



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

VIA E-MAIL ONLY

May 16, 2025

Ms. Sarah G. Yurasko
SVP, Law and General Counsel
American Short Line and Regional Railroad Association
SYurasko@aslrra.org

Re: Docket Number FRA-2009-0078

Dear Ms. Yurasko:

This letter is in response to the petitions received May 14, 2024; August 29, 2024; and September 13, 2024, from the American Short Line and Regional Railroad Association (ASLRRA) to the Federal Railroad Administration (FRA). ASLRRA requested that FRA expand the regulatory relief granted in Docket Number FRA-2009-0078 to include three additional ASLRRA member railroads as parties to the waiver. The railroads that seek to become parties to the subject waiver are:

- Railserve, Inc. facility in Pasadena, Texas;
- Golden Triangle Railroad (GTRA); and
- Jaxport Terminal Railroad (JXPT).

The existing waiver provides relief from the provisions of 49 U.S.C. 21103(a)(4), which, in part, require a train employee to receive 48 hours off-duty after initiating an on-duty period, each day, for 6 consecutive days. The existing waiver allows employees, working for railroads that are subject to the waiver, to receive 24 hours off-duty after initiating an on-duty period, each day, for 6 consecutive days.

FRA notes that ASLRRA expressed in its request that the three above-referenced railroads sought employee input concerning the waiver request, and that the affected employees at each railroad support the waiver. ASLRRA also expressed that employee input concerning the waiver had been documented and will be made available to FRA upon request. Accordingly, FRA has determined that the three above-referenced railroads have met the joint filing requirement of the hours-of-service laws.

Additionally, after ASLRRA's initial petition, FRA received two letters from the Brotherhood of Locomotive Engineers and Trainmen (BLET), stating that two railroads must be removed from the list of railroads using the relief in this docket. BLET's members requested to cease participation in

the relief used by the Florida Gulf and Atlantic Railroad (FGA) by letter dated April 26, 2024,¹ and by the Western New York and Pennsylvania Railroad (WNYP) by letter dated May 20, 2024.²

By letter dated October 16, 2024, BLET stated that it had gathered signatures from its FGA members to again participate in this waiver, which “enhances the ability of [BLET’s] members to get adequate rest and predictable schedules.”³ Accordingly, FRA continues to consider FGA as a party to the relief in this docket. However, because the railroad employees at WNYP continue to wish to cease participation in this waiver, FRA has removed WNYP as a party to this waiver and from the list of railroads participating in the waiver, included in this letter as the enclosure Exhibit “A” of Participating Railroads.

FRA’s Railroad Safety Board (Board) carefully reviewed the petition and the technical staff findings. The Board determined that granting ASLRRRA’s request to expand the relief to include three additional railroads (the Railserve, Inc. facility in Pasadena, Texas; GTRA; and JXPT) as parties to the waiver is in the public interest and consistent with railroad safety. Accordingly, the Board grants the request and amends the list of railroads participating in this waiver, included in this letter as the enclosure Exhibit “A” of Participating Railroads.

By letter dated February 9, 2022, FRA granted conditional relief to the railroads then listed in Exhibit “A” of Participating Railroads.⁴ The Board is adding a condition to clarify the removal process for unionized railroads (see condition 4). The conditions below replace those in the February 9, 2022, letter.

1. Employees working both 6-day scheduled assignments and 5-day scheduled assignments followed by a 6-day unscheduled assignment, resulting in 6 consecutive days of initiating on-duty periods that do not extend into the early morning hours (midnight to 6 a.m.), may receive 24, rather than 48, hours off duty.
2. The hours-of-service record of any employee working an assignment subject to this waiver must include a notation that this waiver applies to the assignment covered by that individual record (e.g., notation could read “Waiver Docket No. FRA-2009-0078 applies”).
3. Nonunion railroads are required to present the terms of this waiver to train employees hired after the date of this letter, and have them acknowledge either support or opposition to the waiver. This acknowledgment must be placed with the same documentation used to fulfill the joint filing requirement, and be made available to FRA upon request. If at any time, employee support for the waiver drops below 50 percent, the railroad will no longer be eligible to work under the conditions of the waiver.
4. For unionized railroads, if the recognized labor organization withdraws its support for the waiver, the waiver ceases to become effective and the railroad may not use it, until both parties agree to the relief again. Written record of a party’s withdrawal of support must be

¹ See <https://www.regulations.gov/document/FRA-2009-0078-0218>.

