

11FEDERAL RAILROAD ADMINISTRATION
Risk Reduction Program
(Title 49 Code of Federal Regulations (CFR) Part 271)
SUPPORTING JUSTIFICATION
OMB No. 2130-0610

Summary of Submission

- This submission is a revision of the last three-year approval granted by the Office of Management and Budget (OMB) on December 5, 2023, which expires December 31, 2026.
- The Federal Railroad Administration (FRA) published the required 60-day Notice in the *Federal Register* on August 14, 2026. See 91 FR 52778. FRA received one comment in response to this Notice. See question 8 for response to the comment.
- Overall, adjustments to FRA’s burden estimates decreased the burden by 29,668 hours and 48,948 responses.

1. Circumstances that make collection of the information necessary.

In 2020, FRA issued a Risk Reduction Program (RRP) final rule¹ that added regulations at 49 CFR Part 271 requiring each Class I freight railroad and each freight railroad with inadequate safety performance (ISP) to develop and implement an RRP to improve the safety of its operations. The rule also provides that railroads may voluntarily develop and implement an RRP that meets the regulatory requirements. This final rule was required by section 103 of the Rail Safety Improvement Act of 2008 (RSIA) (Pub. L. 110-432, Div. A, 122 Stat. 4883 (Oct. 16, 2008), codified at 49 U.S.C. 20156).²

An RRP is a comprehensive, system-oriented approach to safety that determines a railroad operation’s level of risk by identifying and analyzing applicable hazards, and it involves developing plans to mitigate, if not eliminate, that risk. Generally, railroads subject to the RRP rule must assess and manage risk and develop proactive hazard management methods to promote safety improvement. Each railroad subject to the rule must implement its RRP under a written RRP plan that FRA has reviewed and approved. The rule also requires railroads to consult in good faith and use their best efforts to reach agreement with directly affected employees on the RRP plan contents and any substantive amendments to the plan.

¹ 85 FR 9262 (Feb. 18, 2020).

² The Secretary of Transportation delegated the authority to conduct this rulemaking and implement the rule to the FRA Administrator. See 49 CFR 1.89(b).

The main components of an RRP are the risk-based hazard management program and risk-based hazard analysis. A properly implemented risk-based hazard management program and risk-based hazard analysis will identify the hazards and resulting risks on the railroad's system, develop methods to mitigate or eliminate these hazards and risks, and set forth a plan to implement these methods. As part of its RRP, a railroad will also consider various technologies that may mitigate or eliminate the identified hazards and risks.

The implementation of an RRP must be supported by a written RRP plan submitted to and approved by FRA. The RRP rule sets forth various elements that a railroad's RRP plan must contain to properly implement an RRP. These elements include, but are not limited to, procedures and processes for the following RRP components: risk-based hazard management program; safety performance evaluation; safety outreach; technology implementation plan; RRP employee/contractor training; railroad employee involvement; and internal assessment.

An RRP must also include a Fatigue Risk Management Program (FRMP) component, as required by a final rule FRA issued in 2022.³ The purpose of an FRMP is to improve railroad safety through structured, systematic, and proactive processes and procedures that a railroad develops and implements to identify and mitigate the effects of fatigue on its employees.⁴

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

FRA will use the information collected under 49 CFR part 271 to help ensure that each Class I freight railroad and each freight railroad with ISP establishes and implements an RRP to improve the safety of its operations through structured, proactive processes that systematically evaluate railroad safety hazards on its system and manage the risks associated with those hazards to reduce the number and rates of railroad accidents/incidents, injuries, and fatalities.

Each railroad has the flexibility to tailor an RRP to its specific railroad operations. Additionally, each railroad must implement its RRP under a written RRP plan that FRA has reviewed and approved and must fully implement its RRP within 36 months from the date of FRA's approval of its RRP plan. Under the RRP rule, each railroad must conduct an annual internal assessment of its RRP. FRA will also audit each railroad's compliance with its RRP plan and will use the information collected to ensure compliance with Part 271.

Class I freight railroads and ISP railroads must consult in good faith with directly

³ 87 FR 35660 (June 13, 2022).

⁴ 49 CFR § 271.603.

affected employees regarding the contents of their RRP plans to ensure transparency and education. If consensus cannot be reached, employees may submit their perspectives to the FRA, which may result in plan modifications. Additionally, railroads must follow formal procedures for amending their RRP plans, including providing a cover letter for changes. FRA reviews these amendments within 45 days, and if deficiencies are identified, railroads are granted 60 days to either correct or retract the submission; the FRA also maintains the authority to reopen consideration of any plan as necessary.

The details of each paperwork requirement are covered under question 12 of this document.

3. Extent of automated information collection.

FRA strongly encourages the use of advanced information technology, wherever feasible, to reduce the burden on respondents. FRA estimates that at least 85 percent of responses will be completed electronically. Further, to provide guidance on electronic submission, FRA added Appendix B to Part 271, *Procedures for Submission of RRP Plans and Statements from Directly Affected Employees*.

4. Efforts to identify duplication.

The information collection requirements are not duplicated anywhere. Similar data is not available from any other source.

5. Efforts to minimize the burden on small businesses.

Class I freight railroads and railroads with ISP must comply with all of the provisions of Part 271. However, the amount of effort to comply with the rule is commensurate with the size of the entity. In the universe of railroads for potential compliance under this rule, there are 6 Class I railroads (1 of which, the National Railroad Passenger Corporation (Amtrak), is a commuter or intercity passenger railroad that is excepted from the rule because it is subject to the System Safety Program (SSP) rule in 49 CFR Part 270), 11 Class II railroads (1 of which, Alaska Railroad, is also excepted because it is a commuter or intercity passenger railroad that must comply with Part 270), and 734 Class III freight railroads. Excursion, tourist, scenic, and historic railroads that do not carry freight are also exempt from Part 271 requirements. FRA projects that 2 small railroads will be classified as having ISP during the timeframe of this analysis.

