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October 31, 2016

Administrator Sarah Feinberg  
U.S. Department of Transportation  
Federal Railroad Administration  
1200 New Jersey Ave., SE  
Washington, DC 20590

Dear Administrator Feinberg:

On September 29, a New Jersey Transit passenger train plowed into a platform at the Hoboken Terminal station. The disaster killed one woman, injured 110 passengers, and caused untold economic losses. The National Transportation Safety Board (NTSB) is investigating the crash, revealing that although the train's brakes and signaling equipment were working properly, the train was speeding at "about 21 mph" in a 10 mile per hour zone. While there are more facts to learn in the days to come, this catastrophe raises many questions, including whether Positive Train Control (PTC) could have prevented such needless death and destruction, and whether FRA should continue to allow an exemption from the PTC mandate for passenger terminals. In light of the Hoboken crash, I write to ask whether the exemption for passenger stations remains sensible policy.

As you know, PTC is designed to prevent speeding and crashes caused by human error. The NTSB has urged the implementation of this life-saving technology since 1970. In 2008, Congress finally required railroads to install PTC, setting a 2015 deadline for installation. Last year, Congress unfortunately pushed the deadline to 2018, with additional extensions possible to 2020. Despite the new deadlines, the rules that govern *where* PTC should be installed remain in place. These rules allow passenger railroads to apply to FRA for an exemption for terminal facilities. FRA first proposed exempting passenger terminals in 2009. In 2010, FRA finalized the standards for an exemption. That year, FRA gave New Jersey Transit a waiver for Hoboken; likewise, I understand from FRA documents that FRA gave Metro-North a waiver for Grand Central Terminal, and has also given similar waivers to Waterbury Station, New Canaan Station, South Norwalk Station and Danbury Station.

FRA justified the exemption with several rationales. First, the agency suggested terminal stations are too complicated for PTC technology, noting "technical solutions are not presently available" to ensure PTC can be deployed in a complex terminal environment. Second, FRA cited the lower mandated speed limits in terminals and argued that such reduced speeds would

prevent a major accident, if not a minor one. Third, FRA expressed confidence that other technologies would ensure safe operations in terminals in lieu of PTC.

The Hoboken crash has indicated that this reasoning warrants re-examination. First, it has been seven years since FRA concluded technical solutions are unavailable. Many railroads have been deploying and fine tuning PTC since then and a solution may have been developed in the time since the exemption was created. Second, lower speed limits alone may be inadequate to ensure safe operations, as the Hoboken train was traveling at more than twice the terminal speed limit at the point of impact. Third, the use of alternatives to PTC inside of terminals may be inadequate when compared to full-fledged PTC deployment in those stations.

I urge your inquiry to begin immediately. It could take a year or more for the NTSB to complete its investigation of the crash, and during that time FRA could work simultaneously to reconsider the exemption and search for PTC solutions that can be deployed in terminals nationwide. Of course nothing should delay railroads from implementing PTC where it is already mandated. I understand some of my colleagues have already questioned the appropriateness of the exemption for the Hoboken station. Please let me know whether the exemption remains appropriate for other terminals as well, like those in Connecticut and New York that serve Metro-North, which thousands of my constituents depend on daily.

I appreciate your attention to this important matter and look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Richard Blumenthal". The signature is fluid and cursive, with the first name "Richard" being the most prominent part.

RICHARD BLUMENTHAL  
United States Senate