

EXHIBIT 3-H

Docket No. DCA-08-MR009

**NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C. 20594**

**Connex Metrolink Notice No. 17.08
Use of Electronic Devices Instruction**

CONNEX METROLINK NOTICE #17.08

July 8, 2008

Effective at once, all previously issued "Connex Metrolink Notices" are cancelled and the following will govern. Please note that changes from the last notice are shown in **bold**:

ADMINISTRATIVE

HUMAN RESOURCES:

Benefits-

Employees are prohibited from maintaining benefits for those who are not their legal dependents. The General Manager must be given immediate written notification with documentation whenever an employee has a change in status for a benefit covered dependent. Examples of change in status include:

- Marriage, Divorce/legal separation/annulment
- Death of spouse/child
- Birth or Legal adoption/placement of child
- Beginning of spouse's employment/benefits
- Dependent eligibility change
- Change in employment status
- Significant change in cost/coverage
- Involuntary loss of outside coverage
- Eligible/ineligible for Medicare/Medicaid
- Loss or open enrolment spouse's employment/benefits
- Judgment/decreed/order for coverage of children
- Beginning/end of Domestic Partner Relationship

Samples of documentation required to prove dependent status include marriage certificates, divorce decrees, death certificates and birth certificates or other legal documents. Examples of dependent changes that may subject employees to possible legal action and/or formal disciplinary action up to and including termination from employment are:

- Failure to notify Connex when a divorce takes place and the spouse is covered under a Connex benefit plan.
- Failure to notify Connex when an employee's child over the age of 17 fails to remain a full time student and the child is covered under a Connex benefit plan.

Delay Reports:

Conductors must write the locations of their "security" announcements on their delay reports. The "TIME" section of Conductor Delay Reports should NEVER have blank boxes when it is completed and submitted. If a crew is on continuous time at the beginning of a run, the "ON DUTY" box must be marked by drawing a diagonal line through the box or by writing "CT" in the box. If a crew is not tying up at the end of a run, the "OFF DUTY" box must be marked by drawing a diagonal line through the box or by writing "CT" in the box. When a train is annulled, the arrival and departure times at subsequent stations will not be recorded on the delay report. The "Off Duty" box must still be completed with a time or by writing "CT" or a slash as applicable. If a train has been annulled for a mechanical failure(s), the delay report must have the "SMP (MAP) Form Completed YES" circled and the applicable defect code(s) recorded as required.

Lost And Found:

When a lost and found item will not fit in the designated lost and found container it must be turned over to a manager or representative from the SCRRA. When an item is turned over to a manager or representative from the SCRRA, the name of the receiving party must be included on the delay report.

CREW RESOURCE MANAGEMENT

Conductors and Engineers-TEAMWORK:

Prior to departure after stopping for any reason, the Conductor and Engineer must communicate the signal name or aspect they are currently operating on. In addition, if the Conductor can see the next governing signal from the platform at a station stop, the signal aspect or name must be communicated by radio to the Engineer. These requirements are in addition to previous instructions regarding Conductors reminding Engineers of upcoming restrictions, being delayed in block, etc.

OPERATIONS

Binoculars:

Crew members must not use binoculars or similar devices to determine the position, aspect, or indication displayed by a fixed signal.

Conductors-Engineers:

Government security forces now require that all crews whose trains are spotted in the vicinity of Fallbrook must be sure that the Harbor Drive Gate is kept locked.

Electronic Devices:

The inappropriate use of electronic devices by employees on duty has been shown to be a contributing factor in personal injuries and rule violations. While you are working you are obligated to be completely focused on your job and the safe transportation of passengers. As a result, under most circumstances employees are prohibited from having personal electronic devices turned on and/or in their immediate vicinity while working. Here are some examples of when company or personal cellular phones must not be used:

- While on the ground lining switches, meeting trains, standing next to main tracks or when performing other duties that require your undivided attention to safety and rules compliance
- While in the control compartment of a moving train
- To conduct non-railroad business while on or near trains

Here are some examples of when company or personal cellular phones may be used:

- While in a layover facility
- When communicating railroad business on a stopped train such as troubleshooting mechanical problems or reporting information relating to an incident as the incident commander
- When in a crew transportation van
- Conductors reporting information to dispatchers relating to delays, etc., as long as the Conductor is not in the control compartment of a moving train

Remember, when the train is moving or you are on the ground performing railroad business your personal electronic devices must be turned off and must not be within your reach—for example on the control stand or on your person. Personal electronic devices may be carried in your grip if they are turned off. Conductors must have their company cellular phones “on” at all times while on duty.

Flashlights:

All Train and Engine employees must carry a flashlight on their person while on duty. Connex provides flashlights with flashlight holders for your use. If you choose to carry your own personal flashlight it must be plastic. Micro flashlights are not permitted. Contact your crew base manager to obtain a flashlight if you don't have one.

Head End Authorization:

Only the engineer of record, conductor of record, mechanical riders, operating managers and others with proper written authorization are permitted on the head end and/or control compartment of Metrolink trains.

P.A. Handset:

Conductors must carry their P.A. handset with them at all times while on board the train.

Passenger Safety:

Passengers are not permitted to entrain or detrain from a moving train.

Ramps:

When a customer requests use of the ramp to board or detrain, the request will be granted.

Radio Identification Numbers:

These radio identification numbers are used for identification in compliance with General Code Operating Rule 2.2.

Tommy McDonald	T-1
Gregg Konstanzer	T-2
Wayne Deming	T-3
Rick Dahl	T-4
Anthony Fuller	T-5
Mark Challed	T-6
Todd Penny	T-7
Bud McDaid	T-8
Michael Hyman	T-9
Glen Looney	T-10
Danny O'Connell	T-11
Art Gideon	T-12
Ted Fritz	T-13
Louis Pescevic	T-14

Emergency Windows:

When a Conductor becomes aware that the “zip strip” on an emergency window has been removed, the passengers in the entire section (upper, lower or one of the two mid-levels) must be moved to another area.