

FINAL
RAILROAD SAFETY ADVISORY COMMITTEE (RSAC)

Minutes of Meeting
May 20, 2011
Washington, D.C.

The forty-fourth meeting of the Railroad Safety Advisory Committee (Committee) was convened at 9:33 a.m., in the Arlington Ballroom of the Crowne Plaza Washington National Airport Hotel, 1480 Crystal Drive, Arlington, Virginia 22202, by the RSAC Chairperson, the Federal Railroad Administration's (FRA) 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 May 20, 2011, meeting, twelve of the fifty-four voting RSAC members were absent: The American Petroleum Institute (1 seat), The Association of State Rail Safety Managers (1 seat), The Brotherhood of Locomotive Engineers and Trainmen (2 of 3 seats absent), The International Association of Machinists and Aerospace Workers (1 seat), The National Conference of Firemen and Oilers (1 seat), Safe Travel America (1 seat), The Transport Workers Union of America (2 seats), The Transportation Communications International Union/Brotherhood of Railway Carmen (2 of 3 seats absent) and The U.S. Transportation Security Administration (1 seat). Five of seven non-voting/advisory RSAC members were absent: The U.S. Federal Transit Administration, The Labor Council for Latin American Advancement, The League of Railway Industry Women, The National Association of Railway Business Women, and Secretaria de Comunicaciones y Transporte (Mexico). Total meeting attendance, including presenters and support staff, was approximately 94.

Chairperson Lauby welcomes RSAC 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 Crowne Plaza Washington National Airport Hotel does not have an automated external defibrillator (AED).

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

Joseph Szabo (FRA Administrator) thanks Chairperson Lauby for welcoming him to this—the 44th meeting of the Railroad Safety Advisory Committee. He says as a body, RSAC has much to be proud of, and the railroad industry is without question, better off as a result of the hard deliberative work that RSAC does. He says he admires RSAC members' dedication to railroad safety.

Joseph Szabo (FRA Administrator) says while we come to the table with different points of view, the stakeholders represented here are greater than the sum of whole. It is through this collaborative partnership that we come to understand one another's concerns; find points of agreement; and reach compromises that serve a higher purpose. He says this has been an incredibly busy and challenging time for everyone, with ever-increasing expectations and demands, and in some cases, fewer resources reflecting the national economy.

Joseph Szabo (FRA Administrator) says America's railroads have played a vitally important role in America's ascension to prosperity, and now, as we look upon the future, are poised to once again transform the movement of people and goods. He says RSAC's mission may have expanded with President's Vision for High Speed Intercity Passenger Rail, but FRA will always make safety its highest priority.

Joseph Szabo (FRA Administrator) asks RSAC members to stop for a moment to ponder the current state of railroad safety. He says the record has been one of near continuous improvement and advancement. However, he adds, railroading continues to be a hazardous occupation and profession, as is evidenced by the unacceptable frequency of yard and roadway worker deaths and injuries that continue to be witnessed.

Joseph Szabo (FRA Administrator) says RSAC has proven itself capable of changing with the times. However, he adds, we simply can't rest on our laurels. He says the introduction of a new generation of railroad workers provides the opportunity to implement industry-wide practices that will reduce the number of accidents even as the industry is poised to play an even larger role in the nation's transportation future. He says statistical data show that existing programs need to embrace new strategies and tactics to increase our effectiveness. He says the entire industry is to be commended for adopting and promoting a culture of safety.

Joseph Szabo (FRA Administrator) says building strong safety cultures can more easily be accomplished through the establishment and nurturing of voluntary risk mitigation, policies, and procedures. He says this involves setting realistic benchmarks and

milestones, and favoring constructive corrective behavior over punitive discipline. He says to be clear, both railroads and labor have to define boundaries since rules compliance is at the heart of safety.

Joseph Szabo (FRA Administrator) says before he addresses the tasks before RSAC, he wants to provide a brief update on a subject that will occupy RSAC's time in the weeks, months and years to come. He says on May 9, 2011, Secretary LaHood announced that 15 states and Amtrak are the recipients of \$2 billion under the latest round of High-Speed Intercity Passenger Rail (HSIPR) Program funds. He says FRA is very excited about the progress that has been made by everyone involved. He says FRA is very hopeful and confident that progress will continue through these uncertain times and ultimately, form an essential component of our long-term national transportation system.

Joseph Szabo (FRA Administrator) says safety must continue to be the cornerstone of this effort. He says "World Class" means very safe which requires that engineering and investment be conjoined with operational discipline and system safety planning. He says he appreciates the willingness of so many of you to join the Passenger Safety Engineering Task Force and he congratulates that group in helping FRA evaluate the full range of equipment available to meet the needs of emerging high-speed rail.

Joseph Szabo (FRA Administrator) says on the funding front, to date, the U.S. Department of Transportation (DOT) is on schedule to obligate more than \$5.8 billion of American Recovery and Reinvestment Act of 2009 (Recovery Act), Public Law 111-5, dated February 17, 2009, funding and annual appropriations for rail projects. He says those dollars are flowing to local communities across the U.S. He says DOT will complete obligation of the Recovery Act funding well ahead of the September 30, 2012 statutory deadline. He says thirty-three (33) states across the U.S. (and the District of Columbia) are currently laying the foundation for high-speed rail corridors to link Americans with faster and more energy-efficient travel options. He adds that to say that we are overwhelmed by the demand for high-speed intercity passenger rail is an understatement. He says States are clamoring to be part of the national high-speed rail program. He says States understand the simple, undeniable premise that future population growth dictates that we act responsibly to address the looming capacity crunch, rising energy consumption and costs, environmental needs, and making communities livable.

Joseph Szabo (FRA Administrator) says just like previous national scale investments to maintain our roads, bridges, and transit systems, we must strategically invest in our railways to ensure the safest, fastest and most efficient ways to move people and goods. He says to help freight rail assume an even greater role in America's life, we are making key investments through the Department's TIGER Program [Transportation Investment Generating Economic Recovery (TIGER) Grants]. He says rail will no

longer be the forgotten mode. He says Americans' awareness of the need for transportation alternatives is acute, as gas prices continue to rise.

Joseph Szabo (FRA Administrator) says one of the reasons he wanted to be here this morning is to highlight an important new task that affects us all. He says as most of you already know, the issue of distracted driving is a key focus for his boss, Transportation Secretary Ray LaHood. He says Secretary LaHood has hosted historic national distracted driving summits, bringing together stakeholders from every corner of society to address the subject. He says the summits helped to identify opportunities for anti-distraction efforts and he is proud to champion the cause on his behalf. He says the hazards of distracting electronic devices has been made abundantly and, at times, tragically clear. He says despite the increased attention the problem is receiving, the use of personal electronic devices still continues as the ubiquity of these devices increases. He says he believes there is more that can, and must be done to make this practice socially unacceptable both in the workplace, and outside it.

Joseph Szabo (FRA Administrator) says DOT recently partnered with several groups to address the problem in all its forms. He says these partnerships produced several new and innovative ways to raise public awareness about this serious safety issue. He says he believes the best approach for combating the problem of electronic device distraction is through peer-to-peer coaching and communication; not punitive or prescriptive regulatory steps. He says the fact is, railroad managers and FRA inspectors can't be everywhere, so grass roots action by the rank and file is the only way to effectively police unsafe behaviors. He says while the temptation is to focus on train and engine employees, the reality is that yardmen, dispatchers, signal maintainers, roadway workers, shuttle drivers and those in the mechanical shops are all at risk where the improper use of distracting devices is concerned.

Joseph Szabo (FRA Administrator) says FRA had a good turnout at its Electronic Device Distraction Summit last month. He says he is encouraged that interest is high and that RSAC members understand the issues. He says he invites RSAC members to participate in open discussions that will craft tools and programs to eliminate distracted behavior in the railroad industry. He says just as public awareness and behavior have been positively influenced by campaigns to promote seat belt usage, and prevent drunk driving and recreational boating, so too can we teach and convince our families, friends and coworkers that using electronic devices carries with it inherent dangers and responsibility.

Joseph Szabo (FRA Administrator) says similarly, stigmatizing substance abuse helped transform the railroad industry from a position of passive acceptance to one of zero tolerance. He says Operation Redblock has been wildly successful in all but eliminating alcohol and illicit drug use. He says experience with this program has taught us that coworkers are uniquely positioned to influence their peers who engage in unsafe behaviors. He says it is FRA's expectation that doing so will allow us to move forward

together in setting a future course; towards developing an industry-wide program or approach to change people's attitudes about electronic devices.

Joseph Szabo (FRA Administrator) says FRA has watched with astonishment as RSAC working groups and task forces worked through the winter and delivered important products. He says since the last full RSAC meeting in December, a steady stream of Notices of Proposed Rulemakings and Final Rules have been issued, including: (1) The Locomotive Standards Notice of Proposed Rulemaking (NPRM) that was published in January clarifies the existing regulations and will modernize and improve the safety of railroad operations; (2) The Passenger Hours of Service NPRM, which was published in March and will enhance safety by ensuring our train employees are properly rested and ready for duty; and (3) The Concrete Crossties final rule that was published in April will promote the safety of railroad operations over track constructed with concrete crossties.

