

July 9, 2025

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

**RE: Notice of Petition for Waiver of Compliance; Track Inspection Requirements  
Docket No. FRA-2025-0059**

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 regarding a request from the Association of American Railroads (AAR) for a waiver of certain track inspection requirements. Specifically, the AAR seeks relief from § 213.233(b) and (c), *Visual track inspections*, which delineates the method and frequency by which railroads must conduct visual track inspections. TTD consists of 38 affiliated unions representing the totality of rail labor, including the dedicated track inspectors and other rail workers that would be directly impacted by the granting of this waiver. We therefore have a vested interest in this matter. For the reasons outlined below, we respectfully request that the FRA deny the AAR's request.

In addition to our own comments, TTD strongly endorses the comments of our affiliate, the Brotherhood of Maintenance of Way Employees Division (BMWED). The BMWED represents tens of thousands of railroad track workers, including track inspection professionals, across the United States. The members represented by the BMWED are the on-the-ground experts in railroad track inspection and repair. Track defects are the second leading cause of derailments and thus any efforts to weaken track safety standards could contribute to an increased risk of derailments. We therefore encourage the FRA to thoughtfully consider the response to this waiver request filed by the BMWED, which goes into greater detail on the matters raised here as well as others.

It has been the longstanding position of TTD and the BMWED that Automated Track Inspection (ATI) technology should be used to supplement, not replace, human visual inspections. As such, we encourage the FRA to require railroads to increase ATI frequency to detect additional track geometry defects, while maintaining current levels of visual inspections to catch and remediate other types of defects—and specifically, the 17 types of track defects regulated by the FRA that ATI is incapable of identifying. Earlier this year, TTD and the BMWED commented in support of the FRA's proposed rule integrating Track Geometry Management Systems (TGMS) more fully into track safety regulations. We noted that this proposed rule struck an important balance between the

deployment of ATI and preservation of the FRA's rigorous human inspection standards. We encourage the FRA to finalize this proposed rule and deny waivers seeking to erode visual track inspection requirements.

Under current regulations, railroads do not need waivers to utilize ATI equipment. Instead, the AAR's requested waiver would in practice allow railroads to reduce the frequency of required human visual inspections by a staggering 75%, severely compromising the safety of the national rail network. While ATI technology has existed in some form since the 1970s, no current technology can identify all of the defects required by FRA's Track Safety Standards (TSS) under 49 CFR 213. Allowing, as the AAR's waiver requests, ATI to replace, rather than support, required visual inspections ignores the critical role of human expertise in addressing complex, nuanced issues that automated systems will certainly overlook. For example, ATI is unable to detect issues with ballasts, rail wear, joint gaps, tie plate conditions, and switch components. ATI is also incapable of detecting trespassers, vandalism, vegetation hazards, or other real-time safety concerns.

Of additional concern in the AAR's request to reduce visual inspections is their request to delay the required remedial actions that are required after track defects are identified. Once deployed, ATI systems send data to a central location, where it is later reviewed. A human inspector must still verify detected defects on-site, which can delay repair by up to 72 hours. This delay introduces avoidable and unacceptable safety risks. Human inspectors, on the other hand, are required to immediately act and ensure the track is safe by placing "slow orders," calling in maintenance crews, and making on-the-spot repairs. The FRA must reject the AAR's notion that defective tracks should be allowed to stay in service. It is clear that only by combining new technology with skilled human inspections can railroads truly ensure track safety.

In conclusion, we again urge the FRA to deny the AAR's requested waiver. ATI alone cannot protect the rail network, and the FRA must not allow railroads to replace human visual inspections with inadequate technology. If FRA is not prepared to reject AAR's petition based on the written comments submitted in this docket, we respectfully request that the FRA convene a formal public hearing under 49 CFR § 211.25 before issuing a final determination.

We appreciate the opportunity to comment on this docket and look forward to working with the FRA in the future.

Sincerely,

A handwritten signature in dark ink, appearing to read "Greg Regan", enclosed within a circular stamp or seal.

Greg Regan  
President