

**Brotherhood of Maintenance of Way Employes Division
of the International Brotherhood of Teamsters**

July 7, 2009
(*Electronic Submission*)

Mr. Robert Brogan
Office of Safety, Planning and Evaluation
RRS-21
Federal Railroad Administration
1200 New Jersey Ave., SE., Mail Stop 17
Washington, DC 20590

Re: Proposed Agency Information Collection Activities; Docket No. FRA-2009-0001-N-16

Dear Mr. Brogan:

The Brotherhood of Maintenance of Way Employes Division (BMWED), a labor organization representing 36,000 railroad workers who build, maintain, repair, and inspect tracks, bridges, and related railroad infrastructure throughout North America, submit the following comments in support of the proposed new information collection activity in Docket No. FRA-2009-0001-N-16.

The BMWED National headquarters is located at 20300 Civic Center Drive, Suite 320, Southfield, MI 48076-4169. The BMWED Department of Safety is located at 25 Louisiana Ave, NW, 7th Floor, Washington, DC 20001, phone 202-508-6449, fax 202-508-6450.

COMMENTS

The purpose of the proposed "Track Transportation [track inspection] Time Study, OMB Control Number: 2130-NEW, Docket No. FRA-2009-0001-N-16" is to address four issues raised in the Rail Safety Improvement Act (RSIA): (1) Determine whether the required intervals of track inspections for each class of track should be amended; (2) Determine whether track remedial action requirements should be amended; (3) Determine whether different track inspection and repair priorities or methods should be required; and (4) Determine whether the speed at which railroad track inspection vehicles operate and the scope of the territory they generally cover allow for proper inspection of the track and whether such speed and appropriate scope should be regulated by the Secretary.

In response to the Proposed Agency Information Collection Activities; Comment Request published in the Federal Register on July 6, 2009, (Volume 74, Number 127, pages 32029-32030) BMWED supports the proposed study and related information collection activities. As such, BMWED respectfully requests OMB approval.

BMWED offers the following comments in support:

- The proposed collection of information is necessary for the Department to fulfill its Congressional mandate under the RSIA to conduct a track inspection time study. This information is necessary to evaluate the conditions under which visual track inspections are conducted and to develop a report to the Congress responsive to Section 403 of the RSIA.
- The collected information will have practical utility to the Secretary of Transportation and the Federal Railroad Administration (FRA) in their analysis of track inspection issues within the industry.
- The Department's estimates of burden hours and costs are reasonable.
- The methodology proposed for this information collection activity is suitable and appropriate for the study and the respondent population and will facilitate the collection of data with high utility.
- The proposed information collection activity has been designed to be minimally burdensome on respondents and the proposed information collection activity is of limited duration.

Visual track inspections conducted under 49 CFR Parts 213.233, 213.235 and 213.365 play a vital and integral role in maintaining track structural integrity and the safety of railroad operations. BMWED believes that the "Track Transportation [track inspection] Time Study, OMB Control Number: 2130-NEW, Docket No. FRA-2009-0001-N-16" is necessary to allow the Secretary to fulfilling the Congressional mandate of Section 403 of the RSIA to: (1) determine whether the required intervals of track inspections for each class of track should be amended; (2) determine whether track remedial action requirements should be amended; (3) determine whether different track inspection and repair priorities or methods should be required; and (4) determine whether the speed at which railroad track inspection vehicles operate and the scope of the territory they generally cover allow for proper inspection of the track and whether such speed and appropriate scope should be regulated by the Secretary.

The BMWED appreciates the opportunity to present these comments in support of "Track Transportation [track inspection] Time Study, OMB Control Number: 2130-NEW, Docket No. FRA-2009-0001-N-16."

Respectfully,



President

cc: Mr. Perry Geller
Mr. Rick Inclima