² See <https://www.regulations.gov/document/FRA-2009-0078-0221>.

³ See <https://www.regulations.gov/document/FRA-2009-0078-0224>.

⁴ See <https://www.regulations.gov/document/FRA-2009-0078-0213>.

submitted to the docket and provided to ASLRRA. In the event that the railroad and relevant labor organization subsequently agree to reinstate the relief, a written joint acknowledgement of the reinstatement of the relief must be submitted to the docket and to ASLRRA for the relief to be effective.

5. ASLRRA must continue its efforts to validate waiver participants' use of the relief granted and training on the specific conditions applicable to this waiver. Additionally, waiver participants must immediately report any accident/incident involving human factors to their appropriate FRA Safety Management Team (SMT): SMT 2 (202-493-0759) or SMT 8 (360-696-7526).

This letter does not authorize ASLRRA to extend this waiver to railroads that are not listed or to exceed the statutory limit of 276 hours per calendar month as provided by 49 U.S.C. 21103(a)(4).

This waiver expires on February 9, 2027, which is 5 years from the date of the February 9, 2022, decision letter granting the extension of the waiver in this docket. Extension of the waiver is contingent on sufficient data and documentation being available to FRA to further analyze the safety implications of the relief.

At the conclusion of this period, FRA reserves the right to extend the waiver if the Petitioner has made a written request for an extension at least 6 months prior to the expiration date, and if conditions warrant. Any request for extension must (1) demonstrate the Petitioner's compliance with the above-identified conditions; (2) comply with the requirements of § 211.7, *Filing requirements*, and § 211.9, *Content of rulemaking and waiver petitions*; and (3) be submitted via e-mail to FRAWaivers@dot.gov.

FRA reserves the right to modify or rescind this waiver upon receipt of information pertaining to the safety of railroad operations or in the event of noncompliance with any condition of this waiver. Further, FRA reserves the right to take enforcement action under 49 U.S.C. 20111 for noncompliance with any condition of this waiver or applicable Federal regulations.

In any future correspondence regarding this waiver, please refer to Docket Number FRA-2009-0078. If you have any questions, please contact Mr. William T. Smith, Railroad Safety Specialist, at 682-305-6709 or William.Smith@dot.gov.

Sincerely,

JOHN KARL ALEXY

Digitally signed by JOHN KARL

ALEXY

Date: 2025.05.16 13:46:22 -04'00'

Karl Alexy
Associate Administrator for Railroad Safety
Chief Safety Officer

Enclosure

Enclosure

Exhibit “A” of Participating Railroads
May 16, 2025
(Railroads in **bold** type added in this revision)

Acadiana Railway Company, Inc.
Adrian & Blissfield Railroad
Alexander Railroad
Aliquippa & Ohio River Railroad Co.
AN Railway LLC
Ann Arbor Railroad
Arizona Eastern Railway
Arkansas Louisiana & Mississippi Railroad Co.
Arkansas Midland Railroad Co., Inc.
Arkansas & Missouri Railroad
Arkansas-Oklahoma Railroad Inc.
Ashland Railway Inc.
Atlantic & Western Railway, L.P.
Austin, Todd & Ladd Railroad Company
B&H Rail Corp.
Bay Coast Railroad
Bay Colony Railroad
Bay Line Railroad, L.L.C., The
Belvidere and Delaware River Railway
Black River & Western*
Bloomer Shippers Connecting Railroad Co.
Boone Scenic Valley
Brandywine Valley Railroad
Brownsville & Rio Grande International Railroad
Buckingham Branch Railroad
Buffalo & Pittsburgh Railroad, Inc.
Burlington Junction Railway
Butte, Anaconda & Pacific Railway Co.
Camp Chase Railway, LLC.
Caney Fork & Western Railroad
Canton Railroad Company
Cedar Rapids & Iowa City Railway Co.
Central California Traction Co.
Central Railroad Company of Indianapolis
Charlotte Southern Railroad Company
Chattahoochee Bay Railroad
Chattahoochee Industrial Railroad
Chattooga & Chickamauga Railroad
Chesapeake and Indiana Railroad Company
Clarendon & Pittsford Railroad Co.
Cleveland Works Railway, Inc.

