

Shared Corridors – Technical Issues

Allison I. Fultz

Kaplan Kirsch & Rockwell LLP

Washington, DC

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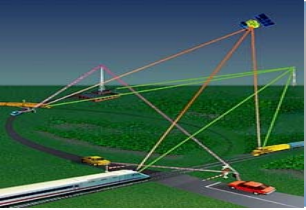


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Rail Safety Improvement Act of 2008 (**RSIA**)

- Mandates comprehensive operational and physical improvements
- Positive Train Control (**PTC**) implementation has begun
- Rulemaking to implement legislation is underway



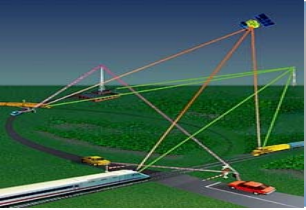


PTC Implementation

PTC - RSIA, Sec. 104 (codified at 49 U.S.C. 20157)

- Positive Train Control (**PTC**) - technology designed to prevent collisions and other incidents by automatically detecting and controlling the movement of trains – intended to override human error
- Implementing regulations at 49 C.F.R. Parts 229, 234, 235 and 236
- Final rule issued Jan. 15, 2010 (75 Fed. Reg. 2598)
- Final rule amendments issued Sept. 27, 2010 (75 Fed. Reg. 59,108)
- Further rulemaking required



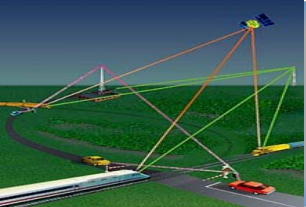


PTC Implementation

GAO Report 11-133 (Dec. 15, 2010)

- Risks to implementation of PTC by Dec. 31, 2015 deadline
 - Nascent technology
 - Limited pool of manufacturers
 - Lack of bandwidth
 - Domino effect – commuter operators, Class II and III freights
 - Costs – “especially problematic” for passenger railroads
 - Unknown duration of field testing and commissioning



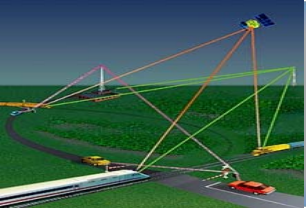


PTC Implementation

GAO Report 11-133 (Dec. 15, 2010)

- PTC side effects - generally
 - Focus on PTC may divert resources from development of other safety improvements





PTC Implementation

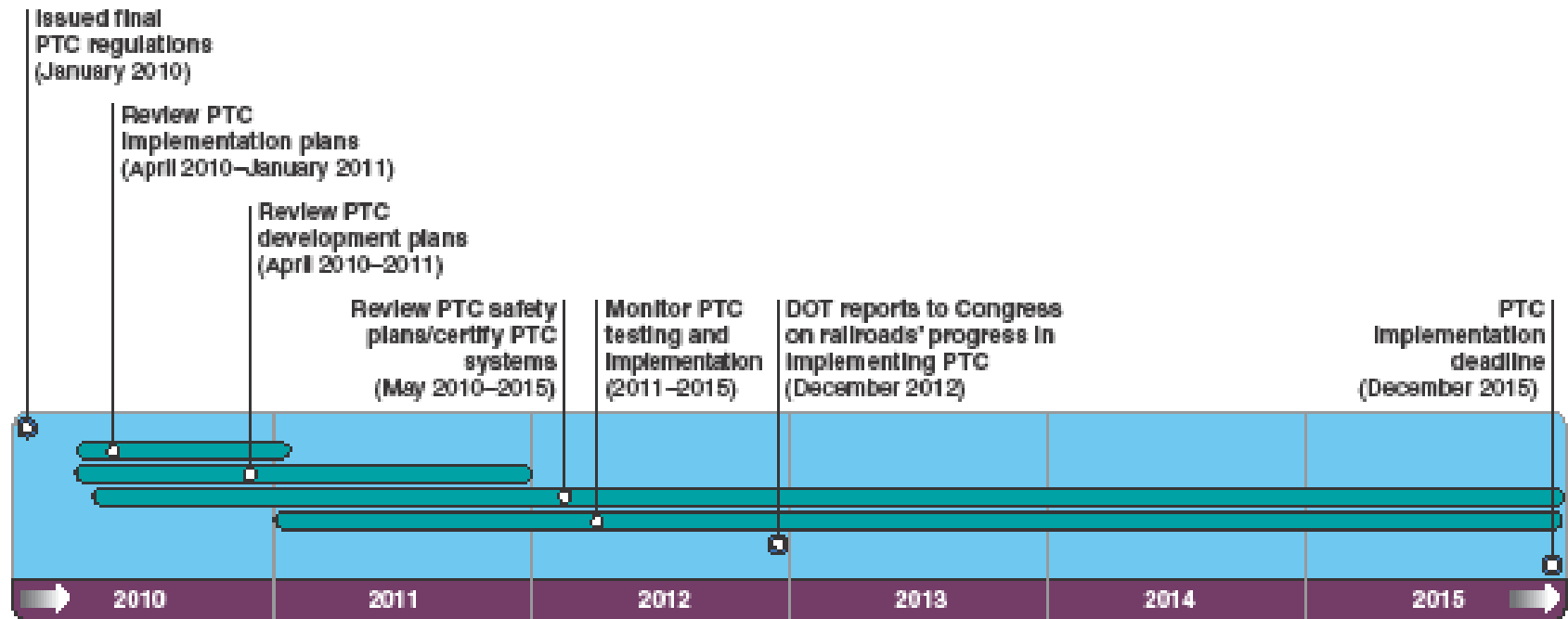
GAO Report 11-133 (Dec. 15, 2010)

