

**PASSENGER TRAIN EMERGENCY PREPAREDNESS  
49 CFR PARTS 223 AND 239  
SUPPORTING JUSTIFICATION**

**1. Circumstances that make collection of the information necessary.**

This collection of information is a request for an revision of a currently approved submission. FRA has revised the information in this collection – where appropriate and necessary – to reflect the most current data, and FRA’s experience over the past three years in implementing the requirements of this rule.

Background

Although the overall safety record of conventional intercity and commuter passenger train operations in the United States has been exemplary, rail passenger train accidents continue to occur.

In recent years, a number of passenger train accidents (such as the tragic “Sunset Limited” passenger train derailment in Mobile, Alabama, in September 1993 and the Amtrak/Marc Train collision in Silver Spring in 1996) have demonstrated the need to improve: (1) the way railroads respond in emergency situations; (2) training for employee and emergency responders; and (3) passenger awareness of the location and operation of emergency exits.

Also, a more complex rail passenger operating environment – advancing technology, high speed rail equipment, and appearance of potential new operators of passenger equipment – needs to be taken into consideration in developing safety regulations for rail passenger trains.

On November 2, 1994, Congress enacted section 215 of the Federal Railroad Safety Authorization Act of 1994, Pub. L. No. 103-440, 108 Stat. 4619, 4623, entitled “Passenger Car Safety Standards.” Section 215 of the Act states that the Secretary of Transportation must prescribe regulations establishing minimum standards for the safety of cars used by railroad carriers to transport passengers. Before prescribing such regulations, the Secretary must consider the following:

- (1) the crashworthiness of the cars;
- (2) interim features (including luggage restraints, seat belts, and exposed surfaces) that may affect passenger safety;
- (3) maintenance and inspections of the cars;

- (4) emergency response procedures and equipment; and
- (5) any operating rules and conditions that directly affect safety not otherwise governed by regulations.

The rule requires minimum Federal safety standards for the preparation, adoption, and implementation of emergency preparedness plans by railroads connected with the operation of passenger trains, including freight railroads hosting the operations of rail passenger service. The rule also requires each affected railroad to instruct its employees on the plan's provisions, develop a training program for emergency responders, and periodically conduct emergency simulations.

Finally, the rule requires railroads to properly mark, inspect, and maintain emergency exits, as well as test a representative sample of emergency window exits at least once every 180 days. Elements of the emergency preparedness plan must include communication, employee training and qualification, joint operations, tunnel safety, liaison with emergency responders, on-board emergency equipment, and passenger safety information. The plan adopted by each affected railroad is subject to review and approval by FRA.

## **2. How, by whom, and for what purpose the information is to be used.**

FRA reviews Emergency Preparedness Plans (EPPs) – and amendments to EPPs – filed with the agency to ensure that each railroad's plan covers the following essential parameters: communications, notifications by control center, emergency responder liaison, joint operations, special circumstances (e.g., tunnels, parallel operations, other operating considerations), employee training and qualification, passenger safety information, and on-board emergency equipment. FRA verifies that each EPP includes the name, title, address, and telephone number of the primary person on each railroad to be contacted with regard to review of the plan and that each EPP includes a summary of the railroad's analysis supporting each plan element and describing how every condition on the railroad's property that is likely to affect emergency response is addressed in the plan. FRA also reviews each EPP to confirm that each railroad control center maintains current emergency telephone numbers, in particular the emergency responder's telephone number and telephone numbers of the railroads which operate on adjacent track.

Debriefing and critique sessions must be conducted by railroads after each emergency passenger situation/full scale simulation where there is a passenger or employee fatality, or an injury to one or more crew members or a passenger involving admission to a hospital, or the evacuation of a passenger train. FRA reviews required debriefing and critique session records to verify that railroads were able to determine, at a minimum, the following: whether the on-board communications equipment functioned properly; the elapsed time between the occurrence of the emergency situation/simulation and notification to emergency responders involved; whether the control center promptly

initiated the required notifications; how quickly and effectively the emergency responders reacted after notification; and the efficiency of passenger egress from the car through the emergency exits. Also, FRA reviews these records to confirm that railroads improve/amend their emergency preparedness plans, as appropriate, based on the information developed from these sessions.

FRA reviews operational (efficiency) test records to ensure that (covered) railroads conduct these required tests of their on-board and control center employees which are essential to determining the extent of employee compliance with each railroad's emergency preparedness plan. In the event of an accident/incident, FRA can examine the test records of relevant employees to ascertain who the railroad officer was who administered the operational (efficiency) test to a given employee and the relevant information relied on for that employee's evaluation.

Records of the inspection, maintenance, and repair of emergency window and door exits are used by FRA inspectors to ensure they are regularly tested; are properly maintained; and are promptly repaired if they are not in proper working order. Overall, records required under this rule are used by FRA to verify that railroads comply with this regulation.

Emergency responder liaison activities, including training and emergency simulations, are used to help emergency responders become familiar with the location and operation of a railroad's emergency windows and doors. Further, the information gained through these activities and simulations provides emergency responders with a working knowledge of the railroad's operations.

Passenger awareness educational material is used to inform passengers: (1) to recognize and immediately report potential emergencies to crew members; (2) to recognize hazards; (3) to recognize and know how and when to operate appropriate emergency-related features and equipment, such as fire extinguishers, train doors, and emergency exits; and (4) to recognize the potential special needs of fellow passengers during an emergency, such as children, the elderly, and disabled persons.

Luminescent or lighted emergency exit markings are used by passengers and emergency responders to determine where the closest and most accessible emergency exit route is located, as well as how to operate the emergency exit mechanisms. Windows and doors intended for emergency access by emergency responders for extrication of passengers are required to be marked with retro-reflective material so that the emergency responders can easily distinguish them from the less accessible doors and windows. Shining flashlights or other portable lighting on the marking or symbol selected by the railroad makes such symbols distinguishable in conditions of poor visibility.

**3. Extent of automated information collection.**

For many years, FRA has highly encouraged and strongly endorsed the use of electronic recordkeeping, wherever possible, to reduce burden. FRA realizes that requiring railroads to retain records of the operational (efficiency) tests and inspection, maintenance, and repair of emergency window and door exits in paper form would impose additional administrative and storage costs, and that computer storage of these documents would reduce these costs and also enable railroads to immediately update any amendments to their operational testing and emergency window exit testing programs. Accordingly – and in keeping with the requirements of the Paperwork Reduction Act (PRA) and the Government Paperwork Elimination Act (GPEA) – FRA has authorized railroads to retain their operational (efficiency) test records and their inspection, maintenance, and repair of emergency window and door exits by electronic recordkeeping, subject to the conditions set forth in the rule. Thus, currently, approximately 28,002 records of the total of 43,536 responses or 64 percent of all responses are collected electronically.

