

REGULATORY ACTION SUMMARY

1. Subject:

Glazing Rules

2. Action:

FRA Notice of Proposed Rulemaking (proposed amendments to 49 CFR Part 223)

3. Tourist Railroad Applicability:

The Part 223 glazing rules and the proposed revisions apply only to locomotives, cabooses and passenger cars used on general system tourist roads. They are not applicable to non-general system tourist roads.

4. Overview:

The proposed revisions appear generally favorable and would eliminate the need for most of the numerous “glazing waivers” that have been filed by general system tourist roads to permit non-compliant glazing in older equipment (over 100 to date). The main features that of the proposed revisions as they would impact tourist roads are follows:

(a) The existing exclusion for “antiquated” equipment would be modified. Under FRA’s present interpretation, equipment is considered “antiquated” only if built in 1945 or before. The proposal would change this to a “rolling” 50 year calculation (in other words, as of 2014, equipment built prior to 1965 would be considered “antiquated”).

(b) Some additional requirements would be imposed for post 1945 “antiquated” equipment covered by ‘a’ (the main one appears to be a requirement for emergency windows). These are generally consistent with the conditions FRA has been imposing when granting waiver requests for this equipment from the existing rule.

(c) The existing requirement to stencil glazing compliance on the inside walls of compliant equipment (sec 223.17) would be removed.

(d) While not a “tourist railroad” issue, the existing exclusion for “private cars” would be modified, particularly for cars used in commercial charter services.

5. Effective / Compliance Dates:

Not applicable. Not a final rule.

6. References:

The proposed rule (including FRA’s explanatory preamble) is available at:

<http://www.gpo.gov/fdsys/pkg/FR-2014-09-26/pdf/2014-22919.pdf>