



4910-06-P

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2020-0063]

### Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on July 14, 2020, the American Short Line and Regional Railroad Association (ASLRRA) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR parts 213, 214, 217, 218, 220, 228, 232, 236, 240, 242, and 243. FRA assigned the petition Docket Number FRA-2020-0063.

ASLRRA, on behalf of itself and its member railroads, requests to renew emergency relief to allow for social distancing and workforce shortages, which was previously granted by FRA by letter dated May 22, 2020, in its emergency relief docket (Docket Number FRA-2020-0002). *See* <https://www.regulations.gov/document?D=FRA-2020-0002-0072>. FRA renewed this relief for an additional 60 days on July 20, 2020. *See* <https://www.regulations.gov/document?D=FRA-2020-0002-0095>.

ASLRRA also requests relief from the annual continuous welded rail training requirement at 49 CFR 213.7(c)(2). Short lines have postponed in-person training due to social distancing requirements, but based on the rise of coronavirus disease 2019 (COVID-19), it is unlikely that training will be possible. Additionally, ASLRRA requests clarification regarding refresher/recurrent training requirements for roadway workers under 49 CFR 214.343-214.357.

In support of its petition, ASLRRA states that continuing the relief to comply with guidance on social distancing from the Centers for Disease Control and Prevention (CDC) is necessary to protect railroad employees. ASLRRA further states that extending the relief will enable railroads and their employees to maintain safe workplace practices. ASLRRA explains it anticipates needing such relief so long as CDC guidance recommending social distancing remains in place.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) (Docket Number FRA-2020-0063).

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. 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 at <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Communications received by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]** 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), the U.S. Department of Transportation (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](http://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](http://www.regulations.gov).  
Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety*

*Chief Safety Officer.*

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