

SECTION 305 TECH SUB COMM

MINUTES

OCTOBER 24, 2013 3:00PM EASTERN

CONFERENCE CALL

FACILITATOR	<i>Mario Bergeron, Chair NGENC Technical Subcommittee</i>
ATTENDEES	Core Team Members: Mario Bergeron, Kevin Kesler, Stan Hunter, Allan Paul, Jack Madden, Charlie Poltenson, Jeff Schultz, Art Peterson, Phil Meraz, Melissa Wilbers, Dale Engelhardt, Tammy Krause, David Warner, Michael Burshtin, Melissa Shurland, Sara Sarkhili, Curtis McDowell, Steve Hewitt Industry Participants: Eric Wilde, Randy Thomure, Paul Jamieson, Al Engel, Al Bieber, Jonathan Michel, Craig McKeen, Walt Stringer, Lew Hoens, Steve Morrison, Tom Sisler
ABSENTEES	<i>Kevin Lawson, Mike Jenkins, Darrell Smith, Greg Gagarin, Vincent Brotski, Andrew Wood, Devin Rouse, Anand Prabhakaran, Charles Bielitz, Jeff Gordon, Michael Coltman, Brian Marquis, Patricia Llana, Camren Cordell, Larry Salci, Nico Lindenau, Shayne Gill</i>

DISCUSSION/DECISIONS MADE

1.

Chairman Mario Bergeron, called today's meeting to order and asked Steve Hewitt to take the roll.

As always, industry participants are asked to email a notification of their attendance to Steve Hewitt at shewitt109@aol.com

2.

Review of the Agenda – Mario Bergeron:

Chairman Bergeron asked Steve Hewitt to give a brief overview of today's meeting agenda.

3.

Review of Action Items – Steve Hewitt:

Steve Hewitt reviewed the open action items, providing a brief update on those items that were not to be specifically covered on the agenda:

Maintaining Industry Participation List: Status: Steve reported that this remains an ongoing action item. There are currently **227** registered industry participants.

Requesting Backgrounder educational document: Backgrounders have been extremely well received. Original Backgrounders remain available and all are encouraged to use them – educate your own leadership as well as legislators. Subcommittee members should contact Steve Hewitt at shewitt109@aol.com if you would like to receive hard copies of the NGENC Backgrounder document. Please provide a mailing address and the number of copies being requested. **Status:** The new educational document – a one pager – double sided – will be available soon. Steve Hewitt will let you know when they are available. (Currently awaiting FRA comment). The original Backgrounders are not available as we await the new ones which are updated.

Updating ECP Standards: Status: This is an ongoing item which the Technical subcommittee is tracking – it is anticipated that status updates will take place on every other call rather than on each call. **Status:** Paul Jamieson reported that he had nothing specifically new to report on the updating efforts, but noted he had given a presentation last week and offered a special thanks to "citizen" Kevin Kesler for his support.

Working/Review Group – Developing Commuter Equivalent of NGENC Bi-Level Specification: This effort (not an official NGENC effort) continues with Kevin Kesler, FRA, in the lead. kevin.kesler@dot.gov. Kevin has submitted a draft concept to Chairman Bergeron, and he and Kevin have agreed to discuss the concept proposal at some point in the near future. **Status:** Ongoing

Review Panel Review of Trainset Revision A: Status: With the federal government shutdown over and FRA being back to work, Steve Hewitt and Larry Salci will connect on scheduling a Review Panel call for a review of the DRAFT report Larry has prepared. No date has been set yet.

Metro North Dual Mode Specification: Jack Madden, NYSDOT, will keep the subcommittee updated on the status of the Metro North Dual Mode specification as it is developed. (This is an internal New York State process and it is not an official NGEC effort.) This will remain as an open item to track the progress being made. **Status:** Jack Madden reported that NYSDOT, CtDOT and Metro North had a conference call this morning and remain on track for having a draft Metro North Dual Mode specification in the first quarter 2014. Jack specifically thanked Dale Engelhardt for providing an equipment download of Dual Mode run over Amtrak territory to complement the Metro North download run over Metro North territory.

4. Approval of the Minutes of the September 12, and October 10, 2013 Technical subcommittee conference calls – Mario Bergeron:

On a motion by Allan Paul, NCDOT, and a second by Phil Meraz, Iowa DOT, the minutes from the September 12th and October 10th, 2013 Technical subcommittee calls were approved without objection.

