion a year and growing, rail is the transportation mode that has the greatest potential to meet our transportation challenges. Administrator Szabo says continued support for freight rail, and high-speed and intercity passenger rail, are central to the President's vision for the future of American transportation.

Administrator Szabo says FRA is making great progress with the High-Speed and Intercity Passenger Rail program with more than 96% of our projects obligated a year ahead of schedule. He adds, projects are being completed ahead of schedule and under budget.

Administrator Szabo says the Administration has also made serious investments in freight rail. He says in late May 2012, the U.S. Secretary of Transportation will announce the latest round of grant recipients under the U.S. Department of Transportation's mode-neutral, highly competitive TIGER [Transportation Investment Generating Economic Recovery] grant program. So far, he says, freight rail has been a big winner, attracting nearly 30 percent of all TIGER funding awarded to date.

Administrator Szabo says President Obama's support for passenger and freight rail is unwavering as the President continues the call to invest in our nation's infrastructure. Administrator Szabo says President Obama's budget requests \$196 million for FRA's safety initiatives, including FRA's Risk Reduction Program. Administrator Szabo says Risk Reduction is a priority for FRA.

Administrator Szabo says advancing Risk Reduction – and programs like Confidential Close Calls Reporting – will guide the rail industry towards a more proactive approach to preventing accidents. He says advancing risk reduction will allow for an honest, non-punitive look at the human factors that contribute to accidents and incidents. He says based on findings from FRA's pilot projects the Agency is seeing remarkable results – a 70% reduction in accidents and 90% reduction in discipline resulting in significant savings.

Administrator Szabo says FRA is required by the Rail Safety Improvement Act (RSIA) of 2008 to prescribe regulations requiring railroads to establish risk reduction programs. He says RSAC's Risk Reduction Working Group is currently developing final language for a notice of proposed rulemaking (NPRM). He says the Risk Reduction Working

Group is working against a tight, August 1, 2012, deadline so that the NPRM has time to go through DOT and the U.S. Office of Management and Budget clearance process.

Administrator Szabo says FRA is grateful to RSAC for accepting this task, and we look forward to hearing an update from the working group later today. He says, "We're almost there. So, let's stay focused and let's get the work done and save lives."

Chairperson Lauby thanks Administrator Szabo for his remarks.

Ross Capon (National Association of Railroad Passengers) says Positive Train Control is not being implemented in a way that will prevent rear end train collisions. He says if he were "god," he would prefer to see the December 31, 2015, deadline for the implementation of PTC slide if the additional time would result in PTC systems that would prevent rear end train collisions.

Chairperson Lauby announces the following temporary personnel changes at FRA. He says the FRA Associate Administrator for Railroad Safety/Chief Safety Officer Jo Strang has been detailed to the Deputy U.S. Secretary of Transportation to lead the U.S. Department of Transportation's (DOT) safety initiative in support of the DOT Safety Council. He says Robert Lauby has been detailed as the Acting Associate Administrator for Railroad Safety/Chief Safety Officer. He says Ron Hynes has been detailed as the Acting Deputy Associate Administrator for Regulatory and Legislative Operations. He says Michael DeEmilio has been detailed as Acting Deputy Associate Administrator for Safety Compliance and Program Implementation. He says Michael Lestingi has been detailed as Acting Director for the Office of Safety Assurance and Compliance. He says Brenda Moscoso is the new Director for the Office of Safety Analysis. He says Patricia Sun remains as Counsel for the Railroad Safety Advisory Committee.

Chairperson Lauby asks Michael Lestingi (FRA–Office of Safety) for a report on Track Standards Working Group activities.

Michael Lestingi (FRA) uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for "Track Standards Working Group Update to The 46th Railroad Safety Advisory Committee Meeting." Also distributed was the Track Safety Standards Report: *Recommendation to the RSAC Committee from the Track Standards Working Group Regarding RSAC Task 11-02, Track Inspection Time Study*. Photocopies of the Microsoft PowerPoint Presentation and the Working Group Report were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and FRA's RSAC Internet Web Site and are not excerpted in their entirety in the RSAC Minutes.

Under slide 2, "Task No. 11-02," Mr. Lestingi says the following about RSAC Task No.: 11-02 Track Inspection Time Study: (1) Presented to the full RSAC on August 2, 2011;

accepted on August 16, 2011; (2) Task stemmed from FRA obligations under Section 403(a)-(c) of the Rail Safety Improvement Act (RSIA) of 2008; and (3) Consider improvements to the Track Safety Standards or other actions, related to the Track Inspection Time Study.

Under slide 3, Mr. Lestingi says Section 403(a) of the RSIA requires the U.S. Secretary of Transportation to conduct a study of track issues, known as the Track Inspection Time Study (Study). The purpose of the Study is to determine: (1) Whether track inspection intervals need to be amended; (2) Whether track remedial action requirements need to be amended; (3) Whether different track inspection and repair priorities and methods are required; and (4) Whether the speed of track inspection vehicles should be regulated.

Under slide 4, Mr. Lestingi says Section 403(b) of the RSIA of 2008 instructs the U.S. Secretary of Transportation to consider “the most current rail flaw, rail defect growth, rail fatigue, and other relevant track- or rail-related research and studies,” as well as new inspection technologies and National Transportation Safety Board and FRA accident information.

Under slide 5, Mr. Lestingi says the following: (1) Under Section 403(c) of the RSIA of 2008, two years after the completion of the study, FRA is to prescribe regulations based on the results of the Study; and (2) The Study was completed and presented to the U.S. Congress on May 2, 2011.

Under slide 6, Mr. Lestingi outlines the following “Issues Requiring Specific Report,” under RSAC Task No.: 11-02: (1) Determine under what conditions automated track inspection should be expanded to improve safety and whether the required intervals of track inspection for each class of track should be amended. This may include the development of requirements for the distribution, handling, and interpretation of automated inspection reports for track inspectors whose territories are subject to automated track inspection; (2) Determine whether track inspector training should be formally developed and standardized, and whether that would modify the criteria and procedures for designation under Part 213.7; (3) Determine whether track remedial action requirements set forth in Part 213, other than those set forth in Part 213.113, should be amended; (4) Determine whether different track inspection and repair priorities or methods should be required; and (5) Review methods to improve the effectiveness and efficiency of track inspection including: railroad operating practices, safety culture, and other factors, such as but not limited to: inspection speed and scope to allow for proper inspection; developing a safety reporting system to provide a way to report safety risks related to track inspections; and developing the criteria for determining the length of a track inspector’s assigned territory, including--but not limited to--traffic volume, number of tracks, number of switches, number of grade crossings, type of track, etc.

Under slide 7, "Multiple Meetings Held," Mr. Lestingi said the Track Standards Working Group held meetings on RSAC Task No. 11-02 on the following dates: (1) October 20, 2011; (2) December 20, 2011; (3) February 7-8, 2012; and (4) April 13, 2012.

Under slide 8, "February 7-8, 2012 Meeting," Mr. Lestingi describes the following: (1) Management and labor presented a joint proposal: (a) That FRA and the Track Standards Working Group has met its obligation under the RSIA; and (b) That all tasks assigned to the Track Standards Working Group have been completed; and (2) FRA agreed to review the joint management and labor proposal and to respond to the Track Standards Working Group at the April 13, 2012 meeting.

Under slide 9, "April 13, 2012 Meeting," Mr. Lestingi says at the April 13, 2012, GoToMeeting™/teleconference, the Track Standards Working Group reached consensus on the following: (1) The RSIA of 2008 mandate for improving the track inspection process has been fulfilled; and (2) RSAC Task No.: 11-02 has been completed.

[Note: GoToMeeting is a Web-hosted service created and marketed by Citrix Online, a division of Citrix Systems. It is a remote meeting and desktop sharing software that enables the user to meet with other computer users, customers, clients or colleagues via the Internet in real-time.]

Under slide 10, Mr. Lestingi says he will present the Track Standards Working Group consensus language to the full Railroad Safety Advisory Committee.

Under slide 11, Mr. Lestingi says (1) The Track and Time Study [See Track Safety Standards RSAC Internet Web Site for Meeting Document TS-11-10-20-06] lists four issues: (a) Expanding the use of automated inspections; (b) Developing additional training requirements for track inspectors; (c) Considering a maximum inspection speed for track inspection vehicles; and (d) Influencing safety culture through a safety reporting system; and (2) The Track Standards Working Group identified, enacted, and initiated actions to address each Track and Time Study issue.

