

# Hours of Service Recordkeeping Automated Recordkeeping 54<sup>th</sup> Railroad Safety Advisory Committee Meeting

**November 5, 2015**  
Washington, DC



# Background

- Identified by FRA's retrospective review required by Executive Order 13579 and DOT's Paperwork Reduction Act Initiative
- Would amend hours of service (HS) recordkeeping regulations to reduce paperwork burden for creating and maintaining HS records

# Existing Electronic Recordkeeping

- Current regulations for electronic recordkeeping systems at Title 49 Code of Federal Regulations (CFR) Part 228, Subpart D require complex program logic that allows the system to calculate an employee's total time on duty based on information the employee enters and an understanding of how various activities within a duty tour are treated under the HS laws.
- Most Class I railroads and some other large railroads use electronic recordkeeping systems that comply with 49 CFR Part 228, Subpart D. However, these requirements make electronic recordkeeping infeasible for smaller railroads' operations.

# Proposed Rule

- Proposed rule would apply to railroads with less than 400,000 employee hours per year
- Automated recordkeeping system:
  - less complex than electronic recordkeeping and better suited to their operations.
  - Records quicker and easier to complete and manage
  - Saving time and increasing efficiency and accuracy.

# Differences Between Automated and Electronic Recordkeeping Systems

- Automated recordkeeping systems would not be required to have the programming and analysis capabilities required for electronic recordkeeping systems.
- For example, they would not be required to:
  - calculate and fill in total time on duty based on the information the employee entered;

# Differences Between Automated and Electronic Recordkeeping Systems (cont.)

- prompt the employee to enter an explanation of a duty tour over 12 hours; or
- flag possible input errors or missing data, (such as a record showing an on-duty location that differs from the released location of the previous duty tour).

# Requirements for Automated Records

- Must be signed using an electronic signature.
- Two different types are allowed:
  - Unique digital signature created using employee ID and password or other means; or
  - Unique digitized version of the employee's handwritten signature
- Employee applies signature; record stamped with signature and date and time of signature.

# Requirements for Automated Records (cont.)

- Many railroads may use existing equipment and software to generate a form that would allow employees to:
  - enter the information relevant to their duty tour that is required by 49 CFR § 228.11; and
  - save the record in a directory structure that would allow it to be retrieved using the required search criteria.



# Automated Recordkeeping System– System Security

- Ensure the integrity of the system and the records within it by:
  - Preventing unauthorized access,
  - Identifying who enters what data,
  - Preventing alteration or deletion of a record once electronically signed, and
  - Having amendments stored separately without altering the original and identifying who amended.

# Automated Recordkeeping Systems – Search Capabilities

- System must allow records to be searched by:
  - Date
  - Employee (name or ID)
  - Records showing duty tour with more than 12 hours total time on duty

# Access to Automated Recordkeeping System

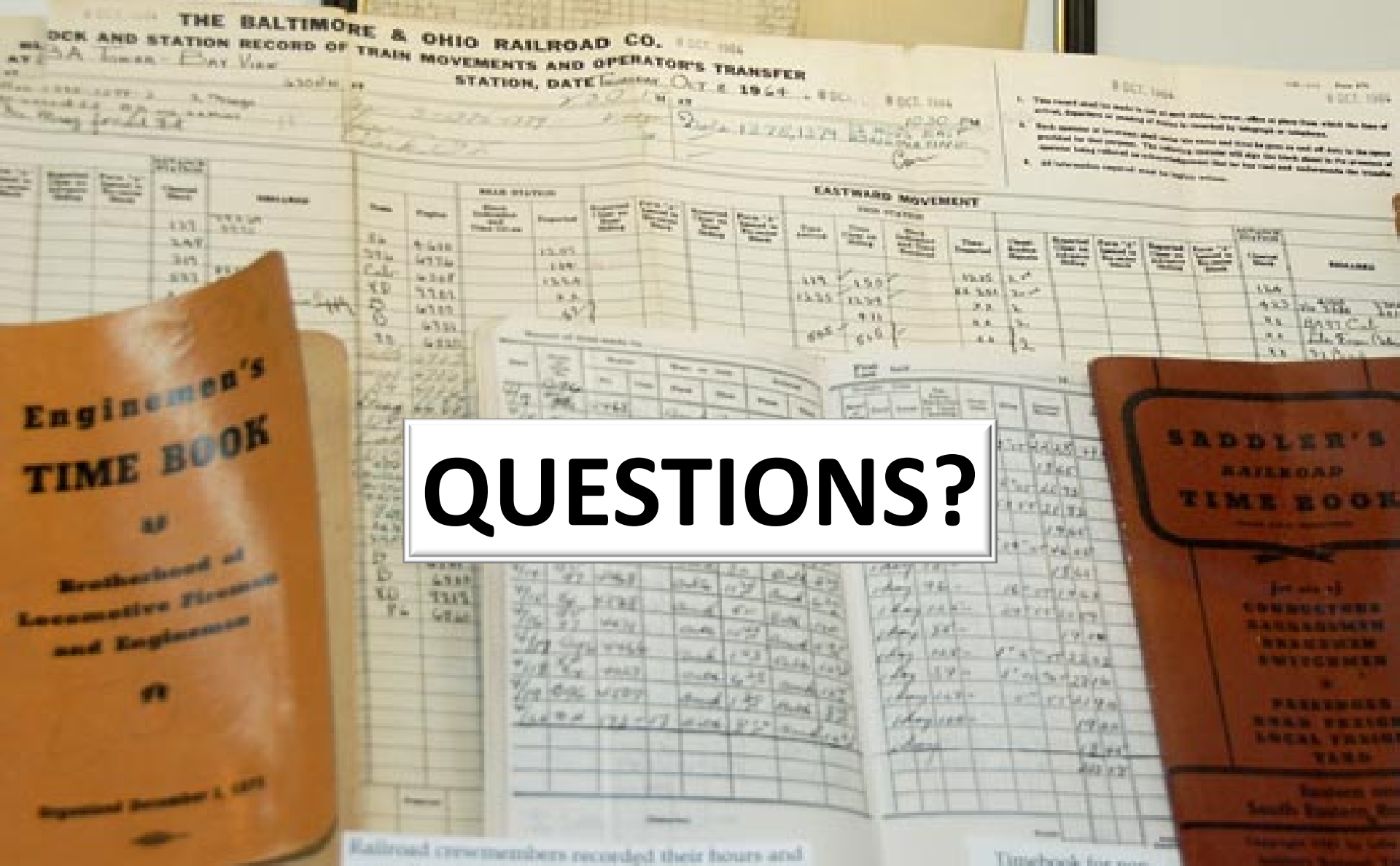
- Railroad must provide access to FRA or State inspectors on a railroad computer system not later than 24 hours after a request.
  - All data fields visible when viewing the record
  - Required data fields searchable to yield all records matching search criteria

# Training Requirements

- Initial training on how to enter data and store records.
- Refresher training as needed, emphasizing changes in HS requirements or recordkeeping system.

# Current Status

- NPRM published August 24, 2015  
(80 Fed. Reg. 51180)
- Comment period closed October 23, 2015



# QUESTIONS?