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Congress of the United States
House of Representatives
Washington, DC 20515-0533

HENRY A. WAXMAN
33RD DISTRICT, CALIFORNIA

May 29, 2013

Mr. Michael Melaniphy
President and Chief Executive Officer
American Public Transportation Association
1666 K Street NW
11th Floor
Washington, D.C. 20006

Dear Mr. Melaniphy:

I write to express my concern about reports that the American Public Transportation Association (APTA) may adopt a policy that may weaken or undermine the safety goals related to Positive Train Control (PTC) technology as established in the Rail Safety Improvement Act (RISA). RISA included provisions that I and other members of the California Congressional delegation authored in response to the Metrolink-Union Pacific crash on September 12, 2008 in Chatsworth, California, which I represented at the time.

Positive Train Control technology has been identified as a technology critical to rail safety since at least 1990, when the National Transportation Safety Board (NTSB) placed it on its initial "Most Wanted List of Transportation Safety Improvements." The NTSB specifically identified PTC as a technology that could have prevented the Chatsworth accident and since 2005 the agency has investigated 15 accidents and found that PTC could have prevented 50 deaths and 942 injuries.

As you know, RISA requires the use of PTC on many passenger and freight railroads by December 31, 2015. It is my understanding that APTA is considering adopting a policy that would allow operators to adopt alternative technology to PTC and push back the implementation deadline. I have strong concerns about any policy that would undermine or weaken the interoperability and safety standards established by RISA.

I appreciate the challenge that many operators are facing in meeting the 2015 deadline. The Southern California Regional Rail Authority (Metrolink) and its member agencies including the Ventura County Transportation Commission (VCTC), San Bernardino Associated Governments (SANBAG), Riverside Transportation Commission (RCTC), Orange County Transportation Authority (OCTA) and Los Angeles County Metropolitan Transportation Authority (LACMTA) -- several of which are APTA members -- have shown great leadership on PTC and invested tremendous time, energy, and resources to stay on track to meet the 2015

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deadline. These systems have worked in close cooperation with major railroad operators and are a model for PTC implementation for the rest of the country.

It is my understanding that APTA will be convening a Legislative Committee meeting next month in Philadelphia, Pennsylvania. LACMTA has noted in a letter to me, attached here, that the agency has requested that APTA put Positive Train Control policy on the agenda for discussion by the full APTA membership. This is an important opportunity for all APTA members to share their views with respect to the association's policy on PTC.

I ask that you consider LACMTA's request and allow all systems to weigh in on APTA policy on PTC at the Legislative Committee meeting. In addition, APTA should ensure that any association policy is consistent with the interoperability or safety standards established in RISA. I appreciate your consideration of my views and the views of Southern California rail systems on this matter and look forward to your response about this important safety issue.

With kind regards, I am

Sincerely,



HENRY A. WAXMAN
Member of Congress

HAW:TM



Metro

**Los Angeles County
Metropolitan Transportation Authority**

One Gateway Plaza
Los Angeles, CA 90012-2952

Arthur T. Leahy
Chief Executive Officer
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May 9, 2013

The Honorable Henry Waxman
U.S. House of Representatives
2204 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Waxman:

I am writing to you concerning Positive Train Control (PTC) technology given your strong interest in rail safety technology and the fact that the tragic Chatsworth rail accident occurred in your district on September 12, 2008.

Earlier this year, the American Public Transportation Association (APTA), to which we belong as a member, considered principles regarding Positive Train Control technology. Specifically, APTA sought to change the organization's legislative program by permitting the use of alternative technologies to satisfy the PTC federal mandate included in the Rail Safety Improvement Act (RSIA) of 2008. We and a number of other key stakeholders, including the Southern California Regional Rail Authority (Metrolink) and the Orange County Transportation Authority (OCTA), are strongly opposed to any policy that may serve to weaken the intent of the PTC provisions of the RSIA. Metro believes that any alternative PTC technology that is considered by the transportation industry should be interoperable with PTC and meet the same safety benefits offered by this critical safety measure.

We have asked that APTA place the issue of their position on PTC on the agenda for their Legislative Committee meeting slated to be held in Philadelphia, Pennsylvania next month. It is Metro's position that this critical safety issue be thoroughly discussed by the full membership of APTA's Legislative Committee and that, as has been past practice, a consensus be achieved before APTA finalizes its position on this important rail safety policy issue. We believe and have conveyed directly to APTA that it would be unfortunate and unnecessary for APTA to take a position on a key rail safety issue in the absence of consensus on the matter.

Thank you in advance for your thoughtful review of this correspondence regarding rail safety and Metro's strong support for the PTC provisions in the RSIA. Please feel free to contact me directly at (213) 922-6888 with respect to this correspondence on our shared interest in rail safety issues.

Sincerely,

Arthur T. Leahy
Chief Executive Officer