Under slide 12, "Study Issue #1—Expanding the Use of Automated Inspections," Mr. Lestingi says the following: (1) The Track Standards Working Group identifies defects that could benefit from automated inspection, e.g., "rail seat abrasion," and "torch cut bolt holes:" (a) New 49 *Code of Federal Regulations* (CFR) Section 213.234 Automated inspection of track constructed with concrete crossties, employs the use of automated inspection "to measure for rail seat deterioration;" and (b) Torch cut bolt holes are already prohibited; and (2) Rail Integrity Notice of Proposed Rulemaking (NPRM)—RSAC recommendation that ultrasonic testing of rail be changed from a standard based on time and tonnage to one based on self-adapted performance goals.

Under slide 13, “Study Issue #2—Developing Additional Training Requirements for Track Inspectors,” Mr. Lestingi says training for track inspectors is covered by the following: (1) The Rail Integrity NPRM creates a new Part 213.238 to address an area of training for the rail integrity standards; and (2) A new Training, Qualification, and Oversight for Safety-Related Railroad Employees NPRM.

Under slide 15, “Study Issue #3—Considering a Maximum Inspection Speed for Track Inspection Vehicles,” Mr. Lestingi says the following: (1) The Track and Time Study concluded that specifying inspection speed limits could be counterproductive; (2) The Track Standards Working Group concurs with the Study recommendation; (3) The Track Standards Working Group notes that existing 49 CFR § 213.233 “inspector’s discretion” governs; (4) The Track Standards Working Group recommends that FRA place emphasis on the existing guidance in FRA’s Track Safety Standards Compliance Manual; and (5) The current 5 mph speed limitation when passing over track crossings and turnouts is not affected.

Under slide 16, “Study Issue #4—Influencing Safety Culture through a Safety Reporting System,” Mr. Lestingi says RSAC’s Risk Reduction Working Group is currently developing requirements for railroads to develop risk reduction programs. He says the Track Standards Working Group believes that additional, overlapping discussion in this area is currently unnecessary given that specific concurrent focus of the RSAC Risk Reduction Working Group.

Under slides 17 and 18, Mr. Lestingi says the Track Standards Working Group reached consensus that RSAC’s and FRA’s recent and ongoing rulemakings are sufficiently addressing these areas and no further work is currently necessary. He says the Track Standards Working Group recommends that RSAC Task No.” 11-02 Track Inspection Time Study, be closed.

Michael Lestingi (FRA) asks for questions.

Ross Capon (National Association of Railroad Passengers) asks, “What do “self-adapted performance goals mean” [under slide 12].”

Elisabeth Galotto (FRA—Office of Chief Counsel) says “self-adapted performance goals” is language to which FRA has already agreed in the Rail Integrity Task Force. She says she will use the same language for satisfying Track Standards Working Group’s assignment.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division) says the rail integrity regulation sets a threshold for so many defects per mile. He says if a railroad exceeds that goal, then a railroad will adjust its inspection program so that the defects per mile fall below the threshold, i.e., a self-adapted performance goal.

Ross Capon thanks Elisabeth Galotto and Rick Inclima for the explanation of self-adapted performance goals.

Chairman Lauby asks for a motion to accept the *Recommendation to the RSAC Committee from the Track Standards Working Group Regarding RSAC Task 11-02, Track Inspection Time Study* and to close RSAC Task No.: 11-02 Track Inspection Time Study.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division) moves to accept the Report, *Recommendation to the RSAC Committee from the Track Standards Working Group Regarding RSAC Task 11-02, Track Inspection Time Study*, and to close RSAC Task No.: 11-02 Track Inspection Time Study.

John Tolman (Brotherhood of Locomotive Engineers and Trainmen) seconds the motion.

BY VOICE VOTE, THE FULL RSAC ACCEPTS THE REPORT, *RECOMMENDATION TO THE RSAC COMMITTEE FROM THE TRACK STANDARDS WORKING GROUP REGARDING RSAC TASK 11-02, TRACK INSPECTION TIME STUDY*, AND TO CLOSE RSAC TASK NO.: 11-02 TRACK INSPECTION TIME STUDY.

Chairperson Lauby recognizes RSAC Facilitator Cindy Gross (FRA–Office of Safety), RSAC Coordinator Larry Woolverton (FRA–Office of Safety), and Kenton Kilgore (FRA–Office of Safety) for their efforts at today's and every RSAC meeting.

Chairperson Lauby asks Miriam Kloeppel (FRA–Office of Safety) for a presentation on Electronic Device Distraction Working Group activities.

Miriam Kloeppel (FRA) uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for "Electronic Device Distraction (EDD) Working Group Update to the 46th Railroad Safety Advisory Committee Meeting." Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and FRA's RSAC Internet Web Site and are not excerpted in their entirety in the RSAC Minutes.

Under slide 2, "EDD Agenda," Ms. Kloeppel lists the following topics that will be covered by this presentation: (1) Items requiring report; (2) Model Education presentation; (3) Model awareness posters; (4) Public service announcement; (5) Peer-to-peer coaching; and (6) Grants–Notice of Funding Availability.

Under slide 3, "RSAC Task No.: 11-01, May 20, 2011," Ms. Kloeppel reads the purpose of RSAC Task No.: 11-01 as follows: "To prescribe mitigation strategies, programs and

processes for governing the use of personal electronic devices which could cause distractions to railroad employees engaged in safety critical activities.”

Under slide 4, “Issues Requiring Report,” Ms. Kloeppel lists the following: (1) What criteria should be used to determine the most effective programs/methods of dissemination and compliance; (2) What are the desired outcomes/objectives of these programs/ methods; (3) Identify parameters of both prohibited and permissive use of personal; electronic devices; (4) Who will develop the program to achieve the outcomes /objectives; (5) Who will institute and control the program; (6) How will the compliance and program efficacy be evaluated and monitored; (7) How much will this program cost; and (8) When will all safety-critical railroad employees be educated/trained through this program?

Under slide 5, “What Criteria Should Be Used to Determine the Most Effective Methods of Dissemination and Compliance,” Ms. Kloeppel lists the following: (1) Simplicity; (2) Effectiveness; (3) Use of peer coaching; (4) Cost; and (5) Time to complete. She says the Distraction Task Force decided that the entire population of railroad employees is affected by the problem of electronic device distraction and therefore the mitigation plan should include all railroad employees (approximately 150,000). She says the Distraction Task Force recommends that the criteria used to select mitigation plans should include: simplicity, effectiveness, use of peer coaching, cost, and time to complete.

Under slide 6, “What are the Desired Outcomes and Objectives of the Programs/ Methods,” Ms. Kloeppel lists the following: (1) Educate employees in the rules and regulations describing EDD prohibitions; (2) Make employees aware of the dangers associated with electronic device misuse; (3) Coach employees (by peers) to recognize and exhibit safe behavior with regards to the use of electronic devices; (4) Change the culture to make misuse of personal electronic devices unacceptable; and (5) Eliminate or reduce accidents/incidents caused by electronic device distraction.

Under slide 7, “Identify parameters of both prohibited and permissive use of personal electronic devices,” Ms. Kloeppel says (1) The Distraction Task Force developed a matrix of each railroad’s rules, but was not able to devise a concise, simple list of universally applicable rules regarding acceptable use that could be published for industry wide guidance; and (2) Some members of the Distraction Task Force believe there is no safety distinction between the dangers of using an electronic device for business purposes versus other purposes.

Under slide 8, “Matrix of Rules,” Ms. Kloeppel shows a portion of “Personal Cell Phone Matrix–Summary of Current Practices.” She says the matrix includes current practices for personal cell phone use for the following carriers: Amtrak, BNSF Railway Company, CN Railway Company, Canadian Pacific Railway Company, CSX Transportation, Kansas City Southern Railway Company, Long Island Rail Road, Metro-North

Commuter Railroad, Metra Railroad, Norfolk Southern Corporation, Southeastern Pennsylvania Transportation Authority, and Union Pacific Railroad.

Under slide 9, “Who Will Develop the Programs to Achieve the Outcomes/Objectives,” Ms. Kloeppel says the following: (1) The EDD Working Group developed a model educational presentation that illustrates the dangers of distraction; (2) The educational presentation may be modified by stakeholders and used to make their members aware of the dangers; (3) The EDD Working Group selected the slogan: **ONE TEXT OR CALL COULD WRECK IT ALL**, to be used on all outreach material; (4) The EDD Working Group developed model posters which can be used to raise awareness; (5) The posters can also be modified by stakeholders; and (6) A Public Service Announcement has been developed and is proposed to be delivered by the FRA Administrator via video.