FRA has taken several steps to minimize the regulatory burden on small entities. Specifically, FRA developed the methodology for identifying ISP railroads to avoid over-selecting the smallest railroads and included a process allowing railroads to appeal an ISP determination to the FRA Administrator. Additional steps FRA has taken include developing and promulgating a performance-based final rule, helping to create the Short

Line Safety Institute (which could help any small railroad comply with the RRP requirements), and providing information protections.

FRA also intends to assist small entities in the development of the RRP, starting at the planning phase and continuing through the implementation phase. The RRP rule is also scalable by design. Therefore, a short line or regional railroad can likely maintain full compliance with the final rule with an RRP that is not likely to have the complexity and comprehensiveness of an RRP for a larger railroad. FRA will aid railroads so that the scope and content of their RRP are proportionate to their size and the nature of their operation. All these actions benefit small railroads and will help them comply with the rule.

6. Impact of less frequent collection of information.

If the information were not collected or collected less frequently, railroad safety might be diminished. Specifically, without this collection of information, FRA could not be assured that Class I and ISP freight railroads have established and implemented an RRP to improve the safety of their operations. Without RRP, there would not be concerted efforts by Class I and ISP freight railroads to proactively identify and mitigate or eliminate hazards throughout their systems. Hazards would remain unnoticed and unaddressed, which would likely increase the risk that they present to both rail employees and the general public. Greater numbers of rail accidents and incidents and corresponding increases in injuries, fatalities, and property damage would likely result without the railroad safety risk reduction efforts associated with RRP and RRP plans.

Without the required consultation statement, FRA would have no way to determine if Class I and ISP freight railroads used good faith and made best efforts to reach an agreement with their directly affected employees on the contents of their RRP plans. Employee input to the content of the RRP plan is essential to have the best, most comprehensive RRP plan. Without the required consultation statement, FRA would not know how many meetings a Class I or ISP freight railroad held with its directly affected employees, what materials it provided to its directly affected employees regarding the draft RRP plan, or how input from directly affected employees was received and handled during the consultation process. Without Class I and ISP freight railroads consultation statements and corresponding employee statements, FRA would be working with incomplete and inadequate information regarding its approval decision of an RRP plan.

Without the required description of processes for the risk-based hazard management program and risk-based hazard analysis in an RRP plan, FRA would not be able to determine whether Class I and ISP freight railroads have a structured program and set methodology to address the various hazards they discover after carefully examining their entire systems for potential dangers. These components of the RRP plan provide important information that FRA will use in determining whether each Class I and ISP

freight railroad's articulated safety goals are realistic and achievable. Effective RRP plans will meet the rules' requirements and promote a culture of safety to reduce the number of rail accidents/incidents that take place each year.

Without the required RRP internal annual assessments, using the process described in their approved RRP plans, Class I and ISP freight railroads would not have an accurate and informed view of the progress they are making in implementing their RRP. This annual assessment will provide a yardstick at any given point in time for the Class I and ISP freight railroads to see in which areas they are fully implementing their RRP and in compliance with the various elements of their RRP plans, as well as in achieving their stated RRP goals. Without this internal RRP assessment, safety gains might be temporary and incomplete. Without extensive systematic and long-lasting safety gains through the complete implementation of each Class I and ISP freight railroad's RRP plan, increased numbers of accidents and incidents and corresponding injuries, fatalities, and property damage are bound to occur.

Finally, without the external audits conducted by agency staff of each Class I and ISP freight railroad's RRP, FRA would be unable to determine the extent of each Class I and ISP freight railroad's compliance with the rule's requirements. FRA would also be unable to convey to a Class I or ISP freight railroad any areas in which it is not complying with its RRP plan, areas that need to be addressed by the RRP but are not, or other areas in which FRA believes the railroad and its RRP are not in compliance with Part 271. Without these audits, rail safety would suffer from potential unidentified and unaddressed risks, and more rail accidents/incidents would likely ensue.

In summary, this collection aids FRA and Class I and ISP freight railroads in promoting and maintaining a safe rail environment. As such, it furthers FRA's main railroad safety mission.

7. Special circumstances.

This collection of information does not require collections to be conducted in a manner inconsistent with the guidelines delineated in 5 CFR 1320.5(d)(2).

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 August 14, 2026,⁵ soliciting comment from the public, railroads, and other interested parties on these information collection requirements.

⁵ 91 FR 52778 (Aug. 15, 2026).

FRA received an anonymous comment to the 60-day notice requesting “detailed, empirical justifications” for the reduced burden estimated for safety outreach and the reduced number of inadequate safety performance (ISP) railroads. The commenter also requested that FRA explain how the absorbed Fatigue Risk Management Program (FRMP) burdens align with rail carrier administrative workflows. FRA acknowledges the commenter’s concern about the revised estimates and provides the following additional explanation. This explanation is qualitative in nature because FRA’s revised estimates of future paperwork burdens correct a categorical over-inclusion of certain activities. FRA is also addressing an anonymous comment submitted to another ICR involving FRA’s System Safety Program (SSP) regulation, which requested clarification as to why FRA was reducing the number of ISP railroads and appears to have been submitted by mistake to the docket for the SSP ICR. (See FRA-2026-0039-0001.) This second comment repeats many of the same ISP concerns as the comment to the RRP ICR, but also specifically asks FRA to explain why it determined 13 previously designated ISP operations no longer meet the criteria.

As explained in the 60-day notice, FRA determined that the previous burden for safety outreach was over-estimated because it included burdens already accounted for in the rulemaking economic analysis, such as the cost and time associated with developing a safety outreach program and developing outreach materials to be used for educating and training employees on RRP safety information relevant to their job. Employee training is generally not a paperwork burden subject to the PRA, and FRA’s downward revision does not reflect any substantive change in FRA’s expectations regarding railroad safety outreach activities. Rather, the revised estimate accurately isolates the actual administrative paperwork burdens that do fall under the PRA, such as time spent maintaining outreach materials, preparing briefings, revising and updating content, and the ongoing management of the program itself.

