



Office of Railroad Safety

Regulatory Activity Update

October 2024



Generally...

- Consistent with current Administration's priorities, FRA is pursuing numerous regulatory initiatives each with the safety of railroad operations as its top priority.
- Despite FRA's priorities and goals, given the Federal rulemaking process the agency has limited control over the timing of a rule's publication.



Generally... (con'td)

- DOT Regulatory Agenda is available online at www.reginfo.gov
 - Click on “Unified Agenda” and then choose “Department of Transportation”
 - Each rulemaking proceeding can be identified by its unique RIN Number



Generally... (con'td)

- Current FRA Regulatory Agenda is as follows:

DOT/FRA	Proposed Rule Stage	Railroad Noise Emission Compliance Regulations	2130-AC83
DOT/FRA	Proposed Rule Stage	Risk Reduction Program	2130-AC89
DOT/FRA	Proposed Rule Stage	Positive Train Control Systems	2130-AC95
DOT/FRA	Proposed Rule Stage	Automated Track Inspection	2130-AC96
DOT/FRA	Proposed Rule Stage	Federal Railroad Administration's Procedures for Waivers and Safety-related Proceedings	2130-AC97
DOT/FRA	Proposed Rule Stage	Update to the Federal Railroad Administration's Accident/Incident Reporting Requirements	2130-AC99
DOT/FRA	Final Rule Stage	Amendments to the Freight Car Safety and Reflectorization Standards	2130-AC77
DOT/FRA	Final Rule Stage	Training, Qualification, and Oversight for Safety-Related Railroad Employees	2130-AC87
DOT/FRA	Final Rule Stage	Passenger Equipment Safety Standards; Standards for High-Speed Trainsets	2130-AC90
DOT/FRA	Final Rule Stage	Dispatcher Certification	2130-AC91
DOT/FRA	Final Rule Stage	Signal Employee Certification	2130-AC92
DOT/FRA	Final Rule Stage	Amendments to FRA's Procedures for Service of Documents in Railroad Safety Enforcement Proceedings and Other Administrative Updates	2130-AC93
DOT/FRA	Final Rule Stage	Freight Car Safety Standards Implementing the Infrastructure Investment and Jobs Act	2130-AC94
DOT/FRA	Final Rule Stage	Federal Railroad Administration Accident/Incident Investigation Policy for Gathering Information and Consulting with Stakeholders	2130-AC98



Recently Published Final Rule

- Accident/Incident Investigation Policy for Gathering Information and Consulting with Stakeholders
 - Published 10/31/24
 - Codifies existing policy statement available on FRA's website
 - As published, rule will take effect October 31, 2024



(Relatively) Recently Published Final Rules

- Dispatcher & Signal Employee Certification (5/21/24)
 - Petitions for Reconsideration Pending
- Train Crew Size Safety (4/9/24)
 - Litigation Pending
- Emergency Escape Breathing Apparatus (1/26/24)
 - Petitions for reconsideration pending
- Locomotive Recording Devices (10/12/23)



Other Priority Rules Under Development

- NPRMs
 - Automated Track Inspection (amending Part 213)
 - Procedures for waivers and safety-related proceedings
 - Positive Train Control Systems
- Final Rules
 - Passenger Equipment Safety Standards; Standards for High-Speed Trainsets (Tier III, Part 2)
 - Freight Car Certification (IIJA Mandate)



Other Rules in Process

- Training, Qualification, and Oversight for Safety-Related Railroad Employees
 - Final Rule (will incorporate existing guidance)
- Risk Reduction Program
 - SNPRM responding to Petitions for Reconsideration
- Amendments to Freight Car Reflectorization
 - NPRM published July 21, 2022
 - Final rule under development (incorporating reflectorization waiver)



Other Rules in Process (cont.)

- Railroad Noise Emission Compliance Regs.
 - IIA mandate
 - NPRM under development
- Accident Reporting (Part 225)
- Electronic Service Rule (Administrative Rule)



Other Rulemaking Issues of Note

- Additional Pending Petitions for Rulemaking
 - Freight Car Inspections & Role of Qualified Mechanical Inspectors (Docket FRA-2024-0084)
 - Petition to Reopen RRP Final Rule
 - Related to NAS long train study





Questions

