



4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver of Compliance

[Docket Number FRA-2018-0004]

Under part 211 of Title 49 of the Code of Federal Regulations (CFR), this document provides the public notice that on November 11, 2017, Brightline (BLF) has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 229, *Railroad Locomotive Safety Standards*. FRA assigned the petition docket number FRA-2018-0004.

BLF has purchased ten Siemens SCB-40 locomotives to power Brightline trains between Miami and Orlando, Florida. BLF requests relief from the requirements of 49 CFR 229.61, *Draft system*, with respect to the daily inspection procedure for the front coupler. The locomotives are equipped with a streamlined front coupler cover for improved aerodynamic and esthetic purposes. BLF will use the front coupler for rescue purposes only, and proposes to remove the coupler cover at 184-day inspection intervals as required by 49 CFR 229.23 (b)(1). During the daily inspection the front coupler will be visually inspected as best as possible from the bottom. The nose cone will not be removed unless the bottom visual inspection warrants further investigation based on the requirements of 49 CFR 229.61. If the front coupler is used in operations prior to the next daily inspection, the coupler will be completely inspected before the coupler cover is replaced.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue, SE, W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested parties desire an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- Web site: <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Fax: 202-493-2251.
- Mail: Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE, W12-140, Washington, DC 20590.
- Hand Delivery: 1200 New Jersey Avenue, SE, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by [INSERT DATE 45 DAYS FROM PUBLICATION OF THIS NOTICE] will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacyNotice> for the privacy notice of www.regulations.gov.

Robert C. Lauby,

Associate Administrator for Railroad Safety

Chief Safety Officer.

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