Regarding the reduced number of ISP railroads, the revised estimate accurately and transparently reflects that FRA has identified fewer ISP railroads than initially estimated. It does *not* reflect that FRA has determined that 13 previous ISP railroads are no longer ISP, which is a concern raised by the comment submitted to the SSP ICR. The revised estimate also does not reflect any change in FRA enforcement discretion, but merely estimates the future number of ISP railroads based on FRA’s experience implementing the overall RRP rule. For example, the lower-than-expected number of ISP railroads is due in part to a corresponding increase in the number of railroads that proactively volunteered to comply with the RRP rule, as provided for in 49 C.F.R. § 271.15. Specifically, the information collection notice highlights that while the estimated number of ISP railroads decreased from 15 to 2, the estimated number of voluntarily compliant railroads concurrently increased from 0 to 10. The decrease in the estimated number of ISP railroads is therefore substantially offset by the increase in the estimated number of voluntarily compliant railroads. FRA will reevaluate its estimates for the number of ISP

and voluntarily compliant railroads during the next ICR renewal cycle to ensure that future burden estimates continue to be accurate and transparent.

Finally, the incorporation of FRMP hours into this ICR does not shift administrative tasks into uncompensated operational overhead; rather, it is an administrative action to more effectively manage FRA's paperwork collections. Because the two programs are legally and operationally intertwined, FRA consolidated the burden hours previously reported under OMB Control Number 2130-0633 into the central RRP ICR (OMB Control Number 2130-0610). The consolidated table explicitly accounts for all recurring FRMP administrative workflows, allocating specific, compensated burden hours for the development of new FRMP plans, analysis of fatigue risk, mitigation strategies, implementation evaluation, consultation with affected employees, initial review meetings with FRA, and subsequent plan amendments.

Consultations with representatives of the affected population:

As a part of FRA's oversight and enforcement, individuals from the railroad industry are generally in direct contact with FRA's inspectors at the time of site inspections and can provide any comments or concerns to them.

9. Payments or gifts to respondents.

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

10. Assurance of confidentiality.

Section 109 of the RSIA specifies that certain risk reduction records obtained by the Secretary are exempt from the public disclosure requirements of the Freedom of Information Act (FOIA). This exemption is subject to two exceptions for disclosure (1) necessary to enforce or carry out any Federal law and (2) when a record is comprised of facts otherwise available to the public and FRA determines disclosure would be consistent with the confidentiality needed for RRP. See 49 U.S.C. 20118. Unless an RSIA exception applies, FRA would not disclose such records in response to a FOIA request. See 5 U.S.C. 552(b)(3) and 49 CFR § 7.23(c)(3). Therefore, FRA concludes railroad risk reduction records in FRA's possession would be exempted from mandatory disclosure under FOIA unless one of the two exceptions applies.

The RRP rule also protects certain information compiled or collected after February 17, 2021, solely for RRP purposes from discovery, admission into evidence, or use for any other purpose in a Federal or State court proceeding for damages involving personal injury, wrongful death, or property damage. See 49 CFR § 271.11, *Discovery and admission as evidence of certain information*. The rule also specifies certain categories of

information that are not protected, including information compiled or collected on or before February 17, 2021, and that continues to be compiled and collected, even if used to plan, implement, or evaluate an RRP.

11. Justification for any questions of a sensitive nature.

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

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.

49 CFR Part 271	Respondent Universe	Total Annual Responses (A)	Avg. Time per Response (B)	Total Annual Burden Hours (A*B=C)	Wage Rate ⁶	Total Cost Equivalent U.S.D. (D =C* wage rate)	Analysis and Estimates
271.13 Determination of inadequate safety performance. (ISP)							
— (c) Notice to employees of possible ISP identification by FRA	Class II and III railroads	2 notices	3 hours	6 hours	\$90.19	\$541.14	No later than 15 days after receiving FRA's written notice, a railroad shall notify its employees of FRA's written notice. The railroad shall post this employee notification at all locations where the railroad reasonably expects its employees to report and to have an opportunity to observe the notice. The railroad shall post and continuously display the employee notification until 45 days after FRA's initial written notice. The railroad shall notify employees who do not have a regular on-duty point for reporting to work by other means, under the railroad's standard practice for communicating with employees. The notification shall inform
— (i) Employee confidential comments to FRA regarding railroad (RR) possible ISP identification	Employees	2 comments	30 minutes	1 hours	\$90.19	\$90.19	

⁶ The dollar equivalent cost is derived from the 2024 Surface Transportation Board Full Year Wage A&B data series using employee group 200 (Professional & Administrative) hourly wage rate of \$51.54 and employee group 300 (Maintenance of Way & Structures) hourly wage rate of \$41.21. The total burden wage rate (straight time plus 75%) used in the table is \$90.19 (\$51.54 x 1.75 = \$90.19) and \$72.12 (\$41.21 x 1.75 = \$72.12).

							railroad employees that they may confidentially submit comments to FRA regarding the railroad's safety performance and that employees shall file any such comments with the FRA Associate Administrator for Railroad Safety and Chief Safety Officer at FRA-RRP@dot.gov no later than 45 days following FRA's initial written notice.
— (ii) RR documentation to FRA refuting possible ISP identification	2 ISP railroads	2 documents	8 hours	16 hours	\$90.19	\$1,443.04	No later than 45 days after receiving FRA's written notice, a railroad may provide FRA documentation supporting any claims that the railroad does not have ISP.
—(f) and (g) RR petition for reconsideration of ISP determination and petition to discontinue compliance with part	2 ISP railroads	0.67 petition	16 hours	10.72 hours	\$90.19	\$966.84	(f) Railroads may file a written petition for reconsideration with the Administrator no later than 30 days after the date the railroad receives FRA's final written notice. (g) - After the five-year compliance period, the railroad may petition FRA for approval to discontinue compliance with Part 271. A railroad shall file a petition, and FRA will process the petition, under the procedures contained in § 211.41.
271.15 Voluntary compliance.							
—(c) Notification to discontinue voluntary compliance after five-year period.	8 volunteer railroads	2 notifications	1 hour	2 hours	\$90.19	\$180.38	Notification to discontinue compliance. After this five-year period, a voluntarily compliant railroad may discontinue compliance with Part 271 by providing written notice to the FRA Associate Administrator for

