NOTIFICATION

Revision

The following notification is being circulated in accordance with Article 10.6.

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| **1.** | **Notifying Member:** UNITED STATES OF AMERICA  **If applicable, name of local government involved (Articles 3.2 and 7.2):** |
| **2.** | **Agency responsible:**  Federal Railroad Administration (FRA), Department of Transportation (DOT)  **Name and address (including telephone and fax numbers, email and website addresses, if available) of** **agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  Please submit comments to: USA WTO TBT Enquiry Point, Email: [usatbtep@nist.gov](mailto:usatbtep@nist.gov) |
| **3.** | **Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], 3.2 [ ], 7.2 [ ], other:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Train control systems; RAILWAY OR TRAMWAY LOCOMOTIVES, ROLLING-STOCK AND PARTS THEREOF; RAILWAY OR TRAMWAY TRACK FIXTURES AND FITTINGS AND PARTS THEREOF; MECHANICAL (INCLUDING ELECTRO-MECHANICAL) TRAFFIC SIGNALLING EQUIPMENT OF ALL KINDS (HS code(s): 86); Railway engineering in general (ICS code(s): 45.020) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Positive Train Control Systems; (26 page(s), in English) |
| **6.** | **Description of content:** Notice of proposed rulemaking - FRA is proposing to amend certain regulations governing positive train control (PTC) systems. Since 31 December 2020, by law, PTC systems have generally governed rail operations on PTC-mandated main lines, which encompass nearly 59,000 route miles today. Through FRA's oversight and continued engagement with the industry, FRA has found that its existing PTC regulations do not adequately address temporary situations during which PTC technology is not enabled, including after certain initialization failures or in cases where a PTC system needs to be temporarily disabled to facilitate repair, maintenance, infrastructure upgrades, or capital projects. FRA expects PTC systems to be reliable and robust, further reducing the occurrence of initialization failures and outages. This NPRM proposes to establish strict parameters and operating restrictions under which railroads may continue to operate safely in certain necessary scenarios when PTC technology is temporarily not governing rail operations. The purpose of this NPRM is to enable continued, safe operations and improve rail safety by facilitating prompt repairs, upgrades, and restoration of PTC system service. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety |
| **8.** | **Relevant documents:**  89 Federal Register (FR) 85462, 28 October 2024; [Title 49 Code of Federal Regulations (CFR) Parts 236](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-II/part-236):  <https://www.govinfo.gov/content/pkg/FR-2024-10-28/html/2024-24559.htm>  <https://www.govinfo.gov/content/pkg/FR-2024-10-28/pdf/2024-24559.pdf>  This notice of proposed rulemaking is identified by Docket Number FRA-2023-0064. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/FRA-2023-0064/document> and provides access to primary documents as well as comments received. Documents are also accessible from [Regulations.gov](http://www.regulations.gov/) by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the [USA TBT Enquiry Point](mailto:usatbtep@nist.gov). Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders by [4pm](http://time-time.net/times/time-zones/usa-canada/current-eastern-time-est.php) [Eastern Time](https://24timezones.com/time-zone/et) on 27 December 2024 will be shared with the FRA and will also be submitted to the [Docket](https://www.regulations.gov/docket/FRA-2023-0064/document) on Regulations.gov if received within the comment period.  Other actions notified under the symbol [G/TBT/N/USA/480](https://eping.wto.org/en/Search?domainIds=1&documentSymbol=usa%2F480) are identified by Docket Numbers [FRA-2008-0132](https://www.regulations.gov/docket/FRA-2008-0132/document) and [FRA-2019-0075](https://www.regulations.gov/docket/FRA-2019-0075/document). |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 27 December 2024 |
| **11.** | **Texts available from: National enquiry point [X] or address, telephone or fax numbers and email and website addresses, if available, of other body:**  <https://members.wto.org/crnattachments/2024/TBT/USA/24_07369_00_e.pdf> |