



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

October 13, 2021

E. F. Boyle, Jr.  
Vice President, Engineering  
Norfolk Southern Corporation  
1200 Peachtree Street NE  
Atlanta, GA 30309

RE: FRA Docket No. FRA-2019-0099

Dear Mr. Boyle:

This letter responds to the July 19, 2021, letter from Norfolk Southern Railway Company (NS) seeking an extension of NS's automated track inspection test program (Test Program) until the Federal Railroad Administration (FRA) takes action on NS's related waiver petition in Docket Number FRA-2021-0044, or December 31, 2021, whichever is later. FRA previously approved the Test Program in Docket Number FRA-2019-0099.

On August 2, 2021, FRA published a notice in the *Federal Register* seeking comments on the NS extension request.<sup>1</sup> FRA received one comment from the Brotherhood of Maintenance of Way Employees Division/IBT (BMWED). BMWED's comments provided the organization's views about all ongoing track inspection test programs and waivers.<sup>2</sup> Because BMWED submitted similar comments in other proceedings, FRA previously performed a detailed analysis of another railroad's similar Test Program data and responded to BMWED's comments in that proceeding.<sup>3</sup>

Although FRA recognizes that technological advancements such as autonomous track geometry measurement systems (ATGMS) are an essential element of railroads' track asset management and safety assurance programs, FRA finds that granting NS's request for an extension of its Test Program is not justified. The Test Program was intended as part of a first step to gather data on the feasibility of improving railroad safety by further enabling the use of ATGMS and FRA finds that continuation of the Test Program will not likely result in any new, significant data. FRA encourages NS, however, to work with all interested stakeholders to continue to evaluate the feasibility of incorporating technologies, such as ATGMS, into their current track inspection systems. Additionally, FRA looks forward to continuing to work with NS and all interested

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<sup>1</sup> <https://www.regulations.gov/document/FRA-2019-0099-0007>.

<sup>2</sup> <https://www.regulations.gov/comment/FRA-2019-0099-0008>.

<sup>3</sup> <https://www.regulations.gov/document/FRA-2020-0064-0011>.

stakeholders to continue to evaluate the potential for further implementation of this technology.

If you have any questions regarding this letter, please contact Dr. Yu-Jiang Zhang, FRA  
Staff Director, Track and Structures Division, at (202) 493-6460 or [yujiang.zhang@dot.gov](mailto:yujiang.zhang@dot.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Amit Bose', with a stylized flourish at the end.

Amit Bose  
Deputy Administrator