

**1 11111FEDERAL RAILROAD ADMINISTRATION**  
**Safety Appliance Guidance Checklist Forms**  
**(Title 49 Code of Federal Regulations Part 231)**  
**SUPPORTING JUSTIFICATION**  
**OMB Control No. 2130-0565**

Summary of Submission

- This submission is a request for a revision of the last three-year approval granted by the Office of Management and Budget (OMB) on September 13, 2019, and which expires September 30, 2022.
- The Federal Railroad Administration (FRA) published the required 60-day *Federal Register* Notice on July 22, 2020. See 85 FR 44359. FRA received no comments in response to this Notice.
- The total number of burden hours requested for this information collection is 142 hours. The total number of burden hours previously approved by OMB was 121 hours.
- The total number of responses requested for this information collection is 142. The total number of responses previously approved by OMB was 121.
- Program changes increased the burden by 21 hours and 21 responses.
- The answer to question number 12 itemizes information collection requirements.
- The answer to question number 15 itemizes adjustments.
- There are no adjustment changes at this time.

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

FRA and State inspectors monitor the safety of railroads in the United States, including freight, passenger, and commuter rail operations. To accommodate this magnitude and complexity, FRA employs inspectors in five separate disciplines of expertise (Hazardous Materials, Motive Power & Equipment (MP&E), Operating Practices, Signal & Train Control, and Track) nationwide. These inspector resources are very limited and are supplemented by inspectors employed by states that choose to participate in FRA's inspection program. Currently, there are approximately 130 Federal and State inspectors who handle MP&E safety issues, including the inspection of newly built freight cars.

There are approximately 10 freight car manufacturers, plus another five railroads/one-time contractors/sub-contractors that engage in freight car construction. Each year, there

are approximately 30 to 50 different types of freight cars built by these manufacturers. Each type of car must be inspected for compliance with Federal safety regulations (49 CFR Part 231, “Railroad Safety Appliance Standards.”). When Part 231 was first promulgated in December of 1968, the regulation included safety appliance standards for many of the standard or common freight car types at that time. Since then, the freight car manufacturing industry has expanded to include additional car build types that are not explicitly governed by Part 231. However, Section 231.18 covered “cars of special construction” and allowed these new car build types to be covered under the next closest car type. This has sometimes led to ambiguity as to what the next closest car type is.

As a result, the Association of American Railroads (AAR) developed more detailed industry standards for the safety appliance arrangements of all the various freight car types. In 2013, AAR petitioned the FRA, seeking special approval for the standards and specifications delineated in AAR Standard S-2044, “Safety Appliance Requirements for Freight Cars,” and the 11 Appendices referenced within that standard, for newly built cars in addition to the basic requirements outlined in Part 231. Each Appendix of AAR S-2044 covered a specific car build type. In 2014, FRA’s Railroad Safety Board granted AAR special approval to adopt S-2044 for newly built cars.

In an ongoing effort to conduct more thorough and more effective inspections of newly built railroad freight equipment (cars) to the S-2044 standard, FRA developed a group of Safety Appliance Checklist Forms (FRA F6180.161(A)-(K)) that served to facilitate railroad, rail car owner, and rail equipment manufacturer compliance with agency railroad safety appliance standards regulations and industry standards. As of January 2020, AAR has updated Standard 2044 (S-2044), and has received FRA special approval, to include seven new types of cars. In response to AAR’s update, FRA is proposing adding seven new forms, Forms FRA F6180.161(L)-(R), to the Safety Appliance Checklist Forms to cover these new types of cars.

In sum, FRA has utilized the existing forms nationwide so that FRA and State MP&E inspectors have an immediate, visual method to ensure that different types of newly constructed freight cars conform/are compliant with all requirements of the relevant section of Part 231, as well as industry standard AAR S-2044.

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

This is a revision to a current collection of information associated with FRA’s Part 231. Specifically, FRA is updating the existing 11 Safety Appliance Checklist Forms that are designated as Forms FRA F 6180.161(A)-(K) to reflect editorial changes that were made to AAR S-2044.<sup>1</sup> Additionally, FRA is proposing seven new Safety Appliance Checklist Forms that are designated as Forms FRA F 6180161(L)-(R) to cover these new types of cars that have been added to AAR S-2044.

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<sup>1</sup> The editorial changes are listed under question 12.