**4. Efforts to identify duplication.**

To our knowledge, no information is duplicated anywhere.

Similar data is not available from any other source.

**5. Efforts to minimize the burden on small businesses.**

It should be noted that the burden for this information collection is fairly minimal. To ease the burden associated with this information collection, FRA permits optional electronic recordkeeping. Moreover, the information collection requirements of this rule do not apply to historic and tourist railroads.

Additionally, it should be noted that, under the provisions of the Regulatory Flexibility Act, this rule does not impose a significant economic impact on a substantial number of small entities.

**6. Impact of less frequent collection of information.**

If this information were not collected or collected less frequently, railroad safety nationwide would be considerably adversely impacted. In particular, the number and extent of casualties to train crews and the traveling public in the event of an accident/incident – such as a collision or derailment – would likely rise significantly. First, the number of injuries and deaths would likely increase if railroads did not have and did not file with FRA an Emergency Preparedness Plan (EPP). Without an EPP and necessary amendments to an EPP, different categories of railroad employees would not know their roles and responsibilities in the event of a collision, derailment, or other

emergency situations. They would not be totally familiar with their railroad's operations, rules, and procedures in the event of an emergency, and would not be informed and trained on a number of critically important issues such as communications, notifications by the control center, emergency responder liaison, joint operations with another railroad, special circumstances (e.g., tunnels, bridges, and parallel operations, etc.), passenger safety awareness, and on-board safety equipment. Such a lack of training and knowledge would inevitably result in confusion, delays, inadequate response measures, and thus higher and more severe casualties to train crews and passengers. Without FRA review and approval of EPPs, railroads might feel such plans are unnecessary altogether, or they might decide to eliminate or cut corners on different aspects of their EPP, especially employee training dealing with emergency situations. Such decisions by railroads would doubtless lead to higher train crew and passenger casualties. FRA review eliminates such detrimental revisions and ensures that EPPs will be comprehensive and current.

Second, the number of injuries and deaths would likely increase if railroads did not mark emergency exits and doors properly. Without clear and understandable instructions and markings at or near such exits, passengers would not know how to and where to exit the train quickly after a collision, derailment, or other emergency. Especially under conditions of poor visibility, door and window exits conspicuously and legibly marked with luminescent material on the inside of the car would be crucial for passengers to promptly and safely leave the train. Also, if door/window exits for emergency access by emergency responders were not marked with a retroreflective material, emergency responders might be impeded or delayed in safely extricating train crews and passengers in an accident that occurred at night or in fog. The consequence of any hindrance or delay might be more severe injuries and higher fatalities.

Third, the number of casualties would likely rise if emergency responders were not properly trained or if they did not participate periodically in emergency response simulations. Without such training and practice sessions, emergency responders might experience unnecessary difficulty in safely and quickly removing train crews and passengers from a train involved in a collision or derailment. A delay of even a few minutes might mean the difference between minor or serious injury and, more importantly, might mean the difference between life and death to train crews and passengers.

Fourth, the number of injuries and deaths would likely rise if there was no way to verify that railroads carry out scheduled inspections, maintenance, and repair of emergency window and door exits. Under this rule, all covered railroads are required to test a representative sample of emergency window exits on its cars once every 180 days to verify their proper operation, and are required to repair a defective unit before returning the car to service. Since each railroad operating passenger service is required to maintain records of its inspection, maintenance, and repair of emergency window and door exits at its system headquarters and applicable division headquarters, FRA inspectors can readily check these records to make sure railroads are fulfilling their responsibilities. Doors and

window exits that were not working could result in more severe injuries and greater loss of life in the event of a grave emergency. In the investigation of an accident/incident, these records are an invaluable resource in helping to determine exactly what happened and may serve to highlight deficiencies that can be corrected so as to prevent future occurrences.

Fifth, the number of injuries and deaths would likely rise if railroads did not conduct debriefing and critique sessions after each emergency passenger situation or full scale simulation where there is a passenger or employee fatality, or an injury to one or more crewmembers or a passenger involving admission to a hospital, or the evacuation of a passenger train. FRA reviews required debriefing and critique session records to verify that railroads were able to determine, at a minimum, whether the on-board communications equipment functioned properly; the elapsed time between the occurrence of the emergency situation/simulation and notification to emergency responders involved; whether the control center promptly initiated the required notifications; how quickly and effectively the emergency responders reacted after notification; and the efficiency of passenger egress from the car through the emergency exits. Also, FRA reviews these records to confirm that railroads improve/amend their emergency preparedness plans, as appropriate, based on the information developed from these sessions. Without these essential sessions and accompanying records, FRA and railroads could not detect emergency response deficiencies and could not develop necessary corrective measures. This could result in greater injuries and loss of life in future emergency situations.

Last, the number of injuries and deaths would likely rise if railroads did not conduct operational (efficiency) tests and keep records of these tests. FRA reviews these test records, which are essential to determining the extent of employee knowledge of each railroad's EPP, to ensure that covered railroads conduct the required tests of their on-board and control center employees. In the event of an accident/incident, FRA can examine the test records of various employees to ascertain who the railroad officer was who administered the operational (efficiency) test to a particular employee and the relevant information relied on for that employee's evaluation. Without these tests and corresponding records, there would be no way for FRA and railroads to know whether and to what extent on-board and control center employees actually complied with their railroad's EPP. As a consequence, railroads would have to hope that these employees knew what to do in emergency situations and that they responded appropriately and quickly. Many train crew members and passengers might pay a high price in terms of injuries and deaths relying on an unwarranted hope.

In sum, this information collection serves the agency's primary mission, and is a vital part of FRA's rail safety program.

7. **Special circumstances.**

All information collection requirements are in compliance with this section.

8. **Compliance with 5 CFR 1320.8.**

In accordance with the Paperwork Reduction Act of 1995, Pub.L. No.104-13, § 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. §§ 3501-3520), and its implementing regulations, 5 C.F.R. Part 1320, FRA published a notice in the Federal Register on December 16, 2009 (see 74 FR 66722), soliciting public comments on these information collection requirements. FRA received no comments in response to this notice.

9. **Payments or gifts to respondents.**

There are no monetary payments or gifts made to respondents associated with the information collection requirements contained in this regulation.

10. **Assurance of confidentiality.**

The information contained on various report forms and records is a matter of public record and, therefore, not confidential. FRA pledges no confidentiality

11. **Justification for any questions of a sensitive nature.**

No sensitive information is requested.

**12. Estimate of burden hours for information collected.**

*Note: Respondent universe for this collection of information is approximately 25 railroads.*

**§ 239.11 Penalties**

Any person who knowingly and willfully falsifies a record or report required by this part may be subject to criminal penalties under 49 U.S.C. 21311 (formerly codified in 45 U.S.C. 438(e)).

