



U.S. Department
of Transportation

**Federal Railroad
Administration**

Administrator

1200 New Jersey Avenue, SE
Washington, DC 20590

NOV 16 2010

Mr. Freddie Simpson
President
Brotherhood of Maintenance-of-Way Employes Division
20300 Civic Center Drive, Suite 320
Southfield, MI 48076

Dear Mr. Simpson:

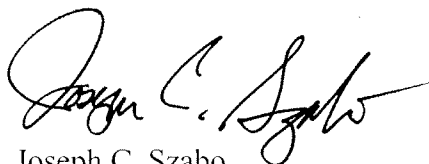
In January 1997, the Federal Railroad Administration (FRA) implemented the Roadway Worker Protection (RWP) regulations, with the goal of eliminating fatalities and accidents involving maintenance-of-way and signal employees being struck by a train or other on-track equipment. Unfortunately, the initial improvements have not been sustained, and in the last 5 years, there have been 24 fatalities. The goal of the RWP safety program is, and should always be, zero fatalities. The industry has fallen short of that goal by an unacceptable margin.

Therefore, FRA has implemented a five-point action plan. First, FRA convened a Railroad Safety Advisory Committee (RSAC) to review the current RWP regulations; revisions were recommended and are in the draft stage. Second, FRA launched an education initiative distributing thousands of informational brochures and discussing on-track safety procedures during field contacts. Third, FRA inspectors are focusing on RWP procedures during their daily inspections. Fourth, FRA is auditing the railroads' internal operations testing procedures. Fifth, FRA established a new working group, the Fatality Analysis of Maintenance-of-Way Employees and Signalmen (FAMES).

FAMES is patterned after the RSAC Switching Operations Fatality Analysis (SOFA) Working Group, and includes representatives from Class I freight railroads, shortline railroads, Amtrak, the Association of American Railroads, the Brotherhood of Maintenance of Way Employes Division, the Brotherhood of Railroad Signalmen, and FRA. This working group is in the process of analyzing the particulars of each incident that has occurred following RWP implementation to determine any common and contributing factors or characteristics that will allow us to focus our safety efforts. Upon completion, FAMES will compile a report and recommendations that will be distributed throughout the industry. In the meantime, we urge each of you to take the necessary steps to increase awareness of on-track safety and compliance with RWP regulations when on or around live tracks.

We look forward to working with you on this and other transportation issues of importance to you and your members.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph C. Szabo". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Joseph C. Szabo
Administrator