

**11 FEDERAL RAILROAD ADMINISTRATION**  
**Railroad Operating Rules**  
**(Title 49 Code of Federal Regulations Parts 217 and 218)**  
**SUPPORTING JUSTIFICATION**  
**OMB Control No. 2130-0035**

Summary of Submission

- This is an extension with change to the above last approved information collection submission cleared by OMB on February 23, 2018, which expires on February 28, 2021.
- The Federal Railroad Administration (FRA) published the required 60-day Federal Register Notice on September 11, 2020. See 85 FR 56286. FRA received no comments in response to this Notice.
- Total number of burden hours requested for this submission is 763,236 hours. The total number of burden hours previously approved by OMB was 4,791,614 hours.
- Total number of responses requested for this submission is 9,218,371. Total number of responses previously approved for this submission was 188,591,224.
- Overall, the adjustments decreased the burden by 4,028,378 hours and decreased responses by 179,372,853 after a thorough review of the data.
- The answer to question number 12 itemizes information collection requirements
- The answer to question number 15 itemizes adjustments.
- There are no program changes at this time to this submission.

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

FRA has always been concerned with the frequency of human factor caused accidents. When these accidents are reported, the reporting railroad is required to cite the cause(s) of the accident. In the case of a human factor caused accident, an employee is typically associated with a failure to abide by one or more railroad operating rules. FRA issued a final rule in 2008. That final rule required a railroad to revise its program of operational tests and inspections and required greater oversight of railroad testing officers to ensure that they are qualified to perform their duties and are focusing their tests to reduce accidents. It also required that each railroad's operating rules meet certain minimum standards for handling of equipment, switches and derails, especially during shoving movements.

The Federal Railroad Safety Act of 1970, as codified at 49 U.S.C. 20103, provides that “[t]he Secretary of Transportation, as necessary, shall prescribe regulations and issue orders for every area of railroad safety supplementing laws and regulations in effect on October 16, 1970.” The Secretary’s responsibility under this provision and the balance of the railroad safety laws have been delegated to the Federal Railroad Administrator. See 49 CFR 1.49(m).

FRA believes that establishing greater accountability for implementation of sound operating rules is necessary for safety. FRA initiated and finalized that rulemaking because it has recognized that human factor train accidents comprise the largest single category of train accident causes.

FRA has monitored compliance with those requirements through appropriate inspections and audits, and when necessary will be assessing appropriate civil penalties to assure compliance. This collection of information holds railroad management accountable for putting in place appropriate rules, instructions, and programs of operational tests. It also holds railroad supervisors accountable for doing their part to administer operational tests and establish appropriate expectations with respect to rules compliance. Finally, railroad employees are held accountable for complying with specified operating rules, and have a right of challenge should they be instructed to take actions that, in good faith, they believe would violate those rules. That framework of accountability will promote good discipline, prevent train accidents, and reduce serious injuries to railroad employees.

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

This is an extension with change to a current collection of information entirely associated with FRA’s Parts 217 and 218 safety rules. The information collected is used by FRA to enhance rail safety and reduce the number and severity of accidents/incidents and corresponding injuries, fatalities, and property damage caused by human factors in the daily operation of the nation’s railroads.

FRA reviews the filed copies of the code of operating rules, timetables, and timetable special instructions submitted by Class I, Class II, the National Railroad Passenger Corporation (Amtrak), and railroads providing commuter service in metropolitan or suburban areas to ensure that these railroads have developed safe operating rules and practices before commencing operations. Additionally, FRA reviews amendments to the code of operating rules, new timetables, and new timetable special instructions submitted by Class I, Class II, and railroads providing commuter service in metropolitan or suburban areas to attest that changes contemplated by these railroads are safe, necessary, and accord with Federal laws and regulations. FRA reserves the right to inspect Class III railroads’ code of operating rules, new timetables, and new timetable special instructions,

as well any amendments thereto, at their system headquarters to ensure that they have developed safe operating rules and practices that conform to Federal laws and regulations.

Railroad officers must be qualified on the railroad's operational rules and testing program and procedures relevant to the testing the officer will conduct; and must receive appropriate field training, as necessary, to achieve proficiency, on each operational test that the officer is authorized to conduct. This information is used by railroads and FRA to ensure that all railroad testing officers on a particular railroad are properly qualified.

Written records documenting the qualifications of each railroad testing officer must be retained at the railroad's system headquarters and division headquarters for each division where the officer is assigned and made available to representatives of FRA for inspection and copying during normal business hours. Each railroad to which this Part applies must also keep a record of the date, time, place, and result of each operational test and inspection that was performed in accordance with its program. Each record must also specify the officer administering the test and inspection and each employee tested under this section. Railroads use this information to monitor the proficiency of their employees and to obtain greater compliance with their operating rules. FRA uses these records to ensure and enforce compliance with this regulation, and analyzes records of these tests to determine the extent these tests and inspections conform to the railroad's written program of operational tests and inspections.

Each railroad to which this Part applies must periodically instruct each affected employee on the meaning and application of the railroad's operating rules in accordance with a written program retained at its systems headquarters and at the division headquarters for each division where the employee is instructed. The railroads use this information to ensure that their employees are qualified and that they understand their duties and responsibilities vis-a-vis the railroad's current operating rules/any changes to their current operating rules. FRA inspectors examine the written program of new railroads' operating rules and amendments to existing railroads' operating rules to verify that their rules conform to Federal safety laws and regulations.

Affected railroads must retain written records documenting the instruction, examination, and training of each employee at their system headquarters and at the division headquarters for each division where the employee is assigned, and must make these records available to representatives of FRA for inspection and copying during normal business hours. FRA inspectors review these records to ensure that railroad employees are qualified for the duties that they are performing. In the event of an accident/incident, FRA can quickly ascertain whether an unqualified employee performed safety-sensitive work.

Each employer is responsible for the training and compliance by its employees with the

requirements of this subpart. Each employer must adopt and implement written procedures which guarantee each employee the right to challenge in good faith as to whether the procedures that will be applied to accomplish a specific task comply with the requirements of this subpart or any operating rule relied upon to fulfill the requirements of this subpart. Each employer's written procedures must provide for prompt and equitable resolution of challenges made in accordance with this part. Also, a copy of the written procedures must be provided to each affected employee and made available for inspection and copying by representatives of FRA during normal business hours. Information under this requirement is used by railroad officials and railroad employees to improve understanding of procedures and to enhance dialogue and clear communication between railroad officials and their employees in safely carrying out orders related to operating rules.

