

1FEDERAL RAILROAD ADMINISTRATION
Hours of Service Regulations
(Title 49 Code of Federal Regulations (CFR) Part 228)
SUPPORTING JUSTIFICATION
OMB Control No. 2130-0005

This non-substantive change updates the recently submitted renewal for Hours of Service regulations information collection, OMB Control No. 2130-0005.

FRA's hours of service recordkeeping regulations (49 CFR part 228), include substantive hours of service requirements for train employees (i.e., locomotive engineers and conductors) providing commuter and intercity rail passenger transportation. The regulations also require railroads to evaluate passenger train employee work schedules for risk of employee fatigue and implement measures to mitigate the risk, and to submit to FRA for approval certain schedules and mitigation plans. FRA uses the information collected to verify that railroads do not require or allow their employees to exceed maximum on-duty periods and ensure that they abide by the minimum off-duty periods, and adhere to other limitations, to enhance rail safety and reduce the risk of accidents/incidents caused, or contributed to, by train employee fatigue.

On July 1, 2025, FRA issued a Final Rule titled, Modernizing Dispatcher's Record of Train Movements. This final rule modernizes requirements related to dispatcher's record of train movement. Specifically, it will eliminate the reference to the telegraph and the need for rail carriers to record weather conditions at 6-hour intervals, as outdated and redundant, respectively.

Justification:

As described above, the non-substantive changes to this collection are:

1. Decrease the currently approved burden hours for § 228.17 from 285,000 to 213,750 hours. This will decrease the burden by 71,250 hours from 1,284,832 to 1,213,582 hours for the entire collection.
2. This final rule revises the language of 49 CFR 228.17 to eliminate the recordkeeping requirement of recording the weather conditions at 6-hour intervals. This decreases the average time per response for § 228.17 from 1 hour to 45 minutes.
3. All other paperwork requirements within Part 228 remain the same.

Previous Burden Information:

| CFR Section | Respondent Universe | Total Annual responses (A) | Average Time per response (B) | Total annual Burden Hours (C = A * B) | Total Cost Equivalent in U.S. dollar (D = C * wage rates) ¹ |
|--|---------------------|----------------------------|-------------------------------|---------------------------------------|--|
| 228.17(a)(1)-(11)— Dispatchers record of train movements | 63 Dispatchers | 285,000 | 1 hour | 285,000 hours | \$25,402,050 |

Non-substantive Change Request:

| CFR Section | Respondent universe | Total annual responses (A) | Average time per response (B) | Total annual burden hours (C = A * B) | Total cost equivalent in U.S. dollar (D = C * wage rates) |
|--|---------------------|----------------------------|-------------------------------|---------------------------------------|---|
| 228.17(a)(1)-(10)— Dispatchers record of train movements | 63 Dispatchers | 285,000 | 45 minutes | 213,750 hours | \$19,051,537.50 |

¹The dollar equivalent cost is derived from the 2023 Surface Transportation Board Full Year Wage A&B data series using employee group 200 (Professional Administrative Staff) hourly wage rate of \$50.93. The total burden wage rate (straight time plus 75%) used in the table is \$89.13 ($\$50.93 \times 1.75 = \89.13).