*To FRA’s knowledge, there were no (zero) falsified records or reports over the past three years regarding 49 CFR Part 239. FRA estimates that there will be zero (0) falsified records or reports over the next three years. Consequently, there is no burden associated with this requirement.*

**§ 239.13 Waivers**

Any person subject to a requirement of this part may petition the Administrator for a waiver of compliance with such requirement. The filing of such a petition does not affect that person’s responsibility for compliance with that requirement while the petition is being considered. Each petition for waiver must be filed in the manner and contain the information required by part 211 of this chapter.

FRA estimates that will receive approximately one (1) waiver per year under the above requirement. It is estimated that it will take approximately 20 hours to complete each waiver request and send it to the agency. Total annual burden for this requirement is 20 hours.

Respondent Universe:		25
	railroads	
Burden time per response:		20
	hours	
Frequency of Response:	Annually	
Annual Responses:	1 waiver request	
Annual Burden:	20 hours	

**Calculation:** 1 waiver request x 20 hrs. = 20 hours

**Marking of Emergency Exits ( 239.107)**



- (a) **Marking.** Each railroad operating passenger train service must determine for each passenger car that is in service, except for self propelled cars designed to carry baggage, mail, or express:
  - (1) Each emergency window and all door exits intended for emergency egress are either lighted or conspicuously and legibly marked with luminescent material on the inside of each car to facilitate passenger egress. Each such railroad must post clear and legible/understandable operating instructions at or near each such exits.

FRA estimates that all of the approximately 36,600 decals will have to be replaced for one reason or another approximately every eight (8) years. If this replacement were spread uniformly over this eight year period, approximately 4,575 decals would be replaced annually.

FRA also estimates that an additional 325 cars will be purchased annually by railroads to either retain or expand their fleet of cars. It is also estimated that each new car will have an average of six (6) interior windows that will require labeling. Thus, an additional 1,950 decals will be required for these new cars. The grand total of labels/decals needed under this requirement then is 6,525. FRA estimates that it will take approximately 10 minutes per door/window to remove and replace current labels, and approximately five (5) minutes per door/window for the new car doors/windows. Total annual burden for this requirement is 706 hours.

Respondent Universe:

25 railroads

Burden time per response:

10  
minute  
s/5  
minute  
s

Frequency of Response:

On occasion

Annual Responses:

6,525 labels/decals

Annual Burden:

706 hours

**Calculation:** 4,575 decals x 5 min. + 1,950 decals x 10 min. = 706 hours

- (2) Each window (and door exit) intended for emergency access by emergency responders for extrication of passengers must be marked with a retroreflective, unique, and easily recognizable symbol or other clear marking. Each such railroad must post clear and understandable window-access instructions at each such window or at (each door) the end of the car.

FRA estimates that all of the approximately 31,600 emergency access decals will have to

be replaced for one reason or another approximately every five (5) years. If this replacement were spread uniformly over this five year period, an average of approximately 6,320 decals would be replaced annually. As mentioned earlier, FRA also estimates that an additional 325 cars will be purchased annually by railroads to either retain or expand their current fleet of passenger cars. It is also estimated that each new car will have approximately four (4) emergency access windows that will require labeling. Consequently, an additional 1,300 decals will be needed then for these new cars.

FRA estimates that it will take approximately five (5) minutes per window to remove and replace current labels, and it will take approximately 10 minutes for each new window or door to be marked or labeled. Total annual burden for this requirement is 744 hours.

Respondent Universe: 25 railroads

Burden time per response: 5 min./10 min.

Frequency of Response: On occasion

Annual Responses: 6,320/1,300 labels/decals  
Annual Burden: 744 hours

**Calculation:** 6,320 decals x 5 min. + 1,300 decals x 10 min. = 744 hours

(b) **Records of Inspection, maintenance, and repair** - 239.107(b)

Consistent with the requirements of part 223 of this chapter, each railroad operating passenger train service must: (1) Provide for scheduled inspection, maintenance, and repair of emergency window and door exits; (2) Test a representative sample of emergency window exits on its cars at least once every 180 days to verify that they are operating properly; and (3) Repair each inoperative emergency window and door exit on a car before returning the car to service.

Each railroad operating passenger service must maintain records of its inspection, maintenance, and repair of emergency window and door exits at its system headquarters and applicable division headquarters for two calendar years after the end of the calendar

year to which they relate. These records must be made available to representatives of FRA and States participating under part 212 of this chapter for inspection and copying during normal business hours.

FRA estimates that approximately 1,800 emergency window exit tests and 1,200 door tests will be conducted annually. Thus, a total of 3,000 window/door tests will be conducted annually. It is estimated that it will take approximately 20 minutes to remove and install an exit window for testing purposes. Total annual burden for this requirement is 1,000 hours.

Respondent Universe: 25 railroads

Burden time per response:	20 minutes
Frequency of Response:	Annually
Annual number of Responses:	1,800 window tests/records + 1,200 door tests/records
Annual Burden:	1,000 hours

**Calculation:** 1,800 window tests/records x 20 min. + 1,200 door tests/records x 20 minutes = 1,000 hours

Total annual burden for this entire requirement is 2,450 hours (706 + 744 + 1,000).

**Emergency Preparedness Plan** (239.101, 239.201, 239.203)

(a) **Filing of Emergency Preparedness Plan**

Each passenger railroad to which this part applies must adopt and comply with a written emergency preparedness plan approved by FRA under the procedures of § 239.201. The plan must include the following elements and procedures for implementing each plan element:

(1) *Communication.* (i) *Initial and on-board notification.* An on-board crewmember must quickly and accurately assess the passenger train emergency situation and then notify the control center as soon as practicable by the quickest available means. As appropriate, an on-board crewmember shall inform the passengers about the nature of the emergency and indicate what corrective countermeasures are in progress.

(ii) *Notifications by control center.* The control center must promptly notify

outside emergency responders, adjacent rail modes of transportation, and appropriate railroad officials that a passenger train emergency has occurred. Each railroad must designate an employee responsible for maintaining current emergency telephone numbers for use in making such notifications.

(2) *Employee training and qualification.* (i) *On-board personnel.* The railroad's emergency preparedness plan must address individual employee responsibilities and provide for initial training, as well as periodic training at least once every two calendar years thereafter, on the applicable plan provisions. As a minimum, the initial and periodic training must include: (A) Rail equipment familiarization; (B) Situational awareness; (C) Passenger evacuation; (D) Coordination of functions; and (E) "Hands-on" instruction concerning the location, function, and operation of on-board emergency equipment.

(ii) *Control center personnel.* The railroad's emergency preparedness plan must require initial training of responsible control center personnel, as well as periodic training at least once every two calendar years thereafter, on appropriate courses of action for each potential emergency situation. As a minimum, the initial and periodic training must include: (A) Dispatch territory familiarization; and (B) Protocols governing internal communications between appropriate control center personnel whenever an imminent potential emergency situation exists.

