

Waiver is requested exempting ETMS equipment from the wire-tagging requirement.

Justification: ETMS hardware consists of computers, computer peripherals, and communication devices. While the inapplicability of this section to circuit boards, connectors, and cables would appear obvious, waiver is sought for clarification.

Section 236.101

Purpose of inspection and tests; removal from service of relay or device failing to meet test requirements. Waiver is requested exempting ETMS equipment from the requirement for removal of failed equipment from service.

Justification: ETMS requires flexibility in installing, removing, turning on, and turning off the equipment. With or without ETMS equipment operating on-board, a train remains subject to the provisions of the rules governing the existing methods of operation.

Section 236.107

Ground tests. Waiver is requested exempting ETMS equipment from the requirement for ground testing during the test phase.

Justification: ETMS hardware consists of computers, computer peripherals, and communication devices. Ground tests would serve no purpose in ensuring safety and could be damaging to the equipment.

Section 236.109

Time releases, timing relays and timing devices. Waiver is requested exempting ETMS equipment from the testing requirement of this section during the test phase.

Justification: The timing devices in ETMS equipment are software-driven, have no moving parts, and are far more reliable than the devices for which this regulation was promulgated to address.

Section 236.110

Results of tests. Waiver is requested exempting ETMS tests from the record keeping requirements of this section.

Justification: The ETMS pilot is a test program during which the types of tests needed to ensure appropriate levels of maintenance will be defined.

Section 236.501

Forestalling device and speed control. Waiver is requested exempting ETMS from the requirement for medium-speed restriction.

Justification: ETMS will not be connected to a signal system, but will receive input from the signal system and

operate to perform its intended function in the event of failure of the engineer to obey a restrictive condition displayed in the cab. ETMS will enforce speed restrictions reflected in the track database or issued through the dispatcher system.

Section 236.504

Operation interconnected with automatic block-signal system. Waiver is requested exempting ETMS from the requirement of interconnection with an automatic block-signal system.

Justification: The ETMS system will have no connection to the signal system; however, ETMS will receive input from the signal system and operate to perform its intended function in the event of failure of the engineer to obey a restrictive condition displayed in the cab.

Section 236.511

Cab signals controlled in accordance with block conditions stopping distance in advance. Waiver is requested exempting the ETMS on-board display from the cab-signal requirements in this section.

Justification: ETMS is not an automatic cab signal system and will have no connection to a signal system but will receive input from the signal system and display the signal name that forms the basis for limits of authority that will be depicted on the display.

Section 236.514

Interconnection of cab signal system with roadway signal system. Waiver is requested exempting ETMS from the requirement of interconnection with a roadway signal system.

Justification: The ETMS system is not a cab signal system and will have no connection with the signal system. However, ETMS will receive input from the signal system and display the signal name that forms the basis for limits of authority.

Section 236.515

Visibility of cab signals. Waiver is requested exempting the ETMS display from the visibility requirement of this section during the test phase.

Justification: ETMS is not a cab signal system. However, ETMS receives input from the signal system and displays the signal name governing the movement. The visibility requirements of this rule will be met in the ETMS production system.

Section 236.534

Entrance to equipped territory; requirements. Waiver is requested exempting ETMS from the requirements of this section during the test phase.

Justification: ETMS tests require flexibility in installing, removing, turning on, and turning off ETMS equipment.

Section 236.552

Insulation resistance; requirement. Waiver is requested exempting ETMS equipment from the insulation resistance requirement of this section.

Justification: ETMS equipment consists of computers, computer peripherals, and communications equipment. Insulation resistance tests could be damaging to such components.

Section 236.553

Seal, where required. Waiver is requested exempting ETMS from the seal requirement of this section.

Justification: ETMS tests require flexibility in installing, removing, turning on, and turning off ETMS equipment.

Section 236.566

Locomotive of each train operating in train stop, train control or cab signal territory; equipped. Waiver is requested to the extent that the equipment requirements in this section shall not apply to ETMS during the test phase.

Justification: A small subset of locomotives operating in the test territory will be ETMS equipped; the majority of trains will not be equipped. ETMS tests require flexibility in installing, removing, turning on and turning off the on-board equipment. In any case, all ETMS tests will be conducted under the provisions of the rules governing the existing methods of operation.

Section 236.567

Restrictions imposed when device fails and/or is cut out enroute. Waiver is requested exempting ETMS tests from the restrictions associated with device failure or cutout. Tests require flexibility in installing, removing, turning on and turning off the on-board equipment.

Justification: ETMS tests require flexibility in installing, removing, turning on and turning off the onboard equipment. All ETMS tests will be conducted under the provisions of the rules governing the existing methods of operation. A failure or deactivation of ETMS equipment will not jeopardize safety of train operations.

Section 236.586

Daily or after trip test. Waiver is requested exempting the ETMS from the requirements of this section during the test phase.

Justification: During the ETMS test phase, the requirements for a daily or