

environmental studies related to specific projects. It also does not include any pre-award costs incurred prior to August 22, 2014.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2 and 5

[ET Docket No. 10-236 and 06-155; FCC 13-15]

Radio Experimentation and Market Trials-Streamlining Rules

Correction

In rule document 2014-19293, appearing on page 48691 in the issue of Monday, August 18, 2014, make the following correction:

§ 5.302 [CORRECTED]

On page 48691, in the second column, third line from the bottom, “§ 5.3012 [AMENDED]” should read “§ 5.302 [AMENDED]”.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Parts 234, 235, and 236

[Docket No. FRA-2011-0061, Notice No. 3]

RIN 2130-AC32

Positive Train Control Systems (RRR)

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: FRA’s final rule primarily amends the regulations implementing a requirement of the Rail Safety Improvement Act of 2008 that certain passenger and freight railroads install positive train control (PTC) systems governing operations on certain main line tracks. This final rule revises an existing regulatory exception to the requirement to install a PTC system for track segments carrying freight only that present a *de minimis* safety risk. The final rule also adds a new exception for PTC-unequipped freight trains associated with certain freight yard operations to operate within PTC systems. The final rule also revises the existing regulations related to en route failures of a PTC system, adds new

provisions related to other failures of a PTC system, and amends the regulations on applications for approval of certain modifications of signal and train control systems.

Finally, this final rule makes technical amendments to FRA’s other signal and train control regulations and FRA’s regulations governing highway-rail grade crossing warning systems.

DATES: This final rule is effective October 21, 2014.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

Abbreviations Frequently Used

AAR Association of American Railroads
CFR Code of Federal Regulations
FRA Federal Railroad Administration
MGT million gross tons
NPRM notice of proposed rulemaking
PIH material poisonous by inhalation (as defined in 49 CFR 171.8, 173.115 and 173.132) hazardous material
PTC positive train control (as further described in 49 CFR 236.1005)
PTCIP PTC Implementation Plan (as required under 49 U.S.C. 20157 and further described in 49 CFR 236.1011)
PTCSP PTC Safety Plan (as further described in 49 CFR 236.1015)
PTCWG PTC Working Group of the Railroad Safety Advisory Committee
RFA Request for Amendment (of a plan or system made by a railroad required to implement a PTC system as defined in 49 CFR 236.1003, in accordance with 49 CFR 236.1021)
RRR Retrospective Regulatory Review
RSAC Railroad Safety Advisory Committee
RSIA Sec. 104 of the Rail Safety Improvement Act of 2008 (Public Law 110-432, Div. A) (49 U.S.C. 20157)
Sec. section
WG Working Group

Terms Frequently Used

Categorical de minimis exception means the exception to the requirement to implement a PTC system on a given track segment provided by 49 CFR 236.1005(b)(4)(iii)(A) and (B) before this final rule is effective and by 49 CFR 236.1005(b)(4)(iii)(A) and (B) after this final rule is effective.

General de minimis exception means the exception to the requirement to

implement a PTC system on a given track segment provided by 49 CFR 236.1005(b)(4)(iii)(C) that existed prior to this final rule and by 49 CFR 236.1005(b)(4)(iii)(A) and (C) after this final rule is effective.

Old section or old provision refers to the section or provision as it existed on the day before the section or provision of this final rule is effective. *PTC-preventable accident* means an accident or incident that could be prevented by the functions of a positive train control system required by 49 U.S.C. 20157.

Table of Contents for Supplementary Information

- I. Executive Summary
- II. Statutory and Regulatory Background and Proceedings to Date
- III. Public Participation
 - A. RSAC Process and the PTC Working Group
 - B. Comments Received
 - 1. In General
 - 2. Comments on § 236.1021, Discontinuances, Material Modifications, and Amendments, Which Is Unchanged
 - 3. Comments on Paragraph (c), Limited Operations Exception, of § 236.1019, Main Line Track Exceptions, Which Is Unchanged
 - 4. Comments on Cost of Transportation of Certain Radioactive Lading
- IV. Section-by-Section Analysis
- V. Regulatory Impact and Notices
 - A. Executive Orders 12866 and 13563 and DOT Regulatory Policies and Procedures
 - B. Regulatory Flexibility Act and Executive Order 13272
 - C. Executive Order 13175
 - D. Paperwork Reduction Act
 - E. Federalism Implications
 - F. Environmental Impact
 - G. Unfunded Mandates Reform Act of 1995
 - H. Energy Impact
 - I. Privacy Act

I. Executive Summary

Section 104 of the Rail Safety Improvement Act of 2008, Public Law 110-432, 122 Stat. 4854, (Oct. 16, 2008) (codified at 49 U.S.C. 20157) (hereinafter “RSIA”) requires the installation of PTC systems governing all train operations on certain track. RSIA defines “PTC system” as “a system designed to prevent train-to-train collisions, over-speed derailments, incursions into established work zone limits, and the movement of a train through a switch left in the wrong position.” 49 U.S.C. 20157(i)(3). While there are different PTC system configurations, and there is no specific technological model that defines a PTC system, all PTC systems generally have the same four parts: (1) An onboard apparatus for the locomotive controlling each applicable train; (2) wayside devices such as wayside interface units;