

APPENDIX A

AMERICAN PUBLIC TRANSPORTATION ASSOCIATION

PASSENGER RAIL EQUIPMENT SAFETY STANDARDS TASK FORCE

BYLAWS

June, 1998

I. TASK FORCE NAME

The Task Force shall be known as the Passenger Rail Equipment Safety Standards (PRESS) Task Force. In instituting its purpose and carrying out its functions, the Task Force shall promote its activities as those of the American Public Transit Association's Passenger Rail Equipment Safety Standards Task Force.

II. MISSION STATEMENT

The Passenger Rail Equipment Safety Standards Task Force (Task Force) is established to develop and maintain recommended standards for passenger rail equipment operating within the general railway system. This includes locomotives, cab cars, passenger cars (coaches and trailer units), diesel multiple unit cars, electric multiple unit cars and other equipment used to move passengers on rail. The recommended standards shall be developed using available information, practices and research so that new passenger equipment is designed to provide maximum safety and operational efficiency. To effectuate the recommended practices and standards, the Task Force shall work with the APTA's commuter rail members, the Federal Railroad Administration (FRA), the Federal Transit Administration (FTA), the National Transportation Safety Board (NTSB), Manufacturers, Engineering and Consultant Firms, Labor and others with an interest in passenger rail equipment.

III. GOALS:

- A. Develop and maintain practices and standards for passenger rail equipment
- B. Disseminate information to APTA's commuter rail members, and others regarding the Task Force's work.

C. To promote technology and information exchange through professional conferences and publications.

D. Co-operate with other railroad organizations and railway associations to promote interests in passenger rail equipment.

E. To foster cooperation through all commuter railroads in the development of system safety plans, common equipment guidelines, maintenance policies and reliability guidelines.

F. To support other APTA modal committees in technical issues analysis and recommendations.

IV. OBJECTIVES

A. By October 1, 1996, with the FRA, Rail Labor and others, produce an interim rule on passenger rail equipment safety.

B. By June 1, 1998, prepare a long term plan to maintain the passenger car safety practices and standards noted in C below.

C. By December 31, 1998, produce complete and comprehensive passenger car safety practices and standards.

D. Additional objectives of the Task Force shall be defined in a PRESS Action Plan and adopted annually to guide the PRESS's activities for that year.

V. ORGANIZATION

A. Task Force: The Task Force shall consist of the full committee and authorized subcommittees.

B. Membership: The following groups of entities may become members of the Task Force. The Task Force is limited to 35 voting members and unlimited non-voting members, distributed as follows: Passenger Railroads-20; Supplier/Associate-10 entities; Labor-5 entities; and Ex-Officio-unlimited entities.

The job function of each Task Force member should include, as primary responsibilities, those general areas listed in the Task Force's goals and objectives. The Chief Executive Officer of the respective entity must designate and approve the participation of their representatives on the Task Force. Membership on the Task Force shall be as follows:

1) Full Membership: Open to all participating passenger railroads signatory to the PRESS Memorandum of Understanding (PRESS MOU).

2) Associate/Supplier Membership: Open to Manufacturers, Engineering and Consultant Firms, and others, who are members of APTA, with an interest in passenger rail equipment as selected by the APTA Associate Member Board of Governors.

3) Labor Membership: Open to the railroad and transit labor organizations and other labor related entities with an interest in passenger rail equipment as selected by the Railway Executive Labor Association.

4) Ex-Officio Participation: Open to the Federal Railroad Administration (FRA), the Federal Transit Administration (FTA), the National Transportation Safety Board (NTSB), and other government agencies or associations with an interest in passenger rail equipment. Ex-Officio members do not have a vote on PRESS or Task Force matters.

C. Operations: For operational purposes the PRESS shall be comprised of the following officers:

- Chairperson (from a commuter rail property)
- First Vice-Chairperson - Passenger Rail
- Vice-Chairperson - Associates/Suppliers, ***Passenger Rail or Labor*** (amended 3/97)
- ~~Vice Chairperson—Labor~~ (amended 3/97)
- Secretary (shall always be the APTA Executive Director - Commuter Rail)
 - Technical Advisor (shall always be the APTA Deputy Executive Vice President
 - Technical Services)

D. Voting

1. All work (except as otherwise noted herein) of the Task Force shall be done on a "consensus" basis. This means that consensus is reached when 75% of the ~~quorum present, votes~~ ***non-abstaining voting members present vote*** (amended 3/26/98) affirmative on any issue.