The information collected is used by FRA and State inspectors to conduct more thorough and effective sample car inspections of the various types of new rail freight cars constructed at manufacturing facilities. These checklist forms are also used by FRA customers, notably equipment builders, car owners, and railroads as well as State inspectors working with FRA. In particular, the existing and proposed new checklist forms FRA F 6180.161(A-R) will be used to reduce burden on respondents while also facilitating a comprehensive and complete inspection. These checklist forms provide a standardized format that can be used by FRA inspectors and customers to conduct sample car inspections for various new types of cars. For instance, they provide the specific standard spelled out in the AAR S-2044 Appendix for that type of new freight car and, thereby, greatly reduce the amount of time necessary to conduct the inspections/reviews to ensure compliance. Through a checklist form of this nature, the customer has a visual representation of inspection approval requirements, which eliminates the potential of missing information that would then cause additional letters to complete the incoming package. The checklist forms enable FRA to carry out a cursory review of the provided information to ensure that the package is complete without having to constantly compare the request letter to the supplied documents.

Further, the checklist forms transmit vital information to freight car builders, owners, and railroads when exceptions are taken or provide clarity to these organizations that certain freight equipment meets or does not meet the requirements spelled out in Part 231 and AAR S-2044.

In sum, FRA believes the use of these carefully developed forms contributes to improved construction of newly designed freight cars by clearly delineating the requirements of AAR S-2044 for car builders and by improved field inspections of all freight cars currently in use by reducing, if not eliminating, the common problem of inconsistent inspections due to the misinterpretation of the Part 231 regulations/AAR S- 2044 requirements by FRA and State field MP&E safety inspectors.

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

FRA strongly encourages the use of advanced information technology, wherever feasible, to reduce burden on respondents. In keeping with the requirements of the Paperwork Reduction Act and the Government Paperwork Elimination Act, FRA has placed all of the latest Safety Appliance Guidance Checklist Forms on its Website for the convenience of users in a PDF fillable format, so that each form can readily be filled-out electronically and electronically transmitted to the agency. According to FRA's subject matter expert, approximately 95 percent of these forms are completed electronically.

**4. Efforts to identify duplication.**

To our knowledge, the information collection requirements are not duplicated anywhere.

Similar data are not available from any other source at this time.

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

The collection of information has an extremely minimal or no effect on small businesses/other small entities. As mentioned earlier, there are approximately 10 freight car manufacturers and an additional five railroads/one-time contractors/sub-contractors that engage in freight car construction. The total number of entities involved in the manufacture or re-manufacture (of the approximately 30 to 50 different types of freight cars) is a small one (15). Most of this limited number of manufacturers and other entities, railroads are large size business concerns. As in the previous Safety Appliance Checklist forms, the latest Safety Appliance Guidance Checklist Forms are used by FRA and State MP&E safety inspectors to conduct more efficient, consistent, and effective sample car inspections, as well as more efficient, consistent, and effective inspections of freight cars currently in use. Moreover, these forms are used to transmit/convey vital information to freight car builders, owners, and railroads when exceptions are taken or to provide clarity to these organizations that the equipment meets or does not meet the regulatory requirements spelled out in Part 231 and AAR S-2044.

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

If this information were not conducted or were conducted less frequently, FRA's national rail safety program would be adversely impacted. Specifically, without this collection of information, FRA would have no means to ensure that FRA and State MP&E safety inspectors thoroughly and consistently inspect various types of newly built and re-manufactured freight cars (sample cars) to determine that they fully conform to the specific requirements in Part 231 and AAR S-2044 before they are placed in service. Without these forms, it is highly probable that FRA and State MP&E inspectors would continue to miss defects and deficiencies in newly constructed and retrofit re-manufactured freight cars because there is no other systematic and methodical way to check that each item on that type of car fully conforms to the appropriate section of the Appliance Standards regulation and AAR S-2044. Without this collection of information, then, there is an increased risk that the nation's railroads may place into service freight cars with defects and deficiencies. This could lead to greater numbers of accidents/incidents (e.g., derailments, collisions, mechanical breakdowns), which could cause greater casualties (severe injuries and fatalities) to American railroad workers.

In sum, this collection of information supports FRA's primary mission to promote and enhance national rail safety. FRA believes that performing the required freight car inspections more effectively, more accurately, more consistently, and more efficiently contributes to achieving this goal.