							Railroad Safety and Chief Safety Officer at FRA-RRP@dot.gov.
271.101 Risk Reduction Programs.							
—(c) Communication by Class I RRs that host passenger train services with RRs subject to FRA SSP requirements	6 class I railroads	40 meetings	2 hours	80 hours	\$90.19	\$7,215.20	If a railroad subject to Part 271 (RRP railroad) hosts passenger train service for a railroad subject to the SSP requirements in Part 270 (SSP railroad), the RRP railroad shall communicate with the SSP railroad to coordinate the portions of the SSP applicable to the RRP railroad hosting the passenger train service. The railroad shall incorporate its communications and coordination with the SSP railroad into its own RRP.
271.103 Risk-based hazard management program.							
— RRP hazard management program (HMP)	6 class I railroads	6 HMP analyses	3,360 hours	20,160 hours	\$90.19	\$1,818,230.40	An RRP shall include an integrated, system-wide, and ongoing risk-based HMP that proactively identifies hazards and mitigates the risks resulting from those hazards.
	2 ISP railroads	2 HMP analyses	240 hours	480 hours	\$90.19	\$43,291.20	
	10 volunteer railroads	2 HMP analyses	240 hours	480 hours	\$90.19	\$43,291.20	
271.105 Safety performance evaluation							
—RRP safety performance evaluation (SPE): evaluation/assessments	6 class I railroads	6 SPE evaluations	147 hours	882 hours	\$90.19	\$79,547.58	Safety monitoring. A railroad shall monitor the safety performance of its system by, at a minimum, establishing processes and systems to acquire safety data and information from the following
	2 ISP railroads	2 SPE evaluations	51 hours	102 hours	\$90.19	\$9,199.38	

	10 volunteer railroads	2 SPE evaluations	51 hours	102 hours	\$90.19	\$9,199.38	sources: (1) Continuous monitoring of operational processes and systems (including any operational changes, system extensions, or system modifications); (2) Periodic monitoring of the operational environment to detect changes that may generate new hazards; (3) Investigations of accidents/incidents, injuries, fatalities, and other known indicators of hazards; (4) Investigations of reports regarding potential non-compliance with Federal railroad safety laws or regulations, railroad operating rules and practices, or mitigation strategies established by the railroad; and (5) A reporting system through which employees can report safety concerns (including, but not limited to, hazards, issues, occurrences, and incidents) and propose safety solutions and improvements.
—RRP safety performance evaluation (SPE): survey/evaluation	6 class I railroads	6 assessments	1,060 hours	6,360 hours	\$90.19	\$573,608.40	Safety assessment. To assess the need for changes to a railroad's mitigation strategies or overall RRP, a railroad shall establish processes to analyze the data and information collected pursuant to § 271,105(b) (as well as any other relevant data regarding its operations, products, and services). At a minimum, this
	2 ISP railroads	2 assessments	14 hours	28 hours	\$90.19	\$2,525.32	
	10 volunteer railroads	2 assessments	14 hours	28 hours	\$90.19	\$2,525.32	

							<p>assessment shall:</p> <p>(1) Evaluate the overall effectiveness of the railroad's RRP in reducing the number and rates of railroad accidents/incidents, injuries, and fatalities;</p> <p>(2) Evaluate the effectiveness of the railroad's RRP in meeting the goals described by its RRP plan (see § 271.203(c));</p> <p>(3) Evaluate the effectiveness of risk mitigations in reducing the risk associated with an identified hazard. Any hazards associated with ineffective mitigation strategies shall be reevaluated through the railroad's risk-based HMP, as described in § 271.103; and</p> <p>(4) Identify new, potential, or previously unknown hazards, which shall then be evaluated by the railroad's risk-based HMP, as described in § 271.103.</p>
271.107 Safety Outreach.							
—(a) Safety outreach program that communicates RRP safety information to railroad personnel including contractors.	6 class I railroads	50 safety outreaches	1 hour	50 hours	\$72.12	\$3,606.00	Outreach. An RRP shall include a safety outreach component that communicates RRP safety information to railroad personnel (including contractors) as that information is relevant to their positions. At a minimum, a safety outreach program shall: (1) Convey safety-critical information.
	2 ISP railroads	2 safety outreaches	1 hour	2 hours	\$72.12	\$144.24	
	10 volunteer railroads	10 safety outreaches	1 hour	10 hours	\$72.12	\$721.20	

							(2) Explain why RRP-related safety actions are taken; and (3) Explain why safety procedures are introduced or changed.
—(b) Status report on risk-based HMP activities to management	6 class I railroads	24 reports	30 minutes	12 hours	\$90.19	\$1,082.28	Reporting to management. The status of risk-based HMP activities shall be reported to railroad senior management on an ongoing basis.
	2 ISP railroads	8 reports	3 hours	24 hours	\$90.19	\$2,164.56	
	10 volunteer railroads	40 reports	3 hours	120 hours	\$90.19	\$10,822.80	
271.109 Technology analysis and technology implementation plan.							
— Technology analysis and technology implementation plans	6 class I railroads	1 reports	10 hours	10 hours	\$90.19	\$901.90	As part of its RRP, railroads shall conduct a technology analysis and develop and adopt a technology implementation plan. A railroad shall develop, and periodically update as necessary, a technology implementation plan that contains a prioritized implementation schedule describing the railroad's plan for development, adoption, implementation, maintenance, and use of current, new, or novel technologies on its system over a 10-year period to reduce safety risks identified in the railroad's risk-based HMP.
	2 ISP railroads	2 plans	5 hours	10 hours	\$90.19	\$901.90	
	10 volunteer railroads	2 plans	5 hours	10 hours	\$90.19	\$901.90	
271.111 Implementation and support training.							
— RRP employee training records	6 class I railroads	30 records	3 minutes	1.50 hours	\$90.19	\$135.29	A railroad shall provide RRP training to each employee, including an employee of any person identified by the railroad's RRP plan
	2 ISP	10 records	3 minutes	0.50 hours	\$90.19	\$45.10	

