



## **BOARD REASSESSMENT OF THE RESPONSE TO RAIL SAFETY RECOMMENDATION R92-07 – Stand Alone**

### **BACKGROUND**

On 18 March 1992, following a number of derailments where truck component wear was a contributing factor, the Board determined that the derailments occurred to leased tank cars which had truck component wear on interrelated components which. Individually, these were not worn to the specified condemning limit, but collectively, the combinations of wear reduced the suspension damping of the trucks. The application of existing protocols for cost recovery, specifically, the Association of American Railroads (AAR) Rules governing inspection and repair of worn railcar truck components, were not prompting the carrying railways to initiate repairs to leased tank cars.

Therefore, the Board recommended that:

The Department of Transport coordinate the necessary protocols with the AAR and Canadian railways to effect cost recovery by carrying railways which take corrective action to replace components which exceed specified condemning limits for combination truck component wear on leased cars in service.

R92-07

### **Response From Transport Canada to Recommendation R92-07 (June 1992)**

A response from the Minister was received, which stated that “cost recovery is the responsibility of the railway industry and is not a factor related to safe railway operation”.

### **Board Assessment of the Response to Recommendation R92-07 (August 1992)**

Transport Canada does not recognize that the absence of compensation for running repairs to leased cars has safety implication. In consideration that Transport Canada has rejected the safety deficiency, the response to Recommendation R92-07 is assessed as “**Unsatisfactory**”.

### **Additional Information in Response to Recommendation R92-07 (December 2010)**

In the Field Manual of the AAR Interchange Rules, under Rule 1 - Care of Freight Cars and Section 2 Repairs to Foreign Cars, Item a(6) has been added. This enables cost recovery by carrying railways which take corrective action to replace components that exceed specified condemning limits for combination truck component wear on leased cars in service.

(see Appendix A: Field Manual of the AAR Interchange Rules [Rule 1- 2. a.(6) ]).

## **Board Reassessment of Response to Recommendation R92-07 (February 2011)**

In consideration that the industry has addressed the deficiency with a cost recovery rule, which has been added to facilitate cost recovery for running repairs to leased cars by the carrying railway, the Board reassesses the response to Recommendation R92-07 as being “**Fully Satisfactory**”.

Next TSB Action

The file is assigned a **Closed** status.

### **Appendix A**

Field Manual of the AAR Interchange Rules

Rule 1 - Care of Freight Cars

2. Repairs to Foreign Cars

a. All Cars

- (6) Running repairs as provided in these rules that are the owner’s responsibility may be made by a repair facility acting as the railroad’s agent without requesting owner’s disposition. Repairs must be completed while on handling line railroad or at a facility served by the handling line railroad. Railroad is responsible for repairs to car. Railroad or its running repair agent, as listed in Appendix H, will furnish billing repair data to car owner.