Joseph Szabo (FRA Administrator) says FRA is constantly working to ensure that the recommendations you vote on are consistent with FRA's goals for each rulemaking project. He says as a team, we need to build on these successes and continue the hard work needed to tackle the Dark Territory, Medical Standards, and Critical Incident tasks with the same courage and spirit of cooperation in the vested interest of the safety of the people of the United States of America. He says the products of other RSAC initiatives are working their way through the process and will be published soon. However, he adds, we have more work to do. He says he knows that each and every one of you is committed to ensuring safety on the railroad-- for the rail workforce, for railroad passengers, and the communities in which they operate.

Joseph Szabo (FRA Administrator) says in closing, he wants to thank each and every one of you again for taking time to serve on the RSAC. He says he knows that today's updates and presentations from the Conductor Certification, Dark Territory, Medical Standards and Passenger Safety Working Groups will be enlightening. He says his job provides him with a unique perspective from which to see the industry function. He says he has been fortunate to get to know people throughout industry, and learn from them. He says what he has observed is that we have much more in common than not.

Joseph Szabo (FRA Administrator) says for anyone, it takes courage to push yourself to places that you have never been before, to test your limits, and to break through barriers. He says courage is sticking your neck out for something you believe in. He says courage is an action, not a thought. And, he adds, the sum of your actions is what we call progress. He says he thinks that we are entering another time of testing for the rail industry. He says from what he has seen, he is confident that together we will be successful. But, he adds, it will take courage.

Chairperson Lauby thanks Joseph Szabo (FRA Administrator) for the opening remarks.

Chairperson Lauby asks Jo Strang (FRA Associate Administrator for Railroad Safety/Chief Safety Officer) for remarks.

Jo Strang (FRA Associate Administrator for Railroad Safety/Chief Safety Officer) introduces Ron Hynes (FRA–Office of Safety–Director Office of Safety Assurance and Compliance) as the replacement for Edward Pritchard, who retired. She says Ron Hynes will be the FRA senior staff member on the Critical Incident Reporting Working Group. She introduces Bonnie Murphy (FRA–Office of Safety–Regional Administrator Region 5 (Ft. Worth, Texas)) as Acting Deputy Associate Administrator for Safety Compliance and Program Implementation, who will filling-in for Michael Logue for 60 days while Michael Logue (FRA–Office of Safety Deputy Associate Administrator for Safety Compliance and Program Implementation) is Acting Executive Director for FRA for a period of 120 days. She says at the end of Bonnie Murphy’s 60-day temporary duty, she will be replaced by Michael Long (FRA–Office of Safety–Regional Administrator Region 4 (Chicago, Illinois), who will Act as Deputy Associate Administrator for Safety Compliance and Program Implementation for a period of 60 days.

Chairperson Lauby asks meeting attendees to sign either the “Member” or “Visitor” attendance sheet, as appropriate.

Chairperson Lauby says the first topic at today’s meeting is an update on Conductor Certification Working Group activities. He asks John Seguin (FRA–Office of Chief Counsel), who is substituting for the Conductor Certification Working Group Team Leader, Mark McKeon (FRA–Office of Safety), for a report on Conductor Certification Working Group activities.

John Seguin (FRA) says on May 12, 2011, there was a meeting of the Conductor Certification Working Group to review comments received on FRA’s Notice of Proposed Rulemaking (NPRM) for Conductor Certification, i.e., 75 *Federal Register* (FR) 69166, dated November 10, 2010, Federal Railroad Administration 49 *Code of Federal Regulations* (CFR) 242 [Docket No. FRA-2009-0035, Notice No. 1], Notice of Proposed Rulemaking (NPRM)–Conductor Certification. He says written comments were received from the following: (1) Association of American Railroads (AAR); (2) American Public Transportation Association (APTA); (3) American Short Line and Regional Railroad Association (ASLRRA); (4) Brotherhood of Locomotive Engineers and Trainmen / United Transportation Union (BLET/UTU); (5) National Railroad Passenger Corporation (Amtrak); (6) New York State Metropolitan Transportation Authority (NYMTA); and (7) Southeastern Pennsylvania Transportation Authority (SEPTA). He says FRA is reviewing the comments it has received and the subsequent discussion on May 12, 2011, and hopes to issue a Final Rule on this topic in the Fall of 2011.

Chairperson Lauby asks for questions.

With no questions, Chairperson Lauby asks Ron Hynes (FRA—Office of Safety—Director Office of Safety Assurance and Compliance) for the presentation “FRA Critical Incident Presentation.”

Ron Hynes (FRA) uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for “FRA Critical Incident Presentation to The 44th 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 a rulemaking requiring railroads to develop a critical incident stress plan is mandated by Section 410 of the Rail Safety Improvement Act of 2008 [Public Law 110-432, dated October 16, 2008] as follows:

“SEC. 410. CRITICAL INCIDENT STRESS PLAN.

(a) IN GENERAL.—The Secretary of Transportation, in consultation with the Secretary of Labor and the Secretary of Health and Human Services, as appropriate, shall require each Class I railroad carrier, each intercity passenger railroad carrier, and each commuter railroad carrier to develop and submit for approval to the Secretary a critical incident stress plan that provides for debriefing, counseling, guidance, and other appropriate support services to be offered to an employee affected by a critical incident.

(b) PLAN REQUIREMENTS.—Each such plan shall include provisions for—

(1) relieving an employee who was involved in a critical incident of his or her duties for the balance of the duty tour, following any actions necessary for the safety of persons and contemporaneous documentation of the incident;

(2) upon the employee’s request, relieving an employee who witnessed a critical incident of his or her duties following any actions necessary for the safety of persons and contemporaneous documentation of the incident; and

(3) providing such leave from normal duties as may be necessary and reasonable to receive preventive services, treatment, or both, related to the incident...”

Under slides 3 and 4, Mr. Hynes says the following: (1) RSAC Task No.: 09-02 Critical Incident Programs, was accepted by the full Railroad Safety Advisory Committee on September 10, 2009, and was originally assigned to the Medical Standards Working Group; (2) Under the Medical Standards Working Group, a Critical Incident Task Force was formed, but a kick-off meeting for the Task Force was delayed while FRA collected data; (3) In April 2011, the full RSAC voted to remove the Critical Incident Programs Task from the Medical Standards Working Group and to create the stand-alone Critical Incident Programs Working Group; and (4) A revised Task Statement for RSAC Task No.: 09-02 Critical Incident Programs, will be submitted at today’s meeting which formally creates the Critical Incident Programs Working Group and sets a target date of December 2011, for reporting rule text recommendations to the full RSAC.

Under slide 5, Mr. Hynes outlines the following considerations: (1) Grant/study information timeline; (2) The Critical Incident Working Group kick-off meeting is scheduled for June 24, 2011, in Washington, D.C.; (3) How often should the working group meet; and (4) The FRA timeline for publishing an NPRM is May 2012, with a final rule due by the fall of 2012.

Ron Hynes (FRA) asks RSAC members to look at Revised Task No.: 09-02, which was originally presented and accepted by the full RSAC on September 10, 2009. Photocopies of the Microsoft PowerPoint Presentation were distributed to meeting attendees. All meeting handouts will be entered into the RSAC Docket and are not excerpted in their entirety in the RSAC Minutes. He says the purpose of 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.

Ron Hynes (FRA) asks for questions.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division (BMWED)) says the way he reads proposed RSAC Task Statement No.: 09-02 Critical Incident Programs, this issue will not be limited to individual railroad working crafts. He asks if that interpretation is correct?

Ron Hynes (FRA) replies, "Yes." However, he adds, there needs to be a definition for "critical incident."

Rick Inclima (Brotherhood of Maintenance of Way Employees Division) says Gary Maslanka (Transport Workers Union of America) was unable to attend today's meeting. He says Gary Maslanka will contact either Ron Hynes or Chairperson Lauby regarding participation by the TWU in the Critical Incident Programs Working Group.

Keith Borman (American Short Line and Regional Railroad Association) asks what type of work schedule is going to have to occur in order to accomplish the Critical Incident Programs Task in one year?

Ron Hynes (FRA) says FRA is anticipating a very aggressive schedule.

Chairperson Lauby asks for a motion to accept Revised RSAC Task No.: 09-01 Critical Incident Programs, as presented.

Chairperson Lauby reads the description of RSAC Task No.: 09-02 as follows:
(1) Define what a "critical incident" is that requires a response; (2) Review available data, literature, and standards of practice concerning critical incident programs to determine appropriate action when a railroad employee is involved in or directly witnesses a critical incident; (3) Review any evaluation studies available for existing railroad critical incident programs; (4) Describe program elements appropriate for the

rail environment, including those requirements set forth in the Act; (5) Provide an example of a suitable plan (template); and (6) Assist in the preparation of a notice of proposed rulemaking (NPRM).

Chairperson Lauby says the issues requiring specific report will be determined by the Critical Incident Programs Working Group.

Chairperson Lauby says this task is being moved from being assigned to the Medical Standards Working Group into its own separate Working Group.

Bob VanderClute (Association of American Railroads) moves to accept RSAC Task No.: 09-02 Critical Incident Programs, as presented.

