



1200 New Jersey Avenue, SE
Washington, DC 20590

U.S. Department
Of Transportation

Federal Railroad
Administration

Bob Tomaszewski
New York New Jersey Rail
Trainmaster/Compliance Officer
26 Colony Road
Jersey City, NJ 07305

April 19, 2023

Dear Mr. Tomaszewski:

This letter responds to the New York New Jersey Rail (NYNJ) submission dated January 31, 2023, to the Federal Railroad Administration (FRA) seeking approval of its material modifications to the NYNJ Conductor Certification Program received by FRA on January 31, 2023. NYNJ has complied with FRA's procedures for submission and approval of programs is described in appendix B to 49 CFR part 242. FRA reviewed the railroad's program modification and determined that the railroad's program modification conforms with the requirements of 49 CFR part 242 for the reasons discussed below.

Your submission states that on January 31, 2023, the railroad provided a copy of its program modification to Mr. Joseph Soresi, and Mr. Osvaldo Ramos, of Seafarers International Union representing the railroad's employees. FRA received no comments on the program or program modification by the labor organizations.

The program modifications are consistent with the model of the previously approved Class III railroad programs. FRA understands that the modifications are intended to provide more detail to the conductor certification process and update contact information. Additional modifications to the submission also addressed deficiencies with the standard requirements of 49 CFR part 242, appendix B.

Please continue in your efforts to improve railroad safety on your system.

Please contact me with any questions regarding this submission at (202) 366-0978 or FRAOPCERTPROG@dot.gov or Kevin.Lewis@dot.gov

Sincerely,

Kurt Erickson
FRA Rail Safety Specialist
240 & 242 Certification

pp Christian Holt
Operating Practices Staff Director