**7. Special circumstances.**

All other information collection requirements are in compliance with this section.

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

As required by the Paperwork Reduction Act of 1995 (PRA) and 5 CFR 1320, FRA published a notice in the *Federal Register* on July 22, 2020, soliciting comment on these information collection requirements from the public, railroads, and other interested parties. See 85 FR 44359. FRA received no comments in response to this Notice.

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

There are no monetary payments provided or gifts made to respondents associated with the information collection requirements of these forms.

**10. Assurance of confidentiality.**

No assurances of confidentiality were made by FRA. Information collected is not of a private nature.

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

There are no questions or information of a sensitive nature or data that would normally be considered private matters contained in this collection of information.

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

The respondent universe for all Rail Safety Equipment Checklist Forms is mainly FRA Customers (i.e., Equipment Car Builders/Owners/ Railroads) and State Inspectors, totaling approximately 130. FRA Federal Inspectors also use these forms. Of note, under the PRA, there is no burden associated with the use of these regular duty forms for FRA Federal Inspectors, and the total burden requested below accounts for FRA Customers/State Inspectors only.

Additionally, FRA is using an average hourly rate for State employees of \$61.20 per hour (\$34.97 per hour plus 75-percent overhead charge) based on data from the U.S. Department of Labor Statistics, Occupational Employment and Wages, May 2017, OES 11-3011, <https://www.bls.gov/oes/2017/may/oes113011.htm>.

The burden associated with each of the Safety Appliance Guidance Checklist Forms is calculated as follows:

CFR Section	Respondent universe	Total Annual	Average time per	Total annual	Total cost equivalent	Section Analyses and Estimates
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		responses (A)	responses (B)	burden hours (C) = A * B	(D) = C * wage rate of \$61.20	
Form FRA F 6180.161A – Safety Appliance Guidance Checklist Forms (S-2044 Appendix A-1)	Car manufacturers/ State Inspectors	20 forms	60 minutes	20 hours	\$1,224	This checklist form is used as a safety appliance guidance checklist to determine—in an efficient and thorough way—whether newly built sample cars for box cars and other house cars without roof hatches meet the requirements of AAR Standard 2044 (AAR S-2044) Appendix A-1 and Part 231.  <u>Editorial changes made:</u> “slip-resistant” replaced “antiskid” and “sufficient” replaced “at least 50%.”
Form FRA F 6180.161B – Safety Appliance Guidance Checklist Forms (S-2044 Appendix B-1)	Car manufacturers/ State Inspectors	7 forms	60 minutes	7 hours	\$428	This checklist form is used to ensure that safety appliances for covered hopper cars and other house cars without roof hatches conform to the requirements of AAR S-2044 Appendix B-1.  <u>Editorial changes made:</u> “slip-resistant” replaced “antiskid” and “sufficient” replaced “at least 50%.”
Form FRA F 6180.161C – Safety Appliance Guidance Checklist Forms (S-2044 Appendix C-1)	Car manufacturers/ State Inspectors	15 forms	60 minutes	15 hours	\$918	This checklist form is used to ensure that safety appliances for bulkhead flat cars with high bulkheads conform to the requirements of AAR S-2044 Appendix C-1.  <u>Editorial changes made:</u> “slip-resistant” replaced “antiskid” and “sufficient” replaced “at least 50%.”
Form FRA F 6180.161D – Safety Appliance Guidance Checklist Forms (S-2044 Appendix D-2)	Car manufacturers/ State Inspectors	15 forms	60 minutes	15 hours	\$918	This checklist form is used to ensure that safety appliances for cars of well or spine construction with side mounted hand brakes conform to the requirements of AAR S-2044 Appendix D-2.  <u>Editorial changes made:</u> A new check box added (4.2.4); “running boards” replaced “walkways”; and “slip-resistant”