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

BY VOICE VOTE, THE FULL RAILROAD SAFETY ADVISORY COMMITTEE
ACCEPTS RSAC TASK.: 09-02 CRITICAL INCIDENT PROGRAMS, AS
PRESENTED.

Chairperson Lauby asks Olga Cataldi (FRA–Office of Safety–Dark Territory Working Group Team Leader) for a report on Dark Territory Working Group (DTWG) 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 44th 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,” Ms. Cataldi says Section 406 of the RSIA provides the “Purpose” for RSAC Task No.: 10-02 Safety Technology in Dark Territory, i.e., “To prescribe standards, guidance, regulations, or orders governing the development, use, and implementation of rail safety technology in dark territory.”

Under slide 3, “RSAC Task Statement,” Ms. Cataldi lists the following under the “Description” for RSAC Task No.: 10-02, Safety Technology in Dark Territory, accepted September 23, 2010: (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, “First DT WG Meeting,” Ms. Cataldi lists the following topics that were presented at the first DTWG meeting held on March 3-4, 2011, in Falls Church, Virginia; (1) Discussed the Congressional mandate; (2) Held a general discussion on the areas of interest; (3) Had a quick look at dark territory statistics including accidents; (4) Identified types of technology that exist in DT; (5) Discussed some of the appropriate technologies to mitigate identified safety issues; and (6) Reviewed some technologies through vendor presentations.

Under slide 5, “Portion of Dark Territory on U.S. Railroads,” Ms. Cataldi shows a bar chart containing the following data:

Group	Number	Route-Miles of Track	Signal Territory	Dark (non-signal) Territory	% of Total in Dark Territory
Class I freight	7	93,590	61,759	31,831	34
Amtrak	1	632	632	0	0
Commuter	22	2,084	2,084	0	0
Regional	33	15,341	1,705	13,636	89
Short-line	537	28,373	900	27,473	97
Total	600	140,020	67,080	72,940	52

Ms. Cataldi says of the approximately 140,020 route-miles of track in the United States, about 72,940 route-miles of track, or 52 percent of the total route-miles of track, are in dark (non-signal) territory.

Under slide 6, “Route-Mileage in Dark Territory,” Ms. Cataldi shows an exploding pie chart depicting the percentage of route miles of track in dark territory by railroad group as follows: (1) Class I railroads—44 percent; (2) Short line railroads—34 percent; and (3) Regional railroads—18 percent. Ms. Cataldi says that by December 31, 2015, when Positive Train Control Systems are required to be installed on lines carrying certain types of traffic, an additional 11,800 route-miles, or 16 percent, of track currently listed as dark territory will be reclassified as signaled territory.

Under slide 7, “Power-Assisted Switch (PAS) Signals/Indicators,” Ms. Cataldi shows a photograph of a PAS with a wayside signal to indicate the switch position, but which is not otherwise tied into a signal system.

Under slide 8, “Switch Position Monitoring Devices or Indicators,” Ms. Cataldi shows a photograph of a device (a switch circuit controller) which has the following characteristics: (1) The use of the switch position monitoring device or indicator does not throw, or move switches; (2) The technology is used to monitor switch point position; and (3) These devices are being used in dark territory.

Under slide 9, “Unusual Contingency Detection Devices,” Ms. Cataldi lists the following examples of unusual contingency detection devices: (1) High water detectors; (2) Slide fence; (3) Land slide; (4) Special track condition detectors; (5) Bridge misalignment detectors; (6) Hot box detectors; (7) Dragging equipment detectors; (8) Impact wheel detectors; and (9) Ultrasonic wheel testing. Historically, Ms. Cataldi says, FRA has only regulated these devices if they are tied into a signal system. However, she adds, the RSIA of 2008 has changed that expectation.

Under slide 10, “First DT WG Meeting, cont.,” Ms. Cataldi outlines the following results: (1) Defined the scope—main track and main track passing sidings outside of yards; (2) Agreed to use a data-driven process; (3) FRA has no preconceived notions on how to deal with recommendations of the DTWG; (4) DTWG will concentrate first on existing/applied DT technology (1st Bucket) versus future DT Technology (2nd Bucket); and (5) Homework assigned to help understand the issues: (a) inventory of already implemented DT technology; and (b) identify the numbers of technology elements.

Under slide 11, “Two-Phase Approach,” Ms. Cataldi lists the items that will be tackled by the DTWG, which have been put in the Current Use (1st Bucket): (1) Power-assisted switches; (2) Switch position monitoring; (3) Track integrity systems; and (4) Unusual contingency detectors. She says after the first Bucket issues have been resolved, the DTWG will look at items in the Future Use (2nd Bucket): (1) Voluntary installation of current use devices; (2) Potential risk-based required installations; and (3) New or novel technologies.

Under slide 12, “Second DT WG Meeting,” Ms. Cataldi outlines the following six step approach from the May 9-10, 2011 DTWG meeting: (1) Top level review of the dark territory accident history, e.g., kinds of accidents; (2) Develop a prioritized list that identifies the most important issues; (3) Select the most important issues (current use bucket) for immediate consideration by the DTWG; (4) Form subgroups (Task Forces) to fully explore the selected issues and develop a strategy to develop standards and improve safety; (5) Subgroups report findings to the full DTWG; and (6) The DTWG agrees with this strategy.

Under slides 13 and 14, “Dark Territory Statistics,” Ms. Cataldi shows statistics for the main lines of the seven Class I railroads in table and bar chart format, for the six-year period 2003 to 2008. Ms. Cataldi says when the number of train accidents in dark territory are adjusted for trillions of gross ton-miles of traffic, approximately 75.7 percent of all main line Class I railroad accidents per trillion gross ton-miles of freight occur in dark territory.

Under slide 15, “Accidents per Traffic Volume Rate for Class I [Railroads],” Ms. Cataldi shows a graphic representation that accident rates per trillion gross ton-miles for Class I railroads are three times higher in dark territory than for signaled territory.

Under slide 16, “Cause of Accidents in DT (2003-2008),” Ms. Cataldi shows separate bar charts for Accidents Caused by Human Factors and Track-Related Accidents. The bar chart for Accidents Caused by Human Factors shows the number of train accidents for 27 of the FRA accident cause codes for the years 2003-2008, with the leading number of accidents being: (1) H702—switch improperly lined; (2) H503—buffing or slack action excessive, train handling; (3) H402—motor car or on-track equipment rules, failure to comply; (4) H606—train outside yard limits in non-block territory, excessive speed; (5) H704—switch previously run through; and (6) H993—human factors—track. The bar chart for Track-Related Accidents shows the number of track-related accidents for 22 of the FRA train accident cause codes for the years 2003-2008, with the leading number of accidents being: (1) T220—broken rail, transverse/compound fissure; (2) T110—wide gage (due to defective or missing crossties); (3) T109—track alignment irregular (buckled or sunkinked); (4) T202—broken rail (base); (5) T001—roadbed settled or soft; and (6) T205—defective or missing crossties (other than wide gage).

Under slide 17, “Cause of Accidents in DT (2003-2008),” Ms. Cataldi shows a bar chart depicting the number of mechanical and electrical failure accidents for 26 of the FRA accident cause codes for the years 2003-2008, with the leading number of accidents being: (1) E53C—journal (roller bearing) overheating; (2) E61C—broken rim; (3) E21C—center sill broken or bent; (4) E51C—broken/bent axle between wheel seats; and (5) E67C—damaged flange or tread (build up).

Under slide 19, “Statistics on Types of Accidents that Can be Reduced by the Existing Safety Technology,” Ms. Cataldi displays a bar chart depicting the number of accident statistics for main lines for the years 2003-2008, based on the following:

Type of Accidents	Accident Statistics	Safety Technology to Reduce Accidents
Accidents on switches	76	Switch detectors, Power-assisted switches

Broken rail	165	Track integrity warning systems
Bearing overheating	23	Hot box detectors
Mud and rock slides	10	Slide fences, etc.
High water	6	Highwater/flood detectors
Dragging equipment	2	Dragging equipment detectors

Under slide 20, “Existing Technology Inventory in Dark Territory Provided by RSAC Members,” Ms. Cataldi lists the following information:

Existing Technology in Dark Territory	Class I Railroads	Short Lines
Hand-operated switches	6526	4341
Switch point monitoring	13	227
Power-operated switches	167	75
Track integrity systems	Only in PTC territory	61
Unusual occurrence detectors	203	61
High-water detectors	1	1
Slide fences	5	3
RCL (Remote Control Locomotive) Zone limiting devices	1	0
Car counters	0	17
Scour detectors	9	0

Under slide 21, “Phase I–Current Use Bucket,” Ms. Cataldi says three primary topics seem to rise to the top: (1) Switches–associated with the use and position thereof; (2) Track integrity–associated with broken rail; and (3) Defective conditions–associated with mechanical and wayside detectors.

Under slide 22, “What Safety Technologies May Address These Three Topics,” Ms. Cataldi lists the following: (1) Switches: (a) switch position monitoring; and (b) power-assisted switches; (2) Track integrity–broken rail detection systems; and (3) Defective conditions–defect (hazard) detection systems.

Under slide 23, “Task Force Groups Formed,” Ms. Cataldi says the DTWG has established three Task Forces consisting of representatives from FRA, labor, Class I railroads, short line railroads, suppliers, and others for the following topics: (1) Switches; (2) Track integrity; and (3) Defect detectors.