	railroads						pursuant to § 271.205(a)(3) as performing significant safety-related services on the railroad's behalf or utilizing significant safety-related services provided by the railroad, who has significant responsibility for implementing and supporting the railroad's RRP. A railroad shall keep a record of training conducted under this section and update that record as necessary. A railroad shall make training records available for inspection and copying upon the request of representatives of FRA or States participating under 49 CFR Part 212.
	10 volunteer railroads	50 records	3 minutes	2.50 hours	\$90.19	\$225.48	
271.201 General.							
—Written RRP plans— Adoption and implementation of RRP plans	The PRA burden associated with this requirement for Class I RRs has been completed.						A railroad shall adopt and implement its RRP through a written RRP plan containing the elements described in Part 271 Subpart C and in § 271.609. A railroad's RRP plan shall be approved by FRA according to the requirements contained in subpart D of Part 271.
	2 ISP railroads	2 RRP plans	96 hours	192 hours	\$90.19	\$17,316.48	
	2 new volunteer railroads	2 RRP plans	96 hours	192 hours	\$90.19	\$17,316.48	
271.205 System Description.							
—(a)(3) and (4) Identification of all persons that perform or utilize significant safety-related services on the railroad's behalf and describe how such persons will support and participate in the	The PRA burden associated with this requirement for Class I RRs has been completed.						An RRP plan must identify all persons that enter a contractual relationship with the railroad to either perform significant safety-related services on the railroad's behalf or to utilize significant safety-related services provided by the railroad for railroad operations
	2 ISP railroads	2 system descriptions	1 hour	2 hours	\$90.19	\$180.38	
	2 new volunteer	2 system descriptions	1 hour	2 hours	\$90.19	\$180.38	

railroad's RRP	railroads						<p>purposes. For example, a railroad's RRP plan shall identify entities such as host railroads, contract operators, shared track/corridor operators, or other contractors utilizing or performing significant safety-related services. A railroad shall identify such persons even if the persons are not required to comply with Part 271 (<i>e.g.</i>, a railroad shall identify a tourist railroad that operates over the railroad's track even though the tourist railroad is exempt from Part 271 pursuant to § 271.3(b)(2)); and</p> <p>An RRP plan must also describe how the railroad will ensure that any persons identified pursuant to paragraph (a)(3) of this section will support and participate in the railroad's RRP.</p>
271.207 Consultation requirements.							
—(b) Good faith consultation preliminary meeting	The PRA burden associated with this requirement for Class I RRs has been completed.						<p>A railroad determined to demonstrate ISP shall meet no later than 30 days following FRA's notification with its directly affected employees to discuss the consultation process. The ISP railroad shall notify the directly affected employees of this meeting no less than 15 days before it is scheduled.</p> <p>All reported burden for this section includes the consultation requirements for both represented and non-represented employees.</p>
—(b)(2) ISP railroads good faith consultation meeting	2 ISP railroads	2 meetings	4 hours	8 hours	\$90.19	\$721.52	
—Notification to directly affected employees of consultation meeting (represented and non-represented)	2 ISP railroads	10 notifications	15 minutes	2.50 hours	\$90.19	\$225.48	
—(b)(4) Volunteer railroads good faith consultation	2 new	2 meetings	4 hours	8 hours	\$90.19	\$721.52	

meeting	volunteer railroads						See Appendix A of Part 271 ⁷ for guidance on how a railroad may comply with § 271.207.
—Notification to directly affected employees of consultation meeting (represented and non-represented)	2 new volunteer railroads	10 notifications	15 minutes	2.50 hours	\$90.19	\$225.48	
—(d) Submission of detailed consultation statement along w/RRP plan	The PRA burden associated with this requirement for Class I RRs has been completed.						A railroad required to submit an RRP plan under § 271.301 shall also submit, together with that plan, a consultation statement to FRA. Each railroad must also simultaneously provide a copy of the consultation statement to directly affected employees identified in a service list.
	2 ISP railroads	2 consults/statements	8 hours	16 hours	\$90.19	\$1,443.04	
	2 new volunteer railroads	2 consults/statements	8 hours	16 hours	\$90.19	\$1,443.04	
—Statements from directly affected employees	The PRA burden associated with this requirement for Class I RRs has been completed.						If a railroad and its directly affected employees cannot reach agreement on the proposed contents of an RRP plan, the directly affected employees may file a statement explaining their views on the plan on which agreement was not reached with the FRA Associate Administrator for Railroad Safety and Chief Safety Officer at <i>FRA-RRP@dot.gov</i> . The FRA Associate Administrator shall consider any such views during the plan review and approval process.
	2 ISP railroads	0.33 statements	1 hour	0.33 hours	\$90.19	\$29.76	
	2 new volunteer railroads	0.33 statements	1 hour	0.33 hours	\$90.19	\$29.76	

⁷ This guidance does not establish prescriptive requirements with which a railroad shall comply, but merely outlines a consultation process a railroad may choose to follow. A railroad's consultation statement could indicate that the railroad followed the guidance in Appendix A as evidence that it utilized good faith and best efforts to reach agreement with its employees on the contents of an RRP plan. This guidance may be useful as a starting point for railroads that are uncertain about how to comply with the § 271.207 consultation requirements.

271.301 Filing and approval.							
—(a) Copy of RRP plan submitted to FRA	The PRA burden associated with this requirement for Class I RRs has been completed.						A railroad shall submit one copy of its RRP plan to the FRA Associate Administrator for Railroad Safety and Chief Safety Officer at FRA-RRP@dot.gov.
	2 ISP railroads	2 filed plans	2 hours	4 hours	\$90.19	\$360.76	
	2 new volunteer railroads	2 filed plans	2 hours	4 hours	\$90.19	\$360.76	
—(b)(4)(i) Written notice submitted to FRA of a railroad's intent to voluntarily comply with the RRP rule	2 new volunteer railroads	2 written notices	1 hour	2 hours	\$90.19	\$180.38	Before submitting an RRP plan for FRA's review and approval, a voluntarily compliant railroad shall notify FRA of its intent to submit an RRP plan by providing written notice to the FRA Associate Administrator for Railroad Safety and Chief Safety Officer at FRA-RRP@dot.gov.
—(d)(3) Submission of corrected RRP plan when deficiencies are found by FRA	The PRA burden associated with this requirement for Class I RRs has been completed.						If FRA does not approve an RRP plan, the submitting railroad shall amend the proposed plan to correct all identified deficiencies and shall provide FRA with a corrected copy no later than 90 days following receipt of FRA's written notice that the submitted plan was not approved.
	2 ISP railroads	2 corrected RRP plans	2 hours	4 hours	\$90.19	\$360.76	
	2 new volunteer railroads	2 corrected RRP plans	2 hours	4 hours	\$90.19	\$360.76	
—Further consultation with directly affected employees regarding corrections and updated consultation statement	The PRA burden associated with this requirement for Class I RRs has been completed.						If FRA determines that the necessary corrections are substantively significant, it will direct the railroad to consult further with its directly affected employees regarding the corrections. If the corrections are substantively
	2 ISP railroads	2 consult/ statements	1 hour	2 hour	\$90.19	\$180.38	
	2	2	1	2	\$90.19	\$180.38	

