NOTIFICATION

Addendum

The following communication, dated 13 October 2023, is being circulated at the request of the delegation of the United States of America.

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**Title:** Locomotive Image and Audio Recording Devices for Passenger Trains

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| **Reason for Addendum:** |
| [ ] | Comment period changed - date:  |
| [ ] | Notified measure adopted - date:  |
| [X] | Notified measure published - date: 12 October 2023 |
| [X] | Notified measure enters into force - date: 13 November 2023 |
| [X] | Text of final measure available from[[1]](#footnote-1): 88 Federal Register (FR) 70722, 49 Code of Federal Regulations (CFR) Parts 217, 218, 229, and 299:<https://www.govinfo.gov/content/pkg/FR-2023-10-12/html/2023-21291.htm><https://www.govinfo.gov/content/pkg/FR-2023-10-12/pdf/2023-21291.pdf><https://members.wto.org/crnattachments/2023/TBT/USA/final_measure/23_12996_00_e.pdf> |
| [ ] | Notified measure withdrawn or revoked - date: Relevant symbol if measure re-notified:  |
| [ ] | Content or scope of notified measure changed and text available from1: New deadline for comments (if applicable):  |
| [ ] | Interpretive guidance issued and text available from1:  |
| [ ] | Other:  |

**Description:** FRA is requiring the installation of inward- and outward- facing locomotive image recording devices on all lead locomotives in passenger trains, as required by the [Fixing America's Surface Transportation Act (FAST Act)](https://www.fhwa.dot.gov/fastact/). In general, the final rule requires that these devices record while a lead locomotive is in motion and retain the data in a crashworthy memory module. The rule also treats locomotive-mounted recording devices on passenger locomotives as "safety devices" under existing Federal railroad safety regulations to prohibit tampering with or disabling them. Further, this rule governs the use of passenger locomotive recordings to conduct operational tests to determine passenger railroad operating employees' compliance with applicable railroad rules and Federal regulations. Finally, this rule requires Texas Central Railroad (TCRR) to install and maintain trainset image recording systems appropriate to TCRR's operation.

This final rule is effective 13 November 2023.

Access to 49 CFR Parts 217, 218, 229, and 299:

<https://www.ecfr.gov/current/title-49/subtitle-B/chapter-II/part-217>;

<https://www.ecfr.gov/current/title-49/subtitle-B/chapter-II/part-218>;

<https://www.ecfr.gov/current/title-49/subtitle-B/chapter-II/part-229>;

<https://www.ecfr.gov/current/title-49/subtitle-B/chapter-II/part-299>.

This final rule and the notice of proposed rulemaking notified as [G/TBT/N/USA/1509](https://eping.wto.org/en/Search?domainIds=1&documentSymbol=usa%2F1509) are identified by Docket Number FRA-2016-0036. The Docket Folder is available from Regulations.gov at <https://www.regulations.gov/docket/FRA-2016-0036/document> and provide access to primary and supporting documents as well as comments received. Documents are also accessible from [Regulations.gov](http://www.regulations.gov/) by searching the Docket Number.

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1. This information can be provided by including a website address, a pdf attachment, or other information on where the text of the final/modified measure and/or interpretive guidance can be obtained. [↑](#footnote-ref-1)