5. Discussion: Tech SC Review of APG changes to the Accessibility Accommodations and Recommendations Presentation – Mario Bergeron:

Mario Bergeron began the discussion of the document that has been prepared by FRA for presentation to the Access Board as it begins its review of ADA requirements. Mario noted that the document is in the form of a PowerPoint presentation and is purported to contain a summary of accommodations and recommendations from the PRIIA NGEC. This has created some confusion because many of the items presented are actually items under consideration at various levels within the NGEC, but are not necessarily recommendations or accomplishments at this point.

Mario noted that "there have been a few dimensions progressed in the recent past which has caused confusion...initially there were two efforts – a review of ADAAG applicability and an NGEC accomplishment presentation" which were to be provided to the Access Board as it began its update of Accessibility requirements for passenger rail vehicles.

In January, 2013 the "effort to review ADAAG in regards to its applicability to passenger rail cars was undertaken by the Technical subcommittee and "similarly, presentation material was developed by FRA to promote the work of the NGEC in the area of accessibility."

The PowerPoint presentation "came to the subcommittee and was talked about in September, 2013... after a limited group (the APG) had received it... and Kevin (Kesler) and Melissa (Shurland) agreed to send it to the full technical subcommittee (September 12, 2013) and invited comments – no comments were received and it went back to the Executive Board and to the Accessibility Policy Group (APG)".

Steve Hewitt explained the timeline and process. "The APG met on September 17, 2013 to review the presentation and suggested a number of revisions to it. During the week of September 30th the APG reviewed the revised presentation (with the changes highlighted in red - pages 3, 4, 5) and completed an electronic vote. The APG unanimously approved the presentation and sent it for Executive Board for its approval through an electronic vote. On the Technical subcommittee call of October 10, 2013, as I reviewed the open action items status, I reported on the presentation and noted that it was currently being voted on by the executive Board as revised by the APG. Mario Bergeron raised the issue of the revisions made to the presentation by the APG, and asked shouldn't they be reviewed by the Technical subcommittee. I stated that if the changes were policy oriented – no, but if they were technical in nature – yes, the Technical subcommittee should probably review them. I also noted that the Executive Board's vote was incomplete and, basically had stopped because there was no quorum available due to the federal government shutdown and FRA's subsequent furlough. I also noted that not all states had voted yet, and a number had questions and/or concerns over the items highlighted in red and what did they mean."

Mario continued "During the last Executive Board call (October 15, 2013) the document with comments highlighted in red was discussed, as was the fact that the electronic vote was on hold due to the shutdown. Notably I (Mario) was chairing the Board meeting in the absence of Chairman Bronte that day. I noted that the document had what appeared to be changes that warranted awareness of the technical subcommittee and I asked Mr. Hewitt to bring it back to the technical subcommittee for a conversation, which he did."

Mario went on to say, "As I am going through this I am trying to disassociate the presentation and the ADAAG document. I want to have a conversation (today) about what it (the presentation) is, and what it is not, and how

it came about.”

After opening the topic up for discussion and hearing none, Mario specifically asked Kevin Kesler, FRA, or Melissa Shurland, FRA, to talk about it, and “was I correct?”

Kevin replied, “yes, but let me refresh everybody’s memory on this. This is a communication to the Access Board at the request of the Access Board of the FRA. The Access Board wants to understand what is being done or is planned to be done by the NGEC in the area of accessibility. This is exactly what is being done (in the presentation). We show that there are accomplishments and there are things that have the potential to be done.”

Kevin went on to explain the original directive from the USDOT secretary for each mode to review ADAAG and make recommendations as to what is doable and what isn’t and to provide justification for what cannot be done.

Kevin continued to explain that the presentation describes to the Access Board “This is what we’ve done and what we have in process and what we are doing going forward in regard to ADAAG.”

Melissa Shurland, FRA, commented that the presentation was changed during the APG call, and that she had highlighted the changes in red, and had inserted some questions as well that still need to be answered. Melissa also noted that she had seen the timeline as noted by Mr. Hewitt in emails referring to a vote on the presentation on November 7th.

Melissa emphasized that the new timeline set after the shutdown was that the Access Board will now meet on November 12, 13 or 14, 2013 and noted “what we do has to be by that date, but the presentation needs to have a final decision by November 7th because it is due to the Access Board in advance and the due date is the 7th.”

Melissa went on to explain that “on the APG call we added comments showing what is currently required and where we are going beyond those requirements.” Melissa noted, however, that some of what the APG members thought were requirements were not. For example, “they thought the minimum requirements for a rest room door was 32 but I found out it is 30 inches.” Where she found differences in the APG’s perception of requirements she noted them as comments on the presentation.