Under slide 10, “Who Will Institute and Control the Program,” Ms. Kloeppel explains the following: (1) Awareness, Education, and Coaching are most effective when delivered by a peer to a peer; (2) Where possible, this should be the preferred method of delivery; (3) Model Slide Presentation, Posters, and Public Service Announcements are available for use by all stakeholders; (4) Management and FRA will enforce rules and regulations as usual, but will also participate in training, coaching and leading; and (5) Several railroads have implemented Peer-to-Peer programs aimed at Electronic Device Distraction with promising results.

Under slide 11, “How Will the Compliance and Program Efficacy be Evaluated and Monitored,” Ms. Kloeppel says the following: (1) The Distraction Task Force has developed a logic model that will guide the evaluation effort; (2) The Distraction Task Force has also developed survey questions which will provide qualitative measures of the program’s success; (3) U.S. Office of Management and Budget approval will be needed to conduct large scale surveys; and (4) The FRA Office of Safety will monitor electronic device distraction-related accident rates and rule violations.

Under slide 12, “EDD RSAC Logic Model,” Ms. Kloeppel shows a flow chart depicting the Logic Model, consisting of the following: (1) Resources/Inputs—FRA, Rail Management, Rail Labor; (2) Activities—analyze problem, define message, develop posters, develop model slide presentation, develop public service announcement, baseline measure via survey, awareness and education distribution, and peer-to-peer coaching; (3) Outputs—railroad employees have better understanding of danger involved with EDD, reduced usage of cell phones, shift in cultural acceptability, and better communication between crew members, management and FRA; (4) Outcomes—reduced number of accidents, fewer FRA violations, and fewer operations test violations; and (5) Impacts—reduced usage of cell phones/electronic devices, and shift in cultural acceptability.

Under slide 13, “When Will All Safety Critical Railroad Employees Be Educated/Trained Through This Program,” Ms. Kloeppel outlines the following: (1) Awareness and

education in approximately one year; (2) Peer-to-Peer projects will vary based on the existing infrastructure; (3) Some railroads have already developed and implemented programs which will probably show results at some locations within 6 months to a year; and (4) Other railroads that are just developing Peer-to-Peer Programs will probably take 1-3 years to build programs that have an impact.

Under slide 14, "Recommendations to Full RSAC," Ms. Kloeppel says the EDD WG recommends an approach to the full RSAC that includes the following: (1) An outreach program focused on the message, **One Text or Call Could Wreck it All** and including: (a) A model presentation; (b) A model poster; and (c) A Public Service Announcement by the FRA Administrator; (2) An Evaluation, including a survey; and (3) Peer-to-Peer Coaching Programs.

Miriam Kloeppel (FRA) asks for questions.

David Julian (Association of American Railroads) asks if FRA has obtained grant money for the outreach effort?

Miriam Kloeppel (FRA) replies, "Yes." She says the process for awarding the grants is undergoing review by FRA's Office of Chief Counsel.

James Stem (United Transportation Union) says he suggests that railroad employees, who are the essential component for Peer-to-Peer Pilot Projects, be involved in how these projects are crafted and executed.

Miriam Kloeppel (FRA) says Pilot Project proposals that have a sign-off by all of the parties will receive priority for the available funding.

Chairperson Lauby asks for acceptance by the full RSAC for the recommendation by the Electronic Device Distraction Working Group for the following: (1) An outreach program focused on the message, **One Text or Call Could Wreck it All** and including: (a) A model presentation; (b) A model poster; and (c) A Public Service Announcement by the FRA Administrator; (2) An Evaluation, including a survey; and (3) Peer-to-Peer Coaching Programs.

Mike Baldwin (Brotherhood of Railroad Signalmen) asks if the Electronic Device Distraction (EDD) Working Group (WG) will see what the FRA Administrator's Public Service Announcement will look like before it is released.

Miriam Kloeppel (FRA) says the EDD WG reviewed and edited a draft Public Service Announcement intended for use by the FRA Administrator in a video presentation. However, she adds, she does not know if the EDD WG will have a chance to review the final script for the FRA Administrator's Public Service Announcement.

Thomas Streicher (American Short Line and Regional Railroad Association) requests that the EDD WG see the final version of the proposed Public Service Announcement for the FRA Administrator.

Chairperson Lauby says FRA will bring the revised Public Service Announcement script for the FRA Administrator's video presentation on electronic device distraction back to the EDD WG for final approval.

Chairperson Lauby asks for a motion to approve the recommendation by the Electronic Device Distraction Working Group for the following: (1) An outreach program focused on the message, **One Text or Call Could Wreck it All** and including: (a) A model presentation; (b) A model poster; and (c) A Public Service Announcement by the FRA Administrator; (2) An Evaluation, including a survey; and (3) Peer-to-Peer Coaching Programs.

Bob VanderClute (Association of American Railroads) motions to accept the recommendation of the EDD WG, as presented.

Thomas Streicher (American Short Line and Regional Railroad Association) seconds the motion.

BY VOICE VOTE, THE FULL RSAC ACCEPTS THE RECOMMENDATION BY THE ELECTRONIC DEVICE DISTRACTION WORKING GROUP FOR THE FOLLOWING: (1) AN OUTREACH PROGRAM FOCUSED ON THE MESSAGE, **ONE TEXT OR CALL COULD WRECK IT ALL** AND INCLUDING: (A) A MODEL PRESENTATION; (B) A MODEL POSTER; AND (C) A PUBLIC SERVICE ANNOUNCEMENT BY THE FRA ADMINISTRATOR; (2) AN EVALUATION, INCLUDING A SURVEY; AND (3) PEER-TO-PEER COACHING PROGRAMS.

Richard Johnson (Transportation Communications International Union/Brotherhood of Railroad Carmen) says he did not see a vote on this topic listed on the Meeting Agenda. He says the labor caucus usually votes on RSAC issues as a coalition. He says the labor caucus was not expecting to vote on this topic at today's meeting.

Chairperson Lauby says he will agree to ensure that all topics for which a full RSAC vote will be requested will be on the advance copy of the Meeting Agenda in the future. He says FRA will do a better job on its Meeting Agenda.

Chairperson Lauby asks Olga Cataldi (FRA—Office of Safety) for a report on Dark Territory (DT) Working Group (WG) activities.

Olga Cataldi (FRA) uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for "Dark Territory Working Group Update, Presentation to the 46th Railroad Safety Advisory Committee Meeting." Photocopies of the Microsoft

PowerPoint Presentation were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and FRA's RSAC Internet Web Site and are not excerpted in their entirety in the RSAC Minutes.

Under slide 2, "Dark Territory Task Statement," Ms. Cataldi says the "Purpose" of RSAC Task No.: 10-02, Safety Technology in Dark Territory is to prescribe standards, guidance, regulations, or orders governing the development, use, and implementation of rail safety technology in dark territory as required by Section 406 of the RSIA of 2008. She says RSAC Task No.: 10-02 was accepted by the full RSAC on September 23, 2010.

Under slide 3, "RSAC Task Statement," Ms. Cataldi lists the following items for the "Description" of RSAC Task No.: 10-02: (1) Review the applicable content and scope of the existing signal and train control regulations as authorized by the Signal Inspection Act and the Federal Railroad Safety Act in order to determine their application to the use of safety technologies in dark (non-signaled) territory; (2) Review the applicable content and scope of other existing federal regulations which are associated with the use of advanced technology and may provide additional insight/direction; (3) Assist FRA in developing/identifying additional appropriate/applicable standards, guidance, regulations, or orders responsive to the legislative mandate; (4) Help to ensure the appropriate and safe development and use of safety technologies in dark territories; and (5) Help to determine a reasonable method for safety technology inventory and system awareness by FRA.

Under slide 4, "DT WG Task Interpretation," Ms. Cataldi displays an excerpt from a matrix used by the DTWG to identify the types of technologies to be addressed and to help identify appropriate regulatory and/or non-regulatory tools to govern their use. She says the types of technologies considered were: (1) Switch position monitors; (2) Power-assisted switches; (3) Remote Control Locomotive zone limiting devices; (4) Track Integrity Systems; (5) Grade crossing video monitors; (6) Slide fences; (7) Hot box/Hot journal and other detectors; and (8) Other technologies.