						replaced “antiskid.”
Form FRA F 6180.161E – Safety Appliance Guidance Checklist Forms (S-2044 Appendix D-3)	Car manufacturers/ State Inspectors	15 forms	60 minutes	15 hours	\$918	This checklist form is used to ensure that safety appliances for cars of well or spine construction with end-mounted hand brakes conform to the requirements of AAR S-2044 Appendix D-3.  <u>Editorial changes made:</u> “running boards” replaced “walkways” and “slip-resistant” replaced “antiskid.”
Form FRA F 6180.161F – Safety Appliance Guidance Checklist Forms (S-2044 Appendix D-4)	Car manufacturers/ State Inspectors	10 forms	60 minutes	10 hours	\$612	This checklist form is used to ensure that safety appliances for flatcars constructed for chain-tie down service conform to the requirements of AAR S-2044 Appendix D-4.  <u>Editorial changes made:</u> “slip-resistant” replaced “antiskid”.
Form FRA F 6180.161G – Safety Appliance Guidance Checklist Forms (S-2044 Appendix E-1)	Car manufacturers/ State Inspectors	3 forms	60 minutes	3 hours	\$184	This checklist form is used to ensure that safety appliances for tank cars with side ladders and high end-mounted hand brakes conform to the requirements of AAR S-2044 Appendix E-1.  <u>Editorial changes made:</u> added “High End-Mounted Hand Brakes” to title of Appendix E-1; a new checkbox section added (4.2.3); first sentenced under 6.2.1 changed to “End running boards shall conform to the requirements of Standard S-22”; “running board” replaced “platform”; “slip-resistant” replaced “antiskid”; “sufficient clear opening” replaced “at least 50% clear opening”; and “transverse end running boards” replaced “end platforms.”
Form FRA F 6180.161H – Safety Appliance Guidance Checklist Forms (S-2044 Appendix E-2)	Car manufacturers/ State Inspectors	3 forms	60 minutes	3 hours	\$184	This checklist form is used to ensure that safety appliances for tank cars with end ladders and high end-mounted hand brakes conform to the requirements of AAR S-2044 Appendix E-2.  <u>Editorial changes made:</u> added “and High End-Mounted Hand

						Brakes” to title of Appendix E-2; added new check box (4.2.3); first sentence under 6.2.1 changed to “End running boards shall conform to the requirements of Standard S-22”; the sentence “The 24 in. minimum spacing does not apply between intermediate supports and the ladder stiles” was added under 7.4.3; “longitudinal” added in where necessary; “running board” replaced “platform”; “slip-resistant” replaced “antiskid”; “sufficient clear opening” replaced “at least 50% clear opening”; and “transverse end running boards” replaced “end platforms.”
Form FRA F 6180.161I – Safety Appliance Guidance Checklist Forms (S-2044 Appendix F-1)	Car manufacturers/ State Inspectors	20 forms	60 minutes	20 hours	\$1,224	This checklist form is used to ensure that safety appliances for open-top hopper cars and high side gondola cars conform to the requirements of AAR S-2044 Appendix F-1.  <u>Editorial changes made:</u> the first sentence under sections 4.1 and 5.1 changed to “There shall be not less than 4 side handholds near each end on each side of the car”; other minor edits: “slip-resistant” replaced “antiskid” and “sufficient” replaced “at least 50%.”
Form FRA F 6180.161J – Safety Appliance Guidance Checklist Forms (S-2044 Appendix F-2)	Car manufacturers/ State Inspectors	3 forms	60 minutes	3 hours	\$184	Form FRA F 6180.161(J) is used to ensure that safety appliances for low-side and hinged-end gondola cars and bulkhead flat cars with low bulkheads conform to the requirements of AAR S-2044 Appendix F-2.  <u>Editorial changes made:</u> “hinged-end” replaced “drop-end”; “slip-resistant” replaced “antiskid”; and “end platform” was removed from the first sentence under 6.0.
Form FRA F 6180.161K – Safety Appliance	Car manufacturers/ State Inspectors	10 forms	60 minutes	10 hours	\$612	Form FRA F 6180.161(K) is used to ensure that safety appliances for coil cars conform to the requirements of AAR S-2044



