



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

VIA E-MAIL ONLY

April 11, 2020

Mr. John P. Dempsey Jr.  
Assistant Superintendent  
Port Authority Trans-Hudson Corporation  
Power, Signals & Communication (PS&C) Division  
jodempsey@panynj.gov

Mr. Ian Mitchell  
Assistant Superintendent  
Port Authority Trans-Hudson Corporation  
Car Equipment Division  
imitchell@panynj.gov

**Re: Request for Relief in FRA Emergency Docket FRA-2020-0002 related to  
COVID-19 Public Health Emergency**

Dear Messrs. Dempsey and Mitchell:

This letter responds to two Port Authority Trans-Hudson Corporation's (PATH) petitions (dated March 20, 2020 and March 23, 2020) for emergency relief from certain Federal Railroad Administration (FRA) rail safety requirements (Petitions). PATH requested temporary emergency relief from several requirements of Title 49 of the Code of Federal Regulations (CFR) related to signal and grade crossing warning system testing, and track and equipment inspections.

On March 13, 2020, FRA Administrator Ronald L. Batory activated the emergency relief docket (ERD) in response to the coronavirus 2019 (COVID-19) public health emergency occurring throughout the United States. FRA considered PATH's requests under the provisions of 49 CFR § 211.45, *Petitions for Emergency Waiver of Safety Rules*. A copy of PATH's petitions are available for public review and comment in the ERD (Docket Number FRA-2020-0002, Document Numbers FRA-2020-0002-0016 and -0050).

FRA notes that the Association of American Railroads, the American Short Line and Regional Railroad Association, and the American Public Transportation Association (together referred to as the "Associations") requested similar relief. By letters dated March 25, 2020, and April 6, 2020, FRA granted the Associations the requested relief subject to certain conditions and limitations. A copy of FRA's March 25, 2020, and April 6, 2020, letters are attached for your reference and are available for review in the docket on

[www.regulations.gov](http://www.regulations.gov).<sup>1</sup> FRA understands that PATH is a member of APTA and, as such, is a party to the relief granted in FRA's March 25, 2020, and April 6, 2020, letters.<sup>2</sup> Accordingly, FRA considers the relief already granted to the Associations in this docket responsive to PATH's Petitions.

FRA looks forward to working with you to help ensure the continued safety of railroad operations during this national emergency. If you have questions, I can be reached at 202-493-6282, or at [karl.alex@dot.gov](mailto:karl.alex@dot.gov).

Sincerely,

Karl Alexy  
Associate Administrator for Railroad Safety  
Chief Safety Officer

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<sup>1</sup> See <https://www.regulations.gov/document?D=FRA-2020-0002-0025> and <https://www.regulations.gov/document?D=FRA-2020-0002-0041>. FRA also granted the Associations temporary emergency relief from certain training requirements as detailed in a March 30, 2020, letter in this docket (<https://www.regulations.gov/document?D=FRA-2020-0002-0030>).

<sup>2</sup> In addition, FRA extended the scope of the waivers to apply to all railroads operating within the United States and all railroads providing passenger service, respectively.