



Transportation Communications Union/IAM

International Association of Machinists and Aerospace Workers



God Bless America

Arthur P. Maratea, National President

Legislative Department

David Arouca, National Legislative Director

Connor Vargo, National Legislative Representative

February 29, 2024

Mr. Karl Alexy
Associate Administrator
Federal Railroad Administration
1200 New Jersey Ave. SE
Washington, DC, 20590

Dear Associate Administrator Alexy:

The Transportation Communications Union/IAM (TCU) and the Brotherhood of Railway Carmen (BRC) would like to formally request the Federal Railroad Administration (FRA) to conduct and publish a time study for railcar safety inspections.

Current federal regulation under 49 CFR § 215.13 requires qualified mechanical inspectors (QMI's) to perform safety inspections on all railcars to ensure compliance with all conditions listed in Part 215. While several Class I railroads are subverting the QMI requirement through the Appendix D loophole, these railroads have also imposed arbitrary, hazardous time limits on QMI Carmen to perform these safety inspections in as little as 30 seconds per side of a railcar. Railroads have indicated in verbal and that these limits are backed up by empirical data and studies, however this data has never been shared with our members, union officials, nor (to our knowledge) the FRA. Furthermore, we recently received confirmation of our long-held suspicions that this limit was not established based on empirical safety data, but was an invented, arbitrary measure to save time and money in the pursuit of lower dwell times. As BRC Asst. President Carl Lakin mentioned at our RailShare presentation last fall: "it is not merely some mass-psychosis of the Carmen nationwide that this policy was sprung upon them in the PSR era."

Therefore, to improve rail safety standards and defend – in the interest of safety – the inspection processes to which Carmen must adhere, we ask the FRA to conduct a formal time study examining the minimum time needed to sufficiently perform an inspection for full compliance under 49 CFR § 215. We also respectfully ask that TCU and BRC be allowed participate in the study to provide feedback and context for how different inspection regimes are being performed at different railroads.

Thank you for your attention to this matter and consideration. If you have any questions, please direct them to TCU National Legislative Director Dave Arouca (aroucad@tcunion.org). We believe that this data will make America's railroads safer for railroaders and communities, and ensure future safety decisions are based on reality, not arbitrary managerial decisions to feather corporate profits.

Sincerely,

Arthur P. Maratea
National President

Don Grissom
General President
Brotherhood of Railway Carmen Division
(BRC), TCU/IAM