Under slide 5, "DT WG Meetings," Ms. Cataldi outlines the four DT WG meetings held in 2011, as follows: (1) March 3-4, 2011, in Falls Church, Virginia—Scope of work defined; (2) May 9-10, 2011, in Washington, DC—three Task Forces formed to study three types of technologies; (3) September 6-7, 2011, in Chicago, Illinois—Task Force formed to create a template for Railroad DT Technology Plan; and (4) November 17-18, 2011, in Washington, DC—Determined level of consensus on regulatory or non-regulatory approach to the use of technology devices in dark territory.

Under slide 6, "Types of Technology to be Initially Addressed Based on Accident Statistics," Ms. Cataldi says railroad accident statistics were used to select the types of technology devices which the DTWG would consider first. She says the greatest number of accidents in dark territory is attributed to (1) Switches; (2) Track integrity

devices; and (3) Detectors, i.e., the “first bucket” topics which were considered by the DTWG.

Under slide 7, “Main Results of DT WG Activity,” Ms. Cataldi says the following: (1) The use of existing technologies in dark territory (switches, track integrity devices, and detectors) will be addressed in the first stage of DT WG work; (2) Voluntary participation to the use of these technologies should be promoted; (3) The Dark Territory Guidance Document on the use of chosen technology will be issued by FRA; (4) Railroads will create a Dark Territory Technology Plan for inspecting and maintaining the dark territory equipment; and (5) The Plan will be required to address identified minimum requirements contained in the Dark Territory Guidance Document.

Under slides 8-9, “Summary of Positions,” Ms. Cataldi summarizes the DTWG caucus group positions as follows: (1) Labor: (a) prefers prescriptive regulations requiring that technology be applied in dark territory (especially for switch point monitoring); and (b) feels that the RSIA of 2008 requires regulations for new technology devices in dark territory; (2) Industry: (a) prefers the use of guidance documents rather than prescriptive regulations; and (b) does not feel that the RSIA of 2008 requires regulations; and (3) FRA: (a) proposed an oversight role that would include some regulations combined with guidance documents and performance-based standards; and (b) railroads would be measured against their own Dark Territory Technology Plans.

Under slide 10, “Current Status,” Ms. Cataldi says the following: (1) RSAC Dark Territory Working Group activity was suspended because of a failure to reach consensus on the issue of regulations versus guidance documents; and (2) FRA is in a process of drafting the NPRM and related guidance document.

Under slide 11, “Main Principles for NPRM Drafting,” Ms. Cataldi lists the following: (1) The Rule will cover existing technologies in dark territory (switches, track integrity devices, and detectors) and voluntary participation to the use of these technologies; (2) FRA will issue a Dark Territory Guidance Document which will be referenced in the rule; (3) Railroads will create a Dark Territory Technology Plan for inspecting and maintaining the dark territory equipment; (4) The plan will be required to address identified minimum requirements contained in the Dark Territory Guidance Document and will be approved by FRA; (5) FRA shall audit the railroad against their Dark Territory Technology Plan; and (6) Railroads will be held accountable for following their plan and maintaining all required record keeping.

Under slide 12, “Timeline for the NPRM,” Ms. Cataldi says FRA plans to publish the Dark Territory NPRM in October 2012. She says FRA may resume the RSAC DT WG activity after the NPRM has been issued.

Olga Cataldi (FRA) asks for questions.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division) asks if the Dark Territory Plans fall under Section 103 of the RSIA of 2008. He says if the answer is “yes,” he asks if the Section 103(g) provision for labor involvement in the Dark Territory Plans is to be included.

Chairperson Lauby says FRA is currently involved with drafting the following rules: (1) The Dark Territory Rule; (2) The Risk Reduction Rule; and (3) The System Safety Rule. He says this might be a discussion item for the Risk Reduction Working Group.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division) says he encourages the Dark Territory Plans to be a subject under the Risk Reduction Rule, and therefore, he adds, the labor caucus would like to comment on the Dark Territory Plans under the Section 103(g) provisions of the RSIA of 2008.

Chairperson Lauby says this will be a consideration at the next Risk Reduction Working Group meeting.

Stephen Bruno (Brotherhood of Locomotive Engineers and Trainmen) asks if the Dark Territory Plans are handled under the Risk Reduction Rules, would the Dark Territory Plans be protected data under Section 109 provisions of the RSIA of 2008.

Michael Rush (Association of American Railroads) says there is overlap between Dark Territory technology plans and Risk Reduction Plans, however, he adds, these are separate programs. He says a “switch position indicator” needs to be addressed in the Risk Reduction Program, which includes the labor consultation process. However, he adds, there are other aspects of the Dark Territory Technology Plans which are outside of Risk Reduction and not covered.

Olga Cataldi (FRA) says the Dark Territory Working Group is going along its own course.

Thomas Streicher (American Shortline and Regional Railroad Association) says if a carrier chooses not to have any technologies, then there will be no need for a plan. He asks if FRA is providing a disincentive to apply new technology to dark territory.

Chairperson Lauby says FRA understands that concern.

John Previsich (United Transportation Union) says the Dark Territory Working Group reached consensus to transfer part of the RSAC assignment to another RSAC Working Group.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division) says information for Dark Territory Technology Plans should be protected under Section 109 of the RSIA of 2008. He says the Dark Territory Working Group transferred the “when and how” to

install new technology in dark territory to the Risk Reduction Working Group. He says this information should be protected under Section 109 of the RSIA of 2008.

Chairperson Lauby says he recalls that discussion.

Michael Rush says he believes that everyone is saying the same thing. He says “switch position indicators” are one technology mentioned in the Statute and will receive labor consultation for the Technology Plans under Section 103(g) of the RSIA of 2008.

Stephen Bruno (Brotherhood of Locomotive Engineers and Trainmen) says he brings this topic up now because he does not want this topic to fall through the cracks.

Chairperson Lauby says after Risk Reduction is rolled-out, he will recall the Dark Territory Working Group—later in the summer—and continue to talk about new technology devices in dark territory.

Kelly Haley (Brotherhood of Railroad Signalmen) asks FRA to provide a timeline for the roll-out of Risk Reduction Plans.

Chairperson Lauby says he needs the Risk Reduction NPRM by the end of July 2012, so that he can get a rule through the necessary clearances and out by the end of October 2012. He says if there are additional items that need to be talked about, then the October 2012 date he has set can be pushed back allowing him to meet the end of 2012 deadline to have Risk Reduction Plans in place.

Chairperson Lauby announces the morning break.

M O R N I N G B R E A K 11:10 A.M. - 11:25 A.M.

Chairperson Lauby reconvenes the meeting. He welcomes to the meeting Jo Strang, FRA Associate Administrator for Railroad Safety/Chief Safety Officer.

Chairperson Lauby asks Ron Hynes (FRA—Office of Safety, Acting Deputy Associate Administrator for Safety Compliance and Program Implementation) for a report on Critical Incident Working Group activities.

Ron Hynes (FRA) uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for “Critical Incident Working Group Update to The 46th Railroad Safety Advisory Committee Meeting.” Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and FRA's RSAC Internet Web Site and are not excerpted in their entirety in the RSAC Minutes.

Under slide 2, Mr. Hynes says the “Purpose” under RSAC Task No.: 09-02 is to provide advice regarding development of implementing regulations for Critical Incident Stress Plans, as required by the Rail Safety Improvement Act of 2008 (RSIA).

Under slides 3 and 4, Mr. Hynes lists the items under “Description” for RSAC Task No.: 09-02 as follows: (1) Define “critical incident”—completed; (2) Review data, literature, and standards of practice concerning critical incident programs to determine appropriate action to be offered when a railroad employee is involved in a critical incident—completed; (3) Review any evaluation studies available for existing railroad critical incident programs—completed; (4) Describe program elements appropriate for the rail environment—ongoing; and (5) Assist in the preparation of a notice of proposed rulemaking (NPRM).

Under slide 5, Mr. Hynes says RSAC Task No.: 09-02 was accepted by the full RSAC on September 10, 2009, and was initially assigned to the Medical Standards Working Group. He says a Critical Incident Working Group (CIWG) was established and the task statement was amended to reassign the task to the newly established CIWG in April 2011.

