



U.S. Department  
of Transportation  
**Federal Railroad  
Administration**

1120 Vermont Ave., N.W.  
Washington, D.C. 20590

SEP - 2 2005

Mr. Thomas V. Peacock  
Director, Operations and Technical Services  
American Public Transportation Association  
1666 K Street, N.W.  
Washington, D.C. 20006-1215

Dear Mr. Peacock:

The Federal Railroad Administration (FRA) requests that the American Public Transportation Association (APTA) review the following information to determine if it is feasible to form a group to specifically develop safety appliance standards for newly manufactured passenger equipment and provide guidance where FRA regulations are not specific to the design of passenger cars and/or locomotives. The notable success of the APTA PRESS process has contributed to our confidence that APTA can provide leadership in this field.

**Background:**

Throughout the safety appliance standards currently used in *49 Code of Federal Regulations (CFR) Part 231*, specifically, §231.12, *Passenger-train cars with wide vestibules*; §231.13, *Passenger-train cars with open-end platforms*; §231.14, *Passenger-train cars without end platforms*; and §231.23 *Unidirectional passenger-train cars adaptable to van-type semi-trailer use*, there may be inconsistencies and/or opportunities for clarification in the construction of newly built passenger cars. Most often, it is necessary to reference two or more sections of 49 CFR Part 231, Safety Appliance Standards, to determine if a newly constructed passenger car meets the minimum requirements of the CFR. However, criteria for most of today's new types of passenger car construction are found within *49 CFR §231.18, Cars of special construction*. This results from the fact that modern technology in construction of car-building often does not lend itself to ready application of the current 49 CFR 231 requirements. Rather, the designer must adapt several different requirements to meet as closely as possible construction of specific safety appliance arrangements in order to obtain compliance.

Most passenger cars today are constructed outside the United States, and this has exacerbated the problem of varying interpretations of regulations and resulting safety appliance arrangements. At times, different requirements are applied to cars of similar design where both could have been constructed in the same manner. Substantial resources are spent on a regular basis by all parties concerned in review sessions to determine if a car is in compliance prior to construction; and even when the cars are delivered, problems have arisen.

**Goals of the Standard:**

To develop a consistent safety appliance standard for each new type of passenger car not already identified currently in the CFR that ensures the construction of suitable safety appliance arrangements in compliance with 49 CFR 231; to reduce or eliminate reliance upon criteria for cars of special construction; to improve communication of safety appliance requirements; and to facilitate regulatory compliance where clarification or guidance is needed.

**Considerations:**

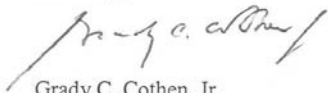
It would be in the interest of the industry and affected parties to develop minimum safety appliance standards for each type of newly constructed car not already defined in 49 CFR 231.

- 1) Wherever possible, maintain the current safety appliance standards in the development of newly designed and constructed passenger car safety appliance arrangements contained in 49 CFR 231 to include, but not limited to: number, definitions, dimensions, location, and manner of application.
- 2) Provide governing text and general arrangement drawings for each newly created car type with specific details of text and template diagrams.
- 3) Develop a process for input from affected stakeholders to include, car manufacturers, owners, railroads, and labor. Provide for support from experts in ergonomics. Provide for (non-voting) participation by technical staff of FRA and Transport Canada, and invite representation from the Government of Mexico, as well.
- 4) Identify any necessary changes to existing regulations for appropriate consideration under FRA's Rules of Practice.

Following completion of this technical standards development process, and upon petition by an appropriate party, FRA would stand ready to consider the implications of the resulting standards for potential revision of Part 231. Ideally, FRA regulations should call out basic requirements, with technical details being embodied in industry standards that could be amended with greater frequency to address changing circumstances, subject to acceptance by FRA for conformity to safety requirements.

Upon your review of this proposed process, we would appreciate notification of APTA's intent to proceed or suggestions for alternative action.

Sincerely,



Grady C. Cothen, Jr.  
Deputy Associate Administrator  
for Safety Standards and Program Development