



Transportation Trades Department, AFL-CIO

September 2, 2025

Kyle D. Fields
Chief Counsel
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

**RE: Repealing Special Approval Requirement for Freight Cars More Than 50 Years Old
Docket No. FRA-2025-0117**

Mr. Fields:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to respond to the Federal Railroad Administration's (FRA) notice of proposed rulemaking (NPRM) to amend its freight car safety regulations to repeal the requirement for special approval to place or continue a freight car in service if it is more than 50 years old or equipped with certain design or type components. TTD consists of 39 affiliate unions representing workers across all modes of transportation, including freight rail workers who will be directly affected by this proposed rule.¹ We respectfully request that the FRA rescind this NPRM. In addition, we endorse the comments filed in this docket by our affiliates, the Brotherhood of Locomotive Engineers and Trainmen (BLET), the Transportation Division of the International Association of Sheet Metal, Air, Rail, and Transportation Workers (SMART-TD), and the Brotherhood of Railway Carmen Division (BRC) of the Transportation Communications Union (TCU/IAM).

Background

The FRA proposes to repeal the existing requirement under 49 CFR § 215.203 that requires railroads to receive special FRA approval prior to placing a 50+ year old railcar in service or continuing to utilize such a railcar. The FRA specifically notes that this NPRM would eliminate its opportunity to impose conditions on the railroads operating these railcars to address the specific safety needs of each car, and the proposal eliminates any restrictions on the maximum speed at which these cars may be operated.

In our view, the use of aging and legacy railcars should be allowable only under specific circumstances, with proper FRA oversight and conditions. The FRA's proposal as written would

¹ Attached is a complete list of the unions affiliated with TTD.

allow railroads to use aging railcars without restriction. This will come at the expense of worker and public safety.

Inspections

The FRA proposes to remove itself from the inspection process in favor of self-inspection by the railroads. We oppose this step to remove oversight from the FRA, especially given that self-inspection requirements eliminate mandatory disclosure of car weight, speed limits, intended routes, and interchange partners for the aging rail cars. As the BRC notes in its comments on this docket, without FRA oversight or external review, inspections will be influenced by cost-cutting pressures where economic incentives strongly favor keeping railcars in service.

We oppose the FRA's proposed inspection interval of two years for aging rail cars. This is far too infrequent, especially for cars that are over 50 years old, given that cars degrade as they age. Additionally, the FRA proposes to allow designated inspectors under 49 CFR § 215.11 to perform required inspections, rather than Qualified Mechanical Inspectors (QMIs). We urge the FRA to require that QMIs perform these inspections in order to ensure that the inspectors possess the necessary knowledge, skills, and training to conduct a thorough examination. We agree with the BRC's sentiment that this proposal would replace rigorous, independent FRA oversight of aging cars with a rushed inspection by train crews who will be operating under time constraints and immense pressure from the carriers to approve the cars.

Structural Integrity

Aging cars often experience corrosion and internal deterioration. Over time and repeated use, cracking in the frame and bolster structures, corrosion of underframes and weld seams, and increased susceptibility to failure during slack action, acceleration, or emergency braking are all commonly seen in aging rail cars. As the BRC notes in its comments on this proposed rule, there is good reason and decades of experience that support giving real scrutiny and independent FRA oversight to these cars before allowing them to be put in service or to remain in service.

Retrofitting Old Cars Raises New Problems

Retrofitting railcars that are over 50 years old with modern 4-port systems often involves physical alterations like drilling or mounting, which can further compromise already weakened frames. This increases the risk of component failure or derailment, especially under load. Many of these older cars are not fully compatible with current hardware, leading to failed brake tests that undermine the accuracy of safety diagnostics and increase the likelihood of undetected mechanical issues during operation. Air brake systems on older cars also present problems—many are degraded or out of specification, and when used with modern 4-port brake test modules, they can generate false readings. This can allow serious brake issues to go unnoticed during pre-departure checks or in transit. Furthermore, retrofitting is time-intensive, conflicting with the goals of Precision

Scheduled Railroading (PSR), which often pressures crews to complete inspections within unreasonably short timeframes.

Conclusion

For the reasons above, we oppose the FRA's proposed rule regarding 50 year old rail cars. We appreciate the opportunity to comment on this rulemaking and look forward to working with the FRA in the future.

Sincerely,

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

Greg Regan
President