Under slide 24, “Six Steps,” Ms. Cataldi outlines a six step approach for the DTWG to meet objectives as follows: (1) Analyze accident history; (2) Develop a prioritized list; (3) Select issues; (4) Form subgroups (Task Forces); (5) Task Forces report findings and strategy to the DTWG; and (6) DTWG agrees on the strategy to be used by the Task Forces.

Olga Cataldi (FRA) says FRA expects to prepare a Congressional Report by the end of 2011, to respond to the questions posed by Section 406 of the RSIA on the use of technologies in Dark Territory.

Olga Cataldi (FRA) asks for questions.

Lawrence Mann (United Transportation Union) asks why gross ton-miles was used in the statistical presentation, as opposed to train-miles.

Olga Cataldi (FRA) says in most of FRA’s statistics, train-miles are used. However, she adds, FRA uses many statistics in its analyses, including train-miles, track-miles, gross tons, gross ton-miles, route-miles, revenue tons, and revenue ton-miles. FRA considered the accident rate averaged (normalized) by the volume of traffic in gross ton-miles (actual volume of goods carried through) as a more accurate characteristic of risks because the length and weight of trains may vary.

David Julian (Association of American Railroads) asks, on the technology front, does FRA have a position on power-assisted switches versus switch position monitoring in dark territory?

Olga Cataldi (FRA) says switch point detection in dark territory is a major concern to FRA. She says a primary goal is to encourage railroads to use switch position monitoring.

Scott Hinckley (Association of American Railroads) cites slide 22, "What Safety Technologies May address These Three Topics." He asks what FRA is expecting for defect detection systems.

Olga Cataldi (FRA) says the Task Force will examine the situation in which the device will be used. She says FRA has no preconceived notion on what the DTWG will recommend for each device.

Chairperson Lauby says the DTWG has been interesting. He says he is the FRA senior staff member who provides guidance for the DTWG and the Passenger Safety Working Group's Engineering Task Force. He says FRA is not certain how the agency wants to handle the DTWG issues. He says maybe standards are good; maybe guidance is good; or maybe regulations are good. He says FRA is looking for an approach to use for the DTWG and the Engineering Task Force in order to obtain recommendations for the RSAC tasks, which have been assigned to these groups.

Chairperson Lauby says the tentative dates for the next DTWG meeting are September 6-7, 2011.

Chairperson Lauby announces the morning break.

M O R N I N G B R E A K 10:40 A.M. - 11:05 A.M.

Chairperson Lauby reconvenes the meeting. He announces the death of Julie Johnson (Association of Railway Museums), who had been a Member of the Railroad Safety Advisory Committee at its inception on April 1, 1996. He says Bob Opal (Association of Railway Museums) will replace Ms. Johnson as the voting member for the Association of Railway Museums.

Chairperson Lauby announces tentative dates for the next Dark Territory Working Group meeting to be September 6-7, 2011, and for the Medical Standards Working Group meeting to be September 27-28, 2011.

Chairperson Lauby asks Miriam Kloeppel (FRA—Office of Safety) for a presentation on "Preventing Railroad Employee Distractions Caused by Personal Electronic Devices."

Miriam Kloeppel (FRA) uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for "Preventing Railroad Employee Distractions Caused by Personal Electronic Devices." 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 slides 2 and 3, “What is a Personal Electronic Device,” Ms. Kloeppel says a “personal electronic device” means a device used to: (1) Conduct oral, written, or visual communication; (2) Place or receive a telephone call; (3) Send or read an electronic mail message or text message; (4) Look at pictures; (5) Read a book or other written material; (6) Play a game; (7) Navigate the Internet; (8) Navigate the physical world; (9) Play, view, or listen to a video; (10) Play, view, or listen to a television broadcast; (11) Play or listen to a radio broadcast other than a radio broadcast by a railroad; (12) Play or listen to music; (13) Execute a computational function; (14) Perform any other function that is not necessary for the health or safety of the person and that entails the risk of distracting the employee or another railroad operating employee from a safety-related task. She says electronic devices that are supplied by railroads are excluded from this definition.

Under slide 4, “Cell Phone Use,” Ms. Kloeppel gives the following background information: (1) In 1971, American Telephone and Telegraph (AT&T) proposes cellular telephone service to the U.S. Federal Communications Commission; and (2) In 2011, there were (a) 223 million U.S. cell phone users; (b) The population of the United States was approximately 311 million; (c) The number of mobile Web users is approximately 60.7; (d) The number of mobile device owners that streamed audio was approximately 18 million (8 percent); and (e) The number of mobile device owners that viewed video via their mobile phone was approximately 16 million (7 percent).

Under slide 5, “The Nation’s Youth,” Ms. Kloeppel says the following, based on a survey of students at the Massachusetts Institute of Technology: (1) 4 percent of students said they thought it was acceptable to use a cell phone in class; (2) 41 percent said they had used a cell phone to check messages in class; (3) 50 percent said the use of text messaging was acceptable in class; and (4) 33 percent considered playing games appropriate in class.

Under slide 6, “Cultural Effects on Highway Safety,” Ms. Kloeppel says the following: (1) In 2008, 6,000 people died in automobile accidents involving a distracted driver; (2) In 2008, more than 500,000 people were injured in automobile accidents involving a distracted driver; and (3) In 2008, on any given day, more than 800,000 vehicles were driven by someone using a hand-held cell phone.

Under slide 7, “The Railroad Culture,” Ms. Kloeppel says the following: (1) Railroad culture is a reflection of our national culture; and (2) As cell phone use becomes more pervasive in the general population, it also becomes more socially acceptable during other activities, including work.

Under slide 8, “Selection of Railroad Accidents with Personal Cell Phones Involved,” Ms. Kloeppel lists the following examples:

Date	Location	Details
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12/2000	Gillette, WY	1 Dead
4/2002	Clarendon, TX	2 Dead, >\$8,000,000 in damages
4/2004	Gunter, TX	1 Dead, 1 injured >\$2,600,000 in damages
4/2006	San Antonio, TX	4 injured, > \$400,000 in damages
9/2008	Chatsworth, CA	25 Dead, > \$7,000,000 in damages.

Under slides 9 and 10, “How Have We Addressed the Problem So Far,” Ms. Kloeppel outlines the following: (1) In September 2010, FRA enacted 49 CFR Part 220 Subpart C, Electronic Devices: (a) directed at operating employees (train and engine employees); and (b) not necessarily focused on “personal” devices—addresses all electronic devices; (2) Limited testing of new technological fixes; and (3) On April 21, 2011, FRA hosted the Electronic Device Distraction Summit with the purpose to begin the discussion about how to make use of personal electronic devices by railroad employees on the job to be socially unacceptable: (a) attended by representatives of rail carriers, rail labor organizations, and industry associations; and (b) representatives of the U.S. National Highway Traffic Safety Administration, Union Pacific Railroad, and Transport Workers Union of America gave presentations.

Under slide 11, “Human Factors Perspective,” Ms. Kloeppel says Michael L. Brown, Acting Associate Administrator, Research and Program Development, National Highway Traffic Safety Administration articulated the following during the Electronic Device Distraction Summit: (1) The primary responsibility of the driver is to operate a motor vehicle safely. The task of driving requires full attention and focus; (2) Drivers should resist engaging in any activity that takes their eyes and attention off the road for more than a couple of seconds; and (3) Even a second or two can make all the difference in a driver being able to avoid a crash.

Under slide 12, “Human Factors Perspective,” Ms. Kloeppel lists the following types of distraction: (1) Visual—eyes off the road; (2) Manual—hands off the wheel; and (3) Cognitive—mind off the driving task. She says “texting” is one of the riskiest forms of distraction—it combines visual, manual, and cognitive distraction.

Under slides 13 and 14, Ms. Kloeppel says Robert M. Grimaila, Vice President and Chief Safety Officer at the Union Pacific Railroad articulated the following during the Electronic Device Distraction Summit: (1) Focus on behavior before the accident occurs; (2) Behaviors change with engagement; (3) Positive engagement starts with trust; and

(4) Several programs are underway at Union Pacific Railroad, which are designed to increase engagement. Mr. Grimaila says culture is repeated behavior; culture change takes time; and we can and must decide what we want our culture to be.

Under slides 15 and 16, "TWU Perspective," Ms. Kloeppel says Gary Maslanka, International Vice President, Director Railroad Division, Transport Workers Union of America articulated the following during the Electronic Device Distraction Summit: (1) A labor/management team constructed processes to: (a) develop a hazardous materials training program; (2) create skilled peer trainers; (c) deliver peer-to-peer training; and (d) measure effectiveness of the training program; and (2) As a result of this peer-to-peer program: (a) more than 90 percent of respondents cited changes they made at their locations toward better and safer hazardous materials transportation; and (b) nearly 40 percent of respondents believed that as a result of receiving training themselves, they had been able to limit or prevent a hazardous materials incident.

Under slide 17, "Discussion Summary," Ms. Kloeppel lists the following overall recommendations: (1) Develop a program using involvement from all stakeholders; (2) Build trust; (3) Set and explain standards; and (4) Consider programs like Operation Lifesaver, Operation Redblock, or peer-to-peer coaching programs as models, which offer the strongest opportunity to affect change on a broad scale.