	new volunteer railroads	consult/ statements	hour	hour			significant, a railroad will also be required to include an updated consultation statement, along with its resubmitted plan, pursuant to § 271.207(d).
271.303 Amendments.							
—(a) Amendments consultation w/directly affected employees on substantive amendments to RRP plan—Class I + ISP	18 railroads (6 Class I + 2 ISP + 10 volunteers)	2 consults	1 hour	2 hours	\$90.19	\$180.38	For substantive amendments, a railroad shall follow the process, described in its RRP plan pursuant to § 271.209, for consulting with its directly affected employees and submitting a consultation statement to FRA. The requirements of paragraph (a)(1) do not apply to non-substantive amendments (e.g., amendments that update names and addresses of railroad personnel).
—Employee statement to FRA on RR RRP plan substantive amendment where agreement could not be reached	18 railroads (6 Class I + 2 ISP + 10 volunteers)	2 employee statements	30 minutes	1 hour	\$90.19	\$90.19	If a railroad and its directly affected employees cannot reach agreement on the proposed contents of a substantive amendment, the directly affected employees may file a statement with FRA under the procedures in § 271.207(e)(1). A railroad's directly affected employees have 15 days following the railroad's submission of a proposed amendment to submit the statement.
—(b) Filed amended RRP plan	18 railroads (6 Class I + 2 ISP + 10 volunteers)	2 plans	30 minutes	1 hour	\$90.19	\$90.19	A railroad shall submit any amendment(s) to its approved RRP plan to FRA's Associate Administrator at FRA-RRP@dot.gov not less than 60 days before the proposed effective

							date of the amendment(s). The railroad shall file the amendment(s) with a cover letter outlining the proposed change(s) to the approved RRP plan.
—(c)(3) Amended RRP plan disapproved by FRA & requested correction	18 railroads (6 Class I + 2 ISP + 10 volunteers)	1 corrected RRP plan	2 hours	2 hours	\$90.19	\$180.38	If a proposed RRP plan amendment is not approved by FRA, no later than 60 days following the receipt of FRA's written notice, the railroad shall either provide FRA with a corrected copy of the amendment that addresses all deficiencies noted by FRA or notice that the railroad is retracting the amendment.
271.307 Retention of RRP Plans.							
—Retention of RRP plans— Copies of RRP plan/amendments by RR at system/division headquarters	18 railroads (6 Class I + 2 ISP + 10 volunteers)	4 plan copies	10 minutes	0.67 hour	\$90.19	\$60.43	A railroad shall retain at its system and division headquarters one copy of its RRP plan and each subsequent amendment to that plan. A railroad may comply with this requirement by making an electronic copy available.
271.401 Annual internal assessments and 271.403 Internal assessment improvement plans.							
— Annual internal assessment/improvement plans	6 class I railroads	6 assessment/improvement plans	120 hours	720 hours	\$90.19	\$64,936.80	<p>§ 271.401 – Beginning with the first calendar year after the calendar year in which FRA approves a railroad's RRP plan pursuant to § 271.301(d), the railroad shall annually (i.e., once every calendar year) conduct an internal assessment of its RRP.</p> <p>§ 271.403 – Within 30 days of completing its internal assessment, a railroad shall develop an improvement plan that addresses the findings of its internal assessment.</p>
	2 ISP railroads	2 assessment/improvement plans	32 hours	64 hours	\$90.19	\$5,772.16	
	10 volunteer railroads	10 assessment/improvement plans	32 hours	320 hours	\$90.19	\$28,860.80	

271.405 Internal assessment reports.							
— Copy of internal assessment to FRA	6 class I railroads	6 reports	8 hours	48 hours	\$90.19	\$4,329.12	Within 60 days of completing its internal assessment, a railroad shall submit a copy of an internal assessment report to the FRA Associate Administrator for Railroad Safety and Chief Safety Officer at FRA-RRP@dot.gov.
	2 ISP railroads	2 reports	2 hours	4 hours	\$90.19	\$360.76	
	10 Volunteer railroads	10 reports	2 hours	20 hours	\$90.19	\$1,803.80	
271.501 External audits and 271.503 External audit improvement plans.							
— External audits—FRA will conduct external audits of a RR’s RRP. Each audit evaluates the RR’s compliance with the elements of its RRP plan and how the RRP is promoting/supporting a positive safety culture under § 271.101(a). — RR response to FRA’s written notice	18 railroads (6 Class I + 2 ISP + 10 volunteers)	7 written responses	4 hours	28 hours	\$90.19	\$2,525.32	Within 60 days of receiving FRA’s written notice of the audit results, if necessary, a railroad shall submit for approval an improvement plan addressing any instances of deficiency or non-compliance found in the audit to the FRA Associate Administrator for Railroad Safety and Chief Safety Officer at FRA-RRP@dot.gov.
271.609 Requirements for an FRMP Plan.							
— (a) through (d) New FRMP Plan containing the following elements: • Analysis of fatigue risk. • Mitigation strategies. • Evaluation – processes to monitor the overall effectiveness of the FRMP. • FRMP implementation plan. • Consultation with directly	6 Class I railroads	FRA anticipates there will be no new Class I FRMPs submitted over the next three-year period.					A railroad shall adopt and implement its FRMP through an FRA-approved FRMP plan, developed in consultation with directly affected employees as described under § 271.207. As detailed in § 271.609(a)-(d) the FRMP plan must contain the following elements: • Analysis of fatigue risk. • Mitigation strategies.
	2 ISP railroads	2 plans	76 hours	152 hours	\$90.19	\$13,708.88	
	2 new volunteer railroads	2 plans	76 hours	152 hours	\$90.19	\$13,708.88	

