

FOR FURTHER INFORMATION CONTACT: Mr. Lloyd Goldsmith, Office of State Programs, CDL Division, Federal Motor Carrier Safety Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001. Telephone: (202) 366-2964. E-mail: Lloyd.Goldsmith@dot.gov. Office hours are from 8 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

Congress found that one of the leading factors operating against commercial motor vehicle (CMV) safety is the possession of multiple licenses by commercial drivers. Drivers with multiple licenses spread their traffic violations over a number of licenses to maintain a "good driver" rating regardless of the number of violations they may have acquired in one or more States. In response to States' concerns, the Commercial Motor Vehicle Safety Act (CMVSA) of 1986 (49 U.S.C. 31311(a)) directed the Department of Transportation (DOT) to establish, through the CDL Program, Federal minimum standards for licensing, testing, qualification, and classification of commercial drivers. The goal of CMVSA was to improve highway safety by ensuring that drivers of large trucks and buses were qualified to operate those vehicles and removing unsafe and unqualified drivers from the highways. CMVSA retained the State's right to issue a driver's license but established minimum national standards which States must meet when licensing CMV drivers.

The established standards are based on CMVSA and were designed to: Prohibit commercial drivers from possessing more than one commercial license; require that commercial drivers pass meaningful written and driving tests; require special qualifications for hazardous materials drivers; and establish disqualifications and penalties for drivers convicted of the traffic violations specified in 49 CFR 383.51. States that fail to comply with the requirements imposed by DOT are subject to withholding of a percentage of their highway funds. To enable the States to fully implement the provisions of CMVSA, Congress required DOT to create a national Commercial Driver's License Information System (CDLIS) to enable States to communicate and exchange driver license information.

FMCSA provides grant funds to States to support CDL Program activities. CMVSA authorized DOT, working in partnership with the States, to help implement the CDL Program by

expending \$60 million in order to meet the goals established by Congress. These funds were to be used to develop the knowledge and skills tests; create a CDLIS telecommunications network connecting all State Departments of Motor Vehicles (DMVs); create national computer software to support each State in sharing information among the DMVs; implement the testing and licensing procedures of each State; and implement in each State an information system that would support the Program. Congress has provided additional funding to continue to improve the Program, and to implement new program initiatives and systems enhancements mandated by subsequent legislation.

FMCSA conducts compliance reviews to ensure that States comply with the provisions of section 12009(a) of CMVSA.

CDL Advisory Committee

Section 4135 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59, August 10, 2005, 119 Stat. 1736) directed the Secretary of Transportation to establish a "task force" to study and address current impediments and foreseeable challenges to the CDL Program's effectiveness. The FMCSA is chartering an advisory committee under the Federal Advisory Committee Act (FACA) to satisfy this SAFETEA-LU requirement.

The CDL Advisory Committee will examine a number of issues, including the following:

- (1) State enforcement practices;
- (2) Operational procedures to detect and deter fraud;
- (3) Needed improvements for seamless information sharing between states;
- (4) Effective methods for accurately sharing electronic data between States;
- (5) Adequate proof of citizenship;
- (6) Updated technology; and
- (7) Timely notification from judicial bodies concerning traffic and criminal convictions of CDL holders.

Request for Applications

FMCSA seeks applications for membership on the CDL Advisory Committee from interested persons who have education, training or experience in CDL issues. Specifically we seek applications from the following: State motor vehicle administrators, organizations representing government agencies or officials, members of the Judicial Conference, representatives of the trucking industry, representatives of labor organizations, safety advocates, and other significant stakeholders. To be

eligible for appointment, members must be able to attend three to four meetings each year in the Washington, DC area and spend approximately five hours per month providing additional consultation. Interested individuals should have a commitment to transportation safety. For application information, please contact Mr. Lloyd Goldsmith at (202) 366-2964, or via e-mail at Lloyd.Goldsmith@dot.gov.

Conclusion

The Department and the Agency are committed to making our Nation's highways safer by implementing and enforcing commercial driver's license program effectiveness measures.

Issued on: November 27, 2006.

John H. Hill,
Administrator.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Safety Advisory 2006-05

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of Safety Advisory; Passenger Train Safety—Passengers Boarding or Alighting from Trains.

SUMMARY: FRA is issuing Safety Advisory 2006-05 recommending that each railroad operating passenger trains assess the rules, instructions, and procedures used to ensure that a train will not depart a station until all passengers successfully board or alight from the train, and ensure compliance with such rules, instructions, and procedures.

FOR FURTHER INFORMATION CONTACT: Brenda Moscoso, Operations Research Analyst, Grade Crossing Division (RRS-23), FRA Office of Safety Analysis, 1120 Vermont Avenue, NW., Washington, DC 20590, telephone: (202) 493-6282 or Anna Winkle, Trial Attorney, FRA Office of Chief Counsel, 1120 Vermont Avenue, NW., Washington, DC 20590, telephone: (202) 493-6166.