Under slides 6-9, Mr. Hynes describes the following CIWG activities and progress: (1) The first CIWG meeting was held on June 24, 2011, allowing time for delivery of a “Draft FRA Grant Report” that was anticipated to contain essential background information directly relevant to the task, e.g., a review of existing definitions, literature, and practices, and a recommended critical incident definition and program elements; (2) Subsequent meetings were held on September 8-9, 2011, and October 11-12, 2011; (3) Consensus has been reached on a definition for “critical incident;” (4) Draft regulation text has been prepared and has been distributed to WG members for review and comment; (5) The latest CIWG meeting was held on December 13, 2011, in Washington, DC; (6) After much discussion, most issues were agreed upon, but some areas of regulatory text are not yet agreed upon; (7) A smaller committee was formed to address the areas of regulatory text that are not yet agreed upon and to offer alternate regulatory text; and (8) If the committee can agree on language, it will be passed-on to the larger CIWG.

Ron Hynes (FRA) asks for questions.

Chairperson Lauby announces that today will be Scott Hinckley’s (Association of American Railroads–Union Pacific Railroad) last Railroad Safety Advisory Committee meeting. He says Scott Hinckley is retiring and his expertise will be missed.

Chairperson Lauby asks Miriam Kloeppel (FRA–Office of Safety) for a presentation on Fatigue Management Plans Working Group activities.

Miriam Kloeppel (FRA) uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for "Fatigue Working Group Update to the 46th Railroad Safety Advisory Committee Meeting." Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and FRA's RSAC Internet Web Site and are not excerpted in their entirety in the RSAC Minutes.

Under slide 2, "Background," Ms. Kloeppel says the following: (1) The Fatigue Management Plans Working Group was established on December 8, 2011, by the Railroad Safety Advisory Committee's acceptance of RSAC Task No.: 11-03 Fatigue Management Plans; (2) The purpose of RSAC Task No.: 11-03 is to provide advice regarding development of implementing regulations for Fatigue Management Plans and their deployment under the Rail Safety Improvement Act (RSIA) of 2008; and (3) The first Fatigue Management Plans Working Group meeting was held on March 27, 2012, in Washington, DC.

Under slide 3, "Task Statement Description," Ms. Kloeppel says RSAC Task No.: 11-03 contains the following description: (1) Review the mandates and objectives of the RSIA of 2008 related to the development of Fatigue Management Plans; (2) Determine how medical conditions that affect alertness and fatigue will be incorporated; (3) Review available data on existing alertness strategies; (4) Consider the role of innovative scheduling practices; and (5) Review the existing data on fatigue countermeasures.

Under slide 4, "Task Statement Issues Requiring Specific Report," Ms. Kloeppel says RSAC Task No.: 11-03 lists the following issues requiring specific report: (1) How will compliance program efficacy be evaluated and monitored; (2) How will training and education requirements be determined; (3) What processes should be in place in the event a Fatigue Management Plan is not approved; and (4) What processes will be used to periodically audit Fatigue Management Plans after they have been approved.

Under slides 5-6, "First Meeting Highlights," Ms. Kloeppel highlights the following the first meeting agenda items: (1) Reviewed task statement, comments from the Advanced Notice of Proposed Rulemaking (ANPRM), and required elements as outlined in the RSIA of 2008; (2) Reviewed current fatigue requirements under passenger and freight Hours of Service rules; (3) Reviewed elements outlined in the RSIA of 2008 for Fatigue Risk Management Plans (FRMPs): (a) Training and education; (b) Scheduling; (c) Medical conditions affecting alertness; and (d) Fatigue Risk Mitigation; (4) Demonstration and "soft launch" of Railroaders' Guide to Healthy Sleep Website; and (5) The Fatigue Management Plans Working Group voted to establish three Task Forces as follows: (a) Education and Training; (b) Scheduling; and (c) Infrastructure and Environment Concerns.

Under slide 7, "Training and Education Task Statement," Ms. Kloeppel says the Training and Education Task Force will investigate the following: (1) Employee education and

training on the physiological and human factors that affect fatigue; (2) Medical and scientific research-based fatigue mitigation strategies; (3) Opportunities for identification, diagnosis, and treatment of any medical condition that may affect alertness or fatigue, including sleep disorders; (4) Methods to minimize accidents and incidents during circadian low periods; and (5) Alertness strategies.

Under slide 8, "Scheduling Task Statement," Ms. Kloeppel says the Scheduling Task Force will investigate the following: (1) Innovative scheduling practices; (2) On-duty call practices; (3) Work and rest cycles; (4) Increased consecutive days off; (5) Other aspects of employee scheduling that would reduce employee fatigue and cumulative sleep loss; (6) The increase of the number of consecutive hours of off-duty rest; and (7) Avoidance of abrupt changes in rest cycles for employees.

Under slide 9, "Infrastructure and Environment Task Statement," Ms. Kloeppel says the Infrastructure and Environment Task Force will investigate the following: (1) Effects on employee fatigue of an employee's short term or sustained response to emergency situations; (2) Opportunities to obtain restful sleep at lodging facilities; (3) Effects of environmental conditions (e.g., temperature, vibrations, etc.) on employee fatigue; and (4) Effects on fatigue of requiring very long commutes on rest days.

Under slide 10, "Upcoming Activities," Ms. Kloeppel lists the following: (1) The three task forces will meet face-to-face on June 11, 2012, and will conduct conference calls in the interim; and (2) The next Fatigue Management Plans Working Group meeting will be June 12, 2012, in Washington, DC.

Miriam Kloeppel (FRA) asks for questions.

With no questions of Miriam Kloeppel, Chairperson Lauby reviews FRA Safety Advisory 2012-02; Restricted Speed (77 FR 24760, dated April 25, 2012). He says FRA is issuing Safety Advisory 2012-02 to remind railroads and their employees of the importance of compliance with relevant railroad operating rules when trains and locomotives are to be operated at restricted speed. He says this safety advisory contains a preliminary discussion of recent train accidents involving a failure to operate at restricted speed and makes recommendations to railroads to ensure employee compliance with the requirements of restricted speed operating rules.

Chairperson Lauby says during the previous 12 months, the railroad industry has experienced six rear end collisions that resulted in four employee fatalities, eight employee injuries, and more than \$6 million in FRA-reportable railroad property damage. He says it appears these six incidents may have occurred because the train crews did not properly identify and comply with block and interlocking signal indications that required operations of their trains at restricted speed.

Chairperson Lauby says FRA Safety Advisory 2012-02 recommends that railroads:

- (1) Review with operating employees the circumstances of the six rear end collisions that occurred during the previous 12 months;
- (2) Discuss the requirements of restricted speed and related operational tests at future instructional classes (and also as part of ad hoc coaching and briefings) for operating employees, with a focus on the railroad's absolute speed limit for such operations, as well as requirements that ensure the ability to stop in one-half the range of vision—special emphasis should be placed on situations in which the range of vision is limited (e.g., curves);
- (3) Evaluate quarterly and 6-month reviews of operational testing data as required by Title 49 *Code of Federal Regulations* (CFR) section 217.9, and, as appropriate, increase the level of operational testing with regard to the operation of trains on main tracks at restricted speed. A representative number of operational tests should be conducted on trains following other trains into an occupied block, particularly in high-density corridors. Operational tests should also include a review of locomotive event recorder data to verify compliance with restricted speed requirements;
- (4) Reinforce the importance of communication between crewmembers located in the controlling locomotive, particularly during safety critical periods when multiple tasks are occurring, including such activities as copying mandatory directives; closely approaching or passing fixed signals that require trains to operate at restricted speed; approaching locations where trains' movement authority is being restricted; and during radio conversations with other employees or job briefings about work to be done at an upcoming location; and
- (5) Review with operating employees the requirements of subpart C of 49 CFR part 220, and reinforce that the improper use of electronic devices during safety critical periods often leads to a loss of situational awareness and resultant dangers.

Chairperson Lauby asks Larry Woolverton (FRA—Office of Safety) to send a copy of FRA Safety Advisory 2012-02—Restricted Speed, to RSAC members by electronic mail.

Chairperson Lauby says he will give the update on the Passenger Safety Working Group's Engineering Task Force (ETF) activities.

Chairperson Lauby uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for "Engineering Task Force Update to the 46th Railroad Safety Advisory Committee Meeting." Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and FRA's RSAC Internet Web Site and are not excerpted in their entirety in the RSAC Minutes.

