

FEDERAL RAILROAD ADMINISTRATION
Railroad Workplace Safety
(Title 49 Code of Federal Regulations (CFR) Part 214)
SUPPORTING JUSTIFICATION
RIN 2130-AD44; OMB Control No. 2130-0539

This non-substantive change updates the recently approved information collection request (ICR), corresponding to Part 214, Railroad Workplace Safety, OMB control no. 2130-0539. OMB last approved this ICR on January 16, 2026, with a new expiration date of January 31, 2029.

To ensure compliance with part 214, FRA collects data on affected railroads' on-track safety programs to determine that railroads have policies, procedures, and practices in place that protect roadway workers from dangers in their work environment. Railroads are required to provide on-track safety manuals to all roadway workers that they can readily consult to determine what on-track safety procedures are required for their work assignment. Under the regulation, railroads are required to provide initial and recurrent training to roadway workers on their on-track safety program. This includes training for roadway workers who work where on-track safety for adjacent controlled tracks is required, and the appropriate practices and procedures they must follow.

FRA collects data from railroads on training through the records that they are required to keep. Additionally, FRA collects information on violations of workplace safety regulations on Form FRA F 6180.119. FRA uses violation information to support actions that will reduce or eliminate hazards to railroad workers. Specifically, FRA uses the information that it collects, under this regulation, to monitor and enforce requirements relating to the safety of roadway workers and ensure that railroads fulfill their responsibilities to keep roadway workers secure and free from unnecessary and avoidable hazards.

On August 31, 2026, FRA issued a final rule titled Repealing Outdated Railroad Workplace Safety Requirements and Making Other Improvements.¹ This rule repeals several roadway workplace safety requirements that have become obsolete. In addition, FRA establishes a new special approval procedure to enable regulated entities, after public notice and FRA approval, to utilize an alternative approach to bridge worker safety that provides for an equivalent or better level of safety. Also, this rule clarifies that the required training for operators of roadway maintenance machines equipped with a crane includes specific aspects such as maintaining vertical clearance.

Justification:

With this final rule FRA added a new § 214.119 that provides for a special approval procedure similar to the procedure provided in 49 CFR 238.21.

1. The currently approved total burden hours for ICR 2130-0539 are 13,604. New § 214.119 will increase the currently approved burden by 10 hours. This resulted in a revised total

¹ 91 FR 55749

annual burden of 13,614 hours for the entire collection. The special approval procedure enables a regulated entity, after public notice and FRA approval, to utilize an alternative approach to bridge worker safety that provides for an equivalent or better level of safety

2. No other changes have been made to this collection.

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 Annual Dollar Cost Equivalent (D)=C * wage rates ²
§ 214.119 Special approval procedure (New)					
—(a) Petition for special approval (New requirement)	800 railroads	1 submission	10 hours	10 hours	\$945

² The dollar equivalent cost is derived from the 2025 Surface Transportation Board Full Year Wage A&B data series using the employee group 200 (Professional & Administrative) hourly wage rate of \$54.00 The total burden wage rates (Straight time plus 75%) used in the table are \$94.50 (\$54 x 1.75 = \$94.50).