Rolling stock must not be shoved or pushed until the locomotive engineer has participated in a job briefing by the employee who will direct the move. This employee must also describe, as part of the job briefing, the means of communication to be used and how protection will be provided. This information is used to facilitate better communication between train employees and other employees who are directing shoving or pushing movements. In particular, employees know clearly the method of communication to be used in such movements, whether radio, hand signals, or pitch and catch. Such briefings are designed and are used to ensure that employees working together understand the task they intend to perform and know exactly what role is expected of them and their colleagues.

Each railroad must have in effect an operating rule which establishes minimum requirements for preventing equipment from fouling connecting tracks unsafely, and each railroad must implement procedures that will enable employees to identify when the equipment is fouling. Additionally, each railroad officer, supervisor, and employee must uphold and comply with the rule. The information is used by railroads to delineate the steps their employees must follow to avoid fouling connecting tracks unsafely, and is used by railroad employees to better understand and perform their duties in a more effective and safe manner.

Railroads are required to adopt operating rules which meet the minimum requirements set forth in this rule concerning hand-operated switches, including cross-over switches. Railroads must specify minimum requirements necessary for an adequate job briefing. Further, employees operating or verifying the position of a hand-operated switch must: (1) Conduct job briefings, before work is begun, each time a work plan is changed, and at completion of the work; (2) Be qualified on the railroad's operating rules relating to the operation of the switch; (3) Be individually responsible for the position of the switch in use; (4) Visually determine that switches are properly lined for the intended use; (5) Visually determine that points fit properly and the target, if so equipped, corresponds with the switch's position; (6) Before making movements in either direction over the

switch, ensure the switch is secured from unintentional movement of the switch points; (7) Ensure that a switch is not operated while rolling and on-track maintenance-of-way equipment is standing or moving over the switch; and (8) Ensure that when not in use, each switch is locked, hooked or latched, if so equipped. There are also additional requirements for hand-operated main track switches.

The information required under these sections are used by FRA to ensure railroads highlight the importance of properly handling switches and to ensure that those employees performing such operations are fully qualified and knowledgeable regarding the tasks they are called on to perform. Frequent job briefings are used by railroad supervisors and employees to focus greater attention on properly setting and then reversing operating switches in order to keep track safe for trains and other railroad equipment.

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

FRA strongly endorses and highly encourages the use of advanced information technology, wherever possible, to reduce burden. Accordingly, FRA has authorized each railroad to which this Part applies the option of retaining the information prescribed in § 217.9 (d) and § 217.9 (f) by means of by electronic recordkeeping. This includes the written program of operational tests and inspections as well as the records of the date, time, place, and result of individual operational tests and inspections performed in accordance with the railroad's operating rules program. This also includes the annual summary of operational tests and inspections.

FRA has authorized each railroad to which this Part applies the option of retaining by electronic recordkeeping its program for the periodic instruction of its operating rules under § 217.11, provided the stipulated requirements in § 217.9(e)(1) through (e)(5) are met. Also, the records of instruction, examination, and training required under (new) § 218.95(a)(5) can be retained electronically, as long as they are kept in accordance with §§ 217.9(g) and 217.11(c). Finally, under § 218.97(c)(1), railroad employees have the option of documenting electronically or in writing any protest to a direct order, and under § 218.97(d)(3), copies of records regarding good faith challenge verification decisions may be stored electronically if they are kept in accordance with the electronic recordkeeping standards set forth in § 217.9(g)(1) through (g)(5) of this chapter. Thus, approximately 43 percent of total responses may be kept electronically by railroads and their employees.

### **4. Efforts to identify duplication.**

The information collection requirements are not duplicated anywhere to our knowledge.

Similar data is not available from any other source.

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

Background

Small railroads were consulted frequently during the RSAC Working Group deliberations relating to the development of the final rule in 2008, and a subgroup addressing their needs was formed, met, and contributed to FRA's understanding of their concerns. The impact on small entities was considered throughout the development of that final rule. The single greatest concern of small railroads was that the Switch Position Awareness Form (SPAF) required by FRA's Emergency Order (E.O.) No. 24 was unduly burdensome. FRA eliminated the requirement for a SPAF in the final rule, which replaced E.O. 24 upon its effective date.

The biggest costs of the final rule was related to the publication of the changed language, and management of the operating rules programs. The rule had even less impact on small entities, as they were excused from most of the burdens which regulate management of their operating rules testing programs. Additionally, while FRA amended § 217.9 to require railroads to focus programs of operational tests and inspections on those operating rules that cause or are likely to cause the most accidents/incidents, it excepted small railroads with less than 400,000 employee work hours annually from the required quarterly and six-month reviews to further reduce burden on small (Class III) railroads.

In the economic analysis accompanying the final rule, FRA certified that this rule will not have significant economic impact on a substantial number of small entities (railroads).

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

This information collection supports the top DOT strategic goal, namely transportation safety. Without this collection of information, the number of accidents/incidents and the severity of injuries might increase because railroad employees were not familiar with the railroad's current operating rules, timetables, and timetable special instructions.

The collection of information promotes safety by providing FRA an opportunity to review and monitor railroads' operating rules and any amendments thereto to ensure full compliance with Federal laws and regulations. The collection of information promotes safety by providing FRA oversight to ensure that railroads conduct the required operational tests and inspections. Moreover, the collection of information promotes safety by ensuring that railroad workers are properly trained concerning the railroad's current operating rules, timetables, and timetable special instructions.

The collection of information, notably the written summaries on operational tests and

inspections required of railroads with more than 400,000 man-hours per year, further enhances rail safety by providing a valuable resource that FRA and other investigating agencies can use in determining the cause(s) of accidents/incidents. These records provide valuable information such as the number, type, and result of each operational test and inspection that was conducted (as required under § 217.9(a)). By accurately determining the cause(s) of accidents/incidents, FRA and the railroad industry can take measures to reduce the likelihood of similar events occurring in the future. In summary, this collection of information enhances railroad safety by providing an additional layer of protection through the agency's close monitoring and full awareness of the railroads' current operating rules and practices.

If this information were not collected or collected less frequently, railroad safety in the United States may be negatively impacted. Specifically, without this collection of information, FRA would have no way of knowing whether each affected railroad's code of operating rules, timetables, and timetable special instructions and subsequent amendments thereto conform to Federal safety laws and regulations. Without this collection of information, FRA would not know whether railroads conducted the required operational tests and inspections, and would not know whether these tests and inspections conform to the railroads' operating rules.

