



U.S. Department
of Transportation

**Federal Railroad
Administration**

Memorandum

Date: June 15, 1998

Reply to Att. of: MP&E 98-44

Subject: Initial Terminal Brake Tests of Non-Commuter Trains

From: Edward R. English
Director, Office of Safety Assurance and Compliance

To: Regional Administrators, Deputy Regional Administrators,
Motive Power & Equipment Specialists and Inspectors

As a result of an increasing number of commuter railroads operating throughout the country, many existing regulations - written specifically to address freight operations - require interpretation to ensure uniform enforcement of regulations with respect to the unique operating environment of the commuter operations. An MP&E Technical Resolution Committee (TRC) addressed the specific issue of Initial Terminal Road Train Air-Brake Tests for non-MU commuter operations, and developed the following enforcement guidance:

The relevant regulation, 49 CFR Part 232.12, Initial Terminal Road Train Air-Brake Tests, leaves some question as to how it applies to non-MU commuter operations where the train remains intact and the brake system remains charged for long periods of time. In order to ensure safe operation of this equipment, the Federal Railroad Administration (FRA) will consider these trains to be "originally made up" pursuant to 49 CFR Part 232.12(a)(1)(i) at some point during each 24-hour period. At that point, the train should receive an initial terminal brake test--as currently specified in 49 CFR Part 232.12(c) -(j). For the purpose of enforcing this interpretation, each 24-hour time period is defined to commence at 12:00 am and end at 11:59 pm.

In an effort to reasonably accomplish this "daily" initial terminal brake test without causing undue operational and logistical impact to the respective carriers, FRA believes it is necessary to provide commuter operators with operational flexibility to meet this interpretation. Consequently, for trains that remain intact with brake systems charged, operators may determine the location where these brake tests are performed, as long as the test occurs once within each 24-hour period. FRA provides guidance in the following

flow chart to aid in the determination of when the initial terminal brake test--as specified in 49 CFR, Part 232.12 (c) - (j)--should be conducted.

INITIAL TERMINAL BRAKE TEST REQUIREMENTS
FOR
NON-MU COMMUTER TRAINS

