



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

VIA E-MAIL ONLY

February 25, 2021

Mr. Dennis R. Pierce
National President
Brotherhood of Locomotive Engineers and Trainmen
7061 East Pleasant Valley Road
Independence, OH 44131
pierce@ble-t.org

Re: Violations of Federal Hours of Service Laws by BNSF Railway

Dear Mr. Pierce:

Thank you for your February 10, 2021, letter to the Federal Railroad Administration (FRA) concerning the application of the hours of service laws (HSL). Specifically, you referenced BNSF Railway's (BNSF) alleged violations of the HSL involving the Seligman Subdivision of the Southern TRANSCON corridor (Seligman Subdivision).

Between January 29, 2021, and February 2, 2021, FRA received 13 individual complaints through FRA's public website regarding potential BNSF HSL violations involving the Seligman Subdivision. FRA also received a complaint from a Brotherhood of Locomotive Engineers and Trainmen (BLET) Legislative Representative by email, concerning BNSF working crews over 12 hours on January 26 and 28 on the Seligman Subdivision.

Based on the complaints, on February 2, 2021, FRA contacted Mr. Ryan Ringelman, General Director System Safety, BNSF. During this conversation, FRA notified BNSF of its intent to pursue penalties upon a finding that BNSF failed to exercise the proper due diligence in relieving their crews in accordance with the HSL. FRA followed-up with BNSF on February 9, 2021, to confirm that BNSF had taken actions to address FRA's specific concerns.

Separately, as a result of these complaints, BLET's Legislative Representative email, and your letter, FRA performed a verification record review which resulted in issuance of 30 recommended HSL violations to BNSF. As part of our ongoing enforcement efforts, FRA will continue to monitor BNSF's compliance with the HSL, including continued review of the hours of service records for employees of BNSF's Southern TRANSCON corridor. We also encourage your members to continue to submit any alleged violation of the HSL to the FRA public website or by contacting FRA's Part 228/HSL Subject Matter Expert, Mr. William Smith directly.

If you should have any further concerns regarding this matter, please feel free to reach to me or contact Mr. Smith at 682-305-6709 or William.Smith@dot.gov.

Thank you for your continued interest in rail safety.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karl Alexy". The signature is fluid and cursive, with the first name "Karl" being more prominent than the last name "Alexy".

Karl Alexy
Associate Administrator for Railroad Safety
Chief Safety Officer