



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

May 6, 2024

Mr. Gabriel Christenson
Nevada Legislative Director
SMART Transportation Division
3319 Poco Rey Court
Sparks, NV 89436

Via email: gabe.christenson@nvsmart-union.org

Dear Mr. Christenson:

Thank you for your March 27, 2024, telephone complaint followed by a detailed email dated April 8, 2024 to the Federal Railroad Administration (FRA) requesting an investigation into UP arbitrarily changing waybill information on rail cars to conform with territorial weight restrictions. The cars are being transported over roughly 30 miles of PTC territory. The SMART-TD Nevada State Legislative Board feels this interrupts the algorithm PTC uses to set stopping distances for the train, which is reducing the effectiveness of and interfering with a safety device.

On March 27, 2024, FRA initiated an investigation regarding the allegations that UP was arbitrarily changing waybill information, reducing the effectiveness of, and interfering with a safety device. FRA contacted Mr. Christenson on March 27, 2024, and again on March 28, 2024. Mr. Christenson expressed concern regarding the changing of car weight to conform to territorial restrictions and the impact this has on the designed operational performance of the PTC system.

On April 9, 2024, Mr. Christenson provided waybill documentation indicating two instances where it appears the weight of a car was reduced from the original weight noted on the waybill. The documentation provided clearly shows a variance where cars on two separate occasions having a weight over the territory restriction and a second document (Total Trace Printout) shows the same cars with a new weight under the territory restriction.

PTC relies on the correct consist weight to provide accurate braking performance. The manipulation of the consist weight via changing train car weight can impact the PTC braking calculations and therefore interferes with the safety-critical performance of the PTC system. The UP was cited for non-compliance with CFR 236.1029(e).

On May 2, 2024, FRA concluded its investigation. The UP was cited for non-compliance with CFR 236.1029(e). FRA also notified SMART-TD Nevada State Legislative Director, and UP Conductor, Gabriel Christenson of the results of the investigation. The complainants were satisfied and appreciated FRA's action.

I understand the PTC specialist responsible for investigating your concerns has communicated with you and advised you of the results of this investigation. I look forward to working with you on other safety concerns.

We appreciate your interest in railroad safety.

If you have any further questions regarding this inquiry, please contact Mr. Darren Soi, Railroad Safety Specialist (PTC), Signal, Train Control, and Crossings Division, at (530) 588-1925 or darren.soi@dot.gov.

Sincerely,

Gabe Neal
Director, Signal, Train Control and Crossings Division