

REGULATORY ACTION SUMMARY

1. Subject:

Positive Train Control Systems

2. Action:

FRA Final Rule (amendments to 49 CFR Part 236).

3. Tourist Railroad Applicability:

The rule is NOT applicable to non-general system tourist operations, whether “insular” or “non-insular.”

For general system tourist operations:

- (a) PTC doesn't have to be installed on a general system rail line just because of a tourist train operation on the line
- (b) If PTC is installed on a general system rail line with tourist train operations, the tourist operations may be conducted without being equipped for PTC if (i) there are no regularly scheduled intercity or commuter passenger services on the line (or the host railroad's implementation plan covers operation of non-equipped tourist trains) AND (ii) the tourist movement on the line does not exceed 20 miles in length.
- (c) Tourist train operations exceeding 20 miles in length on a general system PTC line must be equipped for PTC by December 31, 2020.

All non-PTC tourist train movements on a general system PTC line must be made under the procedures applicable to movement of trains with failed PTC apparatus.

4. Overview:

This extensive rule requires certain passenger and freight railroads to install very sophisticated (and expensive) train control signal systems on rail lines meeting specified criteria by 2015, and establishes design standards and approval requirements. The rule was mandated by Congress in the 2008 Rail Safety Improvement Act (RSIA), largely in response to the September, 2008 Metrolink collision at Chatsworth, CA.

5. Effective / Compliance Dates:

The rule was technically effective on March 16, 2010. However, the substantive requirements for tourist road operations on general system PTC lines (see #3 above) do not appear to become effective until December 31, 2015. The requirement that 20+ mile tourist operations on general system PTC lines be equipped with PTC (#3(c) above) becomes effective December 31, 2020.

6. References:

There have been two “final rules” in this proceeding. The first is the final rule published 1/15/2010, which is the rule which specifically discusses tourist railroads. This rule (including FRA's explanatory preamble) is available at:

<http://edocket.access.gpo.gov/2010/pdf/E9-31362.pdf>

The second “final rule” was published on 8/22/2014 and makes various changes to the 2010 final rule, none of which appear to be significant for tourist railroads. This rule (including FRA’s explanatory preamble) is available at:

<http://www.gpo.gov/fdsys/pkg/FR-2014-08-22/pdf/2014-19849.pdf>

Last update: April 7, 2015 (RTO)