Without the required written records documenting the qualifications of each railroad testing officer, FRA would have no way to verify whether railroad testing officers are qualified on the railroad's operating rules in accordance with §217.11 of this part. FRA would also have no way to verify whether railroad testing officers are qualified on the operational testing program requirements and procedures relevant to the testing they will conduct, and whether they have received appropriate field training/retraining to achieve proficiency on each operational test that they are authorized to conduct.

Without the required periodic reviews of tests (quarterly, and six-month), FRA would have no way to ensure that affected railroads are conducting tests and inspections directed at the causes of human factor train accidents and employee casualties. Such structured tests or observations permit railroads to find employees who are in need of additional training or who may benefit from a reminder that it is not acceptable to take shortcuts that violate operating rules.

Without the annual written summaries on operational tests and inspections required of railroads with more than 400,000 man-hours per year, FRA would lose a valuable resource necessary to monitor large railroads' compliance with Federal safety laws and regulations. These annual written summaries are also extremely helpful to FRA and other investigatory agencies when searching for the cause(s) of accidents/incidents. Without the required program of instruction on operating rules for employees and corresponding required records, FRA would not know whether the various classes of railroad employees whose activities are governed by the railroad's operating rules are

instructed periodically in these rules and are qualified to perform the tasks that they are assigned.

Without the required good faith challenge procedures, railroad employees might be unsure how to comply with the requirements of this subpart or any operating rule relied upon to fulfill the requirements of this subpart. The good faith challenges foster better communication through dialogue between employees and railroad officials. An employee who believes that a railroad officer has given the employee an order that does not comply with the railroad's own operating rules, or the operating rules required by this subpart, may initiate a good faith challenge.

Without the required job briefings for shoving or pushing rolling equipment, railroad employees might not understand or be clear on the task given to them and exactly what role is expected of them and their colleagues. The required job briefings cover the means of communication used to relay information (whether by radio, hand signals, or pitch and catch), and how protection will be provided.

In sum, this collection of information enhances accountability and responsibility on the part of railroad employees. It aims to reduce the number and severity of rail-related accidents/incidents. This collection of information furthers FRA's primary mission, which is to promote and enhance rail safety throughout the nation.

**7. Special circumstances.**

Class I railroads, Class II railroads, Amtrak, and commuter railroads do not regularly file their operating rules, and any subsequent amendments thereto with FRA. However, each railroad must file one copy of its operating rules with FRA, and any amendment to its operating rules must also be filed with FRA within 30 days after it is issued. FRA believes that the 30-day requirement is not unreasonable, given the paramount importance of maintaining safe train operations.

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

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

As required by the Paperwork Reduction Act of 1995 and 5 CFR 1320, FRA published a notice in the Federal Register on September 11, 2020, soliciting comment on these information collection requirements from the public, railroads, and other interested parties.<sup>1</sup> FRA received no comments in response to this notice.

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<sup>1</sup> 85 FR 56286.



**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.**

Information collected is not of a confidential nature, and FRA pledges no confidentiality.

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

There are no questions of a sensitive or private nature involving this regulation.

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

The estimates for the respondent universe, annual responses, and average time per responses are based on the experience and expertise of FRA's Office of Railroad Infrastructure and Mechanical Equipment.

The total annual burden hours, under the fourth column, is calculated by multiplying total annual responses by average time per responses. For example, 2 documents times 1 hour = 2 hours.

The total cost equivalent, under the fifth column, is calculated by multiplying total annual burden hours by the appropriate employee group hourly wage rate that includes a 75-percent overhead charge. For example, 2 hours times \$77 = \$154. FRA is including the dollar equivalent cost for each of the itemized hours below using the Surface Transportation Board's (STB) Full-Year Wage A&B data series as the basis for each cost calculation. For railroad executives, officials, and staff assistants, the hourly wage rate is \$120 per hour (\$68.81 times 75% overhead cost). For professional and administrative staff, the hourly wage rate is \$77 per hour (\$44.27 times 75% overhead cost).

CFR Section	Respondent universe	Total annual responses (A)	Average time per response	Total annual burden	Total cost equivalent (D = C * )	Wage rates	PRA Estimates and Analyses
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			(B)	hours (C = A*B)	wage rate)		
217.7(a) – Operating rules; filing and recordkeeping – Filing of code of operating rules, timetables, and timetable special instructions by Class Is, Class IIs, Amtrak, and commuter railroads with FRA	2 new railroads	2 documents	1 hour	2 hours	\$154	\$77	Each Class I railroad, each Class II railroad, and each railroad providing commuter service in a metropolitan or suburban area that commences operations after November 21, 1994, must file with the Administrator one copy of its code of operating rules, timetables, and timetable special instructions before it commences operations.  The requirement to file rules, timetables and timetable special instructions applies only to any railroad that qualifies as a Class I railroad or Class II railroad, or any new commuter railroad that is formed. FRA estimates that it will take approximately one (1) hour to complete the required task.
—(b) Amendments to code of operating rules, timetables, and timetable special instructions by Class Is, Class IIs, Amtrak, and commuter railroads with FRA	53 railroads	312 revised documents	20 minutes	104 hours	\$8,008	\$77	After November 21, 1994, each Class I railroad, each Class II railroad, Amtrak, and each railroad providing commuter service in a metropolitan or suburban area must file each new amendment to its code of operating rules, each new timetable, and each new timetable special instruction with the Federal Railroad Administrator within 30 days after it is issued.  FRA estimates that each amendment will take about 20 minutes to revise.
—(c) Class III and other railroads – Copy of code of operating rules, timetables, and timetable special instructions at system headquarters	2 new railroads	2 documents	1 hour	2 hours	\$154	\$77	On or after November 21, 1994, each Class III railroad and any other railroad subject to this Part but not subject to paragraphs (a) and (b) of this section must keep one copy of its current code of operating rules, timetables, and timetable special instructions, and one copy of each subsequent amendment to its code of operating rules, each

