



U.S. Department
of Transportation

**Federal Railroad
Administration**

Administrator

1200 New Jersey Avenue, SE
Washington, DC 20590

Ms. Andrea Farmer
Director
Maryland Area Regional Commuter
1600 Ludlow Street
Baltimore, MD 21230

JUN 1 - 2018

Re: At Risk of Failing to Meet Congressional Deadline (Docket No. FRA-2010-0038)

Dear Ms. Farmer:

The purpose of this letter is to inform the Maryland Area Regional Commuter (MARC) that the Federal Railroad Administration (FRA) remains concerned about MARC's ability to meet the statutory deadline for implementation of a positive train control (PTC) system.

As you are aware, the Positive Train Control Enforcement and Implementation Act of 2015¹ requires each railroad subject to the statutory mandate, including MARC, to fully implement a PTC system by December 31, 2018, on all route miles where operations must be governed by a PTC system, unless the railroad submits, and FRA approves, an "alternative schedule and sequence" with a deadline that is as soon as practicable, but no later than December 31, 2020.

Based on MARC's Quarterly PTC Progress Report² for Quarter 1 of 2018, FRA considers MARC at risk of not being able to meet the statutory criteria necessary to qualify for an alternative schedule. As self-reported in MARC's Quarter 1 of 2018 Report, MARC had installed 52% of the hardware required for its PTC system as of March 31, 2018, representing a 14% increase in hardware installation since December 31, 2017. FRA considers any railroad that had installed less than 85% of its PTC system hardware as of March 31, 2018, to be at risk, as hardware installation is only an initial phase of implementing a PTC system.

With approximately seven months remaining until December 31, 2018, FRA is reiterating our concern that MARC is at risk of not being able, by December 31, 2018, to install *all* PTC system hardware consistent with its PTC Implementation Plan and to meet the other statutory criteria required for an alternative schedule, as further explained in FRA's April 24, 2018, letter.³ FRA will inform your state department of transportation and governor of FRA's concerns and encourage their direct involvement and support at this critical time.

¹ See Pub. L. No. 114-73, 129 Stat. 568, 576-82 (Oct. 29, 2015), *amending* 49 U.S.C. § 20157.

² Form FRA F 6180.165, Office of Management and Budget Control No. 2130-0553.

³ See 49 U.S.C. § 20157(a)(3)(A), (B)(i)-(vii).

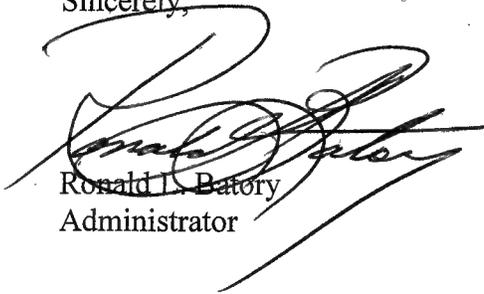
Ms. Andrea Farmer

Page 2

My staff will reach out to you shortly to schedule a meeting to discuss the actions MARC is taking to ensure that MARC, at a minimum, meets the statutory criteria necessary to qualify for an alternative schedule. FRA considers safety, and the expeditious implementation of PTC technology, to be of paramount importance. FRA is committed to continuing to assist MARC, to the greatest extent possible, to prepare MARC to meet the December 31, 2018, deadline or to qualify for and obtain an alternative schedule with a deadline no later than December 31, 2020.

If you have any questions, please contact Ms. Carolyn Hayward-Williams, Staff Director, Positive Train Control/Signal & Train Control Division, at (202) 493-6399 or C.Hayward-Williams@dot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald L. Batory", is written over a circular stamp. The signature is fluid and cursive, with a large initial "R" and "B".

Ronald L. Batory
Administrator