



April 19, 2013

U.S. Department of Transportation  
Docket Operations  
1200 New Jersey Ave., S.E.  
West Building, Ground Floor  
Room W12-140  
Washington, DC 20590

**Re: Extension of Waiver Request - Docket Number FRA-2007-28306**

Dear Docket Clerk:

The American Public Transportation Association (APTA), on behalf of its member passenger railroads, seeks an extension of the existing waiver of compliance from certain provisions of the passenger car safety standards of Title 49 Code of Federal Regulations Section 238.309, Periodic Brake Equipment Maintenance, for all locomotives equipped with 26-L type brake systems and air-dryers, and for cab cars equipped with 26-L type brakes operated with locomotives with functional air-dryers, by extending the periodic testing interval from 3 years (1,104 days) to 4 years (1,472 days).

We note that the industry had generally believed this testing interval was covered by the provisions of 49 CFR Section 229.309, Periodic Brake Equipment Maintenance extended to cab cars. Now aware that this is not the case, APTA respectfully requests an extension to the subject waiver extending the cleaning, repair, and test interval for all passenger locomotives and cab cars equipped with 26-L type brake systems and air-dryers to four years, which is similar to waivers granted for freight locomotives. APTA is unaware of any performance problems with the subject brake equipment operating under the current waiver.

For additional information, please contact Martin Schroeder, APTA's chief engineer, at (202) 496-4885 or [Mschroeder@apta.com](mailto:Mschroeder@apta.com).

Sincerely,

Michael P. Melaniphy  
President & CEO

MS/dw

cc: Robert Lauby  
Gary Fairbanks  
Steve Zuiderveen

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