							<p>new timetable, and each new timetable special instruction at its system headquarters, and must make such records available to representatives of the Federal Railroad Administration for inspection and copying during normal business hours.</p> <p>The burden of the first part of this requirement applies only to new railroads that are formed annually. FRA is assuming that all Class III railroads in existence today already keep copies of their current code of operating rules, timetables, and timetable special instructions, and any subsequent amendments thereto at their system headquarters.</p> <p>FRA estimates that it will take each railroad about an hour to perform this task.</p>
—(c) Class III and other railroads – Amendments to code of operating rules, timetables, and timetable special instructions at system headquarters	798 railroads	1,596 copies	15 minutes	399 hours	\$30,723	\$77	<p>There are an additional Class III and others railroads subject to the second part of the above requirement. FRA estimates that each railroad will issue approximately two (2) amendments each year (1,596 amendments total).</p> <p>FRA estimates that each amendment will take about 15 minutes to complete.</p>
<i>217.9(a) – Requirement to conduct operational tests and inspections</i>	<i>The burden for this requirement is included under that of § 217.9(d)(1)-(d)(2). Consequently, there is no additional burden associated with this requirement.</i>						
<i>—(b) Railroad and railroad testing officer responsibilities</i>	<i>FRA believes that this requirement falls under one of the items in 5 CFR 1320.3(h)(7) (examinations designed to test the aptitude, abilities, or knowledge of the person tested) that are not considered information by OMB. Consequently, there is no burden associated with it.</i>						
(b)(2) – Program of operational tests and inspections; recordkeeping – Written records	765 railroads	4,732 records	2 minutes	158 hours	\$12,166	\$77	<p>Written records documenting qualification of each railroad testing officer must be retained at the railroad’s system headquarters and at the division headquarters for each division where the officer is assigned and must be made available to</p>

documenting qualification of each railroad testing officer							representatives of FRA for inspection and copying during normal business hours.  FRA estimates that it will take about two (2) minutes to conduct to complete the record for each railroad testing officer.
—(c) Written program of operational tests and inspections	2 new railroads	2 programs	10 hours	20 hours	\$2,300	\$120	Every railroad must have a written program of operational tests and inspections in effect. New railroads must have such a program within 30 days of commencing rail operations.  FRA estimates that it will take about 10 hours to prepare the written program and file copies with the system and division headquarters.
—(d)(1) Records of operational tests/inspections	765 railroads	9,120,000 test records and updates	5 minutes	760,000 hours	\$58,520,000	\$77	Each railroad to which this Part applies must keep a record of the date, time, place, and result of each operational test and inspection that was performed in accordance with its program. These records must be made available to representatives of the FRA for inspection and copying during normal business hours.  FRA estimates that Class I railroads will perform approximately 7,800,000 tests a year; Class II railroads will perform approximately 1,000,000 tests a year; commuter railroads will perform approximately 260,000 tests a year; and the remaining 704 railroads or Class IIIs will perform approximately 60,000 tests a year.  FRA estimates each record of the will take about five (5) minutes to upload into the system and maintenance.
—(d)(2) Railroad copy of current program operational	53 railroads	159 program revisions	70 minutes	186 hours	\$14,322	\$77	Each railroad shall retain one copy of its current program for periodic performance of the operational tests and inspections required by

tests/inspections – Amendments							<p>paragraph (a) of this section and one copy of each subsequent amendment to such program. These records shall be made available to representatives of the FRA for inspection and copying during normal business hours.</p> <p>FRA estimates that each railroad will issue approximately three (3) amendments per year (53 railroads times 3 = 159 program revisions annually). FRA estimates that it will take about 70 minutes to complete this task.</p>
—(e)(1)(i) Written quarterly review of operational tests/inspections by RRs other than passenger RRs	7 Class I railroads + Amtrak	32 reviews	2 hours	64 hours	\$4,928	\$77	Each railroad to which this part applies shall conduct periodic reviews and analyses as provided in this paragraph and shall retain, at each division headquarters, where applicable, and at its system headquarters, one copy of the following written reviews, provided however that this requirement does not apply to either a railroad with less than 400,000 total employee work hours annually or a passenger railroad subject to paragraph (e)(2) of this section. FRA estimates that approximately 32 written reviews (8 railroads times 4 quarterly reviews) will be conducted annually. FRA estimates that it will take about two (2) hours to complete each written review.
—(e)(1)(ii) 6-month review of operational tests/inspections/ naming of officer	7 Class I railroads	14 reviews	2 hours	28 hours	\$2,156	\$77	FRA estimates that about 14 reviews (7 railroads times two reviews) will be conducted annually and it will take about two (2) hours to complete each review.
—(e)(2) 6-month review by passenger railroads designated officers of operational testing and inspection data	35 Amtrak + passenger railroads	70 reviews	2 hours	140 hours	\$10,780	\$77	Not less than once every six months, the designated officer(s) of the National Railroad Passenger Corporation and of each railroad providing commuter service in a metropolitan or suburban area shall conduct periodic reviews and analyses as provided in this paragraph and shall retain, at each division headquarters, where

							<p>applicable, and at its system headquarters, one copy of the reviews. Each such review shall be completed within 30 days of the close of the period.</p> <p>FRA estimates that approximately 70 reviews (35 railroads times two reviews) will be conducted annually and it will take about two (2) hours to complete each review.</p>
—(e)(3) Records of periodic reviews	50 railroads	116 records	1 minute	2 hours	\$154	\$77	<p>The records of periodic reviews required in paragraphs (e)(1) and (e)(2) of this section shall be retained for a period of one year after the end of the calendar year to which they relate and shall be made available to representatives of FRA for inspection and copying during normal business hours.</p> <p>FRA estimates that it will take about one (1) minute to keep each quarterly plan and each written review record.</p>
—(f)-(g) Annual summary of operational tests and inspections	50 railroads	50 summary records	1 hour	50 hours	\$3,850	\$77	<p>Each railroad to which this Part applies is authorized to retain by electronic recordkeeping the information prescribed in this section, provided that all of the following conditions are met: (1) thru (5) of this paragraph.</p> <p>FRA estimates that it will take about one (1) hour to complete each summary and corresponding record.</p>
—(h)(1)(i) RR amended program of operational tests/inspections	765 railroads	6 revised programs	30 minutes	3 hours	\$231	\$77	<p>Upon review of the program of operational tests and inspections required by this section, the Associate Administrator for Safety may, for cause stated, disapprove the program. The railroad has 35 days from the date of the written notification of such disapproval to: (i) Amend its program and submit it to the Associate</p>

