

1FEDERAL RAILROAD ADMINISTRATION
Bad Order, Home Shop Card, and Stenciling Reporting Mark
(Title 49 Code of Federal Regulations Part 215)
SUPPORTING JUSTIFICATION
OMB Control No. 2130-0519

Summary of Submission

- This submission is a request for an extension without change of the last three-year approval granted by the Office of Management and Budget (OMB) on April 24, 2023, with an expiration date on April 30, 2026.
- The Federal Railroad Administration (hereafter “FRA” or “the Agency”) published a required 60-day Notice in the *Federal Register* on January 30, 2026. See 91 FR 4165. FRA received no comments in response to this Notice.
- FRA made no adjustments and the estimated burden hours for this information collection request (ICR) remains at 38,000 hours and 285,000 responses for this submission.
- The answer to question number 12 itemizes all information collection requirements.

1. Circumstances that make collection of the information necessary.

On October 16, 1970, Congress enacted the Federal Railroad Safety Act of 1970 (Pub. L. No. 91-458) (now codified, in part, at 49 U.S.C. § 20103). This Act gave the Secretary of Transportation the authority to prescribe, as necessary, appropriate rules, regulations, orders, and standards for all areas of railroad safety, including Federal freight car safety standards codified as Title 49 Code of Federal Regulations (CFR) part 215.

This ICR addresses requirements relating to the movement of defective cars for repair as well as stenciling requirements. As discussed in more detail in the subsequent paragraphs, FRA requires each railroad to inspect freight cars placed in a train and take the necessary remedial action when defects are found per 49 CFR part 215, subpart A. FRA enforces the regulations by monitoring the railroad’s compliance activities using FRA field personnel and/or qualified State inspectors. Railroads are also required to stencil or otherwise display identification marks on freight cars, including a car number and build date per 49 CFR part 215, subpart D.

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

Under 49 CFR part 215, railroads are required to inspect freight cars placed in service and take remedial action when defects are identified. Under § 215.11, a railroad must also maintain a record for each of the designated persons qualified to inspect railroad freight cars for part 215 compliance. A railroad freight car with a part 215 defect may be moved

to another location for repair only after the railroad has complied with the process under § 215.9. Section 215.9 requires railroads to affix a “bad order” tag describing each defect to each side of the freight car. It is imperative that a defective freight car be tagged “bad order” so it can be readily identified and moved to another location for repair purposes only, and so that any maximum speed or other restrictions necessary for safely conducting the movement are known. At the repair location, the “bad order” tag serves as a notification of the defective condition of the freight car. Railroads must retain each tag for 90 days after removal from the freight car to verify that proper repairs were made at the designated location. When inspecting freight cars, FRA and State inspectors review all pertinent records to determine railroads’ compliance with the movement restrictions of § 215.9.

Section 215.301 requires railroads and private car owners to stencil or otherwise display identification marks on freight cars, including a car number and build date. FRA uses identification marks to help obtain certain information related to a car’s compliance with Federal safety requirements. The marks are used consistently across railroad records to identify the car and show: the type of car, what it’s carrying, its movement history, and current maintenance schedule. Using the marks to identify the cars helps FRA determine the application of Federal safety requirements to that car and who is responsible for compliance. FRA also uses this information to identify cars that have been qualified for dedicated service and are excluded from certain requirements of part 215. Railroads use the required information to provide identification and control so that dedicated cars remain in the prescribed service.

3. Extent of automated information collection.

FRA strongly encourages the use of advanced information technology, wherever feasible, to reduce the burden on respondents. While FRA is aware of technologies that allow for electronic bad order tagging, FRA continues to discuss with stakeholders the feasibility of implementing this technology railroad-wide in this context. In addition, neither the amount nor type of information required by this collection requires elaborate information processing.

4. Efforts to identify duplication.

There is no known duplication of method for identifying defective equipment. The tag is placed on the car when a defect is detected and is removed after the defect is corrected. The tag is retained. In these instances, no other repair record is prepared.

There is no known duplication of method for identifying freight cars. A car is stenciled when it is built or rebuilt, and this process is not repeated unless the car ownership changes or the stenciling becomes illegible or graffiti marked.

Similar data are not available from any other source.

5. Efforts to minimize the burden on small businesses.

There are no known, feasible methods that are used, or can be used, at the present time to minimize the burden industry-wide. However, the majority of the estimated burden for bad order tags and stenciling will be experienced by the major railroads. The list of designated inspectors also almost exclusively falls on the major railroads because of their greater financial resources and facilities.

6. Impact of less frequent collection of information.

Without this collection of information, FRA and State inspectors would be impeded in their enforcement of Federal and State rail safety requirements. Specifically, they would be unable to access records concerning the inspection and movement of freight cars (including necessary restrictions) that did not meet the requirements of part 215. This information may prove to be critical in an investigation to determine the cause(s) or contributing cause(s) of an accident/incident in which railroad workers experienced injuries or fatalities. Also, without this collection of information, specifically with respect to the list of designated inspectors under § 215.11, FRA would have no way to know whether a qualified railroad inspector made the determination that a freight car did not meet the requirements of part 215 and was defective.

