

DECISION MEMORANDUM

TO: COMMISSIONER ANDERSON
COMMISSIONER CHATBURN
COMMISSIONER HAMMOND
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: TAYLOR R. BROOKS
DEPUTY ATTORNEY GENERAL

DATE: FEBRUARY 9, 2022

GWR-U-22-01

SUBJECT: IN THE MATTER OF ADOPTING THE COMMISSION'S SAFETY REGULATIONS BY SPECIAL ORDER

BACKGROUND

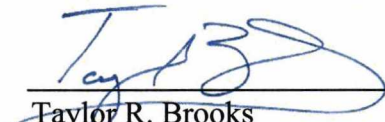
On June 30, 2021, the Commission adopted safety and accident reporting rules (previously IDAPA 31.11.01) and railroad safety rules (previously IDAPA 31.71.01). *See* Order No. 35095. In that Order, the Commission incorporated by reference the 2019 federal regulations regarding Pipeline and Hazardous Material Safety Administration. Since issuing Order 35095, Staff of the pipeline and railway safety program ("Staff") have begun utilizing an electronic format of the railroad and pipeline and hazardous materials safety regulations found in Title 49 of the Code of Federal Regulations.

STAFF RECOMMENDATION

Accordingly, to stay abreast of electronic updates to the railroad and pipeline safety regulations, Staff recommends that the Commission adopt the electronic version of Title 49 of the Code of Federal Regulations, Parts 191, 192, 193, 195, and 199 for pipeline and Parts 107, 171, 172, 173, 174, 178, 179, 180, and 225 for railroad.

COMMISSION DECISION

Does the Commission wish to issue an Order, effective March 1, 2022, adopting the electronic version of Title 49 of the Code of Federal Regulations, Parts 191, 192, 193, 195, and 199 for pipeline and Parts 107, 171, 172, 173, 174, 178, 179, 180, and 225 for railroad?



Taylor R. Brooks
Deputy Attorney General