2. Voting shall be conducted on one member/one vote basis. In the case of systems or companies with more than one participant on the Task Force, it shall be left to the discretion of those participants how to arrive at the vote cast for the system or company.

3. A vote may only be taken when a quorum is present. A quorum shall consist of three-fifths of the voting members represented on the Task Force. Proxies are not permitted.

4. The chairman may authorize a letter ballot on any issue, except changing the by-laws.

E. Attendance:

Voting members are required to attend the four scheduled PRESS business meetings (Article IX). Voting members who miss two consecutive meetings shall automatically lose voting rights for one year. The suspended members vote shall then be exercised by Chairperson during the suspension period.

F. Approval:

The Chief Executive Officers of the respective commuter rail system members signatory to the PRESS MOU shall have final approval on all Task Force work product.

VI. OFFICER SELECTION AND VOTING

- A. Nominations: The Chairperson may appoint a Nominating Sub Task Force to recommend a slate of officers (except Secretary and Technical Advisor). Also, any Task Force Member may nominate any Task Force Member for any position the nominated member is eligible to hold.
- B. Election of Officers: Election of Officers (except Secretary and Technical Advisor) of the Task Force shall occur at the Spring Business Meeting of the Task Force. Each Membership Group as noted in V.(B) shall vote for its specific officer representative. Officers shall be elected by a majority of eligible Task Force rail systems present and voting. Newly elected officers shall assume office at the conclusion of the Spring Business Meeting at which they are elected.
- C. Term of Office: Each officer (except Secretary and Technical Advisor) shall serve a term of two (2) years. No individual may serve for more than ~~one term~~ **two consecutive terms** in the same office, unless filling out the unexpired term of a previous officer, in which case the individual may be elected to serve ~~one full term~~ **two full terms** (amended 1/22/98). The initial slate of officers (except Secretary and Technical Advisor) shall serve until the spring meeting in 1998.
- D. Inability to Serve: If for any reason the PRESS Chairperson is unable to complete his/her term of office, the First Vice Chairperson - Commuter Rail shall immediately assume the Chair. Vacancies in positions other than Chairperson and Secretary, occurring before the expiration of the term of office, shall be filled by the Chairperson as expeditiously as possible, but no later than prior to the PRESS Summer Business Meeting in each year.

E. Duties: The duties of the Officers of the Task Force shall be as follows:

1. Chairperson shall preside at all meetings of the Task Force and shall be responsible for meeting agendas and calling the meetings. The Chairperson shall be responsible for appointing the chairpersons and vice-chairpersons of each Sub Task Force. The Chairperson shall act as liaison between the parties; other APTA Task Forces and between the Task Force and APTA staff.
2. First Vice-Chairperson - Commuter Rail shall represent the interests of the APTA commuter rail system operators who are members of PRESS and shall preside at meetings in the absence of the Chairperson.
3. Vice-Chairperson - Associate/Suppliers shall represent the interests of associate and suppliers members. ***Shall represent the interest of all PRESS Task Force members.***
 1. ~~Vice-Chairperson - Labor shall represent the interests of labor. (amended 3/97)~~
 2. Secretary shall be ex-officio to the Task Force. The APTA Executive Director - Commuter Rail shall fill the position of Secretary. The Secretary shall be responsible for taking and finalizing the minutes of meetings in cooperation with the APTA Staff Advisor and for transmitting a copy of the final minutes of each meeting to the APTA Staff Advisor for distribution to the Task Forces after such meeting.
 3. Technical Advisor shall be ex-officio to the Task Force. The APTA Deputy Executive Vice President - Technical Services shall fill the position of Technical Advisor.