Under slide 18, "Goal," Ms. Kloeppel says goal of any program that prevents railroad employee distractions caused by personal electronic devices is to make personal electronic device use by railroad employees socially unacceptable.

Miriam Kloeppel (FRA) asks the Railroad Safety Advisory Committee (RSAC) to look at proposed RSAC Task No.: 11-01 Preventing Railroad Employee Distractions Caused by Personal Electronic Devices. Photocopies of the Microsoft Word Document 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.

Miriam Kloeppel (FRA) says the "Purpose" of RSAC Task No.: 11-01 is 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.

Miriam Kloeppel (FRA) reads from the "Description" of RSAC Task No.: 11-01 as follows: (1) Explore additional methods to achieve compliance through education, peer-to-peer intervention, counseling and other cooperative, non-regulatory methods; and (2) Review previous and current programs that improve compliance with rules and improve safety performance such as "Clear Signal for Action (CSA)."

[Note: Union Pacific Railroad (UP), the Brotherhood of Locomotive Engineers and Trainmen, and the United Transportation Union are collaborating with the FRA's Human Factors Research and Development Program to conduct a Clear Signal for Action (CSA) demonstration pilot. CSA is a risk reduction process that combines behavior-based safety, continuous improvement, and safety leadership. The goal of this project is to determine whether CSA can improve safety and safety culture in the railroad industry as it has in other industries. The project involves peer-to-peer observations of yard-crew workers from UP's Livonia Service Unit, who provide each other with confidential, constructive coaching feedback to reduce the probability of injuries, derailments, and other incidents. In addition, behavioral observation and interview data, compiled by peers are used to identify systemic factors and implement corrective actions at the systems level to lower the risk of derailments and accidents. Corrective actions to address behavioral issues are also implemented. Training in how to effectively support the process is also provided for managers.]

Miriam Kloeppel (FRA) reads from "Issues requiring specific report" of RSAC Task No.: 11-01 as follows: (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?

Miriam Kloeppel (FRA) asks for questions.

Thomas Streicher (American Short Line and Regional Railroad Association) cites personal cell phones. He asks about encouraging cell phone use by motorists to contact railroads about malfunctioning signals or crossing arms at highway-rail grade crossings. He asks if a conflicting message is being sent to encourage motorists to report a malfunction while they are operating a motor vehicle?

Jo Strang (FRA) asks that the ASLRRA submit a letter on this topic to FRA and FRA will pass the letter on to railroads for comment.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division) asks about language in "red" text, which labor had put together for the Draft RSAC Task No.: 11-01.

Bob VanderClute (Association of American Railroads) says "non-regulatory" has been scratched and "non-punitive" has been substituted in the fourth bullet under "Description." He requests that "non-regulatory" not be scratched.

Chairperson Lauby asks Cynthia Gross (FRA–Office of Safety, RSAC Facilitator) for comments.

Facilitator Gross says several versions of the draft statement for RSAC Task No.: 11-01 were in circulation and FRA ran out of time before a final document could be issued for today's meeting.

James Stem (United Transportation Union) says education and peer-to-peer intervention is what makes Operation Redblock successful.

Bob VanderClute (Association of American Railroads) requests that the fourth bullet under "Description," RSAC Task No.: 11-01, read as follows: "This working group will explore additional methods to achieve compliance through education, peer-to-peer intervention, counseling, and other cooperative, non-regulatory, non-punitive methods."

Chairperson Lauby asks if that is acceptable to the full RSAC?

Jeffrey Moller (Association of American Railroads) says under "Issues requiring specific report," RSAC Task No.: 11-01, FRA should add the additional item: "Identify the scope of the problem."

John Previsich (United Transportation Union) says he agrees with Jeffrey Moller. However, he says he believes the Working Group should identify the scope.

Chairperson Lauby says it is understood that the Working Group will define the scope of the task.

Scott Hinckley (Association of American Railroads) asks, "How does FRA see this issue proceeding?" He says the August 15, 2011, target date for the working group to report recommendations back to the full RSAC on Task No.: 11-01 is very ambitious.

Chairperson Lauby says this is a very important issue for the Secretary of Transportation. He says this is a very important issue to FRA Administrator Joseph Szabo and FRA Associate Administrator for Safety/Chief Safety Officer Jo Strang. He asks Jo Strang for comments.

Jo Strang (FRA) says FRA is flexible on the date. She says she would like to have "younger: people from labor and industry to participate in the working group discussion on this topic.

Keith Borman (American Short Line and Regional Railroad Association) says he suspects that there are a lot of studies and literature on this topic. He says considering the amount of literature that needs to be reviewed, he believes the time line is too short.

Bob VanderClute (Association of American Railroads) questions the following issue under “Issues requiring specific report,” RSAC Task No.: 11-01: “Identify parameters of both prohibited and permissive use of personal electronic devices.” He asks what current conditions are there that would permit the use of “personal” electronic devices on railroad property.

Chairperson Lauby says this issue needs to be discussed by the working group.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division) says the “target date” is just that—a target date. He says if the working group does not meet the August 15 target date, then the working group will not meet the August 15 target date.

Jo Strang (FRA) says there is a typographical error on the draft Task No.: 11-01. She says the “target date” should be August 15, 2012, not August 15, 2011.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division) says he believes RSAC Task No.: 11-01 applies to those employees who are not part of the operating environment, i.e., those covered by 49 CFR Part 220 Part C regulations. He says you must be able to accommodate people who must make a phone call, or else people will break the rule.

Jo Strang (FRA) says if the working group focuses on the issue, she believes the working group can get the job done. He says Task No.: 11-01 is not a regulatory effort. She says FRA is putting this vehicle under its Federal Advisory Committee so that the issue can be discussed.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division) asks if the working group effort on Task No.: 11-01 will impact 49 CFR Part 220 Part C regulations?

Jo Strang (FRA) replies, “No.” She says RSAC Task No.: 11-01 will affect all employees but is a non-regulatory effort.

Michael Rush (Association of American Railroads) says the focus of Task No.: 11-01 is how to educate folks to comply with railroad rules and FRA rules. He says it is not to re-open the Part 220 Part C rules.

John Previsich (United Transportation Union) says there needs to be an expectation on what to tell employees. He says a blanket prohibition on cell phone use will not work and we all know that.

James Stem (United Transportation Union) says educating an employee when he can use a cell phone is just as important as educating an employee when he cannot use his cell phone.

Andrew Corcoran (Association of American Railroads) asks that the new 3rd bullet under “Issues requiring specific report,” RSAC Task No.: 11-01, i.e., “Identify parameters of both prohibited and permissive use of personal electronic devices,” be eliminated.

Jo Strang (FRA) says this effort is designed to educate all employees. She says it is not a rulemaking effort. She says we need to deal with new employees who have always “texted” messages. She says people now text to determine when they can telephone. She reiterates that this is a non-regulatory effort.

Joseph Mattingly (Brotherhood of Railroad Signalmen) requests that the new 3rd bullet under “Issues requiring specific report,” RSAC Task No.: 11-01, i.e., “Identify parameters of both prohibited and permissive use of personal electronic devices,” be retained. He says the BRS supports keeping the language the same.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division) agrees. He says labor does not want the 3rd bullet under “Issues requiring specific report,” RSAC Task No.: 11-01, i.e., “Identify parameters of both prohibited and permissive use of personal electronic devices,” to be stripped from the task statement.

Michael Rush (Association of American Railroads) reiterates that the problem that Jo Strang identified is how to get employees to conform with existing rules.

Chairperson Lauby says the purpose of RSAC Task No.: 11-01 is to prescribe mitigation strategies. He says this is not a rulemaking. He says it is like a strategy to get people to use seat belts in automobiles. He says he sees no disadvantage to leaving the 3rd bullet in the task statement and to allow the Working Group to decide how to handle this issue.

Jo Strang (FRA) says if words referencing “compliance” were eliminated, it might help to better understand the non-regulatory aspect of this activity.

Michael Rush (Association of American Railroads) says if the language for the 3rd bullet under “Issues requiring specific report,” RSAC Task No.: 11-01, has no other meaning, then the 3rd bullet is acceptable to management.

Stephen Bruno (Brotherhood of Locomotive Engineers and Trainmen) agrees.

Chairperson Lauby asks for a motion to accept RSAC Task No.: 11-01 Preventing Railroad Employee Distractions Caused by Personal Electronic Devices.

James Stem (United Transportation Union) motions to accept RSAC Task No.: 11-01 Preventing Railroad Employee Distraction Caused by Personal Electronic Devices.

Andrew Corcoran (Association of American Railroads) seconds the motion.

BY VOICE VOTE, THE FULL RAILROAD SAFETY ADVISORY COMMITTEE
ACCEPTS RSAC TASK NO.: 11-01 PREVENTING RAILROAD EMPLOYEE
DISTRACTIONS CAUSED BY PERSONAL ELECTRONIC DEVICES.

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 reconvenes the meeting. He announces that Dewey Garland (Sheet Metal Workers International Association), who has been with RSAC since its beginning on April 1, 1996, is retiring as of September 1, 2011. He says today will be Dewey Garland's last RSAC meeting.