affected employees on FRMP plan contents.							<ul style="list-style-type: none"> • Evaluation – processes to monitor the overall effectiveness of the FRMP. • FRMP implementation plan, this includes the requirement for railroads to consult with affected employees <p>The development, submission, and implementation of an FRMP is time intensive due to the hours required to complete each element of the plan. The burden hours for each of these elements is reflected under § 271.609.</p>
— Initial meeting with FRA to review FRMP plan.	6 Class I railroads	FRA anticipates there will be no new Class I FRMPs submitted over the next three-year period.					Railroads meet with FRA to review the initial FRMP plan. Railroads will make edits based on feedback received and submit final copy for approval. A railroad must submit the plan to FRA for approval under the criteria of Subpart C of Part 271.
	2 ISP railroads	2 meetings	16 hours	32 hours	\$90.19	\$2,886.08	
	2 new volunteer railroads	2 meetings	16 hours	32 hours	\$90.19	\$2,886.08	
— Amendments to FRMP plans already approved (§ 271.605(c)(2)).	6 Class I railroads	2 amended plans	40 hours	80 hours	\$90.19	\$7,215.20	FRA shall review and approve or disapprove a railroad's FRMP plan under the process for reviewing RRP plans in § 271.301(d) and updates to the railroad's FRMP plan under the process for reviewing amendments to an RRP plan in § 271.303(c). FRA approval of a railroad's FRMP plan amends a railroad's RRP plan to include the
	2 ISP railroads	2 amended plans	20 hours	40 hours	\$90.19	\$3,607.60	
	10 volunteer railroads	2 amended plans	20 hours	40 hours	\$90.19	\$3,607.60	

							FRMP plan as a component.
Totals ⁸	18 railroads	426 responses		31,192 hours		\$2,812,135.77	

13. Estimate of total annual costs to respondents.

There are no additional costs to respondents other than those reflected in the response to question 12 above.

⁸ Totals may not add up due to rounding

14. Estimate of cost to Federal Government.

The following table shows the estimated annual cost to the Federal Government to review all the required documents, conduct audits assessments for the RRP Program.

Pay Grade	Annual Wage ⁹	Burdened Wage (Wages * 1.75 overhead costs)	No. of Employees	Percent Share of Time Use	Total Cost
GS-14	\$163,104	\$285,432	6	75%	\$1,284,444
GS-15	\$191,850	\$335,737.50	1	10 %	\$33,573.75
Total Annual Government Cost					\$1,318,017.75

15. Explanation of program changes and adjustments.

This is a revision of a currently approved information collection request (ICR)). The current OMB inventory for this ICR shows a total burden of 60,860 hours and 49,374 responses, while the requesting inventory estimates a total burden of 31,192 hours and 426 responses. Overall, the burden for this submission has decreased by 29,668 hours and 48,948 responses. There is no change in the collection method. The decrease in burden hours and responses is solely the result of adjustments.

FRA has made multiple adjustments to the previously approved burden hours. While some reported burden hours have increased, the overall burden hours have decreased from the previously approved 60,860 hours to 31,192 hours. In general, the revised estimates reflect that the estimated number of ISP rail operations has decreased from 15 to 2, the estimated number of voluntarily compliant railroads has increased from 0 to 8, and that all Class I railroads have FRA-approved RRP plans in place and FRA does not anticipate any new Class I railroads beginning operations in the 3-year period of this information collection.

Furthermore, under § 271.107, which requires a safety outreach program, FRA determined that the previously reported burden was over-estimated. For this submission, the burden hours are therefore reduced from 44,333 hours to 50 hours. This more accurately reflects time spent on managing the safety outreach program and RRP safety communications to railroad personnel.

To more effectively manage its ICRs, FRA is also incorporating into this ICR the burden hours under 49 CFR § 271.609, Requirements for an FRMP Plan, currently reported

⁹ To calculate the government administrative cost, the 2026 Office of Personnel Management wage rates were used for Washington-Baltimore-Arlington, DC-MD-VA-WV-PA locality. The average wage (of step 5) was used as a midpoint.

under 2130-0633 Fatigue Risk Management Program.

The table below provides specific information on the review of any estimates that have changed, including the specific paperwork requirements and associated burden hours added for § 271.609.

49 CFR Part 271	Total Annual Responses			Total Annual Burden Hours		
	Current	Requesting	Difference	Current	Requesting	Difference
271.13 Determination of inadequate safety performance. (ISP)						
— (c) Notice to employees of possible ISP identification by FRA	5	2	-3	1	6	-9
— (i) Employee confidential comments to FRA regarding railroad (RR) possible ISP identification	5	2	-3	3	1	-1.50
— (ii) RR documentation to FRA refuting possible ISP identification	5	2	-3	40	16	-24
271.15 Voluntary compliance.						
— (c) Notification to discontinue voluntary compliance after five-year period	0	2	2	0	2	2
271.101 Risk Reduction Programs.						
—(d) Identification/ communication w/entities performing/utilizing significant safety-related services. Class I and ISP railroads	212	0	-212	212	0	-212
	5	0	-5	10	0	-10
—Identification/ further communication with contractors performing/utilizing significant safety related services	1,488	0	-1,488	1,488	0	-1,488
271.103 Risk-based hazard management program.						
— RRP hazard management program (HMP) analysis Class I, ISP and volunteer railroads	2	6	3.67	7,829	20,160	12,331.20
	5	2	-3	1,200	480	-720
	0	2	2.00	0	480	480
271.105 Safety performance evaluation.						
— RRP safety performance evaluation (SPE): safety monitoring component Class I, ISP and volunteer	2.33	6	3.67	343	882	539.49
	5	2	-3.00	256	102	-153.55
	0	2	2.00	0	102	102