(iii) *Initial training schedule for current employees.* The railroad's emergency preparedness plan must provide for the completion of initial training of all on-board and control center employees who are employed by the railroad on the date that the plan is conditionally approved under § 239.201(b)(1), in accordance with the following schedule: (A) For each railroad that provides commuter or other short-haul passenger train service and whose operations include less than 150 route miles and less than 200 million passenger miles annually, not more than one year after January 29, 1999, or not more than 90 days after commencing passenger operations, whichever is later; (B) For each railroad that provides commuter or other short-haul passenger train service and whose operations include at least 150 route miles or at least 200 million passenger miles annually, not more than two years after January 29, 1999, or not more than 180 days after commencing passenger operations, whichever is later; (C) For each railroad that provides intercity passenger train service, regardless of the number of route miles or passenger miles, not more than two years after January 29, 1999, or not more than 180 days after commencing passenger operations, whichever is later; (D) For each freight railroad that hosts passenger train service, regardless of the number of route miles or passenger miles of that service, not more than one year after January 29, 1999, or not more than 90 days after the hosting begins, whichever is later.

(iv) *Initial training schedule for new employees.* The railroad's emergency preparedness plan must provide for the completion of initial training of all on-board and control center employees who are hired by the railroad after the date on which the plan is conditionally approved under § 239.201(b)(1). Each employee must receive initial training within 90 days after the employee's initial date of service.

(v) *Testing of on-board and control center personnel.* A railroad must have procedures for testing a person being evaluated for qualification under the emergency preparedness plan. The types of testing selected by the railroad must be: (A) Designed to accurately measure an individual employee's knowledge of his or her responsibilities under the plan; (B) Objective in nature; (C) Administered in written form; and (D) Conducted without reference by the person being tested to open reference books or other materials, except to the degree the person is being tested on his or her ability to use such reference books or materials.

(vi) *On-board staffing.* (A) Except as provided in paragraph (a)(2)(vi)(B), all crewmembers on board a passenger train must be qualified to perform the functions for which they are responsible under the provisions of the applicable emergency preparedness plan; (B) A freight train crew relieving an expired passenger train crew en route is not required to be qualified under the emergency preparedness plan, provided that at least one member of the expired passenger train crew remains on board and is available to perform excess service under the Federal hours of service laws in the event of an emergency.

(3) *Joint operations.* (i) Each railroad hosting passenger train service must address its specific responsibilities consistent with this part. (ii) In order to achieve an optimum level of emergency preparedness, each railroad hosting passenger train service must communicate with each railroad that provides or operates such service and coordinate applicable portions of the emergency preparedness plan. All of the railroads involved in hosting, providing, and operating a passenger train service operation must jointly adopt one emergency preparedness plan that addresses each entity's specific responsibilities consistent with this part. Nothing in this paragraph shall restrict the ability of the railroads to provide for an appropriate assignment of responsibility for compliance with this part among those railroads through a joint operating agreement or other binding contract. However, the assignor shall not be relieved of responsibility for compliance with this part.

(4) *Special circumstances.* (i) *Tunnels.* When applicable, the railroad's emergency preparedness plan must reflect readiness procedures designed to ensure passenger safety in an emergency situation occurring in a tunnel of 1,000 feet or more in length. The railroad's emergency preparedness plan must address, as a minimum,

availability of emergency lighting, access to emergency evacuation exits, benchwall readiness, ladders for detraining, effective radio or other communication between on-board crewmembers and the control center, and options for assistance from other trains. (ii) *Other operating considerations*. When applicable, the railroad's emergency preparedness plan shall address passenger train emergency procedures involving operations on elevated structures, including drawbridges, and in electrified territory. (iii) *Parallel operations*. When applicable, the railroad's emergency preparedness plan shall require reasonable and prudent action to coordinate emergency efforts where adjacent rail modes of transportation run parallel to either the passenger railroad or the railroad hosting passenger operations.

(5) *Liaison with emergency responders*. Each railroad to which this part applies must establish and maintain a working relationship with the on-line emergency responders by, as a minimum: (i) Developing and making available a training program for all on-line emergency responders who could reasonably be expected to respond during an emergency situation. The training program must include an emphasis on access to railroad equipment, location of railroad facilities, and communications interface, and provide information to emergency responders who may not have the opportunity to participate in an emergency simulation. Each affected railroad must either offer the training directly or provide the program information and materials to state training institutes, firefighter organizations, or police academies; (ii) Inviting emergency responders to participate in emergency simulations; and (iii) Distributing applicable portions of its current emergency preparedness plan at least once every three years, or whenever the railroad materially changes its plan in a manner that could reasonably be expected to affect the railroad's interface with the on-line emergency responders, whichever occurs earlier, including documentation concerning the railroad's equipment and the physical characteristics of its line, necessary maps, and the position titles and telephone numbers of relevant railroad officers to contact.

(6) *On-board emergency equipment*. (i) *General*. Each railroad's emergency preparedness plan must state the types of emergency equipment to be kept on board and indicate their location(s) on each passenger car that is in service. Effective May 4, 1999, or not more than 120 days after commencing passenger operations, whichever is later, this equipment must include, at a minimum: (A) One fire extinguisher per passenger car; (B) One pry bar per passenger car; and (C) One flashlight per on-board crewmember. (ii) Effective May 4, 1999, or not more than 120 days after commencing passenger operations, whichever is later, each railroad that provides intercity passenger train service must also equip each passenger train that is in service with at least one first-aid kit accessible to crewmembers that contains, at a minimum: (A) Two small gauze pads (at least 4x 4 inches); (B) Two large gauze pads (at least 8x10 inches); (C) Two adhesive

bandages; (D) Two triangular bandages; (E) One package of gauge roller bandage that is at least two inches wide; (F) Wound cleaning agent, such as sealed moistened towelettes; (G) One pair of scissors; (H) One set of tweezers; (I) One roll of adhesive tape; (J) Two pairs of latex gloves; and (K) One resuscitation mask.

(iii) *On-board emergency lighting.* Consistent with the requirements of part 238 of this chapter, auxiliary portable lighting (e.g., a handheld flashlight) must be accessible and provide, at a minimum: (A) Brilliant illumination during the first 15 minutes after the onset of an emergency situation; and (B) Continuous or intermittent illumination during the next 60 minutes after the onset of an emergency situation.

(iv) *Maintenance.* Each railroad's emergency preparedness plan must provide for scheduled maintenance and replacement of first-aid kits, on-board emergency equipment, and on-board emergency lighting.

(7) *Passenger safety information.* (i) *General.* Each railroad's emergency preparedness plan must provide for passenger awareness of emergency procedures, to enable passengers to respond properly during an emergency.

