

May 8, 2023

John Karl Alexy
Associate Administrator for Railroad Safety
Federal Railroad Administration
1200 New Jersey Avenue SE
Washington, DC 20590

**RE: Petition for Extension of Waiver of Compliance, UP
Docket No. FRA-2022-0058**

Dear Mr. Alexy:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to respond to the Federal Railroad Administration's (FRA) notice of its intent to review a quiet zone located in Deerfield Beach, Pompano Beach, Fort Lauderdale, Oakland Park, Wilton Manors, Dania Beach, Hollywood, and Hallandale Beach, Florida. TTD consists of 37 affiliated unions representing the totality of rail labor, including rail workers who operate on these lines. For the reasons outlined below, we ask that the FRA end the current quiet zone order for this area to increase safety for workers and communities surrounding rail lines. Additionally, we endorse the comments of our affiliate, the Transportation Division of the International Association of Sheet Metal, Air, Rail, and Transportation Workers (SMART-TD).

With 34 serious incidents, including 22 fatalities in 2022, it is clear that this zone requires additional safety measures to mitigate risk. The most rapid plan would be to immediately discontinue the quiet zone and assess whether that provides a sufficient level of safety for workers and communities located near rail tracks. Following this period of study, there may be additional needs to increase safety. However, it is clear that there is a high level of risk presently, and it is simply unacceptable for rail operations to continue to injure and kill people.

As SMART-TD stated, it is necessary to revoke quiet zone eligibility for the entire set of 64 crossings to avoid creating a patchwork system that would likely lead to confusion and mistakes with little training time for crews to adjust. Removing the quiet zone entirely, at least while additional data is being gathered, is the fastest and most effective way to reduce accidents and protect workers and surrounding communities. Further, because Florida East Coast Railway is not a Class I rail carrier, it is not subject to provisions that provide rail crew involved in a critical incident at least 72 hours of uninterrupted rest following a critical incident such as striking a vehicle or a pedestrian. Without this provision, crews have been asked to continue their routes once a fatal accident has been cleared. In this situation, the very least that should be done is removal of the quiet zone that makes these accidents more common.

For these reasons, we ask that the FRA remove quiet zone eligibility for all 64 crossings throughout the remaining seven communities, including Deerfield Beach, Pompano Beach, Oakland Park, Wilton Manors, Fort Lauderdale, Dania, and Hallandale, Florida, while a long term solution is figured out that provides the level of safety necessary for rail operations to mitigate the current risk of injury or death along the corridor.

Sincerely,



Greg Regan, President