VII. SUB TASK FORCES

A. The present authorized Sub Task Forces of the PRESS are:

- Power Brake - - Car Body - Trucks and Suspension
- Electrical - Systems Integration - Inspection, Testing & Maintenance
- Control Cab - Interiors – Training

B. The PRESS Chairperson may appoint additional sub task forces and their chairpersons, as required, to address and resolve special issues as assigned by the Chairperson. Such sub task forces will report to the Task Force.

C. The Task Force shall periodically review the work programs of the respective sub task forces to determine whether or not a sub task force should be continued or other/additional sub task forces should be created.

VIII. MEETINGS AND ACTIVITIES

The Task Force shall meet quarterly; in the Spring in conjunction with the APTA Commuter Rail Conference; in the Summer in conjunction with the APTA Rapid Transit Conference, in the Fall in conjunction with APTA's Annual Meeting, and in January at APTA's offices in Washington DC. The Chair may set other meeting dates at his/her discretion.

The Chairperson may also convene additional meetings as necessary to conduct the business of the Task Force as set forth in these Bylaws. Notices and agendas for all meetings shall be prepared by the Chairperson of the Task Force and sent out (by mail or fax) by the Secretary Task Force twenty-one (21) days prior to the meeting as practicable.

Each Sub Task Force chairperson shall be responsible for his/her respective Sub Task Force work program, and shall convene the meetings, with the assistance of the Secretary as necessary, to accomplish that work program. Each sub task force Chairperson will provide a written and an oral status report on the sub task force's activities to the Task Force Chairperson at each business meeting. The Secretary will provide the report to the voting members of the Task Force.

IX. ANNUAL BUSINESS MEETINGS AGENDAS

The Task Force's business meetings will address at a minimum the following items:

Spring Meeting:

- Selection of officers (as required)
- Review and revision of Bylaws as needed.

Summer and Fall Meetings:

- Sub Task Force reports

Winter Meeting:

- Review of past year's activities
 - Preparation of work program for the coming year

X. RECORDS AND COMMUNICATIONS

- A. Maintenance of the Task Force Records: The Secretary shall maintain all task force records.
- B. Communications: All task force notices, announcements and communications shall be processed by the Secretary in accordance with APTA policy.

XI. LOGISTICS

All Task Force meetings and other activities will be coordinated by the Secretary who will be responsible for providing notices and logistical support, including distribution of meeting reports in a timely manner. Official proceedings Task Force activities will be approved by the Task Force Chairperson. Any expenses incurred by Task Force members during their participation in Task Force activities shall be borne by the member's agency or company.

XII. SUPPORT

Members of the Task Force will be responsible for actively supporting and participating in Task Force activities consistent with their individual job responsibilities. APTA will provide necessary support.

XIII. AMENDMENTS

- A. Recommendations for changes/amendments to the Bylaws may be submitted to the Task Force Chairperson. After reviewing the proposed changes/amendments, the Chairperson shall request the Secretary to distribute copies of any proposed amendments at least 60 days prior to the Summer Business Meeting.
- B. Amendments to the Bylaws shall be adopted by eligible Task Force members present and voting. A 75% affirmative vote of the Task Force membership shall be required to approve amendments.

XIV. ANTI-TRUST

Federal antitrust laws prohibit contracts, combinations and conspiracies in restraint of trade. Sanctions for violating the antitrust laws include civil damages (including treble damages) and criminal fines and imprisonment. It is the policy of the American Public Transit Association and the PRESS Task Force to adhere strictly to the antitrust laws.

In accordance with the above, the Task Force will develop objective passenger rail equipment practices and standards for the legitimate and non-competitive purpose of promoting and supporting safe and efficient passenger rail service provided by public agency passenger rail service providers.

XV. CONFLICTS WITH APTA BYLAWS OR FEDERAL OR D.C. LAW

In the case of a conflict between these Bylaws and the APTA Bylaws or between these Bylaws and Federal or District of Columbia law, the APTA Bylaws and/or the Federal or District of Columbia law shall prevail.

Approved by the PRESS Task Force: June 11, 1996

Approved by the Commuter Railroad CEOs July 16, 1996

Approved by the APTA Executive Committee _____