- PTC side effects – commuter rail operators
 - Impact on state of good repair backlog - \$12.6B for commuter rail operators
 - PTC costs adding to financial pressures on commuter rail operators
 - Service reductions
 - Fare increases
 - Workforce reductions



PTC Implementation

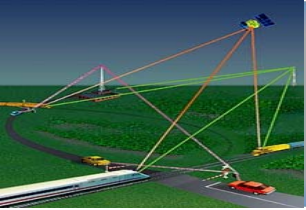
Figure 7: Approximate Timeline of Key FRA Actions to Meet the PTC Implementation Mandate



Source: GAO.



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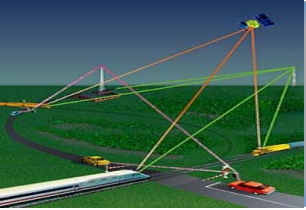


PTC Implementation

GAO Report 11-133 (Dec. 15, 2010)

- Potential sources of delay in implementation
 - Interoperability standards
 - Availability of key system components
 - Implementation sequence
 - Field testing
 - Submission of PTC safety plans to FRA
 - Review and certification by FRA
 - Final commissioning



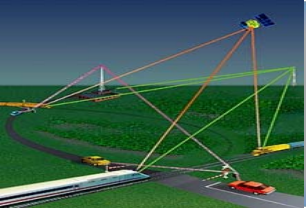


PTC Implementation

Other Developments

- STB rulemaking – EP 706 (Service Date Feb. 10, 2011)
 - Should Class 1 railroads be required to separately report costs of PTC development, installation and maintenance in annual reports to STB?
 - No timeline for proceeding yet
 - Potential impact on commuter operators
 - Any contributions to freights' PTC costs by commuter operators must be accurately reflected
 - Any costs built into railroad's freight rates should not be charged again to commuter operator





PTC Implementation

Other Developments

- S. 301 (introduced Feb. 8, 2011)
 - Potentially reduces number of miles on which PTC required to be installed
 - Proposes to base requirement on anticipated 2015 TIH/PIH traffic volumes rather than 2008 levels
- Stay tuned!





Done Deals

- Approach to safety – increasing emphasis on risk reduction and avoidance rather than protecting against aftereffects of incident
- Passenger Vehicle Design – FRA issued final rule on front end strength of passenger cars and multiple-unit locomotives on Jan. 8, 2010 (75 Fed. Reg. 1180)
- Restrictions on Use of Handheld Electronic Devices by Railroad Operating Employees – FRA issued final rule Sept. 27, 2010 (75 Fed. Reg. 59,580)





Coming Attractions

- Conductor Certification (RSIA Sec. 402, codified at 49 U.S.C. 20163)
 - FRA NPRM (75 Fed. Reg. 69,166, Nov. 10, 2010)
 - FRA proposes certification of (a) “conductors” and (b) “passenger conductors” who have received emergency preparedness training under 49 C.F.R. Part 239
- Hours of Service regulations for passenger operators (RSIA Sec. 108, codified at 49 U.S.C. 20116, 21102, 21109) FRA Notice – RSAC Working Group Activity Update (75 Fed. Reg. 76,070, Dec. 7, 2010)
 - FRA plans to issue NPRM in April 2011





Coming Attractions

- Safety Risk Reduction Programs (RSIA Sec. 103, codified at 49 U.S.C. 20156) - FRA ANPRM (75 Fed. Reg. 76,345, Dec. 8, 2010)
 - Risk-based hazard analysis
 - Technology implementation plan
 - Fatigue management plan





Coming Attractions

- Locomotive Safety Standards – FRA NPRM (76 Fed. Reg. 2200, Jan 12, 2011)
 - Coordination and interoperability - Systematic approach to hardware and software safety analysis





QUESTIONS?

Allison I. Fultz

Charles A. Spitulnik

Kaplan Kirsch & Rockwell LLP

Washington, DC

(202) 955-5600

afultz@kaplankirsch.com

www.kaplankirsch.com



KAPLAN KIRSCH ROCKWELL