Cloquet Term. RR Co., Inc.
Columbia Terminal Railroad Co.
Columbus & Greenville Railway Co.
Columbus & Ohio River Railroad
Commonwealth Railway, Inc.
Conecuh Valley Railway, Inc.
Copper Basin Railway, Inc.
Corpus Christi Terminal Railroad Inc.
D & I Railroad
Dakota, Missouri Valley & Western Railroad
Delta Southern Railroad Company
Depew, Lancaster & Western Railroad Co., Inc.
Detroit Connecting Railroad
Dover and Delaware River Railroad*
Dover and Rockaway River Railroad
Durbin & Greenbrier Valley Railroad
Elkhart and Western Railroad
East Erie Commercial Railroad
East Jersey Railroad & Terminal Co.
East Tennessee Railway, L.P.
Eastern Alabama Railway
Eastern and Ellis Company (EE)
Eastern Illinois Railroad Co.
Everett Railroad Co.
Farmrail System
Finger Lakes Railway Co.
First Coast Railroad Inc.
Flats Industrial Railroad*
Florida Central Railroad Co.
Florida Gulf & Atlantic, LLC
Florida Midland Railroad Co., Inc.
Florida Northern Railroad Co., Inc.
Fordyce & Princeton Railroad Co.
Fort Smith Railroad
Foster Townsend Rail Logistics*
Galveston Railroad, L.P.
Garden City Western Railway
Gardendale Railroad
Georgia Central Railway, L.P.
Georgia Northeastern Railroad Co.
Georgia Southern Railway Company
Georgia Southwestern Railroad Inc.
Gettysburg and Northern Railway
Golden Isles Terminal Railroad, Inc.
Golden Isles Terminal Railroad, Inc. – Savannah Intermodal Yard
Golden Isles Terminal Railroad, Inc. – Savannah Wharf
Golden Triangle Railroad

Grafton & Upton Railroad Company
Grainbelt System
Great Lakes Central Railroad
Great Smoky Mountains Railroad
Great Western Railway of Colorado, LLC
Green Mountain Railroad Corp.
Greenville & Western Railway Co. LLC
Heart of Georgia Railroad, Inc.
Hilton and Albany Railroad
Huron & Eastern Railway
Illinois & Midland Railroad Inc.
Indiana Rail Road Company
Indiana Northeastern Railroad Co., Incorporated
Indiana Southern Railroad, Incorporated
Indiana Southwestern Railway
Ineos Olefins Polymers Battleground*
Iron Horse Terminals, LLC
Jaxport Terminal Railroad
Jackson & Lansing Railroad Company
Kankakee, Beaverville & Southern Railroad
Kaskaskia River Railroad Company
Kaw River Railroad
Kendallville Terminal Railway Company
Kentucky West Tennessee Railway
Keokuk Junction Railway Company
Knoxville & Holston River Railroad
Lake Michigan & Indiana Railroad
Lancaster & Chester Railway Co.
Lapeer Industrial Railroad
Laurinburg & Southern Railroad
Lehigh Valley Rail Management
Little Kanawha River Rail
Little Rock & Western Railway, L.P.
Livonia, Avon & Lakeville Railroad Corp.
Louisiana & Delta Railroad
Louisiana & North West Railroad
Luxapalila Valley Railroad Inc.
Lycoming Valley Railroad Co.
Madison Railroad Division
Mahoning Valley Railroad Co.
Maryland & Delaware Railroad Co.
Maryland Midland Railway, Inc.
Merced County Central Valley Railroad
Meridian & Bigbee Railroad Co.
M.G. Rail, Inc.
Michigan Southern Railroad Company
Middletown and New Jersey Railroad

