



U.S. Department
of Transportation
Federal Railroad
Administration

400 Seventh St., S.W.
Washington, D.C. 20590

FRA-1998-4823-4

JUL 13 1999

Mr. Blair Lavell
General Railroad Superintendent
Texas State Railroad
P.O. Box 39
Rusk, Texas 75785

DEPT. OF TRANSPORTATION
DOCKETS
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Dear Mr. Lavell:

The Texas State Railroad (TSRR) petitioned the Federal Railroad Administration (FRA) to grant a permanent waiver of compliance from certain provisions of the **Safety Glazing Standards** (49 CFR Part 223) for one locomotive. This request was assigned Docket Number **FRA-1998-4823**.

On June 24, 1999, the Safety Board reviewed the waiver petition, field investigation, and technical staff findings and determined that the waiver should be granted under the following conditions:

- (1) This waiver is limited to TSRR locomotive number 22 operated at a speed not to exceed 25 mph between Rusk and Palestine, Texas, on TSRR property;
- (2) All glazing used in doors and windows of the subject equipment shall be of a shatterproof type;
- (3) The relief from the provisions of Section 223.11 shall be recorded in Item 20 of Form FRA **F6180.49A** of the affected locomotive;
- (4) TSRR shall report immediately to **FRA's** Office of Safety any injury involving glazing that results from the use of the locomotive subject to the waiver; and
- (5) FRA reserves the right to amend or revoke this approval based on non-compliance or based on new information pertaining to the safety of rail operations.

In any future correspondence regarding this waiver, please refer to Docket Number FRA- 1998-4823.

Sincerely,

Grady C. Cothen, Jr.
Deputy Associate Administrator
for Safety Standards and Program Development