Under slide 2, "Outline," Chairperson Lauby lists the following topics that will be covered: (1) Background; (2) ETF Task 1—Tier I (Conventional) Update; (3) ETF Task 2—Tier III (High-Speed) Status; (4) Meeting Schedule; and (5) Long-Term Activities and Vision.

[Note: Tier I equipment safety standards are for passenger trains operating up to 125 mph (200 km/h), e.g., Amtrak's Intercity Service. FRA's regulations for Tier I equipment safety standards are found at 49 CFR § 238 Subparts C and D. Tier II equipment safety standards are for high-speed passenger trains operating up to 150 mph (240 km/h), e.g., Amtrak's Acela Express Service. FRA's regulations for Tier II equipment safety standards are found at 49 CFR § 238 Subparts E, F, and G.]

Under slide 3, "Background," Chairperson Lauby says (1) The Engineering Task Force (ETF) was established by the Passenger Safety Working Group (PSWG) on August 12, 2009, leading to the development of technical criteria and procedures for the crashworthiness of alternatively-designed Tier I equipment; and (2) The ETF was re-tasked by the PSWG on July 28, 2010, to: (a) to address any type of equipment; and (b) to address any safety features of the equipment.

Under slide 4, "Tier I Criteria Update," Chairperson Lauby says: (1) The "ETF I" Final Report was posted on the FRA Internet Web Site on October 28, 2011; (2) The first petition for waiver currently under FRA Safety Board review is from the Denton County (Texas) Transit Authority and to new Diesel Motor Units, being acquired from Stadler Rail; and (3) The criteria have also been applied, in part, on Amtrak's new ACS-64 locomotives.

Under slide 6, "ETF Task 2," Chairperson Lauby says the "Objective" of re-tasking the ETF is to develop engineering requirements for assuring the safety of equipment to be used in high-speed rail (Tier III) service. He says the "Purpose" for ETF Task 2 is to identify the safety requirements for passenger equipment intended for operation up to 220 mph.

Under slide 7, "ETF Task 2 Status," Chairperson Lauby says (1) Consensus has been reached on 21 items and the definition of Tier III; (2) Two ETF Task Groups have been formed for: (a) Vehicle Track Interaction (VTI)—what happens when you take Tier III equipment off dedicated track and put this equipment on Tier I equipment track; and (b) Brake Systems—what type of tests and maintenance procedures are appropriate for electronic versus conventional braking systems. He says the two Task Groups will brief the full ETF at its summer meeting scheduled for June 27-28, 2012.

Under slide 8, "Task Group Update," Chairperson Lauby outlines the following: (1) Brakes Task Group: (a) Created a matrix to compare U.S. requirements and current high-speed rail equipment practice; and (b) 9 categories have been identified for strawman text, to be presented to the full ETF in June 2012; and (2) Vehicle Track Interaction Task Group: (a) Agreed on simulation parameters for FRA Track Class 1 through 5 track; and (b) Awaiting industry response.

Under slide 9, "Consensus Items," Chairperson Lauby lists the following twenty-one criteria for Tier III high-speed rail equipment: (1) Collision with conventional equipment;

(2) Occupied volume integrity; (3) Colliding equipment override; (4) Connected equipment override; (5) Fluid entry inhibition; (6) End structure integrity of cab end; (7) End structure integrity of non-cab end; (8) Roof integrity; (9) Side structure integrity; (10) Truck attachment; (11) Interior fixture attachment; (12) Seat fixture strength (passenger and engineer); (13) Interoperability/compatibility; (14) Fire safety; (15) Emergency evacuation; (16) Forward facing cab glazing; (17) Side facing cab window glazing; (18) Emergency lighting; (19) Luggage racks; (20) Side facing windows, non-cab; and (21) Passenger occupied lead car.

Under slide 10, “Definition of Tier III,” Chairperson Lauby says the following for high-speed rail operation (Tier III Operation): (1) Trainsets operate at maximum speeds above 125 mph up to 220 mph; (2) Exclusive right-of-way is provided when trainsets operate at speeds above 125 mph; (3) Intermixing with freight trains or non-Tier III passenger trains (Tier I or Tier II) is not allowed when trainsets operate at speeds above 125 mph; (4) Grade crossings are not allowed when trainsets operate at speeds above 125 mph; (5) Trainsets are compatible from a crashworthiness standpoint with Tier I and Tier II equipment at speeds of 125 mph and below; and (6) Trainsets can safely in a Tier I environment.

Under slide 11, “ETF 2 Schedule,” Chairperson Lauby lists the following ETF 2 meetings: (1) Meeting #1–October 20-21, 2010, in Cambridge, Massachusetts–discussions of scenarios, structural crashworthiness, occupant protection, and glazing; (2) Meeting #2–January 11-12, 2011, in Orlando, Florida– consensus on scope of scenarios, structural crashworthiness, occupant protection, and glazing; (3) Meeting #3–February 14-15, 2011, in Washington, DC–consensus on some structural crashworthiness requirements; (4) Meeting #4–March 30-31, 2011, in Washington, DC–consensus on most structural crashworthiness requirements; (5) Meeting #5–June 16-17, 2011, in Cambridge, Massachusetts–consensus on most crashworthiness, occupant protection, and glazing requirements; (6) Meeting #6–October 6-7, 2011, in New Orleans, Louisiana–consensus on crashworthiness, occupant protection, glazing, fire safety, and emergency preparedness requirements; VTI and Brake Task Groups initiated; and (7) Meeting #7–June 27-28, 2012, in Los Angeles, California.

Under slide 12, “Long Term Activities,” Chairperson Lauby lists the following: (1) Roll-out Passenger Equipment “Vision and Regulatory Plan” to industry at the June 27-28, 2012, ETF meeting in Los Angeles, California; (2) Formalize ETF consensus and accomplishments, to date; and (3) Establish framework for Tier III operations and address interoperability issues.

Under slide 13, “Long Term Plan and Vision,” Chairperson Lauby lists the following: (1) Codify alternative crashworthiness requirements; (2) Formalize requirements for Tier III equipment and operations; and (3) Goal: create a foundation for a three “tier” operations environment.

Under slide 14, "Approach," Chairperson Lauby says FRA intends to separate the rulemaking into three strategic phases: (1) Phase 1: (a) Codify alternative crashworthiness requirements for trainsets (Tier I and III); (b) Define Tier III equipment and formalize consensus items; and (c) Revise Tier II maximum allowable speed (to 160 mph); (2) Phase 2—further refine Tier III requirements for protracted items (fire safety, VTI); and (3) Phase 3: (a) Revise alternative crashworthiness for single vehicle use; (b) Establish operational requirements for Tier III operations (Emergency Preparedness, and Inspection, Testing and Maintenance); and (c) Revise alternative crashworthiness requirements for Tier II trainsets.

Chairperson Lauby asks for questions.

Ross Capon (National Association of Railroad Passengers) asks if the change to 160 mph for Tier II passenger equipment would be permanent and not by waiver.

Chairperson Lauby says FRA would prefer to put 160 mph into the regulations.

Ross Capon (National Association of Railroad Passengers) asks about mixed usage in the Northeast Corridor.

Chairperson Lauby says any carrier needs special permission from FRA to operate at speeds above 125 mph. He says Amtrak would like to take Tier III equipment and operate it on its corridor up to 160 mph with existing Tier II equipment on that same corridor. He says FRA would like to have an equivalent level of safety with the Tier III equipment as with Amtrak's existing Tier II equipment.

Chairperson Lauby announces the lunch break.

L U N C H B R E A K 12:00 P.M. - 1:15 P.M.

Chairperson Lauby (FRA) reconvenes the meeting. He asks Daniel Knoté (FRA—Office of Safety) for an update on General Passenger Safety (GPS) Task Force activities.

Daniel Knoté (FRA) uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for "Passenger Safety Working Group System Safety Rule Making Update to the 46th Railroad Safety Advisory Committee Meeting." Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and FRA's RSAC Internet Web Site and are not excerpted in their entirety in the RSAC Minutes.

Under slide 2, "Activity Since Last Full RSAC Report in December 2011," Mr. Knoté lists the following: (1) A joint Risk Reduction Plan (for freight railroads) Working

Group/System Safety Program Plan (for passenger railroads) was held February 1-2, 2012; (2) On March 8, 2012, there was a System Safety Program Plan GoToMeeting™/teleconference to review Revision #26 of the System Safety Program Plan consensus document; and (2) FRA advised the GPS Task Force that changes based on discussions during the March 8, 2012 GoToMeeting™/teleconference would be incorporated into Revision #27 of the System Safety Program Plan consensus document.

