



Memorandum

To: NGEC Executive Board

CC: Steven Hewitt, NGEC Manager

From: Eric Curtit, NGEC Executive Board Chairman

Date: May 12, 2015

RE: Requests for NGEC reference specifications and drawings

Issue:

Recently, the NGEC has received several requests for reference specifications from non - passenger car related interests. Most recently a private citizen requested drawings for door assembly. The reason for the request is not known and was not provided.

The reference specifications and drawings have been posted as a courtesy for NGEC members and members of the rail industry to use. The information contained in these documents was never intended for general public access, and a message directing the requester to provide contact information, and the reason for the request through an automated email to the NGEC Manager, has been in existence from the outset.

However, there is currently no clear policy in place to guide NGEC decision making about to who and when NGEC reference specifications and drawings should be released, nor is there a clear policy restricting or prohibiting access to NGEC documents.

As a result, the Executive Board asked Amtrak legal to research legislative history to ascertain whether or not there is anything that would prohibit the NGEC from limiting access to these documents. Upon concluding this research it was determined that there is no such prohibition.

Further, it is clear that in other circumstances within the transportation industry there are examples where public access to a variety of documents (such as state bridge plans, etc.) is restricted, or limited.

With an understanding that the information contained in the reference specifications and drawings is proprietary in nature, and the fact that the intent has always been to provide access to NGECC members and those of the industry, with a stated reason for the request, it is my recommendation that the language on the NGECC website governing access be changed from:

Current language:

NOTE: To request one of the following documents, click on the document name. A pre-addressed email box will open in which you must list your name, phone number, email address, company affiliation, and a reason for requesting the document.

To:

Proposed revised language:

NOTE: The documents and drawings below are available upon request to contracted vehicle builders and associated suppliers only. To request one of the following documents, click on the document name. A pre-addressed email-box will open. Then please provide your name, phone number, email address, company affiliation and reason for requesting the document. The Chairman of the NGECC 305 Next Generation Equipment Committee reserves the right to reject a request.

Further, I suggest this desk procedure for answering non-industry related requests for vehicle specifications as well. When the request comes in, the requestor must indicate who they represent and how they will use the specification. They must also share contact information which should be verifiable by the NGECC manager. If a request is made by anyone or entity not involved in intercity passenger rail equipment production, whether direct or indirect, the request will be denied.

The NGECC was charged with efficiently creating and maintaining standardized intercity passenger rail equipment for the use of industry, states and Amtrak. Therefore, for security reasons and to minimize extra expenses which would be incurred by filling non industry requests, the NGECC will only release its vehicle specifications and reference documents to those for whom they have been developed.