railroads						
— RRP SPEs: assessment	2	6	3.67	2,470	6,360	3,889.85
Class I, ISP and volunteer	5	2	-3	74	28	-45.65
railroads	0	2	2	0	28	28
271.107 Safety Outreach.						
— (a) Safety outreach	44,333	50	-44,283	44,333	50	-44,283
program that communicates	5	2	-3	5	2	-3
RRP safety information to	0	10	10	0	10	10
railroad personnel including						
contractors						
Class I, ISP and volunteer						
railroads						
— (b) Status report on risk-	28	24	-4	14	12	-2
based HMP activities to	5	8	3	15	24	9
management. Class I, ISP and	0	40	40	0	120	120
volunteer railroads						
271.109 Technology analysis and technology implementation plan.						
— Technology analysis and	2	1	-1.33	23	10	-13.30
technology implementation	5	2	-3.	25	10	-15
plans	0	2	2	0	10	10
Class I, ISP and volunteer						
railroads						
271.111 Implementation and support training.						
— RRP employee training	1,400	30	-1,370	70	2	-68.50
records	50	10	-40	3	1	-2
Class I, ISP and volunteer	0	50	50	0	3	2.50
railroads						
271.201 General.						
—Written RRP plans—	5	2	-3.00	480	192	-288
Adoption and implementation	0	2	2	0	192	192
of RRP plans						
ISP and volunteer railroads						
271.205 System Description.						
— (a)(3) and (4)	0	2	2	0	2	2
Identification of all persons						
that perform or utilize						
significant safety-related	0	2	2	0	2	2
services on the railroad's						
behalf and describe how such						
persons will support and						
participate in the railroad's						
RRP						
271.207 Consultation requirements.						
— (b)(2) ISP railroads good	5	2	-3	100	8	-92
faith consultation meeting						
— Notification to directly	0	10	10	0	2.50	2.50
affected employees of						
consultation meeting						
(represented and non-						
represented) ISP railroads						

— (b)(4) Volunteer railroads good faith consultation meeting	0	2	2	0	8	8
— Notification to directly affected employees (represented and non-represented) volunteer railroads	0	10	10	0	2.50	2.50
— (d) Submission of detailed consultation statement along w/RRP plan. ISP and volunteer railroads	5	2	-3	200	16	-184
	0	2	2	0	16	16
— Statements from directly affected employees. ISP and volunteer railroads	12	0.33	-11.67	12	0.33	-11.67
	0	0.33	0.33	0	0.33	0.33
271.209 Consultation on amendments.						
— Substantive amendments to RRP plan	1	0	-1	8	0	-8
	1	0	-0.67	5	0	-5.36
271.301 Filing and approval.						
— (a) Copy of RRP plan submitted to FRA. ISP and new volunteer railroads	5	2	-3	10	4	-6
	0	2	2	0	4	4
— (b)(4)(i) Written notice submitted to FRA of a railroad's intent to voluntarily comply with the RRP rule. New volunteer railroads	0	2	2	0	2	2
— (d)(3) Submission of corrected RRP plan when deficiencies are found by FRA. ISP and new volunteer railroads	1	2	1	2	4	2
	0	2	2	0	4	4
— Further consultation with directly affected employees regarding corrections and updated consultation statement. ISP railroads and new volunteer railroads	1	2	1	1	2	1
	0	2	2	0	2	2
271.303 Amendments.						
— (b) Filed amended RRP plan Class I, ISP and volunteer railroads	1.67	2	0.33	0.84	1	0.16
271.307 Retention of RRP Plans.						
— Retention of RRP plans— Copies of RRP Plan/Amendments by RR at system/division headquarters. Class I, ISP and volunteer	2	4	2	0.33	0.67	0.34

railroads						
271.401 Annual internal assessments and 271.403 Internal assessment improvement plans.						
— Annual internal assessment/improvement plans. Class I, ISP and volunteer railroads	7	6	-1	840	720	-120
	5	2	-3	160	64	-96
	0	10	10	0	320	320
271.405 Internal assessment reports.						
— Copy of internal assessment to FRA. Class I, ISP and volunteer railroads	7	6	-1	56	48	-8
	5	2	-3	10	4	-6
	0	10	10	0	20	20
271.501 External audits and 271.503 External audit improvement plans.						
— External audits—FRA will conduct external audits of a RR's RRP. Each audit evaluates the RR's compliance with the elements of its RRP plan and how the RRP is promoting/supporting a positive safety culture under § 271.101(a). — RR response to FRA's written notice	1,007	7	-1,000.33	196	28	-167.99
271.609 Requirements for an FRMP Plan.						
— (a) through (d) New FRMP Plan containing the following elements: • Analysis of fatigue risk. • Mitigation strategies. • Evaluation – processes to monitor the overall effectiveness of the FRMP. • FRMP implementation plan. • Consultation with directly affected employees on FRMP plan contents. ISP and new volunteer railroads	0	2	2	0	152	152
	0	2	2	0	152	152
— Initial meeting with FRA to review FRMP plan. ISP and new volunteer railroads	0	2	2	0	32	32
	0	2	2	0	32	32
— Amendments to FRMP plans already approved (§ 271.605(c)(2)).	0	2	2	0	80	80
	0	2	2	0	40	40
	0	2	2	0	40	40
Appendix A						
— Meeting to discuss administrative details of consultation process during the time between initial meeting and applicability date	7	0	-7	7	0	-7

— Notification to non-represented employees of good faith consultation process	600	0	-600	150	0	-150
— Draft RRP plan proposal to employees	20	0	-20	40	0	-40
— Employee comments on RRP plan draft proposal	60	0	-60	60	0	-60
Totals¹⁰	49,374 responses	426 responses	-48,948	60,860 hours	31,192 hours	-29,668

16. Publication of results of data collection.

FRA does not plan to tabulate or publish the responses.

17. If you are seeking approval not to display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

FRA will be displaying the expiration date as required on any documents that are used by the public to collect information.

18. Exception to certification statement.

No exceptions are taken at this time.

¹⁰ Totals may not add up due to rounding.