Under slides 3-4, “Major Issues and Status,” Mr. Knoté lists the following topics that need resolution: (1) Section 109 of the RSIA of 2008, legal protection of data generated for risk reduction/system safety plans—The Risk Reduction Working Group and the GPS Task Force continue to address this subject, e.g., is the reporting of certain types of property damage covered (protected from disclosure), or not, under Section 109; (2) Section 103(g) of the RSIA of 2008, requirement of railroads to consult with employees (including labor unions) using good faith and best efforts to try and reach agreement on the content of Risk Reduction Plans or System Safety Plans—A placeholder has been inserted in Revision 27 of the System Safety Program Plan voting document for this subject; and (3) Section 103 of the RSIA of 2008 requirements for Fatigue Management Analysis and Plans—The work of the Fatigue Management Plans Working Group will provide recommendation(s) to the FRA Administrator on this topic. Mr. Knoté says all open issues and recommendations from the System Safety Task Group (of the GPS Task Force) have been addressed by FRA and are incorporated in Revision #27 of the System Safety Program regulation recommendations.

Under slide 5, “System Safety Task Force Vote,” Mr. Knoté says voting by electronic ballot on Revision #27 of the System Safety Program regulation recommendations is underway by the GPS Task Force—voting closes on May 2, 2012. He says if the GPS Task Force approves the electronic ballot for Revision #27, the Passenger Safety Working Group and subsequently the full RSAC will be asked to vote by electronic ballot on Revision #27 of the System Safety Program regulation recommendations.

Daniel Knoté (FRA) asks for questions.

Stephen Bruno (Brotherhood of Locomotive Engineers and Trainmen) asks if the placeholder in the voting document will be replaced with “language.”

Chairperson Lauby says FRA’s intention is to send out the voting document with “notes.” He says he expressed FRA’s intention in a recent electronic mail to GPS Task Force members. He says language for the Sections 103 and 109 of the RSIA of 2008 requirements is still under development.

Stephen Bruno (Brotherhood of Locomotive Engineers and Trainmen) says when he votes on a document, he is voting on what is in the document, not what FRA has sent in

an electronic mail message. He says he wants FRA to send out a document with Chairperson Lauby's comments included in the document.

Chairperson Lauby says he will send out an amended voting document, i.e., Revision #27a, to the GPS Task Force. He says following an approval of the GPS Task Force on the System Safety Plan document, the Passenger Safety Working Group will be asked to approve the System Safety Plan document by electronic ballot. He says following approval by the Passenger Safety Working Group, the full RSAC will be asked to approve the System Safety Plan Notice of Proposed Rulemaking (NPRM) by electronic ballot.

Chairperson Lauby asks for a motion from the full RSAC to vote on the System Safety Program Plan NPRM by electronic ballot.

Bob VanderClute (Association of American Railroads) moves that the full RSAC vote on the System Safety Program Plan NPRM by electronic ballot.

James Stem (United Transportation Union) seconds the motion.

BY VOICE VOTE, THE FULL RSAC APPROVES THE MOTION TO VOTE ON THE SYSTEM SAFETY PROGRAM PLAN NOTICE OF PROPOSED RULEMAKING (NPRM) BY ELECTRONIC BALLOT.

Chairperson Lauby reiterates that he will send a revised voting document on the System Safety Program Plan NPRM, i.e., Revision #27a, to the GPS Task Force at the conclusion of today's meeting.

Chairperson Lauby asks Miriam Kloeppel (FRA—Office of Safety) for a presentation on Risk Reduction Working Group activities.

Miriam Kloeppel (FRA) uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for "Risk Reduction Program Working Group Update to the 46th Railroad Safety Advisory Committee Meeting." Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and FRA's RSAC Internet Web Site and are not excerpted in their entirety in the RSAC Minutes.

Under slide 2, "Background," Ms. Kloeppel says the full RSAC accepted RSAC Task No.: 11-04 Risk Reduction Program on December 8, 2011. She says the Purpose of RSAC Task No.: 11-04 is to develop requirements for certain railroads to develop a Risk Reduction Program as mandated by the Rail Safety Improvement Act (RSIA) of 2008. She says the first meeting of the Risk Reduction (RR) Working Group (WG) was held January 31, 2012 - February 1, 2012, in Cambridge, Massachusetts.

Under slides 3-5, "Issues requiring specific report," Ms. Kloeppel lists the following issues requiring specific report from RSAC Task No.: 11-04: (1) Determine the required elements of an acceptable Risk Reduction Program; (2) Determine minimum requirements for: Risk Reduction Program Plan; (3) Determine the approach to risk-based hazard analysis, (i.e. hazard identification, risk analysis and assessment, and risk mitigation.); Establish time frames of program submission, FRA review, railroad re-submission, etc.; (4) Select criteria to identify railroads that have an inadequate safety record; (5) Identify the compliance duration/cycle for railroads with inadequate safety records; (6) How should Risk Reduction Program Plans address Technology Implementation Plan; (7) Final determination regarding which risk-based hazard data should be protected from discovery; (8) What processes should be in place in the event a Risk Reduction Program Plan is not approved; and (9) What processes will be used to periodically audit Risk Reduction Programs after they have been approved?

Under slide 6, "First Meeting Highlights," Ms. Kloeppel outlines the following highlights of the first RR WG meeting: (1) Reviewed task statement; (2) Reviewed comments from the Advanced Notice of Proposed Rulemaking (ANPRM); (3) Reviewed required elements as outlined in the RSIA of 2008; (4) Reviewed current programs consistent with Risk Reduction Program (both labor and management perspectives); and (5) Developed initial framework on how the RR WG should proceed.

Under slide 7, "Second Meeting Highlights," Ms. Kloeppel outlines the following highlights of the second RR WG meeting, which was held April 10-11, 2012 in Washington, DC: (1) Reviewed the revised framework on how the RR WG should proceed; (2) Initiated the discussion of the "scope" of the rule to which railroads must comply; (3) Held extensive discussions on the protection of data/information used in Risk Reduction Plans, per Section 109 of the RSIA of 2008; and (4) Held extensive discussions on required consultations with affected employees on Risk Reduction Plans under Section 103(g) of the RSIA of 2008.

Under slide 8, "Upcoming," Ms. Kloeppel says the following: (1) The next RR WG meetings will be held May 16-17, 2012, and June 13, 2012; and (2) Items to be resolved include: (a) Scope of rule (definition of inadequate safety performance); (b) Scope of communication/outreach; (c) Protection of data/information; (d) Consultation with affected employees; and (e) Timelines for completing the task.

Miriam Kloeppel (FRA) asks for questions.

Chairperson Lauby says System Safety (passenger railroads) and Risk Reduction (freight railroads) are joined at the hip.

Chairperson Lauby says he will give an update on FRA Regulatory Activity. He uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for "FRA Regulatory Activity Update to the 46th Railroad Safety Advisory Committee Meeting."

Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and FRA's RSAC Internet Web Site and are not excerpted in their entirety in the RSAC Minutes.

Under slide 2, "FRA Regulatory Activity Update," Chairperson Lauby answers the question "What does it mean when a regulatory action is determined to be significant?" He says under Executive Order 12866, the Office of Information and Regulatory Affairs, a part of the U.S. Office of Management and Budget, is responsible for determining which agency regulatory actions are "significant" and, in turn, subject to interagency review. Significant regulatory actions are defined in Executive Order 12866 as those that: (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive order.

Under slide 3, "Significant Rulemakings," Chairperson Lauby lists the following: (1) High-Speed Rail Corridor Development and Capital Investment Grants to support intercity passenger rail service—NPRM on schedule for release in April 2012; and (2) Buy America Program Requirements (HSIPR): (a) Rulemaking has been upgraded to "significant;" and (b) NPRM on schedule for release in July 2012.

Under slide 4, "Significant Rulemakings," Chairperson Lauby lists the following: (3) Railroad Safety Risk Reduction Programs: (a) Advanced Notice of Proposed Rulemaking (ANPRM) published on December 8, 2010—a requirement of the RSIA; and (b) Target date for NPRM scheduled is December 2012; (4) Training Standards for Railroad Employees: (a) NPRM published February 7, 2012 (77 FR 6412); (b) Comments to NPRM were due to FRA by April 9, 2012; and (c) Target date for Final Rule is March 2013; and (5) Critical Incident Stress Plan; Critical Incident Definition—target date for NPRM is February 2013.