(ii) *Passenger awareness program activities.* Each railroad must conspicuously and legibly post emergency instructions inside all passenger cars (e.g., on car bulkhead signs, seatback decals, or seat cards) and must utilize one or more additional methods to provide safety awareness information including, but not limited to, one of the following: (A) On-board announcements; (B) Laminated wallet cards; (C) Ticket envelopes; (D) Timetables; (E) Station signs or video monitors; (F) Public service announcements; or (G) Seat drops.

*Filing.* Each passenger railroad to which this part applies and all railroads hosting its passenger train service (if applicable) must jointly adopt a single emergency preparedness plan for that service and the passenger railroad shall file one copy of that plan with the Associate Administrator for Safety, Federal Railroad Administration, Mail Stop 25, 400 Seventh Street, S.W., Washington, D.C. 20590, not more than 180 days after May 4, 1998, or not less than 45 days prior to commencing passenger operations, whichever is later. The emergency preparedness plan must include the name, title, address, and telephone number of the primary person on each affected railroad to be contacted with regard to review of the plan, and must include a summary of each railroad's analysis supporting each plan element and describing how every condition on the railroad's property that is likely to affect emergency response is addressed in the plan. Each subsequent amendment to a railroad's emergency preparedness plan shall be filed with FRA by the passenger railroad not less than 60 days prior to the proposed



effective date.

Each passenger railroad to which this part applies, and all railroads hosting its passenger train service (if applicable), shall each retain one copy of the emergency preparedness plan required by § 239.201 and one copy of each subsequent amendment to that plan at the system and division headquarters of each, and shall make such records available to representatives of FRA and States participating under part 212 of this chapter for inspection and copying during normal business hours.

Each individual railroad has been given the latitude to adopt a suitable emergency preparedness plan for its railroad. A railroad's emergency preparedness plan could consist of multiple documents, with a separate document detailing the responsibilities of each category of employee under its plan. The amount of time and effort it would take to complete this requirement will vary from operator to operator. There are certain issues which will be addressed by all emergency preparedness plans. However, there are other issues which will be addressed only as applicable. Some railroads will expend more effort, others less effort. Also, some railroads will have to address certain issues that others will not. For instance, some railroads may operate in tunnels but not over bridges, another over bridges but not in tunnels. Some railroads may have no special circumstances, others may have more than one.

FRA assumes that all commuter and intercity railroads will have an average of one special circumstance. Amtrak and some commuter railroads have parallel track and joint operation issues.

FRA believes that approximately one (1) new commuter railroad per year will begin operation. FRA estimates that it will take approximately 158 hours per railroad to develop an Emergency Preparedness Plan; submit a copy to FRA; and file copies at its system and division headquarters. Total annual burden for this requirement is 158 hours.

Respondent Universe:

3 railroads

Burden time per response:

158  
hours

Frequency of Response:

One-Time

First Year number of Responses: 1 Emergency Preparedness Plans (EPP)  
First Year Burden Hours: 158 hours

**Calculation:** 1 EPP x 158 hrs. = 158 hours

(b) **Amendments to Emergency Plans**

If a proposed emergency preparedness plan is not conditionally approved by FRA, the affected railroad or railroads must amend the proposed plan to correct all deficiencies identified by FRA (and provide FRA with a corrected copy) not later than 30 days following receipt of FRA's written notice that the proposed plan was not conditionally approved. If the amendment is not approved, the railroad must correct any deficiencies identified by FRA and file the corrected amendment prior to implementing the amendment.

Each subsequent amendment to a railroad's emergency preparedness plan must be filed with FRA not less than 60 days prior to the proposed effective date. FRA estimates that a commuter/inner city passenger railroads will amend its Emergency Preparedness Plan (EPP) approximately once every five (5) years. It is estimated that it will take approximately eight (8) hours to complete each amendment. Total annual burden for this requirement is 40 hours.

Respondent Universe: 15 railroads

Burden time per response: 8 hours

Frequency of Response: Annually

Annual number of Responses: 5 amendments  
Annual Burden: 40 hours

**Calculation:** 5 railroads x 8 hrs. = 40 hours

Total annual burden for this entire requirement is 198 hours (158 + 40).

**Communication - Initial and on-board notification** [239.101(1)(i)]

An on-board crewmember must quickly and accurately assess the passenger train emergency situation and then notify the control center as soon as practicable by the quickest available means. As appropriate, an on-board crewmember must inform the passengers about the nature of the emergency and indicate what corrective countermeasures are in progress.

*Currently, this is a usual and customary procedure for all passenger railroad, and would not impose an additional burden on the railroads.*

**Notifications by control center** [239.101(1)(ii)]

The control center must promptly notify outside emergency responders, adjacent rail modes of transportation, and appropriate railroad officials that a passenger train emergency has occurred. Each railroad must designate an employee responsible for maintaining current emergency telephone numbers for use in making such notifications.

*Currently, it is common practice for passenger train control centers to notify outside emergency responders when an emergency situation arises on their railroads. Since this is a usual and customary practice, this requirement would not add any additional paperwork burden on the respondents.*

**Maintenance of current emergency telephone numbers**

FRA estimates that there will be approximately two (2) commuter/inner city passenger railroads operating adjacent to other rail modes that will need to gather and maintain current emergency telephone numbers. FRA estimates that it will take each of these two (2) commuter railroads approximately one (1) hour to complete the list/record of current emergency telephone numbers. Total annual burden for this requirement is two (2) hours.

Respondent Universe:

2 railroads

Burden time per response:

1 hour

Frequency of Response: One-time

First Year number of Responses: 2 current lists/updated records

First Year Burden Hours: 2 hours

**Calculation:** 2 current lists/updated records x 1 hr. = 2 hours

Total annual burden for this entire requirement is two hours.

**Joint operations** [239.101(a)(3)]

Each railroad hosting passenger train service must address its specific responsibilities consistent with this part. In other words, each covered railroad is required to have an emergency preparedness plan that meets its specific responsibilities prescribed in this part.

Respondent universe for this requirement is approximately two (2) host freight railroad/commuter railroad pairs and approximately two (2) host freight railroad/intercity pairs. FRA assumes emergency preparedness plans for host and operating railroads will require coordination between the two railroads for the development of one emergency preparedness plan addressing the different responsibilities of both railroads involved. *[Note: All burden hours for the development of actual EPPs of joint operations have been included under the emergency preparedness plans section above].*

In order to achieve an optimum level of emergency preparedness, each railroad hosting passenger train service must communicate with each railroad that provides or operates such service and coordinate applicable portions of the emergency preparedness plan. All of the railroads involved in hosting, providing, and operating a passenger train service operation must jointly adopt one emergency preparedness plan that addresses each entity's specific responsibilities consistent with this part. Nothing in this paragraph shall restrict the ability of the railroads to provide for an appropriate assignment of responsibility for compliance with this part among those railroads through a joint operating agreement or other binding contract. However, the assignor shall not be relieved of responsibility for compliance with this part.