Steve Hewitt clarified that what the emails Melissa had cited referred to. He clarified that at the 10-15-13 Executive Board meeting Mario Bergeron had asked him to distribute the revised presentation to the technical subcommittee and to notify the subcommittee members that the timeline for its review would be two weeks from the next Technical subcommittee call (October 24, 2013). That left November 7th as the date for subcommittee approval. Steve reminded those on the call, that the Board was still the body that ultimately has to give its ok to the presentation, and they have yet to complete their vote (as noted earlier).

Mario noted that “we (the technical subcommittee) never voted on the presentation the first time, we were invited to comment on it, not vote on it...the need to vote is not clear in my mind. Initially it was to be 305 accomplishments, but where the document needs clarity is what was actually agreed upon by the 305 process in the past and what hasn’t reached 305 agreement. We need to clarify what this presentation is and what it is not, but we also need clarification on what the comments are that have not been reviewed by the technical subcommittee.”

Melissa Shurland added, “there needs to be some decisions made because some of the comments (changes made by APG) are not requirements.”

Dave Warner, Amtrak, weighed in “we may get stuck in the details on the single level cars. The Accessibility Working Group (AWG) has not yet approved these items. They are under review, but they need the drawings that we haven’t gotten yet in order to have a visual of what the changes are before we approve them. We need, basically, a mock up before we can approve them.” Dave went on, “from PRIIA we can’t say it’s an accomplishment because it is not approved yet.”

Kevin Kesler noted that those items are listed “as in review”.

Dave Warner emphasized “we need to either say they are under review or take them out, and I don’t think they should be taken out because they are very good things, but we do need to have them approved before we call them accomplishments.” He continued “we need to be clear as to where the recommendations are within the world of PRIIA...where the standard is approved and what are recommendations that are under AWG consideration.”

Melissa noted that the Access Board had asked FRA to include in its presentation “items that have been approved, and items under consideration...some of these were not meant to be considered as already approved, but I agree

that is not clear on the slide.”

Dave Warner noted “this is a perfect opportunity because the Access Board is updating its requirements.” It is the Access Board that has the responsibility to develop requirements.

Melissa again reiterated “we need to vote on some of the items in the presentation because they are not required.”

Dale Engelhardt, Amtrak, expressed concern about slide 3, but Melissa explained that the APG thought that it was required, but she had since found out that it was not.

Jonathan Michel, (industry member) raised a couple of issues specific to seating positions and the spaces required for service animals, and noted “we understand the need to make space available for service animals, but wouldn’t it make sense to see the layout because this needs more exploring before being approved.”

Melissa agreed – “we do need drawings for clarification and this is an area where those drawings are needed.”

Jonathan also mentioned accessible signage noting that “there are a lot of types of signage and I don’t think it’s well defined.”

Melissa agreed “we can say in the slide that the Access Board needs to look at this.” Melissa asked Jonathan to send her his comments so she can properly address them.

Mario Bergeron brought the discussion back to the presentation needing clarifications. He noted “look at the first page – the title page leads one to believe that PRIIA has endorsed these things.”

Melissa agreed the page needed to be reworded for clarity.

Mario went on to say “we (the technical subcommittee) should not vote on this, we were not asked to vote on the presentation the first time and shouldn’t now. There has not been enough work done or due diligence. I recommend that we clarify the first page to clearly say what is an accomplishment and what is under consideration.” He added that in the meantime “invite comments from the technical subcommittee to be sent to Melissa and send the presentation with the proposed clarifications on to the Executive Board today.”

Kevin Kesler noted “what is to be accomplished here is that we wanted to give a communication to the Access Board that this is what we’ve done and this is what is on our agenda.”

He continued “accommodations are accomplishments and recommendations are really areas that are under consideration. Beyond that we are explaining what we (the NGEC) are and what our process is and who we are.”

Kevin added “we want to show evidence of past successes and what we plan to look at into the future. We want to let the Access Board know we are serious about this and will provide input to it. We want to emphasize to the Access Board that there is a commitment in what we are doing.”

He also noted “we should correct the slides to make them clearer” and he, again, reiterated “the FRA was asked to brief the Access Board and this is an FRA document. The NGEC is not bound by it.”

Dave Warner commented “when another agency represents what PRIIA does, the Executive Board, or, at least its chair needs to look at it. There is still a review that needs to be done just the same as we have done with presentations I have given to other organizations, or as we have done with the “Backgrounder” (although that is a PRIIA document) Either way, the Executive Board has a say in it.”