Under slide 5, "Significant Rulemakings," Chairperson Lauby lists the following: (6) Controlled Substance Testing/Maintenance Employees—target date for NPRM is August 2012; (7) Positive Train Control Amendments (Residual Risk Analysis): (a) NPRM published August 24, 2011 (76 FR 52918); and (b) target date for Final Rule is June 2012; and (8) Positive Train Control (Grade Crossing and Signal)—target date for NPRM is August 2012.

Under slide 6, "Significant Rulemakings," Chairperson Lauby lists the following: (9) Vehicle/Track Interaction, High-Speed, High-Cant: (a) NPRM published May 10, 2010; and (b) Target date for Final Rule is July 2012; (10) Railroad System Safety

Program—target date for NPRM is September 2012 [Note: this date may be too early]; and (11) Emergency Escape Breathing Apparatus: (a) NPRM published October 5, 2010 (75 FR 61386); and (b) Target date for Final Rule is November 2012 [Note: this date may be significantly later than November 2012].

Under slide 7, “Non-Significant Rulemakings,” Chairperson Lauby lists the following: (1) Drug Panel Post-Accident Toxicological Testing—NPRM target date is March 2012; (2) Roadway Worker Protection Miscellaneous Revisions—NPRM on schedule for release in late April 2012; and (3) Grade Crossing—Telephone Services (formerly, Emergency Notification Systems): (a) NPRM published March 4, 2011 (76 FR 11992); and (b) target date for Final Rule is April-May 2012.

Under slide 8, “Non-Significant Rulemakings,” Chairperson Lauby lists the following: (4) Passenger Train Emergency Systems Amendments—NPRM published January 3, 2012 (77 FR 154); target date for Final Rule is February 2013; and (5) Locomotive Safety Standards Amendments: (a) NPRM published on January 12, 2011 (76 FR 2200); (b) Final Rule published April 9, 2012 (77 FR 21312); and (c) Final Rule correction notice (docket number error) published April 18, 2012 (77 FR 23159).

Under slide 9, “Non-Significant Rulemakings,” Chairperson Lauby lists the following: (6) Development and Use of Rail Safety Technology in Dark Territory— Guidance/ NPRM (if required) target for release in late 2012; (7) National Highway-Rail Crossing Inventory—target for NPRM is May 2012; and (8) Passenger Train Door Operation and Door Safety—target date for NPRM is May 2012.

Under slide 10, “Non-Significant Rulemakings,” Chairperson Lauby lists the following: (9) Track Safety Standards: Inspections: (a) Rulemaking may incorporate recommendations from RSAC Track Inspection Time Study (RSAC Task No.: 11-02); and (b) Target date for NPRM is February 2013; (10) Track Safety Standards: Rails, Records, Inspection—target date for NPRM is April-May 2012; and (11) Revisions to Passenger Train Emergency Preparation—Target date for NPRM is April-May 2012.

Under slide 11, “Non-Significant Rulemakings,” Chairperson Lauby lists the following: (12) Conductor Certification—Response to Petitions: (a) This rulemaking responded to petitions for reconsideration of the Final Rule published November 9, 2011; and (b) Response to petitions for reconsideration was published on February 8, 2012 (77 FR 6482); and (13) Railroad Workplace Safety; Adjacent-Track On-Track Safety for Roadway Workers—Response to Petitions: (a) This rulemaking would respond to petitions for reconsideration of the final rule published on November 30, 2011. This Final Rule will make amendments to the original Adjacent-Track On-Track Safety Final Rule; (b) March 8, 2012, (77 FR 13978) delays effective date and requests comments; and (c) Target date for Final Rule is August 2012.

Under slide 12, “FRA Priority of Importance,” Chairperson Lauby lists its regulatory activity in order of importance as follows: (1) Positive Train Control (PTC) Systems Amendments–final rule; (2) PTC Miscellaneous Amendments–NPRM; (3) System Safety Program (Risk Reduction for Passenger Rail)–NPRM; (4) Vehicle Track Interaction–final rule; (5) Maintenance of Way Employee Alcohol and Drug Requirements–NPRM; (6) Buy America Program Requirements–NPRM; (7) Door Control Rule–NPRM; (8) Grade Crossing Telephone Services–final rule; and (9) National Highway-Rail Grade Crossing Inventory–NPRM.

Under slide 13, “FRA Priority of Completion,” Chairperson Lauby lists its regulatory activity in priority for completion as follows: (1) Maintenance of Way Employee Alcohol and Drug Requirements–NPRM; (2) Vehicle Track Interaction–final rule; (3) Positive Train Control (PTC) Systems Amendments–final rule; (4) PTC Miscellaneous Amendments–NPRM; (5) System Safety Program–NPRM; (6) Buy America Program Requirements–NPRM; (7) Grade Crossing Telephone Services–final rule; (8) National Highway-Rail Grade Crossing Inventory–NPRM; and (9) Door Control Rule–NPRM.

Chairperson Lauby asks for questions.

With no questions of Chairperson Lauby on FRA’s Regulatory Activity Update, Chairperson Lauby asks for additions and corrections to the Minutes for the 45th meeting of Railroad Safety Advisory Committee, held on December 8, 2011. He says FRA has received corrections from B.J. Arseneau (FRA–Office of Safety) and Michael Lestingi (FRA–Office of Safety).

Ross Capon (National Association of Railroad Passengers) says he has corrections but will transmit them to John F. Sneed (FRA–meeting event recorder) by electronic mail.

Chairperson Lauby asks for a motion to accept the Minutes for the 45th meeting of Railroad Safety Advisory Committee, held on December 8, 2011, as corrected.

Ross Capon (National Association of Railroad Passengers) motions to accept the Minutes for the 45th meeting of the Railroad Safety Advisory Committee, held on December 8, 2011, as corrected.

Howard Permut (American Public Transportation Association) seconds the motion.

BY VOICE VOTE, THE FULL RSAC ACCEPTS THE MINUTES FOR THE 45TH MEETING OF THE RAILROAD SAFETY ADVISORY COMMITTEE, HELD ON DECEMBER 8, 2011, AS CORRECTED.

Chairperson Lauby asks for suggested dates for the next full RSAC meeting.

There is a brief discussion about future meeting dates after which FRA announces that it will arrange the next full RSAC meeting, RSAC 47, on September 27, 2012.

Chairperson Lauby announces that the next meeting of the Northeast Corridor Safety Committee will be on May 24, 2012, in Philadelphia, Pennsylvania.

Chairperson Lauby announces that the Charter for the Railroad Safety Advisory Committee has been renewed for an additional two years, effective May 17, 2012. [See 77 *Federal Register* 28421, dated May 14, 2012, Federal Railroad Administration [Docket No. FRA-2000-7257: Notice No. 70] Railroad Safety Advisory Committee; Charter Renewal.] He says as part of the renewal process a new RSAC Member has been added, i.e., The Railroad Passenger Car Alliance (RPCA). He says Roy Wullich will be the RPCA representative on RSAC. He says RPCA was founded in 1982, as a resource to owners and operators of privately owned railroad passenger equipment for promoting the preservation and operation of historic railroad equipment, addressing the issues facing equipment owners, and working with the nation's railroads and Amtrak to facilitate the operation and movement of member's passenger cars.

Chairperson Lauby says three organizations expressed interest in joining RSAC during the RSAC Charter Renewal process. However, he says, two of these organizations dropped out.

Chairperson Lauby asks for new business.

Chairperson Lauby reiterates his thanks to Scott Hinckley (Association of American Railroads–Union Pacific Railroad) for his knowledge and contributions to RSAC matters. He wishes Scott Hinckley well in retirement.

Chairperson Lauby thanks RSAC members for attending today's meeting. He asks for a motion to adjourn the meeting.

Charles Fraley (Sheet Metal Workers International Association) motions to adjourn the meeting.

Justin Vonashek (Association of American Railroads) seconds the motion.

Chairperson Lauby adjourns the meeting at 2:05 pm.

M E E T I N G A D J O U R N E D 2:05 P.M.

These minutes are not a verbatim transcript of the proceedings. Also, Microsoft PowerPoint overhead view graphs and handout materials distributed during presentations by RSAC Working Group Members, FRA employees, and consultants, generally become part of the official record of these proceedings and are not excerpted in their entirety in the minutes.

Respectively submitted by John F. Sneed, Event Recorder.