It is assumed that host and operating railroads will initially have to negotiate between themselves what responsibilities each railroad will have in preparing their emergency preparedness plans to be in compliance with this regulation. FRA assumes that this initial coordination and negotiations will be a one-time burden. FRA estimates that

approximately 50 railroad pairs (30 commuter pairs + 20 Amtrak pairs) will be involved in these communications and negotiations. It is estimated that it will take approximately 16 hours per negotiation. Total annual burden for this requirement is 800 hours.

Respondent Universe:

5  
railroad  
pairs

Burden time per response:

16  
hours

Frequency of Response:

Annually

Annual number of Responses:

1 coordinated plan

Annual Burden:

16 hours

**Calculation:** 1 coordinated plan x 16 hrs. = 16 hours

Total annual burden for this entire requirement is 16 hours.

**Liaison with emergency responders** [239.101(a)(5)]

Each railroad to which this regulation applies must establish and maintain a working relationship with the on-line emergency responders by, as a minimum:

- (1) Developing and making available a training program for all on-line emergency responders who could reasonably be expected to respond during an emergency situation. The training program must include an emphasis on access to railroad equipment, location of railroad facilities, and communications interface, and provide information to emergency responders who may not have the opportunity to participate in an emergency situation. Each affected railroad must either offer the training directly or provide the program information and materials to state training institutes, firefighter organizations, or police academies;

- (2) Inviting emergency responders to participate in emergency simulations; and
- (3) Distributing applicable portions of its current emergency preparedness plan at least once every three years, or whenever the railroad material changes its plan in a manner that could reasonably be expected to affect the railroad's interface with the on-line emergency responders, whichever occurs earlier, including documentation concerning the railroad's equipment and the physical characteristics of its line, necessary maps, and the position titles and telephone numbers of relevant railroad officers to contact.

All commuter and host railroads are required to update their emergency responder liaison information every three years and to conduct simulations. FRA estimates that it will take approximately 40 hours for each railroad to update/distribute applicable portions of its current emergency preparedness plan and to conduct the required simulation. Total annual burden for requirement is 1,000 hours.

Respondent Universe:	25 Railroads	
Burden time per response:	40 hours	
Frequency of Response:		Annually
Annual number of Responses:	25 updated plans	
Annual Burden Hours:	1,000 hours	

**Calculation:** 25 updated plans x 40 hrs. = 1,000 hours

Total annual burden for this entire requirement is 1,000 hours.

Training Program for Emergency Responders

*There is no paperwork burden associated with the training requirement because it is current industry practice (i.e., usual and customary) to provide emergency responders with training prior to conducting emergency simulations. Railroads already have training programs in place for responders.*

**Passenger safety information** [239.101(a)(7)(ii)]

- (A) Each railroad's emergency preparedness plan must provide for passenger awareness of emergency procedures to enable passengers to respond properly during an emergency; and
- (B) Each railroad must conspicuously and legibly post emergency instructions inside all passenger cars (e.g., on bulkhead signs, seatback decals, or seat cards) and must utilize one or more additional methods to provide safety awareness information including, but not limited to, one of the following: (1) On-board

announcements; (2) Laminated wallet cards; (3) Ticket envelopes; (4) Timetables; (5) Station signs or video monitors; (6) Public service announcements; or (7) Seat drops.

Currently, intercity and commuter rail operators already disseminate safety related information to passengers. The amount and type of information disseminated varies from operation to operation. The methods currently used are: seat cards, bulkhead signs with safety procedures, and/or print safety information on timetables or posters in train stations. Approximately 1,300 passenger cars (about one third of the commuter fleet) do not currently have permanent emergency situation procedures posted inside. FRA estimates that approximately 1,300 bulkhead cards will be printed and installed on the remaining passenger cars during the first year of the regulation. It is estimated that it will take approximately five (5) minutes to install each bulkhead card. First year burden for this requirement is 108 hours.

Amtrak and commuter railroads also disseminate safety information annually. FRA estimates that an additional three (3) new railroads, which have not complied, will have to develop an emergency preparedness plan and post safety awareness messages using seat drops, public service announcements, station signs and videos, and onboard announcements to reinforce safety messages. It is estimated that it will take each railroad approximately 16 hours to develop an emergency preparedness (EPP) plan and an additional 48 hours to implement the safety awareness messages contained in its EPP. Moreover, FRA estimates that three (3) commuter railroads will enhance their emergency preparedness (EPPs) plans, including the required safety awareness messages such as seat drops, public announcements, station signs and videos, and onboard announcements. It is estimated that it will take each railroad approximately eight (8) hours to develop its enhanced EPP and an additional 24 hours to implement the safety awareness messages. Total annual burden for this requirement is 396 hours.

Respondent Universe:	3 new railroads/3 commuter railroads
Burden time per response:	5 minutes/16 hours/48 hours/8 hrs./24 hrs
Frequency of Response:	One-time
First Year number of Responses:	1,300 cards/3 programs/3 safety messages/3 programs/3 safety messages
First Year Burden:	396 hours

**Calculation:** 1,300 cards x 5 min. + 3 programs x 16 hrs. + 3 safety messages x 48 hrs. + 3 programs x 8 hrs. + 3 saf. mess. x 24 hrs. = 396 hours

Total annual burden for this entire requirement is 396 hours.

**Debriefing and Critique** (239.105)

(a) Except as provided in paragraph (b) of this section, each railroad operating passenger train service must conduct a debriefing and critique session after each passenger train emergency situation or full scale simulation to determine the effectiveness of its emergency preparedness plan, and must improve or amend its plan, or both, as appropriate, in accordance with the information developed. The debriefing and critique session must be conducted within 60 days of the date of the passenger train emergency situation or full scale simulation.

(b) *Exceptions.* No debriefing and critique session shall be required in the case of an emergency situation involving only a collision between passenger railroad rolling stock and: a pedestrian; a trespasser; or a motor vehicle or other highway conveyance at a highway-rail grade crossing, provided that the collision does not result in: a passenger or employee fatality, or an injury to one or more crew members or passengers requiring admission to a hospital; or the evacuation of a passenger train.

(c) The debriefing and critique session shall be designed to determine, at a minimum:

- (1) Whether the on-board communications equipment functioned properly;
- (2) How much time elapsed between the occurrence of the emergency situation or full-scale simulation and notification to the emergency responders involved;
- (3) Whether the control center promptly initiated the required notifications;
- (4) How quickly and effectively the emergency responders responded after notification; and
- (5) How efficiently the passengers exited from the car through the emergency exits.

