



December 4, 2023

Ms. Carolyn Hayward-Williams
Director, Office of Railroad Systems and Technology
Federal Railroad Administration
1200 New Jersey Avenue SE
Washington DC, 20590

**RE: Railroads' Joint Request To Amend Their Positive Train Control Safety Plans
Docket No. Docket No. FRA-2010-0028, -0029, -0039, -0042, -0043, -0045, -0048, -0049, -0051,
-0054, -0056, -0057, -0058, -0059, -0060, -0061, -0062, -0064, -0065, and -0070**

Ms. Hayward-Williams,

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to respond to the Federal Railroad Administration's (FRA) notice regarding a joint Request for Amendment (RFA) received from 20 rail carriers to modify their FRA-approved Positive Train Control Safety Plans (PTCSP) for their Interoperable Electronic Train Management Systems (I-ETMS). TTD consists of 37 affiliated unions representing the totality of rail labor and we therefore have a vested interest in this matter.¹ Additionally, TTD endorses the comments of our affiliate, the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART-TD).

TTD has previously commented on how Positive Train Control (PTC) systems provide an additional layer of safety for rail workers and the public.² These systems are designed to prevent train-to-train collisions, over-speed derailments, incursions into established work zones, and movements of trains through switches left in the wrong position. The National Safety Transportation Board (NTSB) first recommended that PTC be required in 1969 and Congress subsequently mandated PTC systems in the 2008 Rail Safety Improvement Act (RSIA) to save lives and reduce injuries.

Changes to the Human-Machine Interface

This joint RFA requests three specific material modifications to the human-machine interface (HMI) of 20 rail carriers' PTC systems. These changes include the addition of a Target Approach Management (TAM) flag to the Cab Display Unit (CDU); the removal of the initialization key when the PTC System is Cut-in and in a Disengaged state, Active state, or Restricted state; and a change in the color of the "View All Prompts" soft key on all screens. Each of these changes appear on the surface to improve the user experience and may provide some safety benefit. However, we note that redactions in the filing make fully evaluating these modifications impossible. It is difficult to accept at face value the changes to the HMI outlined in the summary section of the filing are the only requested changes given that the entire document is 85 pages in length and includes heavy redactions.

¹ Attached is a complete list of TTD's affiliated unions

² <https://ttd.org/policy/getting-our-nations-freight-rail-system-back-on-track/>

Redacted Filings

While not infallible, PTC systems provide a crucial level of additional safety for all rail workers. It is therefore essential that stakeholders, including rail labor organizations, have the opportunity to fully examine changes to the HMI of these critical systems. The filing submitted as part of this amendment request contains extensive redactions and is technical in nature. These redactions make it virtually impossible for stakeholders and the public to fully assess the request and subsequently provide meaningful comments. This is especially impactful given that the request has been submitted by 20 rail carriers, which will result in a widespread change should it be granted by the FRA.

We urge the FRA to adopt guidance allowing for confidential undertakings modeled on the system that the Surface Transportation Board (STB) successfully utilizes. Unions need to be able to review all safety information to provide the FRA with accurate comments, and a confidential undertaking system would allow for this while also protecting legitimate confidential business information and safeguarding data security.

Time Period for Public Comments

Unfortunately, this RFA is another example of why the FRA's current 45-day window for decisions on PTC plan amendments is counterproductive.³ Even though the FRA has 45 days to make a decision from the time it receives notice from a railroad, the time it takes to publish the documents in the federal register means that the public and stakeholders have less than 45 days. In this instance, there were only 27 days between the FRA's posting of the documents and the comments deadline.

Furthermore, TTD and our affiliated rail unions received no proactive outreach from the rail carriers involved in this filing. This lack of communication, in conjunction with the substantial redactions contained in the document and the short time period allowed by the FRA for public comment, raises serious concerns with regard to transparency and the true nature of the requested changes to the HMI.

We respectfully request that the FRA take our feedback on this matter into consideration. We appreciate the opportunity to provide public comment and we look forward to working with the FRA in the future.

Sincerely,



Greg Regan
President

³ 49 CFR 236.1021(m)(3)(i)