Mid-Michigan Railroad Inc.
 Minnesota Commercial Railroad
 Minnesota, Dakota & Western Railroad
 Mission Mountain Railroad
 Mississippi Central Railroad
 Mississippi Southern Railroad
 Missouri and Northern Arkansas Railroad
 Modesto and Empire Traction Company
 Napoleon, Defiance, and Western Railway
 New York & Atlantic Railway Co.
 New York & Ogdensburg Railway Co.
 New York New Jersey Rail, LLC
 Nittany & Bald Eagle Railroad
 North Shore Railroad
 Northeast Texas Connector, LLC
 Northern Lines Railway LLC
 Ohio Central Railroad Co.
 Ohio River Scenic Railway*
 Ohio Southern Railroad Co.
 Panhandle Northern Railroad Co.
 Pickens Railway Co.
 Pioneer Valley Railroad Co., Inc.
 Pittsburgh & Ohio Central Railroad Co., The
 Plainsman Switching Company
 Port of Greater Baton Rouge*
 Port of Palm Beach Terminal
 Port of Shreveport-Bossier*
 Portland & Western Railroad, Inc.
 Portland Vancouver Junction Railroad
 Rail Link Inc. – Lathrop Intermodal Yard
 Rail Link – Livonia
 Rail Link – Stuttgart
 Railsolve Inc. –
 Indianapolis, Indiana; Sulphur, Louisiana; Cincinnati, Ohio; Bayport, Texas; **Pasadena,**
 Texas; Freeport, Texas; Port Arthur, Texas; Memphis, Tennessee; and Sturtevant,
 Wisconsin operations only
 Regional Rail - Tyburn Railroad L.L.C
 Riceboro Southern Railway LLC
 Richmond Pacific Railroad Corp.
 Rio Valley Switching Co.
 Ripley & New Albany Railroad (formerly Tennessee Railroad)
 R.J. Corman Railroad Group –

Allentown Lines, Bardstown Line, Carolina Lines, Central KY Lines, Childersburg Line,
 Cleveland Line, Knoxville and Cumberland Gap Railroad, Lehigh Line, Luzerne &
 Susquehanna Line, Memphis Line, Nashville & Eastern Line, Nashville & Western Line,

Owego & Harford Line, Pennsylvania Lines, Raleigh and Fayetteville Railroad, Tennessee Terminal, Texas Lines Diboll/Dayton, Western Ohio Lines, West Virginia Line⁵

Rochester Southern Railroad, Inc.
Sabine River & Northern Railroad Co.
Sacramento Valley Railroad
Salt Lake Garfield & Western Railway
Sandersville RR Co.
San Luis Central Railroad Company
San Pedro Valley Railroad
Santa Teresa Southern Railroad, LLC
Savannah Port Terminal Railroad, Inc.
Sequatchie Valley Switching Company
Sierra Northern Railway
SMS Rail Lines of New York, LLC
SMS Rail Service, Inc.
South Branch Valley Railroad
South Buffalo Railway Co.
South Chicago & Indiana Harbor Railroad
South Kansas and Oklahoma Railroad Company
South Plains Lamesa Railroad, Ltd.
Southern Switching Co.
Southwestern Railroad
St. Lawrence & Atlantic Railroad Co.
St. Maries River Railroad
St. Mary's Railway LLC
Steelton and Highspire Railroad
Stillwater Central Railroad Co., Inc.
Strasburg Railroad Company
Talley Rand Terminal Railroad*
Tazewell & Peoria Railroad, Inc.
Temple & Central Texas Railway, Inc.
Tennessee Valley Railroad
Three Notch Railway, LLC
Tomahawk Railway, L.P.
Tradepoint Rail LLC
Trans Global Solutions – Cedar Port Industrial Park
Trans Global Solutions – Chevron – Port Arthur, Texas
Trans Global Solutions – Port of Beaumont
Trans Kentucky Railroad
Tyner Terminal Railway Company
Union City Terminal Railroad
Upper Merion & Plymouth Railroad
Utah Central Railway

⁵ FRA notes that the R.J. Corman Railroad Group properties were included generally in this waiver since 2010 (as petitioned by ASLRRRA, see <https://www.regulations.gov/document/FRA-2009-0078-0007>), but were inadvertently not included in FRA's previous Exhibit "A" lists.

Utah Railway Co.
Valdosta Railway, L.P.
Ventura County Railroad
Vermilion Valley Railroad Company, Inc.
Vermont Railway, Inc.
Vicksburg Southern Railroad
Walking Horse Railroad
Warren & Trumbull River Railroad Co., The
Washington County Railroad Corp.
Willamette & Pacific Railroad, Inc.
Wilmington Terminal Railroad Inc.
Winchester & Western Railroad Co.
Wiregrass Central Railway, LLC
Wisconsin & Southern Railroad Co.
Yadkin Valley Railroad
York Railway Co.
Youngstown & Austintown Railroad
Youngstown Belt Railroad
Youngstown & Southeastern Railroad Co., Inc.

*Indicates participating railroad is not a member of ASLRRRA.