Chairperson Lauby announces that on July 1, 2011, Gregory Kreie (Brotherhood of Maintenance of Way Employees Division) will be leaving Washington, DC for a new BMWED assignment in Kansas City, Missouri. He says today will be Gregory Kreie's last RSAC meeting.

Chairperson Lauby asks Dr. Bernard J. (B.J.) Arseneau (FRA—Office of Safety) for a report on Medical Standards Working Group activities.

B.J. Arseneau (FRA) uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for "Medical Standards Working Group Presentation, May 20, 2010." 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, Dr. Arseneau says the Medical Standards Working Group has the following RSAC Tasks assigned: RSAC Task No.: 06-03 Medical Standards for Safety-Critical Personnel.

Under slides 3 and 4, "Current Position," Dr. Arseneau says there has been an evolution of focus which has narrowed the scope of the Medical Standards as follows: (1) Covered safety-critical personnel limited to: (a) Locomotive engineers (Part 240); and (b) Conductors (Part 242, when issued); and (2) Medical assessments are limited to: (a) Impairments of visual acuity, visual field, and color perception; (b) Impairments of hearing acuity; and (c) Medical conditions that cause sudden incapacitation.

Under slide 5, "November 18-19, 2010 WG Meeting," Dr. Arseneau says the following topics were discussed during the November 18-19, 2010, Medical Standards Working Group meeting: (1) Dispute resolution; (2) Short lines proposal; (3) Working Group draft (text reviewed); (4) Outstanding issues; and (5) Action plan.

Under slide 6, "FRA Medical Standards Team Tasks," Dr. Arseneau lists the following: (1) Review industry and labor positions on "dispute resolutions;" (2) Draft "dispute resolution" test; (3) Revise medical assessment sections of current working rule text draft: (a) medical assessment based on medical records review by the Railroad Physician, i.e., moving away from medical examinations to "medical records review;" and (b) move away from examinations, particularly by non-treating health care professionals.

Under slide 7, "Physicians Task Force," Dr. Arseneau says the Physicians' Task Force has held the following meetings in 2011: (1) January 11-12, 2011; (2) March 3-4, 2011; and (3) May 16-17, 2011.

Under slide 8, Physicians Task Force," Dr. Arseneau says the current tasks assigned to the Physicians' Task Force include: (1) Define: sudden incapacitation and covered medical conditions; (2) Recommend screening protocols: vision, hearing, blood pressure and obstructive sleep apnea; (3) Recommend medical qualification criteria and assessment protocols; and (4) The Physicians' Task Force deliverables are due June 30, 2011.

B.J. Arseneau (FRA) says the Physicians' Task Force should have a product completed by June 30, 2011. He says the Medical Standards Working Group hopes to have a final product, that is, a draft proposed medical standards rule, to the full RSAC by December 31, 2011. Once the FRA receives the Working Group's product, the FRA will internally review the Working Group's product and relevant proceedings of the full RSAC, and then proceed to rulemaking.

B.J. Arseneau (FRA) asks for questions.

With no questions of Dr. Arseneau, Chairperson Lauby asks Daniel Knoté (FRA—Office of Safety) for a report on Passenger Safety Working Group activities.

Daniel Knoté (FRA) says he is substituting for Charles Bielitz (FRA—Office of Safety, Passenger Safety Working Group Team Leader). He introduces Passenger Safety Working Group activities saying there are two active Task Forces under the Passenger Safety Working Group. They are: (1) The Engineering Task Force (ETF); and (2) General Passenger Safety Task Force. He asks Gary Fairbanks (FRA—Office of Safety, Staff Director for Motor Power and Equipment) for an update on ETF activities.

Gary Fairbanks (FRA) uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for “RSAC Engineering Task Force: Update on Activities to the 44th 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,” Mr. Fairbanks lists the following topics that will be covered: (1) Background; (2) Tier I Criteria and Procedures; (3) ETF Task 2; (4) 49 CFR Tier III; (5) Status—structural crashworthiness, occupant protection, glazing, fire safety, emergency preparedness features, and suspension performance; (6) Schedule; and (7) Selected research activities.

[Note: Tier I Equipment Safety Standards are for trains operating up to 125 mph; Tier II Equipment Safety Standards are for trains operating up to 150 mph; and proposed Tier III Equipment Safety Standards are for trains operating up to 220 mph.]

Under slide 3, “Background,” Mr. Fairbanks says the following: (1) The Engineering Task Force (ETF) was established by the Passenger Safety Working Group (PSWG) on August 12, 2009. He says the ETF was tasked with developing technical criteria and procedures for assuring the structural crashworthiness and occupant protection performance of alternatively-designed equipment to be used in Tier I service; and (2) The ETF was re-tasked by the PSWG on July 28, 2010 as follows: (a) may address any type of equipment, e.g., conventional locomotives, high-speed power cars, cab cars, multiple-unit (MU) locomotives, and coach cars; and (b) may address any safety features of the equipment, e.g., crashworthiness, interior occupant protection, glazing, emergency egress, and fire safety features.

Under slide 4, “Tier I Criteria and Procedures,” Mr. Fairbanks describes the following: (1) Reflects substantial change in technology: (a) 49 CFR Part 238—principally based on classical beam analysis and mechanics of materials (i.e., manual analyses) and non-destructive tests; and (b) Criteria and Performance Report—principally based on contemporary computer simulation tools, non-destructive tests, and destructive tests; and (2) Final report to be posted on the FRA Internet Web Site by June 18-19, 2011.

Under slide 5, “ETF Task 2,” Mr. Fairbanks says the ETF Task 2 objective is to develop recommended engineering requirements for assuring the safety of equipment to be used in 49 CFR Tier III service. He says the ETF Task 2 “Scope” covers all safety aspects of high-speed equipment including: (1) Crashworthiness, occupant protection, and glazing (status—ongoing); (2) Fire safety and emergency preparedness features (status—ongoing); (3) Suspension performance (status—started); (4) Brake performance (status—started); and (5) Safety appliances (status—ongoing).

Under slide 6, "CFR Tier III (draft)," Mr. Fairbanks lists the following draft requirements for Tier III equipment on United States' rail passenger lines: (1) Tier III provides for the sharing of rail infrastructure among various types of rail equipment; (2) Tier III passenger equipment would be operationally compatible with rail equipment operating at speeds not exceeding 125 mph; (3) Tier III provides for dedicated passenger rail service at maximum speeds up to 220 mph; (4) Tier III passenger equipment would operate at speeds over 125 mph only in a dedicated environment; and (5) Some Tier III standards may be less stringent than those applied to Tier II (Amtrak's Acela) passenger equipment, but will be safe for the environment in which the equipment operates.

Under slide 7, "Structural Crashworthiness," Mr. Fairbanks says the following: (1) There is consensus on most structural crashworthiness requirements for the ETF Criteria and Procedures Report; (2) A fluid entry proposal is being reviewed by the American Public Transportation Association (APTA); and (3) Passenger-occupied end cars are acceptable to FRA for Tier III equipment.

Under slide 8, "Occupant Protection," Mr. Fairbanks explains the following: (1) Passenger seats: (a) A Seat Standard Workgroup has been formed to develop recommendations; and (b) Adoption of United Kingdom Standard GM/RT 2100 is under discussion—develop technical comparison with APTA seat standard for effectiveness in compartmentalizing occupants, limiting injury, and keeping seats attached; and (2) Interior fixture attachment and luggage retention—FRA is developing responses to APTA proposals.

Under slide 9, "Glazing," Mr. Fairbanks says for side facing glazing, there is consensus on FRA Type I glazing requirements. He says for forward facing glazing, FRA is considering an industry proposal.

[Note: Type I materials test regimen consists of: (1) Ballistics Impact in which a standard 22 caliber long rifle lead bullet of 40 grains in weight impacts at a minimum velocity of 960 feet per second (fps); and (2) Large Object Impact in which a cinder block of 24 lbs. minimum weight with dimensions of 8" x 8" x 16" nominally impacts at the corner of the block at a minimum 44 fps velocity.

Type II materials regimen consists of: (1) Ballistics Impact is identical to Type I; and (2) Large Object of the same weight and dimensions of Type I impacts at a minimum velocity of 12 fps.]

Under slide 10, "Fire Safety," Mr. Fairbanks says there is ETF agreement in principle on an alternative to Note 16 of 49 CFR Part 238 Appendix B—to protect against a fire source under and external to the vehicle, the floor assembly may be tested together with under car design features that separate the vehicle from the fire source, i.e., skirts and bottom covers.

Under slide 11, “E-Prep Features,” Mr. Fairbanks explains the following: (1) There is consensus on window access—pull-out glazing strip of breakaway glazing: (a) breakaway glazing is acceptable with proper signage and compliance with FRA Type I glazing requirements; and (b) the size of windows must either be as per current CFR, or have an equivalent emergency egress plan approved by FRA; and (2) There is consensus on “emergency door release,” i.e., no changes to current CFR requirements.

Under slide 12, “Suspension Performance,” Mr. Fairbanks says: (1) A methodology was proposed at the March 31, 2011, ETF meeting for evaluating suspension performance; and (2) The methodology is to simulate suspension response to selected cases of Minimally Compliant Analytical Track (MCAT) for FRA Track Class 1 through 5 track conditions.

