

What TSA Regulation Requires Positive Hand-Offs?

Positive Hand-Off Regulation is 49 CFR 1580.205 covers the Positive Hand-Off Requirements. [UP Form 8620 Section 7](#) can also be used to determine and review the requirements.

What information needs to be documented to complete a Positive Hand-Off?

- (1) Car initial and number.
- (2) Identification of individuals who attended the transfer (names - *First and Last* or uniquely identifying employee number).
- (3) Location of transfer.
- (4) Date and time the transfer was completed.

What is the purpose of a Positive Hand-Off?

Positive Hand-Offs are to ensure the RSSM loads are attended, and positive control is maintained during an interchange / receipt or delivery (to another RR or to a Customer) as well as to ensure the RSSM cars have been properly inspected for signs of tampering, suspicious items, devices or objects.

What does 'Attended' mean?

Attended, in reference to a rail car, means an employee -

- (1) Is physically located on-site in reasonable proximity to the rail car
- (2) Is capable of promptly responding to unauthorized access or activity at or near the rail car, including immediately contacting law enforcement or other authorities; and
- (3) Immediately responds to any unauthorized access or activity at or near the rail car either personally or by contacting law enforcement or other authorities.

What do you mean by 'Maintain Positive Control'?

Maintains positive control means that the rail hazardous materials receiver and the railroad carrier communicate and cooperate with each other to provide for the security of the rail car during the physical transfer of custody. *Attending* the rail car is a component of maintaining positive control.

When does a Positive Hand-Off Need to occur?

Anytime you are within a High Threat Urban Area (HTUA), or the RSSM load(s) may subsequently travel through a High Threat Urban Area (HTUA). Due to the possibility of reroutes during transit, and the number of High Threat Urban Areas (HTUAs) this means positive Hand-Offs will need to occur and most all Interchanges and Customer Pick-Up (as well as many Customer Drop Offs)

Can a Video Camera, at the Interchange, be used in lieu of the physical presence / attendance of the other person?

Cameras can be used, but only if the viewer is *physically located on site, the cars are in direct line of site of the camera* during and after drop off and *you speak to the person viewing the camera* to ensure who get the accurate name (first and last) of the person actually viewing the camera at the time the Hand-Off is occurring.

What will happen if a Positive Hand-Off does not occur?

The company can be fined. Also, if an employee inputs the name of a person that was not actually present during the Positive Hand-Off, thus indicating that they were present, and this is discovered, TSA can find the employee who input the information, *Criminally and Civilly liable* for 'Falsification of a Government Document'. This also violates the Union Pacific Ethics Guidelines so employment action can be taken as well.

Why does the Positive Hand-Off Database sometimes create a Positive Hand-Off Record that did not actually occur?

A Positive Hand-Off Record is generated based on the Event Code in TSC. Example: If an IR Event Code is created in TCS then a Interchange Received Positive Hand-Off shell record is created as a reminder to input the Positive Hand-Off Data. Therefore, if the TCS Event Code is erroneously created, an erroneous Positive Hand-Off Record is also created.

How do I get rid of a Positive Hand-Off Record that did not actually occur?

Your Superintendent can delete records that has been deemed to have been created erroneously. Let them know why there was not actually a Positive Hand-Off for the car(s) in question and why; they can delete it at their discretion.

Where can I find more information on the Positive Hand-Off Regulation?

You can review the [TSA / FRA Security Regulation Overview](#) webpage for additional information and several help documents.

Contact Chad M. Deasy, Sr. Mgr. Homeland Security, with any additional Questions or Concerns at cmdeasy@up.com.