							<p>Administrator for Safety for approval; or (ii) Provide a written response in support of the program to the Associate Administrator for Safety, who informs the railroad of FRA's final decision in writing.</p> <p>FRA estimates railroads will submit six (6) written supporting documents defending their programs. FRA estimates that it will take each railroad about 30 minutes to complete its supporting documents.</p>
—(h)(1)(ii) FRA disapproval of RR program of operational tests/inspections and RR written response in support of program	765 railroads	6 supporting documents	1 hour	6 hours	\$462	\$77	<p>Additionally, FRA estimates that about six (6) programs will need to be amended and it will take about one (1) hour to amend its program and submit the revised documents.</p>
217.11(a) – RR periodic instruction of employees on operating rules -- New railroads	2 new railroads	2 written programs	8 hours	16 hours	\$1,232	\$77	<p>To ensure that each railroad employee whose activities are governed by the railroad's operating rules understands those rules, each railroad to which this part applies shall periodically instruct each such employee on the meaning and application of the railroad's operating rules in accordance with a written program retained at its system headquarters and at the division headquarters for each division where the employee is instructed. (Note: Existing railroads already comply with this requirement.)</p> <p>FRA estimates that it will take each railroad approximately eight (8) hours to develop an operating rules instruction program.</p>
217.11(b) – RR copy of program amendments for periodic instruction of employees	765 railroads	110 modified written programs	30 minutes	55 hours	\$4,235	\$77	<p>On or after November 21, 1994, or 30 days before commencing operations, whichever is later, each railroad to which this part applies shall retain one copy of its current program for the periodic instruction of its employees as required</p>

							<p>by paragraph (a) of this section and one copy of each subsequent amendment to that program. These records shall be made available to representatives of the Federal Railroad Administration for inspection and copying during normal business hours.</p> <p>FRA estimates that it will take about 30 minutes to prepare an amendment and retain one copy of the amendment at each division and/or system headquarters.</p>
218.95(a)(1) - (a4)		<i>The burden for this requirement is included under that of § 217.11. Consequently, there is no additional burden associated with this requirement.</i>					
—(a)(5) - (b) – Instruction, training, examination – Employee completed test records	765 railroads	85,600 employee records	1 minute	1,427 hours	\$109,879	\$77	<p>Written records documenting successful completion of instruction, training, and examination of each employee required by this subpart shall be retained at its system headquarters and at the division headquarters for each division where the employee is assigned for three calendar years after the end of the calendar year to which they relate and made available to representatives of the FRA for inspection and copying during normal business hours.</p> <p>The required instruction, examination, and training takes place every other year or every three years in some cases, FRA estimates that the employees’ completed test records will be kept under the above requirement and it will take about one (1) minute to complete each record.</p>
—(c)(1) Amended RR program of instruction, testing, examination	765 railroads	5 amended programs	30 minutes	3 hours	\$231	\$77	<p>Upon review of the program of instruction, training, and examination required by this section, the Associate Administrator for Safety may, for cause stated, disapprove the program. If the Associate Administrator for Safety disapproves the program, the railroad has 35 days</p>



							<p>from the date of the written notification of such disapproval to amend its program and submit it to the Associate Administrator for Safety for approval or provide a written response in support of its program.</p> <p>FRA estimates that it will take about 30 minutes to complete each response.</p>
218.97(a) – Employee Responsibility	<i>The burden for this requirement is included under that of § 218.97(c). Consequently, there is no additional burden associated with this requirement.</i>						
—(b) General procedures for the training of and compliance by its employees with the requirements of this subpart	<i>Railroads have already fulfilled the above requirement. Consequently, there is no additional burden associated with it.</i>						
—(b)(3) General procedures for affected employees	<i>The burden for this requirement is already included under that of § 217.11 above. Consequently, there is no additional burden associated with this provision.</i>						
—(b)(4) RR copy of good faith challenge procedures	765 railroads	4,732 copies to new employees	6 minutes	473 hours	\$36,421	\$77	<p>A copy of the current written procedures shall be provided to each affected employee and made available for inspection and copying by representatives of the FRA during normal business hours.</p> <p>FRA estimates that it will take six (6) minutes to complete this requirement—about five (5) minutes to make each copy and another (1) minute to distribute it to each employee.</p>
218.97(c)(1) and (4) – RR employee good faith challenge of RR directive	10 workers	10 good faith challenges	15 minutes	3 hours	\$231	\$77	<p>A written procedure for good faith challenges of railroads’ directives as listed under (1) thru (4) of this section.</p> <p>FRA estimates that it will take approximately 15 minutes to make a good faith challenge.</p>
—(c)(5) RR resolution	2 new	5 responses	15	1 hour	\$77	\$77	Provide that a challenge may be resolved by: (i)

of employee good faith challenge	railroads		minutes				<p>A railroad or employer officer's acceptance of the employee's request; (ii) An employee's acceptance of the directive; (iii) An employee's agreement to a compromise solution acceptable to the person issuing the directive; or (iv) As further determined under paragraph (d) of this section.</p> <p>FRA estimates that it will take about 15 minutes for each type of resolution.</p>
—(d)(1) RR officer immediate review of unresolved good faith challenge	2 new railroads	3 reviews	30 minutes	2 hours	\$154	\$77	<p>In the event that the challenge cannot be resolved because the person issuing the directive determines that the employee's challenge has not been made in good faith or there is no reasonable alternative to the direct order, the written procedures shall: (1) Provide for immediate review by at least one officer of the railroad or employer, except for each railroad with less than 400,000 total employee work hours annually;</p> <p>FRA estimates that it will take about 30 minutes to conduct each review.</p>
—(d)(2) RR officer explanation to employee that Federal law may protect against employer retaliation for refusal to carry out work if employee refusal is a lawful, good faith act	2 new railroads	3 answers	15 minutes	1 hour	\$77	\$77	<p>(2) Provide that if the officer making the railroad's or employer's final decision concludes that the challenged directive would not cause the employee to violate any requirement of this subpart or the railroad's or employer's operating rule relied upon to fulfill the requirements of this subpart and directs the employee to perform the challenged directive, the officer shall further explain to the employee that Federal law may protect the employee from retaliation if the employee refuses to do the work and if the employee's refusal is a lawful, good faith act;</p> <p>FRA estimates that it will take about 15 minutes</p>