Under slide 13, “Schedule,” Mr. Fairbanks gives a synopsis of meetings that have been held for the Re-Tasked ETF as follows: (1) Meeting #1—October 20-21, 2010, in Cambridge, Massachusetts: (a) railroad reviews equipment considerations—California High-Speed Train Project and Florida High-Speed Rail; (b) Supplier reviews of crashworthiness features of high-speed rail equipment: Alstom, Bombardier, Kawasaki, Rotem, Siemens, etc.; and (c) discussions of scenarios, structural, crashworthiness, occupant protection, and glazing; (2) Meeting #2—January 11-12, 2011, in Orlando, Florida: (a) supplier homework results for compliance with Tier I criteria and performance scenarios; and (b) consensus on scope of scenarios, structural crashworthiness, occupant protection, and glazing; (3) Meeting #3—February 14-15, 2011, in Washington DC: (a) discussions on seat requirements; and (b) consensus on selected structural crashworthiness requirements; (4) Meeting #4—March 30-31, 2011, in Washington, DC: (a) formation of Seat Standard Workgroup; and (b) consensus on most structural crashworthiness requirements; and (5) Meeting #5—June 16-17, 2011, in Boston, Massachusetts—Target: complete consensus on crashworthiness, occupant protection and glazing.

Under slide 14, “Selected Research Efforts,” Mr. Fairbanks outlines the following: (1) Structural crashworthiness: (a) activities: model crippling using the methodology laid out in the Criteria and Performance Report, and perform a quasi-static crippling test (not required by the Criteria and Performance Report); and (b) purpose: validate Criteria and Performance methodology to provide a technical basis for potential regulations; (2) Occupant Protection: (a) activities: parametric study of the influence of train makeup, collision speed, and force/crush behavior on high-speed train crash pulse; and (b) purpose: facilitate assessment of GM/RT 2100 and/or development of high-speed train seat specification; and (3) Glazing: (a) activities: development of techniques for analyzing glazing impacts; and (b) purpose: facilitate development of robust qualification test techniques; make possible rapid evaluation of the influence of glazing characteristics on impact performance.

Gary Fairbanks (FRA) asks for questions.

With no questions for Gary Fairbanks (FRA), Daniel Knoté (FRA) asks Peter Lapre (FRA—Office of Safety) for a report on the General Passenger Safety Task Force's Door Task Group's activities.

Peter Lapre (FRA) uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for "General Passenger Safety Door Task Force." 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 3, "Ridership," Mr. Lapre says in response to strong growth in ridership, passenger railroads strive for ways to load/unload passengers quickly and efficiently through multiple power doors and level boarding platforms.

Under slide 4, "Door Guys," Mr. Lapre says FRA surveyed 24 railroads and 69 types of equipment, observing how the equipment was being used, particularly where distances between passenger stations was short.

Under slide 5, "Mission," Mr. Lapre says the mission of the Door Subtask Group is to reduce the risks endangering railroad passenger safety, specifically when passengers are boarding or alighting from trains.

Under slide 6, "Objectives," Mr. Lapre says the three objectives of the Door Subtask Group are: (1) Protect the integrity of the train; (2) Develop rules that are designed to ensure safety; and (3) Develop standards for new equipment.

Under slide 7, "Protect the Integrity of the Train," Mr. Lapre lists the following: (1) Require the securement or sealing of safety-sensitive/override switches that could cause an impact on the door system; (2) Require daily/periodic inspection of these switches to determine they are properly positioned and properly sealed; and (3) Limit access to door control panels by requiring that the door control panel cannot be energized when the "key" (or other securement device) is removed.

Under slides 8-10, "Operating Rules," Mr. Lapre says the passenger railroads should prohibit the operation of a passenger train with the doors open between stations unless certain conditions are met: (1) Require railroad operating rules/special instructions for train crews to: (a) verify the integrity of the train; (b) provide for governing the override of safety systems, e.g., during en route failures; and (c) Include each crewmember's role in assessing whether to override the safety device; and (2) Additional steps necessary to ensure continued passenger safety following the deactivation of a safety override device, e.g., crewmember observations to ensure it is safe to depart a station.

Under slide 11, “Operating Rules,” Mr. Lapre says a railroad’s operating rules need to provide for the following: (1) Employee training—with focus on the operation and limitations of the door safety system; (2) Efficiency Tests—to determine employee knowledge and compliance with door operating practices; and (3) Mixed consists—requires rules to provide an equivalent level of safety.

Under slide 12, “Uniform Standard for New Equipment,” Mr. Lapre says FRA will require at a minimum that new passenger car side doors be equipped with a door safety system, i.e., FRA will incorporate by reference into the CFR, the February 11, 2011, APTA Standard SS-M-18-10, which requires: (1) Detection of an obstruction in a door; (2) Prohibits the development of traction power if a door is prevented from closing; (3) A provision for a door status display; and (4) A “key” or other device to secure doors.

[Note: Photocopies of APTA Rail Standard APTA SS-M-18-10, approved February 11, 2011, and draft FRA rules for passenger door safety regulations which apply to powered side doors under 49 CFR Parts 238.5, Definitions, 238.131 Door safety systems, 238.305 Interior calendar day mechanical inspection of passenger cars, 238.322 Doors control panels, 238.132 Operating practices relating to exterior side door safety systems, 238.134 Mixed consist (Operating equipment with incompatible exterior side door systems), and 238.130 New passenger equipment with exterior side doors and locomotives operated with such equipment, 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.]

Peter Lapre (FRA) asks for questions.

With no questions of Peter Lapre (FRA), Chairperson Lauby asks for a motion to accept FRA’s draft rules for definitions and for new passenger door safety regulations which apply to powered side doors under 49 CFR Parts 238.5, Definitions, 238.131 Door safety systems, 238.305 Interior calendar day mechanical inspection of passenger cars, 238.322 Doors control panels, 238.132 Operating practices relating to exterior side door safety systems, 238.134 Mixed consist (Operating equipment with incompatible exterior side door systems), and 238.130 New passenger equipment with exterior side doors and locomotives operated with such equipment, as presented.

R. Stephen Strachan (National Railroad Passenger Corporation (Amtrak)) motions to accept FRA’s draft rules for definitions and for new passenger door safety regulations which apply to powered side doors under 49 CFR Parts 238.5, Definitions, 238.131 Door safety systems, 238.305 Interior calendar day mechanical inspection of passenger cars, 238.322 Doors control panels, 238.132 Operating practices relating to exterior side door safety systems, 238.134 Mixed consist (Operating equipment with incompatible exterior side door systems), and 238.130 New passenger equipment with exterior side doors and locomotives operated with such equipment, as presented.

James Stem (United Transportation Union) seconds the motion.

BY VOICE VOTE, THE FULL RSAC ACCEPTS THE MOTION TO ACCEPT FRA'S DRAFT RULES FOR DEFINITIONS AND FOR NEW PASSENGER DOOR SAFETY REGULATIONS WHICH APPLY TO POWERED SIDE DOORS UNDER 49 CFR PARTS 238.5, DEFINITIONS, 238.131 DOOR SAFETY SYSTEMS, 238.305 INTERIOR CALENDAR DAY MECHANICAL INSPECTION OF PASSENGER CARS, 238.322 DOORS CONTROL PANELS, 238.132 OPERATING PRACTICES RELATING TO EXTERIOR SIDE DOOR SAFETY SYSTEMS, 238.134 MIXED CONSIST (OPERATING EQUIPMENT WITH INCOMPATIBLE EXTERIOR SIDE DOOR SYSTEMS), AND 238.130 NEW PASSENGER EQUIPMENT WITH EXTERIOR SIDE DOORS AND LOCOMOTIVES OPERATED WITH SUCH EQUIPMENT, AS PRESENTED.

Lawrence Mann (United Transportation Union) asks if the ballistics test has been completed for proposed types of glazing to be used under the Engineering Task Force activity?

Chairperson Lauby says FRA is looking into glazing issues for high-speed equipment. He says FRA wants protection of the cab and also to reduce distortion that may exist due to the angle of the glazing installation. He says this is a work in progress. He says William Verdeyen (Brotherhood of Locomotive Engineers and Trainmen) is the labor representative on the Engineering Task Force.

Chairperson Lauby says he will give a status report on significant and non-significant rulemakings which FRA is undertaking. He says the difference between "significant" versus "non-significant" rulemakings is the amount of clearance reviews before an FRA rulemaking can hit the street. He uses a series of Microsoft PowerPoint Presentation slides, projected onto a screen for "FRA Regulatory Activity Update to the 44th 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, "Significant Rulemakings," Mr. Lauby lists the following: (1) Emergency Escape Breathing Apparatus: (a) NPRM published in October 2010 (75 *Federal Register* (FR) 61386); and (b) Final rule scheduled for released in late 2011; (2) Hours of Service—Passenger Train Employees: (a) NPRM published March 2011 (76 FR 16200); and (b) Final Rule on schedule for release in August 2011. He says FRA must do something by October 16, 2011, or regular freight Hours of Service rules will apply to passenger carriers; and (3) High-Speed Rail Corridor Development and Capital Investment Grants to Support Intercity Passenger Rail Service—NPRM on schedule for release in January 2012.

