

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)  
 PTICIP PTC Implementation Plan (as required under 49 U.S.C. 20157 and further described in 49 CFR 236.1011)  
 PTICSP 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.

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#### 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;