							to convey this information.
—(d)(3) Employee written/electronic protest of employer final decision	2 new railroads	3 written protests	15 minutes	1 hour	\$77	\$77	(3) Provide that the employee be afforded an opportunity to document electronically or in writing any protest to the railroad's or employer's final decision before the tour of duty is complete. The employee must be afforded the opportunity to retain a copy of the protest.  FRA estimates that each protest will take about 15 minutes to complete.
—(d)(3) Employee copy of protest	2 new railroads	3 copies	1 minute	0.1 hour	\$8	\$77	Additionally, FRA estimates that each protest copy will take approximately one (1) minute to complete electronically or in writing.
—(d)(4) Employer further review of good faith challenge after employee written request	2 new railroads	2 further reviews	15 minutes	0.5 hours	\$39	\$77	(4) Provide that the employee, upon written request, has a right to further review by a designated railroad or employer officer, within 30 days after the expiration of the month during which the challenge occurred, for the purpose of verifying the proper application of the regulation, law, procedure or rule in question.  FRA estimates that each further review will take about 15 minutes to complete.
—(d)(4) RR verification decision to employee in writing	2 new railroads	2 decisions	15 minutes	0.5 hours	\$39	\$77	Additionally, FRA estimates it will take about 15 minutes to make the request and complete the written verification decision.
—(e) Recordkeeping and record retention – Employer's copy of written procedures at division headquarters	765 railroads	765 copies	5 minutes	64 hours	\$4,928	\$77	Recordkeeping and record retention. (1) A copy of the written procedures required by this section shall be retained at the employer or railroad's system headquarters and at each division headquarters, and made available to representatives of the FRA for inspection and copying during normal business hours.  FRA estimates that it will take approximately five (5) minutes to complete each copy.

<p>—(e)(2) Copy of any written good faith challenge verification decision, made in accordance with paragraph (d)(4)</p>	<p>The burden for this requirement is already included under that of § 218.97(e) above. Consequently, there is no additional burden associated with this provision.</p>						
<p>218.99(a) – Shoving or pushing movement – RR operating rule complying with section’s requirements</p>	<p>2 new railroads</p>	<p>2 rule modifications</p>	<p>1 hour</p>	<p>2 hours</p>	<p>\$154</p>	<p>\$77</p>	<p>Each railroad must adopt and comply with an operating rule which complies with the requirements of this section.</p> <p>This one-time requirement has already been fulfilled by the railroads. However, FRA estimates that it will take about one (1) hour to modify the operating rule.</p>
<p>—(b)(1) General movement requirements —Job briefing</p>	<p>This is a usual and customary procedure for railroads. Consequently, there is no burden associated with it.</p>						
<p>—(b)(3) Point Protection</p>	<p>This is a usual and customary procedure for railroads. Consequently, there is no burden associated with it.</p>						
<p>—(c) Additional requirements for remote control movements</p>	<p>This is a usual and customary procedure for railroads. Consequently, there is no burden associated with it.</p>						
<p>—(d) Remote control zone, exception to track is clear requirements</p>	<p>This is a usual and customary procedure for railroads. Consequently, there is no burden associated with it.</p>						
<p>—(e)(4) Operational exceptions—Dispatcher authorized train movements</p>	<p>This is a usual and customary procedure for railroads. Consequently, there is no burden associated with it.</p>						
<p>—(e)(4)(iv)(B) Operational exceptions</p>	<p>Railroads already have designated employees of theirs who perform this function as part of their normal routine duties. Consequently, there is no additional burden involved with this requirement.</p>						

—(e)(4)(v)(C) Operational exceptions	<i>Crewmembers already perform this function as part of their normal routine duties. Consequently, there is no additional burden involved with this requirement.</i>						
—(e)(5) Operational exceptions	<i>This one-time requirement has already been fulfilled by all the Class I railroads. Consequently, there is no additional burden associated with this requirement.</i>						
218.101(a)-(c) – Leaving equipment in the clear – Operating rule that complies with this section	2 new railroads	2 rule modifications	30 minutes	1 hour	\$77	\$77	<p>Each railroad must implement procedures that enable employees to identify clearance points and a means to identify locations where clearance points will not permit a person to safely ride on the side of a car.</p> <p>This one-time requirement has already been fulfilled by the railroads. However, FRA estimates that it will take about one (1) hour to modify the operating rule.</p>
218.103(a)(1) – Hand-Operated Switches – Operating Rule that Complies with this section	2 new railroads	2 rule modifications	30 minutes	1 hour	\$77	\$77	<p>Each railroad shall adopt and comply with an operating rule which complies with the requirements of this section. When any person including, but not limited to, each railroad, railroad officer, supervisor, and employee violates any requirement of an operating rule which complies with the requirements of this section, that person shall be considered to have violated the requirements of this section.</p> <p>FRA estimates that it will take each railroad about one (1) hour to develop such procedures and amend its operating rule.</p>
—(a)(2) Job briefings – Minimum requirements specified in operating rules	<i>This is a usual and customary procedure for railroads. Consequently, there is no burden associated with it.</i>						
—(b)-(c) Job briefings	<i>This is a usual and customary procedure for railroads. Consequently, there is no burden associated with it.</i>						
218.105(a) – Additional operational requirements for hand-operated main track	<i>The burden for this requirement is included under that of § 218.103(a) above. Consequently, there is no additional burden associated with this provision.</i>						

switches							
—(b) Designating switch position	<i>The normal position of a hand-operated main track switch is designated by the railroad in writing in its operating rules, and the rest of the requirement is the usual and customary practice. Consequently, there is no additional burden associated with this requirement.</i>						
—(c)(1) Additional job briefing requirements for hand-operated main track switches	<i>This is a usual and customary procedure for railroads. Consequently, there is no burden associated with it.</i>						
—(c)(2) Employee reports and switch position conveyances	<i>This is a usual and customary procedure for railroads. Consequently, there is no burden associated with it.</i>						
—(d) Releasing Authority Limits	<i>This is a usual and customary procedure for railroads. Consequently, there is no burden associated with it.</i>						
218.107 – Additional operational requirements for hand-operated crossover switches	<i>The burden for this requirement is included under that of § 218.103(a) above. Consequently, there is no additional burden associated with this provision.</i>						
218.108(c/d) – Acknowledgements and verbal confirmations	<i>This is a usual and customary procedure for railroads. Consequently, there is no burden associated with it.</i>						
218.109 – Job briefings	<i>This is a usual and customary procedure for railroads. Consequently, there is no burden associated with it.</i>						
220.21(b) – Railroad Operating Rules; Radio Communications; Recordkeeping	<i>Railroads usually prepare their radio rules in conjunction with their operating rules as required by 49 CFR § 217.7.</i>						
Total	765 railroads	9,218,371 responses	N/A	763,236 hours	\$58,770,040		

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

There are no additional costs to the railroads outside of the burden hour costs mentioned above under Item 12.

