



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

**JAN 31 2019**

Mr. Gregory M. Richardson  
General Director-Train Control Systems  
Union Pacific Railroad Company  
1400 Douglas Street, Mail Stop 0480  
Omaha, NE 68179

**Re: Docket Number FRA-2016-0108**

Dear Mr. Richardson:

This letter is in response to Union Pacific Railroad's (UP) December 27, 2018, and January 28, 2019, correspondence requesting clarification of FRA's December 18, 2018, letter extending relief from provisions of Title 49 Code of Federal Regulations Section 236.566, Locomotive of each train operating in train stop, train control or cab signal territory; equipped.

The request is for all portions of the UP where Positive Train Control (PTC) will be implemented. The relief will allow the operation of PTC in lieu of automatic cab signals (ACS), automatic train control (ATC), and automatic train stop (ATS).

FRA's Railroad Safety Board (Board) has carefully reviewed the waiver petition, as well as FRA's technical staff findings, and has determined that granting UP's request for continued relief is in the public interest and consistent with railroad safety. Accordingly, the Board grants the waiver, subject to the following conditions:

1. A PTC system must be installed and operative before operations without ACS, ATC, or ATS may begin. The PTC system must be successfully initialized and a locomotive engineer trained and qualified in the operation of PTC must be present for operation of the train.
2. If the PTC system fails and/or is cut-out en route as a result of same, the train crew will cut-in the ACS, ATC, or ATS onboard system, perform a departure test, and if successful, continue the trip under ACS, ATC, or ATS operation.
3. If the PTC must be cut out, the ACS, ATC, ATS system must be placed back into service. If an ACS, ATC, ATS departure test cannot be performed, i.e., due to being on the main track outside of a terminal, then the ACS, ATC, ATS system must be placed back in service and a departure test be performed at the next forward location.

This waiver expires December 31, 2021.

FRA reserves the right to modify or rescind this waiver upon receipt of information pertaining to the safety of rail operations or in the event of non-compliance with any condition of this waiver. Further, FRA reserves the right to take enforcement action under 49 U.S.C. § 20111 for non-compliance with any condition of this waiver or applicable Federal regulations.

In any future correspondence regarding this letter, please refer to Docket Number FRA-2016-0108. If you have any questions regarding this letter, please contact Mr. Paul Weber, Railroad Safety Specialist, Signal and Train Control Division, at (202) 493-6258 or [Paul.Weber@dot.gov](mailto:Paul.Weber@dot.gov).

Sincerely,

A handwritten signature in blue ink that reads "Robert C. Lauby". The signature is written in a cursive style with a large, stylized initial "R".

Robert C. Lauby  
Associate Administrator for Railroad Safety  
Chief Safety Officer