Mario stated “that’s where I am at. Clarify the document to promote what we (the NGEC) did, and you do have the courtesy to present it and have the Board endorse it.” Mario went on to say “this discussion is all good. We will move this back to the NGEC (Executive Board) as it went out. We’ve had comments and discussion and may have others in the future...we are not trying to delay this by a few weeks there is no value in that. Given the timeline we should move this to the Board and let it take action.”

It was ultimately agreed that the presentation would be revised by Melissa Shurland to reflect the clarifications discussed today, and it would then be sent to Steve Hewitt for distribution to the Executive Board and also to the subcommittee members.

It was also agreed that Mario Bergeron would lead the discussion on the executive Board call and ask the Board to agree that the presentation should be moved by FRA forward to the Access Board in time to comply with the Access Board’s timelines.

6. Accessibility Working Group Status Update –Melissa Shurland:

Melissa Shurland reported that there was no new activity at this point, but did note that efforts are ongoing with procurements to renew the contract in regard to producing the drawings that are needed to allow a visual perspective when considering ADAAG items, especially with respect to rest rooms.

7. Document Control Update – Dave Warner:

Dave Warner provided the following report for inclusion in today's minutes:

"Camren has completed the DCR-specific revisions to the Single Level specification Revision A. She is now slogging through the metricization."

8. Status: DTL specification Development – Tammy Krause:

Tammy Krause reported that, although they are about two weeks behind, they had some cushion in the schedule and anticipate "having the next draft out to the DTL subgroup by Monday" (October 28, 2013).

9. Update: Diesel-electric Locomotive – Art Peterson:

Art Peterson reported that the confidential sessions were taking place this week. An addendum should be out on November 7, 2013 with final proposals being submitted in late November, and evaluations concluded around December 13, 2013.

Other: With no other items to come before the Technical subcommittee, the chair adjourned today's call at approximately 4:15 pm EDT.

Next conference call – November 7, 2013 – 3:00pm EDT

Decisions and Action Items

Working/Review Group – Developing Commuter Equivalent of NGEC Bi-Level Specification: This effort (not an official NGEC effort) continues with Kevin Kesler, FRA, in the lead. kevin.kesler@dot.gov. Kevin Kesler has met (conference call) with Gavin Frazier, and both agree that the path being taken by Metro North in developing its Dual Mode spec is the right one with the NGEC utilized as a resource. Kevin has developed his concept into a document and submitted it to the Chairman Bergeron. The chair and Kevin will have a follow up discussion at their earliest opportunity.

The PowerPoint FRA presentation on PRIIA NGEC Accommodations and items for consideration will be sent to Steve Hewitt, as revised/clarified on today's call. Steve will distribute the revised version to the Executive Board in advance of its next conference call – 10-29-13. Steve will also provide the presentation, as revised, to the Technical subcommittee members and industry participants. Any comments should be sent to Melissa Shurland.

Mario Bergeron will address the presentation topic on the Executive Board call on 10-29-13 with the intent of getting general agreement to have it sent (with the clarifications made today) to the Access Board in time to meet the Access Board's timelines. (the Access Board has requested all presentations be submitted by November 7, 2013)

The DTL requirements document has been approved by the Executive Board, and the Technical subcommittee has been tasked with developing the DTL specification. Tammy Krause reported that the "next draft" will be distributed to the DTL subgroup on Monday, October 28, 2013.

Jack Madden, NYSDOT, will continue to keep the subcommittee updated on the status of the Metro North Dual Mode specification as it is developed. (This is an internal New York State process, not an official NGEC effort.) Current status

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| 4. Approve Minutes of September 12, and October 10, 2013 | Mario Bergeron |
| 5. Discussion: Tech SC Review of APG changes to the Accessibility Accommodations and Recommendations Presentation | Mario Bergeron |
| 6. Accessibility Working Group Status Update | Melissa Shurland |
| 7. Document Control update | Dave Warner |
| 8. Status: DTL Specification Development | Tammy Krause |
| 9. Update: Diesel-electric Locomotive Procurement | Art Peterson |
| 10. Review this meeting: | Steve Hewitt |
| a) Decisions | |
| b) New Action Items | |

***Technical Sub Committee Conference Call Meeting:
Thursday October 24, 2013 3:00 EDT: 1-866-209-1307 / passcode 6486648#***

***Please call in a few minutes early so all is in attendance for Roll Call.
Thank you***

Next Technical Subcommittee Call: 11-7-13 at 3:00pm EDT