Without reporting marks on both sides of each car, extra employees would be needed to identify cars entering rail yards. This would be costly and inefficient for the railroad industry. The other option would be for an employee to attempt to identify entering freight cars on their own, potentially exposing railroad employees to greater risk of injury due to the potential need to cross a track to obtain identifying freight car information.

7. Special circumstances.

There are no special circumstances with respect to this information collection request ICR.

8. Compliance with 5 CFR § 1320.8.

As required by the Paperwork Reduction Act of 1995 (PRA) and 5 CFR part 1320, FRA published a 60- day notice in the *Federal Register* on January 30, 2026,¹ soliciting comment from the public, railroads, and other interested parties. FRA received no public comments in response to the 60-day notice.

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

¹ 91 FR 4165.

provide any comments or concerns to them.

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.

The information collected is not of a confidential nature and FRA pledges no confidentiality.

11. Justification for any questions of a sensitive nature.

This ICR does not contain any data of a personal or sensitive nature.

12. Estimate of burden hours for information collected.

The estimates for the respondent universe, annual responses, and average time per response are based on the experience and expertise of FRA’s Office of Railroad Safety.

CFR Section	Respondent Universe	Total Annual Responses (A)	Average Time per Response (B)	Total Annual Burden hours (C = A * B)	Wage rates ²	Total Cost equivalent U.S.D. (D = C * wage rates ³)	PRA Estimates and Analyses
215.9 Movement of defective cars for repair							
—(a)(2) Tagging of defective cars	754 railroads	150,000 Tags	5 minutes	12,500 hours	\$73.41	\$917,625	Railroads are required to affix a “bad order” tag describing each defect to each side of the freight car.
—(b)(3) Notifications of removal of defective car tags	754 railroads	75,000 notifications	2 minutes	2,500 hours	\$73.41	\$183,525	Each tag or card removed from a car shall contain a notification stating the date, location, reason for its removal, and the signature of the person who removed it from the car.
215.11 Designated Inspectors							
—(c) Records of designated inspectors	754 railroads	30,000 records	1 minute	500 hours	\$73.41	\$36,705	Railroads are required to maintain a record for each of the designated persons qualified to inspect railroad freight cars for compliance with this part.
215.301 General (Subpart D, Stenciling)							

² Surface Transportation Board (STB), *Quarterly Wage Form A&B Data* (2024). Compiled from Class I railroad data reported on Wage Form A&B for year 2024. Calculated as: Wage (\$/hour) = sum of compensation for time worked and paid for straight time rates (\$) for Class I railroads ÷ sum of service hours for time worked and paid for straight time rates (hours) for Class I railroads. Available: <https://www.stb.gov/reports-data/economic-data/quarterly-wage-ab-data/>.

³ The employee groups used to calculate hourly wage rates are Group 400 (Maintenance of Equipment & Stores) \$72.01 (41.15 x overhead of 1.75) and Group 600 (Transportation, Train, and Engine), \$79.02 (\$45.16 x overhead of 1.75). Time spent by these groups on the respective paperwork requirements are Group 400, 80% and Group 600 20%. This results in a combined wage rate of \$73.41, (\$72.01 x 0.8 + \$79.02 x 0.2 = \$57.61 + \$15.80 = \$73.41).

—Stenciling	754 railroads	30,000 stencils	45 minutes	22,500 hours	\$73.41	\$1,651,725	Railroads and private car owners are required to stencil or otherwise display identification marks on freight cars, including a car number and build date.
Total	754 railroads	285,000 responses		38,000 hours		\$2,789,580	

13. Estimate of total annual costs to respondents.

\$4,500 (Cost of 150,000 tags at 3 cents each).

Note: The total cost reflected is a rough estimate based on the knowledge and experience of the subject matter experts within FRA’s Office of Railroad Safety. The cost of each tag would vary depending on material type, quantity ordered, and the railroads negotiated rates with suppliers.

14. Estimate of cost to Federal Government.

There is no cost to the Federal Government in connection with the tagging, stenciling, and recordkeeping requirements of 49 CFR §§ 215.9, 215.11, and 215.301. Compliance is monitored during routine inspection activity and carriers’ records are examined as part of routine FRA enforcement activities.

15. Explanation of program changes and adjustments.

This is an extension without change to a current ICR. FRA made no adjustments to the previously approved burden hours. The requested estimated burden hours remain at 38,000 hours and 285,000 responses.

16. Publication of results of data collection.

FRA plans no tabulation or publication of responses.

17. Approval for not displaying the expiration date for OMB approval.

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.