(d) Each railroad must maintain records of its debriefing and critique sessions at its system headquarters and applicable division headquarters for two calendar years after the calendar year to which they relate, including the following information: (i) Date and location of the passenger train emergency situation or full-scale simulation; (ii) Date and location of the debriefing and critique session; and (iii) Names of all participants in the debriefing and critique session. These records must be made available to representatives of FRA and States participating under part 212 of this chapter for inspection and copying during normal business hours.

Most commuter railroads already conduct at least one full-scale simulation every two



years. Amtrak conducts an average of six (6) full-scale simulations annually by request from various local emergency responders. A simulation that is not followed by proper debrief and critique sessions loses value. Information available to FRA indicates that commuter railroads already conduct debrief and critique sessions following emergency simulations and accidents. Commuter railroads maintain records of these sessions and use them to develop training courses and company bulletins. Amtrak normally debriefs train crews involved in emergencies informally. Amtrak does not ordinarily conduct formal critique sessions or keep records of debrief sessions.

Because Amtrak simulations and actual emergencies usually involve more passengers and crewmembers than commuter railroad simulations, its debrief and critique sessions usually require more effort. However, it is assumed that only half the compliance cost would be compulsory, because Amtrak already conducts informal debrief and critique sessions annually. In all, FRA estimates that there will be approximately 44 debrief and critiques sessions annually. Total annual burden for this requirement is 1,188 hours.

Respondent Universe: 25 railroads

Burden time per response: 27 hrs.

Frequency of Response: Annually

Annual number of Responses: 44 debrief/critique sessions

Annual Burden Hours: 1,188 hours

**Calculation:** 44 debrief/critique sessions x 27 hrs. = 1,188 hours

**Operational (efficiency) tests** (239.301)

Each railroad to which this part applies must periodically conduct operational (efficiency) tests of its on-board and control center employees to determine the extent of compliance with its emergency preparedness plan. Each railroad to which this part applies must maintain a record of the date, time, place, and result of each operational (efficiency) test that was performed in accordance with the above (paragraph (a)) section. Each record must also specify the name of the railroad officer who administered the test, the name of each employee tested, and sufficient information to identify the relevant facts relied on

for evaluation purposes. Each record required by paragraph (a) of this section must be retained at the system headquarters of the railroad and at the division headquarters for the division where the test was conducted for one calendar year after the end of the calendar year to which they relates. Each such record must be made available to representatives of FRA and States participating under part 212 of this chapter for inspection and copying during normal business hours.

An employee who has not been trained to react properly during an emergency situation may present a significant risk to railroad personnel and passengers. Currently, federal regulations require all railroads to conduct operational tests to determine compliance with their operating rules. It is expected that these operational tests will be revised to include some emergency preparedness planning questions. FRA estimates that approximately 25,000 operational (efficiency) tests will be conducted annually. It is estimated that it will take approximately 15 minutes for an employee to answer a couple of emergency preparedness planning questions included on the currently required operational tests and for a rail official to record the date, time, place, result, and name of the person taking the test. Total annual burden for this requirement is 6,250 hours.

Respondent Universe:

25  
railroads

Burden time per response:

15  
minutes

Frequency of Response:

Annually

Annual number of Responses: 25,000 tests/records

Annual Burden Hours: 6,250 hours

**Calculation:** 25,000 tests/records x 15 min. = 6,250 hours

Total annual burden for this entire information collection is 11,520 hours.

**13. Estimate of total annual costs to respondents.**

**RESPONDENT COST**

Additional costs to respondents besides the burden hour estimates listed above include the following:

\$ 1,181	Manufacture of interior decals
10,532	Manufacture of exterior decals
325	Postage
100	Copying charges
<u>2,778</u>	Miscellaneous
<b>\$ 14,916</b>	

**14. Estimate of Cost to Federal Government.**

The cost to the Federal government will be for reviewing the Emergency Preparedness Plans and any amendments submitted to FRA.

Within 90 days of receipt of each proposed emergency preparedness plan and within 45 days of receipt of each plan for passenger operations to be commenced after the initial deadline for plan submissions, FRA will conduct a preliminary review of the proposed plan to determine if the elements prescribed in § 239.101 are sufficiently addressed and discussed in the railroad’s plan submission. FRA will then notify the primary contact person of each affected railroad of the results of the review.

Within 18 months of receipt of each proposed plan and within 180 days of receipt of each proposed plan for passenger operations to be commenced after the initial deadline for plan submissions, FRA will conduct a comprehensive review of the conditionally approved plan to evaluate implementation of the elements included. This review will include ongoing dialogues with rail management and labor representatives, and field analysis and verification. FRA will then notify the primary contact person of each affected railroad of the results of the review.

Labor Rate used to estimate paperwork burden is \$85/hour, including 75% overhead.

**First year cost associated with this requirement:** An FRA, Office of Safety, Operating Practices Division (GS-13-5) employee will review EPP’s.

Labor (10 hours) x 1 submission  
\$850 x 1 submission = **\$850**

**Second and third year costs will be:** Ongoing dialogues w/ management & labor.

(2 1-hour sessions; 2 people FRA):	\$340
Field analysis/verification (1 person; 4 hrs.):	\$340
Notification of results (1 hr.):	<u>\$ 85</u>
	<b>\$765</b>

**Total Cost to Federal Government** **\$1,615**

**15. Explanation of program changes and adjustments.**

The burden for this information collection has increased by 610 hours. The change in burden is due solely to **adjustments**. The estimates for the following requirements resulted in burden increases:

(1.) Under § 239.13, FRA revised its estimate of the number of waiver requests that it will receive each year (from zero (0) to one (1)). This change in estimate *increased* the burden by *20 hours* (from zero (0) hours to 20 hours).

(2.) Under § 239.107(b), FRA revised its estimate of the number of window and door tests/records that will be conducted annually (from 1,800 to 3,000). This change in estimate *increased* the burden by *400 hours* (from 600 hours to 1,000 hours).

(3.) Under § 239.101/201/203(b), FRA revised its estimate of the number of amendments to Emergency Plans (from one (1) to five (5)). This change in estimate *increased* the burden by *38 hours* (from two (2) hours to 40 hours).

(4.) Under § 239.101(a)(5), FRA revised its estimate of the number of updated to Emergency Plans (from 22 to 25). This change in estimate *increased* the burden by *120 hours* (from 880 hours to 1,000 hours).

(5.) Under § 239.105, FRA revised its estimate of the number of debriefs/critique sessions (from 39 to 44). This change in estimate *increased* the burden by *135 hours* (from 1,053 hours to 1,188 hours).

(6.) Under § 239.301, FRA revised its estimate of the number of operational test/records completed (from 22,000 to 25,000). This change in estimate *increased* the burden by *750 hours* (from 5,500 hours to 6,250 hours).

Total burden *increases* then amount to *1,463 hours*.