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

FRA estimates that approximately 55 hours (at the GS-13-5 level) are spent reviewing and processing the respondents’ submissions. This excludes time spent during routine compliance and enforcement activities. To calculate the government administrative cost, the 2020 Office of Personnel Management wage rates were used. The average wage of step 5 was used as a midpoint. Wages were considered at the burdened wage rate by multiplying the actual wage rate by an overhead cost of 75 percent (or times 1.75). Multiplying 55 hours times \$55.75 per hour times 1.75 (75 percent for overhead) equals \$5,366 in annualized costs.

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

The current OMB inventory for this information collection shows a total burden of 4,791,614 hours and 188,591,224 responses while the requesting inventory estimates a total burden of 763,236 hours and 9,218,371 responses. There is no change in the method of the collection. The decrease in burden is solely the result of adjustments.

FRA determined some of the estimates were double counted and/or outdated, while other estimates were not PRA requirements, thus leading to the increased figures in the current inventory, which were decreased accordingly in this extension request. The table below provides specific information on any burden estimates that have changed from the previous submission.

**Table for Adjustments**

CFR Section	Total Annual Responses			Total Annual Burden Hours			PRA Estimates and Analyses
	Previous Submission	Current Submission	Difference	Previous Submission	Current Submission	Difference	
—(b) Amendments to code of operating rules, timetables, and timetable special instructions by Class I, Class II,	165 revised documents (20 minutes)	312 revised documents (20 minutes)	147 revised documents	55 hours	104 hours	49 hours	The updated estimate is more accurate in terms of number of responses to be expected.

Amtrak, and commuter railroads with FRA							
—(c) Class III and other railroads – Copy of code of operating rules, timetables, and timetable special instructions at system headquarters	5 submitted documents (55 minutes)	2 documents (1 hour)	-3 documents	5 hours	2 hours	-3 hours	The updated estimate is more accurate and it is based on the number railroads that will commence operations.
—(c) Class III and other railroads – Amendments to code of operating rules, timetables, and timetable special instructions at system headquarters	2,112 amendments (15 minutes)	1,596 amendments (15 minutes)	-516 amendments	528 hours	399 hours	-129 hours	The updated estimate is more accurate in terms of number of responses to be expected.
217.9(c) —Written program of operational tests and inspections	5 programs (10 hours)	2 programs (10 hours)	-3 programs	50 hours	20 hours	-30 hours	The updated estimate is more accurate and it is based on the number railroads that will commence operations.
—(d)(2) Railroad copy of current program operational tests/inspections – Amendments	165 program revisions (70 minutes)	159 program revisions (70 minutes)	-6 program revisions	193 hours	186 hours	-7 hours	The updated estimate is more accurate and it is based on the number railroads that will commence operations.
—(e)(1)(i) Written quarterly review of operational tests/inspections by RRs other than	148 reviews (2 hours)	32 reviews (2 hours)	-116 reviews	296 hours	64 hours	-232 hours	The updated estimate is more accurate in terms of number of responses to be expected.



passenger RRs							
—(e)(1)(ii) 6-month review of operational tests/inspections/naming of officer	74 reviews + 37 designations (2 hours + 5 seconds)	14 reviews (2 hours)	-97 reviews	148 hours	28 hours	-120 hours	The updated estimate is more accurate in terms of number of responses to be expected.
—(e)(2) 6-month review by passenger railroads designated officers of operational testing and inspection data	68 reviews + 34 designations (2 hours + 5 seconds)	70 reviews (2 hours)	-32 reviews	136 hours	140 hours	4 hours	The updated estimate is more accurate in terms of number of responses to be expected.
—(e)(3) Records of periodic reviews	290 records (1 minute)	116 records (1 minute)	-174 records	5 hours	2 hours	-3 hours	The updated estimate is more accurate in terms of number of responses to be expected.
—(f)-(g) Annual summary of operational tests and inspections	71 summary records (61 minutes)	71 summary records (1 hour)	summary records	72 hours	71 hours	-1 hours	The updated estimate is more accurate in terms of the time necessary to summarize operation tests and inspections.
—(h)(1)(i) RR amended program of operational tests/inspections	5 revised programs (30 minutes)	6 revised programs (30 minutes)	1 revised programs	3 hours	3 hours	hours	The updated estimate is more accurate in terms of number of responses to be expected.
—(h)(1)(ii) FRA disapproval of RR program of operational tests/inspections and RR written response in support of program	5 supporting documents (1 hour)	6 supporting documents (1 hour)	1 supporting documents	5 hours	6 hours	1 hours	The updated estimate is more accurate in terms of number of responses to be expected.
217.11(a) —(c) RR periodic instruction of employees on operating rules	130,000 instructed employees (8 hours)	0	-130,000 instructed employees	1,040,000 hours	0	-1,040,000 hours	Existing railroads have already complied with this requirement. Consequently, there is no additional burden

							associated with it.
217.11(a) — RR periodic instruction of employees on operating rules -- New railroads	5 program copies (8 hours)	2 written programs (8 hours)	-3 written programs	40 hours	16 hours	-24 hours	The updated estimate is more accurate and it is based on the number railroads that will commence operations.
218.95(a)(5) - (b) – Instruction, training, examination – Employee records	98,000 records (5 minute)	85,600 employees’ records (1 minute)	-12,400 employees’ records	8,167 hours	1,427 hours	-6,740 hours	The reduction in the number of responses is due the new estimate for number of employees. Additionally, the amount of time per record was reduced because FRA had previously overestimated the burden, and this updated estimate is more accurate in terms of the time necessary to record the exams and tests in a database.
—(c)(1)(ii) RR written response to FRA disapproval of program of instruction, testing, examination	5 responses (1 hour)	0	-5 responses	5 hours	0	-5 hours	The burden for this requirement is included under § 217.11(b).
218.97(c)(1) and (c)(4)—RR employee good faith challenge of RR directive	15 gd. faith challenges (10 minutes)	10 gd. faith challenges (15 minutes)	-5 gd. faith challenges	3 hours	3 hours	hours	FRA’s updated estimate is based on how infrequently these filings have been submitted to date.
—(c)(5) RR resolution of employee good faith challenge	15 responses (5 minutes)	5 responses (15 minutes)	-10 responses	1 hour	1 hour	hour	FRA’s updated estimate is based on how infrequently these filings have been submitted to date.
—(d)(1) RR officer immediate review of unresolved good	5 reviews (30 minutes)	3 reviews (30 minutes)	-2 reviews	3 hours	2 hours	-1 hour	FRA’s updated estimate is based on how infrequently these filings have been