SUPPLEMENTARY INFORMATION: Although the safety of passengers traveling by rail compares extremely favorably to other modes of transportation, the recent fatality of a passenger who apparently became caught in the doors of a train from which he was alighting and was dragged as the train departed the station emphasizes the need for close adherence to certain railroad safety procedures and rules. The November 21,

2006, incident, which occurred in Bradley Beach, New Jersey on the New Jersey Transit (NJT) railroad, is currently under investigation by the FRA, and state and local agencies. The cause and contributing factors, if any, have not been established; nothing in this Safety Advisory should be construed as placing blame or responsibility for the incident on the acts or omissions of any person. FRA notes that managers and employees of NJT have cooperated in FRA's investigation of the incident and that NJT has responded positively to FRA's suggested course of action following the incident, including issuing written instructions regarding checking of seals on door bypass switches and the location of train crewmembers when trains are leaving stations.

The electrically-operated doors on the passenger car involved in this incident are equipped with flexible edges that are designed to sense an obstruction when closing. If an obstruction is detected, the door reopens. If a door does not close properly, the engineer will not be able to draw power to move the train. This safety feature can be overridden by operating a bypass switch which is located in the locomotive or control car. This switch is normally sealed until used. However, FRA is aware of instances on various railroads when this type of seal has been improperly applied and has therefore been loose enough that the switch could be operated without breaking the seal. This could result in the unintentional use or intentional misuse of the bypass switch, creating a potentially dangerous operating condition where a passenger train would be able to depart with a passenger caught in a door.

FRA also notes that there is a difference among railroads as to when this type of bypass switch may be used. Some railroads require that permission be obtained from the train dispatcher prior to using the switch; others allow crewmembers to operate the switch and then inform a designated railroad employee at some point during the tour of duty. Railroads are encouraged to review their procedures to ensure that they provide an adequate level of safety for a railroad's particular operating characteristics.

Additionally, in the event that an obstruction sensor fails or is bypassed, it is important that railroads ensure that each crewmember knows and carries out his or her role in recognizing potential door obstructions and in providing an equivalent level of safety for passengers.

An additional opportunity to assure safety of boarding and alighting

passengers is provided by an employee assigned to observe the station platform while the train departs. Many commuter railroads, including NJT, have a rule or instruction requiring employees to perform this task. It is imperative that employees comply with such a rule or instruction and that railroads take appropriate steps to ensure compliance.

As a result of this incident, NJT has issued a Supplemental Bulletin Order that includes a review of the rule addressing the location of train crews when making a station stop, as well as the rule concerning sealing of protective devices. NJT also issued a notice to their mechanical staff, placing special emphasis on ensuring that the seals on all appliances are properly applied.

Recommended Action: In recognition of the need to assure railroad passenger safety, FRA recommends that railroads operating passenger equipment:

(1) Assess the current railroad rules, instructions, and procedures intended to reduce the likelihood that death or injury will result when passengers attempt to board or alight from trains at station stops. FRA recommends that this assessment include, but not necessarily be limited to assessing the adequacy of current railroad rules, instructions, and procedures:

(a) Designed to ensure passenger safety when boarding or alighting from trains;

(b) governing the override of safety systems, such as the bypass of an electrically-powered door safety device, including each crewmember's role in assessing whether to override the safety device as well as any additional steps necessary to ensure continued passenger safety following activation of the safety override device; and

(c) governing crewmember observation of boarding and alighting passengers to ensure it is safe to depart a station.

(2) Assess the extent to which compliance with the rules, instructions, and procedures in recommendations (1)(a), (1)(b), and (1)(c) are measured and recorded in the railroad's test and observation program required by 49 CFR § 217.9;

(3) Ensure compliance with the rules, instructions, and procedures in recommendations (1)(a), (1)(b), and (1)(c); and

(4) Inspect all sealed door-bypass switches on a daily basis.

Railroads operating passenger equipment are encouraged to voluntarily take action in accordance with these recommendations. If circumstances so warrant, FRA reserves the right to take other corrective action, including: modifying this Safety

Advisory 2006-05; issuing additional safety advisories; taking regulatory action; or taking other appropriate action necessary to ensure the highest level of safety on the nation's passenger railroads.

Issued in Washington, DC on November 22, 2006.

Jo Strang,

Associate Administrator for Safety.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[NHTSA Docket No. NHTSA-2006-26459]

Meeting Notice

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

SUMMARY: NHTSA announces a meeting of the Federal Interagency Committee on Emergency Medical Services to be held in Washington, DC. This notice announces the date, time and location of the meeting, which will be open to the public.

DATES: The meeting will be held on December 8, 2006, from 1:30 p.m. to 3:30 p.m.

ADDRESSES: The meeting will be held at the Federal Aviation Administration (FAA), 800 Independence Avenue, SW., the MacCracken Room, 10th Floor, Washington, DC 20591.

FOR FURTHER INFORMATION CONTACT: Drew Dawson, Director, Office of Emergency Medical Services, National Highway Traffic Safety Administration, 400 Seventh Street, SW. Telephone number (202) 366-9966; E-mail Drew.Dawson@dot.gov.

SUPPLEMENTARY INFORMATION: Section 10202 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59, required the Secretary of Transportation, the Secretary of Health and Human Services, and the Under Secretary of Homeland Security, acting through the Under Secretary for Emergency Preparedness and Response, to establish a Federal Interagency Committee on Emergency Medical Services (FICEMS). SAFETEA-LU provided that the FICEMS consist of several officials from Federal agencies as well as a State emergency medical services director appointed by the Secretary of Transportation. SAFETEA-LU directed the Administrator of NHTSA, in cooperation with the Administrator of