Under slide 3, "Significant Rulemakings," Mr. Lauby lists the following: (4) Railroad Safety Risk Reduction Programs: (a) Advanced NPRM (ANPRM) published on December 8, 2010—a requirement of the RSIA; (b) NPRM scheduled for release in October 2011 pending the completion of the study admissibility.

Jeffrey Moller (AAR) says there was something within the past week in the *Federal Register* concerning confidential data. He asks, "How does this *Federal Register* notice fit-in?"

Chairperson Lauby says the *Federal Register* is part of FRA's process for work on the Railroad Safety Risk Reduction. He says FRA has contracted a law firm to review applicable U.S. Government regulations which govern what and how confidential information can be collected and the amount of security that FRA must use to protect that information.

Under slide 3, "Significant Rulemakings," Mr. Lauby continues listing the following: (5) Training Standards for Railroad Employees—NPRM on schedule for release in late 2011; and (6) Critical Incident Stress Plan; Critical Incident Definition—target date for NPRM is May 2012.

Under slide 4, "Significant Rulemakings," Mr. Lauby lists the following: (7) Amendments expanding drug panel for FRA post-accident toxicological testing—target date for NPRM November 2012; (8) Medical Standards for Certified Locomotive Engineers and Conductors—target date for NPRM August 2012; and (9) Positive Train Control Amendments—target date for NPRM September 2011. Chairperson Lauby says the Positive Train Control Working Group could be called back into session to help address any comments received to the NPRM.

Under slide 5, "Non-Significant Rulemakings," Mr. Lauby lists the following: (1) Amendments to Accident/Incident Reporting—Final Rule published November 9, 2010 (75 FR 68862)—Complete; (2) Track Safety Standards: Concrete Crossties—NPRM published August 26, 2010; Final Rule published April 1, 2011 (76 FR 18073)—Complete; and (3) Roadway Worker Protection Miscellaneous Revisions—NPRM on schedule for release in June/July 2011.

Under slide 6, "Non-Significant Rulemakings," Mr. Lauby lists the following: (4) Safety Appliance Standards, Miscellaneous Revisions: (a) NPRM published July 2, 2010; (b) End of comment period—August 31, 2010; and (c) Final Rule published April 28, 2011 (76 FR 23714)—Complete; (5) Conductor Certification: (a) NPRM published November 10, 2010 (75 FR 69166); and (b) Final rule scheduled for fall 2011; and (6) Grade Crossing—Telephone Services (formerly, Emergency Notification Systems)—NPRM published March 4, 2011 (76 FR 11992).

Under slide 7, “Non-Significant Rulemakings,” Mr. Lauby lists the following: (7) Camp Car Sleeping Quarters: (a) NPRM published January 3, 2011 (76 FR 64); and (b) Final Rule on schedule for release late 2011; (8) Passenger Train Emergency Systems Amendments–NPRM on schedule for release in Summer 2011; and (9) Locomotive Safety Standards Amendments: (a) NPRM published on January 12, 2011 (76 FR 2200); and (b) No target date for a Final Rule yet.

Under slides 8 and 9, “Non-Significant Rulemakings,” Mr. Lauby lists the following: (10) Development and Use of Rail Safety Technology in Dark Territory–NPRM (if required) target for release late 2011; (11) Alternate Passenger Rail Service Pilot Program–NPRM on schedule for release in late Summer 2011; (12) High-Speed Intercity Passenger Rail (HSIPR) Program; Buy America Program Requirements–NPRM on schedule for release in early 2012; and (13) National Highway-Rail Crossing Inventory–NPRM on schedule for release in late 2011.

Chairperson Lauby asks for questions.

Jeffrey Moller (Association of American Railroads) asks about slide 8, “Non-Significant Rulemakings,” (11) Alternate Passenger Rail Service Pilot Program.

Chairperson Lauby says this is a grant program. He says he is not familiar with it. He offers to get additional information for Jeffrey Moller (Association of American Railroads) on the Alternate Passenger Rail Service Pilot Program.

Jeffrey Moller (Association of American Railroads) replies, “Thanks.”

Stephen Bruno (Brotherhood of Locomotive Engineers and Trainmen) asks for an explanation for the difference between “Significant” and “Non-Significant” rulemakings.

Chairperson Lauby says the U.S. Office of Management and Budget (OMB) scrutinizes all rules and if something is deemed to have a large financial impact, it will be designated “Significant” and receive even more scrutiny by OMB. He explains that under slide 3, “Significant Rulemakings,” (5) Training Standards for Railroad Employees [Part 243 Training, Qualification, and Oversight for Safety-Related Railroad Employees] originally was “non-significant” until last Fall when OMB changed it from “non-significant” to “significant.” He says when a rule is significant, it requires more answers to questions and staff work.

Stephen Bruno (Brotherhood of Locomotive Engineers and Trainmen) asks what law firm is doing work for the Risk Reduction Program?

Michael Rush (Association of American Railroads) replies, Baker Botts, L.L.P.

Ross Capon (National Association of Railroad Passengers) asks about grant money for the High-Speed Intercity Passenger Rail Program; Buy America Program Requirements, under slide 8, "Non-Significant Rulemakings," (11).

Chairperson Lauby says this issue is being handled by FRA's Office of Railroad Policy and Development. He says the "Buy American Program" has not been fully developed.

Chairperson Lauby asks for additions and corrections to the Minutes for the December 14, 2010, meeting of the Railroad Safety Advisory Committee.

With no additions and corrections to the Minutes for the December 14, 2010, meeting of the Railroad Safety Advisory Committee, Chairperson Lauby asks for a motion to accept the Minutes for the December 14, 2010, meeting of the Railroad Safety Advisory Committee, as presented.

R. Stephen Strachan (National Railroad Passenger Corporation (Amtrak)) motions to accept the Minutes for the December 14, 2010, meeting of the Railroad Safety Advisory Committee, as presented.

James Stem (United Transportation Union) seconds the motion.

BY VOICE VOTE, THE FULL RAILROAD SAFETY ADVISORY COMMITTEE APPROVES THE MINUTES FOR THE DECEMBER 14, 2010, MEETING, AS PRESENTED.

Chairperson Lauby asks RSAC members to look at calendars and offer suggestions for the next meeting date for the full Railroad Safety Advisory Committee.

There is a general discussion on future meeting dates after which FRA says it will arrange a meeting in Washington, D.C. on Thursday, September 8.

Chairperson Lauby asks Kenneth Rusk (FRA—Office of Safety, Staff Director Track and Structures Division) for comments about a future RSAC Task.

Kenneth Rusk (FRA) says Section 403 of the RSIA requires FRA to do a study to look at whether track inspection intervals should be amended. He says the study was completed and submitted to Congressional committees on May 2, 2011. He says the study looks at: (1) The required intervals of track inspections for each class of track should be amended; (2) Track remedial action requirements should be amended; (3) Different track inspection and repair priorities or methods should be required; and (4) The speed at which railroad track inspection vehicles operate and the scope of the territory they generally cover allow for proper inspection of the track and whether such speed and appropriate scope should be regulated by the Secretary. He says FRA will prepare an RSAC Task Statement for presentation at the September 8, 2011, meeting

of the full Railroad Safety Advisory Committee that asks the Track Working Group take a look at the recommendations of the study and decide what to do.

Chairperson Lauby says FRA will develop a Task Statement to present to the full RSAC at its next meeting.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division) says he was not aware that the report was presented to the Congressional Committees on May 2, 2011. He asks, "What Committees received the report and when will the report be available to the railroad industry?"

Chairperson Lauby says FRA will check on the availability of the report.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division (BMWED)) says the BMWED surveyed 1500 track inspectors and will issue its own report to the Secretary of Transportation, FRA, and the Congressional Committees.

Chairperson Lauby announces that the Passenger Rail Investment Act requires the Secretary of Transportation to establish a Northeast Corridor Safety and Security Committee. He says the first meeting of the Northeast Corridor Safety and Security Committee will be held at 9:00 am on June 14, 2011, in the Arlington Ballroom of the Crowne Plaza Washington National Airport Hotel, 1480 Crystal Drive, Arlington, Virginia 22202. He says letters of invitation will be going out to many organizations in the Northeast Corridor which are also represented on the Railroad Safety Advisory Committee.

Rick Inclima (Brotherhood of Maintenance of Way Employees Division) says he is not available on June 14, 2011, to attend the meeting. However, he asks, if FRA is approaching the Northeast Corridor Railroads to attend this meeting, how is FRA approaching the Northeast Corridor labor organizations? He says FRA needs people who work on the Northeast Corridor to attend this meeting.

Chairperson Lauby displays a graphic on the meeting room screen which lists many organizations, including many labor organizations which will be invited to the June 14, 2011 Northeast Corridor Safety and Security Committee meeting.

Chairperson Lauby asks for new business.

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

James Stem (United Transportation Union) motions to adjourn the meeting.

R. Stephen Strachan (National Railroad Passenger Corporation (Amtrak)) seconds the motion.

Chairperson Lauby adjourns the meeting at 2:40 pm.

M E E T I N G A D J O U R N E D 2:40 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.