The estimates for the following requirements resulted in burden decreases:

(1.) Under § 239.101(1)(ii), FRA revised its estimate of the number of updated lists/records in subsequent years (25 to zero (0)). This change in estimate *decreased* the burden by *13 hours* (from 13 hours to zero (0) hours).

(2.) Under § 239.101(a)(3), FRA revised its estimate of the number of first year coordinated plans (from 50 to zero (0)). This change in estimate *decreased* the burden by *800 hours* (from 800 hours to zero (0) hours).

(3.) Under § 239.101(a)(53), FRA revised its estimate of the number of emergency preparedness plans completed in the first year (from one (1) to zero (0)). This change in estimate decreased the burden by *40 hours* (from 40 hours to zero (0) hours).

Total burden *decreases* then amount to *853 hours*.

The current OMB inventory shows a burden total of 10,910 hours, while the present submission exhibits a total of 11,520 hours. Hence, there is a burden increase of 610 hours.

There is no change in cost to respondents since the last submission.

**16. Publication of results of data collection.**

FRA plans no publication of this information.

**17. Approval for not displaying the expiration date for OMB approval.**

Once OMB approval is received, FRA will publish the approval number for these information collection requirements in the Federal Register.

**18. Exception to certification statement.**

No exceptions are taken at this time.

Meeting Department of Transportation (DOT) Strategic Goals

This information collection supports the main DOT strategic goal, namely transportation safety. Without this collection of information, rail safety throughout the U.S. might be seriously jeopardized. Specifically, the number of accidents/incidents – such as

derailments, and collisions – and the severity of injuries might increase because railroads did not have an approved Emergency Preparedness Plan (EPP) and railroad employees did not respond adequately and in a timely fashion. Without an EPP and necessary amendments to an EPP, different categories of railroad workers would not know their roles and responsibilities in the event of a collision, derailment, or other emergency situations. They would not be totally familiar with their railroad's operations, rules, and procedures in the event of an emergency, and would be uninformed and untrained on a number of critically important issues such as communications, notifications by the control center, emergency responder liaison, joint operations with another railroad, special circumstances, passenger safety awareness, and on-board safety equipment. Such a lack of training and knowledge would inevitably result in confusion, delays, inadequate response measures, and thus higher fatalities and more severe injuries to train crews and passengers. Because of this information collection, FRA reviews and approves the EPPs of covered railroads. Consequently, it can ensure that railroads have comprehensive emergency preparedness plans; can ensure that railroads do not cut corners on different aspects of their EPP; and can ensure that railroad employees receive training dealing with various types of emergency situations.

The collection of information contributes to rail safety by ensuring that railroads mark emergency exits and doors properly. Without clear and understandable instructions and markings at or near such exits, passengers would not know how and where to exit the train quickly after a collision, derailment, or other emergency. Especially under conditions of poor visibility, door and window exits conspicuously and legibly marked with luminescent material on the inside of the car would be crucial for passengers to promptly and safely leave the train. Also, if door/window exits for emergency access by emergency responders were not marked with a retro-reflective material, emergency responders might be impeded or delayed in safely extricating train crews and passengers in an accident that occurred at night or in fog. The consequence of any hindrance or delay might be greater injuries and deaths.

The collection of information also contributes to rail safety by ensuring that emergency responders participate periodically in emergency response simulations. Without such training and practice sessions, emergency responders might experience unnecessary difficulty in safely and quickly removing train crews and passengers from a train involved in a collision or derailment. A delay of even a few minutes might mean the difference between minor or serious injury and, more importantly, might mean the difference between life and death to train crews and passengers.

Additionally, the collection of information contributes to rail safety because FRA can verify that railroads carry out scheduled inspections, maintenance, and repair of emergency window and door exits. Under this rule, all covered railroads are required to test a representative sample of emergency window exits on its cars once every 180 days to verify their proper operation, and are required to repair a defective unit before

returning the car to service. Since each railroad operating passenger service is required to maintain records of its inspection, maintenance, and repair of emergency window and door exits at its system headquarters and applicable division headquarters, FRA inspectors can readily check these records to make sure railroads are fulfilling their responsibilities. Doors and window exits that were not working could result in more severe injuries and greater loss of life in the event of a grave emergency. In the investigation of an accident/incident, these records are an invaluable resource in helping to determine exactly what happened and may serve to highlight deficiencies that can be corrected so as to prevent future occurrences.

Furthermore, the collection of information contributes to rail safety because FRA can verify that railroads conduct debriefing and critique sessions after each emergency passenger situation or full scale simulation where there is a passenger or employee fatality, or an injury to one or more crewmembers or a passenger involving admission to a hospital, or the evacuation of a passenger train. FRA reviews required debriefing and critique session records to verify that railroads were able to determine, at a minimum, whether the on-board communications equipment functioned properly; the elapsed time between the occurrence of the emergency situation/simulation and notification to emergency responders involved; whether the control center promptly initiated the required notifications; how quickly and effectively the emergency responders reacted after notification; and the efficiency of passenger egress from the car through the emergency exits. Because FRA reviews these records, it can confirm that railroads improve/amend their emergency preparedness plans, as appropriate, based on the information developed from these debriefing and critique sessions. Without these essential sessions and accompanying records, FRA and railroads could not detect emergency response deficiencies and could not develop necessary corrective measures. This could result in greater injuries and loss of life in future emergency situations.

Lastly, the collection of information contributes to rail safety because FRA can verify that railroads conduct operational (efficiency) tests and keep records of these tests. FRA reviews these test records, which are essential to determining the extent of employee compliance with each railroad's emergency preparedness plan (EPP), to ensure that covered railroads conduct the required tests of their on-board and control center employees. In the event of an accident/incident, FRA can examine the test records of various employees to ascertain who the railroad officer was who administered the operational (efficiency) test to a particular employee and the relevant information relied on for that employee's evaluation. Without such tests and records, FRA and railroads would have no way of knowing whether or to what extent railroad workers complied with their employer's EPP, or whether and to what extent on-board and control center employees actually complied with their railroad's EPP. As a consequence, railroads would have to hope that these employees knew what to do in emergency situations and that they responded appropriately and quickly. The required records give FRA another tool to ensure that train crews and emergency responders will react appropriately and

quickly to extract passengers in emergency situations. This will not only help to reduce the extent of injuries to passengers and crews but also save lives.

In summary, this collection of information enhances railroad safety by providing an additional layer of protection through which the agency can closely monitor railroads full compliance with all the requirements of Passenger Train Emergency Preparedness regulation. It furthers DOT's goal of promoting the public health and safety by working toward the elimination of transportation-related deaths, injuries, and property damage.

In this information collection, as in all its information collection activities, FRA seeks to do its utmost to fulfill DOT Strategic Goals and to be an integral part of One DOT.