Guidance Checklist Forms (S-2044 Appendix G-1)						Appendix G-1.  <u>Editorial changes made:</u> added new check box (4.2.4); “running boards” replaced “walkways”; “slip-resistant” replaced “antiskid” and “sufficient” replaced “at least 50%”.
Form FRA F 6180.161L – Safety Appliance Guidance Checklist Forms (S-2044 Appendix D-1) – <b>New Form</b>	Car manufacturers/ State Inspectors	3 forms	60 minutes	3 hours	\$184	This new checklist form will be used to ensure that safety appliances for flatcars (New) with full decks conform to the requirements of AAR S-2044 Appendix D-1.
Form FRA F 6180.161M – Safety Appliance Guidance Checklist Forms (S-2044 Appendix E-3) – <b>New Form</b>	Car manufacturers/ State Inspectors	3 forms	60 minutes	3 hours	\$184	This new checklist form will be used to ensure that safety appliances for tank cars with side ladders and low side-mounted hand brakes conform to the requirements of AAR S-2044 Appendix E-3.
Form FRA F 6180.161N – Safety Appliance Guidance Checklist Forms (S-2044 Appendix E-4) – <b>New Form</b>	Car manufacturers/ State Inspectors	3 forms	60 minutes	3 hours	\$184	This new checklist form will be used to ensure that safety appliances for tank cars with end ladders and low side-mounted hand brakes conform to the requirements of AAR S-2044 Appendix E-4.
Form FRA F 6180.161O – Safety Appliance Guidance Checklist Forms (S-2044 Appendix F-3) – <b>New Form</b>	Car manufacturers/ State Inspectors	3 forms	60 minutes	3 hours	\$184	This new checklist form will be used to ensure that safety appliances for cars with recessed car body ends conform to the requirements of AAR S-2044 Appendix F-3.
Form FRA F 6180.161P – Safety Appliance Guidance Checklist Forms (S-2044 Appendix F-4) –	Car manufacturers/ State Inspectors	3 forms	60 minutes	3 hours	\$184	This new checklist form will be used to ensure that safety appliances for side-dump cars conform to the requirements of AAR S-2044 Appendix F-4.

<b>New Form</b>						
Form FRA F 6180.161Q – Safety Appliance Guidance Checklist Forms (S-2044 Appendix H-1) – <b>New Form</b>	Car manufacturers/ State Inspectors	3 forms	60 minutes	3 hours	\$184	This new checklist form will be used to ensure that safety appliances for enclosed vehicle-carrying cars and vehicle-carrying superstructures applied to flatcars conform to the requirements of AAR S-2044 Appendix H-1.
Form FRA F 6180.161R – Safety Appliance Guidance Checklist Forms (S-2044 Appendix J-1) – <b>New Form</b>	Car manufacturers/ State Inspectors	3 forms	60 minutes	3 hours	\$184	This new checklist form will be used to ensure that safety appliances for rail-compatible vehicles conform to the requirements of AAR S-2044 Appendix J-1.
Total	N/A	142 responses	N/A	142 hours	\$8,694	

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

There are no additional costs to respondents other than those identified in Item12 above.

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

The total cost to the Federal government amounts to \$240,609 (one full-time GS-14-5 employee who manages the Sample Car program and receives/reviews all Safety Appliance Guidance Checklist forms; \$137,491 times an overhead cost of 75-percent).

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

The current OMB inventory displays a total burden of 121 hours and 121 responses, while the present submission exhibits a burden total of 142 hours and 142 responses. Hence, there is no change in burden from the last approved submission. Overall, the burden for this submission has increased by 21 hours and by 21 responses due to a program change.

The addition of the seven Safety Appliance Checklist Forms (FRA F 6180161(L)-(R)) is necessary to accurately reflect and cover the new car types that have been added to AAR S-2044 standard over the years.

**Table for Program Change**

FRA Form Numbers	Total Annual Responses			Total Annual Burden Hours		
	Previous	Current	Difference	Previous	Current	Difference
	Submission	Submission		Submission	Submission	
Form FRA F 6180.161l (new form)	0	3 forms 1 hour	3 responses	0	3 hours	3 hours
Form FRA F 6180.161m (new form)	0	3 forms 1 hour	3 responses	0	3 hours	3 hours
Form FRA F 6180.161n (new form)	0	3 forms 1 hour	3 responses	0	3 hours	3 hours
Form FRA F 6180.161o (new form)	0	3 forms 1 hour	3 responses	0	3 hours	3 hours
Form FRA F 6180.161p (new form)	0	3 forms 1 hour	3 responses	0	3 hours	3 hours
Form FRA F 6180.161q (new form)	0	3 forms 1 hour	3 responses	0	3 hours	3 hours
Form FRA F 6180.161r (new form)	0	3 forms 1 hour	3 responses	0	3 hours	3 hours
Total	0	21 responses	21 responses	0	21 hours	21 hours

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

There are no plans for publication of this submission. The data will be used to conduct more thorough, more consistent, more efficient, and more effective inspections of rail freight equipment by FRA and State Safety inspectors.

**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.

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.