faith challenge							submitted to date.
—(d)(2) RR officer explanation to employee that Federal law may protect against employer retaliation for refusal to carry out work if employee refusal is a lawful, good faith act	5 answers (1 minute)	3 answers (15 minutes)	-2 answers	.1 hour	1 hour	.9 hours	FRA's updated estimate is based on how infrequently these filings have been submitted to date.
—(d)(3) Employee written/electronic protest of employer final decision	10 written protests (15 minutes)	3 written protests (15 minutes)	-7 written protests	3 hours	1 hour	-2 hours	FRA's updated estimate is based on how infrequently these filings have been submitted to date.
—(d)(3) Employee copy of protest	10 copies (1 minute)	3 copies (1 minute)	-7 copies	.2 hours	.1 hour	-.1 hour	FRA's updated estimate is based on how infrequently these filings have been submitted to date.
—(d)(4) Employer further review of good faith challenge after employee written request	3 further reviews (15 minutes)	2 further reviews (15 minutes)	-1 further review	1 hour	.5 hours	-.5 hours	FRA's updated estimate is based on how infrequently these filings have been submitted to date.
—(d)(4) RR verification decision to employee in writing	10 decisions (10 minutes)	2 decisions (15 minutes)	-8 decisions	2 hours	.5 hours	-1.5 hours	FRA's updated estimate is based on how infrequently these filings have been submitted to date.
—(e) Recordkeeping and record retention-- Employer's copy of written procedures at division	755 copies (5 minutes)	765 copies (5 minutes)	10 copies	63 hours	64 hours	1 hour	The increase in the number of responses is due to the updated estimate for number of railroads that will commence operations.

headquarters							
— RR verification decision copies	20 copies (5 minutes)	0	-20 copies	2 hours	0	-2 hours	The burden for this requirement is included under § 218.97(d)(4).
218.99(a) – Shoving or pushing movement – RR operating rule complying with section’s requirements	32 rule revisions (1 hour)	2 rule modifications (1 hour)	-30 rule modifications	32 hours	2 hours	-30 hours	The updated estimate is more accurate and it is based on the number railroads that will commence operations.
218.99(b) – Job briefings	180,000 briefings (1 minute)	0	-180,000 briefings	3,000 hours	0	-3,000 hours	This is usual and customary procedure for railroads. Consequently, there is no burden associated with it.
218.99(b)(3) – Point protection: Determinations and conveyances	87,600,000 decisions + 87,600,00 signals (1 minute)	0	- (87,600,000 decisions + 87,600,00 signals) (1 minute)	2,920,000 hours	0	-2,920,000 hours	This is usual and customary procedure for railroads. Consequently, there is no burden associated with it.
218.99(c) – Verbal confirmations	876,000 briefings (1 minute)	0	-876,000 briefings	14,600 hours	0	-14,600 hours	This is usual and customary procedure for railroads. Consequently, there is no burden associated with it.
218.99(d) – Determination track is clear	876,000 determinations (1 minute)	0	-876,000 determinations	14,600 hours	0	-14,600 hours	This is usual and customary procedure for railroads. Consequently, there is no burden associated with it.
218.99(e) – Dispatcher authorized train movements	30,000 authorizations (1 minute)	0	-30,000 authorizations	500 hours	0	-500 hours	This is usual and customary procedure for railroads. Consequently, there is no burden associated with it.
218.101(a)-(c) – Leaving equipment in the clear – Operating rule that	32 amended rules (30 minutes)	2 rule modifications (30 minutes)	-30 rule modifications	16 hours	1 hour	-15 hours	The updated estimate is more accurate and it is based on the number railroads that will commence operations.

complies with this section							
218.103(a)(1) – Hand-Operated Switches – Operating Rule that Complies with this section	32 revised op. rules (60 minutes)	2 rule modifications (30 minutes)	-30 rule modifications	32 hours	1 hour	-31 hours	The updated estimate is more accurate and it is based on the number railroads that will commence operations. Additionally, the amount of time per document was reduced because FRA had previously overestimated the burden, and this updated estimate is more accurate in terms of the time necessary to prepare this type of document.
—(a)(2) Job briefings – Minimum requirements specified in operating rules	5 modified op. rules (30 minutes)	0	-5 modified op. rules	3 hours	0	-3 hours	The burden for this requirement is included under § 218.103(a)(1).
218.103(b) – Job briefings	1,125,000 briefings (1 minute)	0	-1,125,000 briefings	18,750 hours	0	-18,750 hours	This is usual and customary procedure for railroads. Consequently, there is no burden associated with it.
218.105(c) – Job briefings	60,000 briefings (1 minute)	0	-60,000 briefings	1,000 hours	0	-1,000 hours	This is usual and customary procedure for railroads. Consequently, there is no burden associated with it.
218.105(c)(2) – Employee reports and switch position conveyances	100,000 reports + 100,000 conveyances (1 minute)	0	- (100,000 reports + 100,000 conveyances) (1 minute)	3,333 hours	0	-3,333 hours	This is usual and customary procedure for railroads. Consequently, there is no burden associated with it.
218.108(c/d) – Acknowledgements and verbal confirmations	60,000 assents + 60,000 verifications (30 seconds +	0	- (60,000 assents + 60,000 verifications)	583 hours	0	-583 hours	This is usual and customary procedure for railroads. Consequently, there is no burden associated with it.

	5 seconds)		(30 seconds + 5 seconds)				
218.109 – Job briefings	562,500 briefings (30 seconds)	0	-562,500 briefings	4,688 hours	0	-4,688 hours	This is usual and customary procedure for railroads. Consequently, there is no burden associated with it.

There is no change in cost to respondents from the previously approved submission.

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

There is no tabulation or publication of responses. This information is used by specialists in the Office of Safety to determine the level of safety of each railroad's operations. Persons outside FRA's Office of Safety use the material for research and development purposes.

**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.