



**Statement of Federal Railroad Administrator Allan Rutter
Regarding the Use of Remote Control Technology
March 11, 2003**

Since first issuing guidelines on the use of remote control in February 2001, the FRA has closely monitored the use of the technology industry-wide. Current regulations govern the training of employees operating remote control devices as well as device inspection.

Based on safety data gathered to date, there is nothing to indicate that remote control operations should be banned from use. In fact, in cases where the FRA has identified potential problems associated with remote control operations, railroads have been extremely responsive in addressing such issues.

Our commitment remains to proceed cautiously, closely monitoring the use of remote control technology. If we identify safety problems associated with this technology, we will move quickly to mitigate those safety risks, using the full range of enforcement and regulatory measures at our disposal.

For additional information please visit: http://www.fra.dot.gov/summary/sum_rem_ctrl_loco.htm



U.S. Department
of Transportation

Federal Railroad
Administration

REGULATORY OVERVIEW

(Safety Rulemaking, Reports, and Program Development)

June 10, 2003

Legend:

ANPRM **Advance Notice of Proposed Rulemaking**

Italics **Indicates project has been identified for development through
the Railroad Safety Advisory Committee or a similar
forum for collaborative rulemaking**

NPRM **Notice of Proposed Rulemaking**

RSAC **Railroad Safety Advisory Committee**

SACP **Safety Assurance and Compliance Program**

Movable Bridges: A nationwide review of movable bridges has been completed. Also reviewing the enforcement manual on movable bridges. New technical training course started this year on movable bridges.

Note: On 2/12/96, the Administrator issued Emergency Order No. 19, which removed from service a bridge on the Tonawanda Island Railroad in New York State pending necessary structural repairs (61 FR 628; 2/16/96). In 12/16/99, the Administrator reissued Emergency Order No. 22, which removed from service a bridge on the Oregon Pacific Railroad in Oregon State pending inspection of repairs to assure safety (64 FR 71844; 12/16/99). This Emergency Order was partially lifted by on 1/20/00 (65 FR 5018; 2/21/00).

Discolored Wheels

Completed. FRA has granted a master waiver of the Freight Car Safety Standards permitting continued use of discolored heat-treated, curved plate wheels, which have superior resistance to thermal abuse. Data gathered under the waiver, together with results of analysis already provided, may support a permanent change in the regulation.

Environmental Impacts

Completed. FRA revised its Procedures for Considering Environmental Impacts to update or eliminate outdated references to programs or statutory authorities that no longer exist and to correct inconsistencies with the Council on Environmental Quality's National Environmental Policy Act implementing regulations. The revised procedures were published in the Federal Register on 5/26/99 (64 FR 28545).

Hours of Service Electronic Recordkeeping

Current hours of service record keeping uses paper and ink, but a major railroad has been given relief to keep electronic records. Other railroads have expressed interest, and similar waivers will involve similar issues. At FRA's invitation, the AAR submitted a petition seeking a master waiver for use of electronic record keeping. However, individual railroads have elected to proceed separately, and FRA is processing each on its merits. Permanent amendments to the recordkeeping and reporting requirements may be proposed. FRA is assisting railroads in developing electronic systems by providing guidance materials.

Remote Control Locomotives

On 5/15/00, FRA published a notice of a technical conference to examine the current status of safety issues related to use of remote control locomotives (65 FR 31056). The technical conference was held on 7/19/00. The Technical Conference focused on the

changes in RCL operations that have occurred over the past five years. A Notice of Safety Advisory 2001-01, which establishes recommended minimum guidelines for the operation of remote control locomotives was published 02/14/01 (66 FR 10340).

FRA continues to work with interested parties on best practices. FRA is also closely monitoring training required by 49 CFR Part 240 and conducting surveillance of new remote control operations.

Shared Use of General Railroad System - Joint Statement of Agency Policy

Completed. FRA and the Federal Transit Administration (FTA) have been working together to develop a policy concerning safety issues related to light rail transit operations on the general railroad system, how the two agencies intend to coordinate use of their respective safety authorities, and the waiver process related to shared use operations. A proposed joint statement of policy was published 5/25/99 (64 FR 28238) with comments due on 7/30/99. Comment period extended on 7/28/99 to 10/29/99 (64 FR 40931). Additional extension on 10/28/99 to 1/14/00 (64 FR 58124). FRA issued a final joint policy statement describing the extent of its statutory jurisdiction over railroad passenger operations and explaining how it will exercise its jurisdiction. The statement was published 7/10/2000 (65 FR 42526). (Docket No. FRA-1999-5685.)

Shared Use of General Railroad System - FRA Jurisdiction Policy Statement

Completed. FRA issued a proposed statement of agency policy on 11/1/99 (64 FR 59046) (FRA Docket No. FRA-1999-5685, Notice No. 4) describing the extent of its statutory jurisdiction over railroad passenger operations (which covers all railroads except urban rapid transit systems not connected to the general railroad system) and to explain how it will exercise that jurisdiction. Comments were due by 1/14/00. Final Policy Statement published 7/10/2000 (65 FR 42529).

TOFC/COFC Securement

Summary: Following a serious accident at Smithfield, N.C., on 5/16/94, FRA formed a partnership with major railroads and labor organizations to evaluate and improve securement of intermodal loads. A report to the Secretary dated 9/15/94 documented the initial results of that effort.

Status: FRA held a meeting on 2/22/95 that focused on an item-by-item discussion of the status and progress made within the industry with respect to the seven recommendations identified in the report to the Secretary. The AAR has established an Intermodal Equipment Handling Task Force that has developed a number of training aids. A follow-up TOFC/COFC loading and securement safety survey was conducted during 1996. FRA conducted additional loading and securement field evaluations during July-August 1997.