



M O V I N G T H E
**AMERICAN
ECONOMY**

***Federal Railroad Administration
Safety Oversight & Enforcement
Fact Sheet***

Mission:

The Federal Railroad Administration's (FRA) primary function is ensuring the safety of the nation's approximately 700 railroads. FRA strategically monitors the nation's rail transportation system for compliance with federal safety regulations, and utilizes a variety of methods to encourage railroads and shippers to meet or exceed federal regulations, and remedy all defects and violations in the most timely manner possible.

Oversight:

FRA issues regulations governing track, wayside signal and train control systems, highway-rail grade crossing automatic warning device systems, mechanical equipment (i.e. locomotives and rail cars) and railroad operating practices. In addition, FRA enforces regulations regarding rail transport of hazardous materials issued by the Pipeline and Hazardous Materials Safety Administration (PHMSA). FRA oversees railroad compliance of more than 2,000 regulations by conducting routine and targeted inspections, audits and special assessments of railroad operations.

By law, railroads are required to report to FRA a wide variety of accidents, incidents and events that occur in the course of operations. This information aids FRA in determining where to allocate its inspection and oversight resources to areas of greatest need. The day to day inspection of track and equipment is the responsibility of individual railroads. FRA also investigates certain railroad accidents and incidents, including all railroad employee fatalities.

Inspections:

FRA inspectors systematically observe, monitor, examine and test carefully selected samples or cross sections of the railroad system. If defects are identified during the course of these activities, the railroad will be advised and possibly cited as the situations warrants. Field personnel evaluate the relative importance of any noted defects or violations as they impact safety and proceed accordingly based on their knowledge, experience, training and expertise.

If any individual defect or series of defects are expected to have an adverse impact on safety, FRA may issue special notices, orders or bulletins. More serious defects may result in equipment, territory or railroad employees being taken out of service by FRA until the problem is fully resolved.

FRA also conducts targeted inspections, under certain circumstances. These inspections concentrate resources on specific, important compliance issues that have the potential to cause or contribute to the occurrence of a serious accident or casualty.

Enforcement:

FRA retains the right to issue compliance orders, special notices for repair, disqualification orders, injunctions and emergency orders. Emergency orders can be issued if an unsafe condition, practice or both create an emergency situation. FRA may also assess a civil penalty or fine against a railroad, shipper or individual under specific circumstances. This enforcement tool is typically reserved for the most serious or egregious violations of railroad safety laws and regulations.

When defects are noted, FRA safety inspectors and specialists often consult with one another, and with railroad personnel if appropriate, to help determine the most effective solution to bring the railroad into compliance with the relevant regulation or standard. FRA evaluates the seriousness of the defect and the compliance history of the party in order to determine which if any enforcement tool is most appropriate. In some cases, FRA may determine the best approach is to specify a timetable for repair and hold the railroad accountable for achieving the promised improvements (i.e. a 'fix-it ticket').

It is very important to note that not every train accident or incident occurs because of a violation of federal regulations or railroad operating practices. Sometimes, natural causes or simple mistakes take place that do not warrant FRA enforcement action.

National Inspection Plan:

The National Inspection Plan (NIP) is a resource allocation program that uses predictive indicators to assist FRA in conducting inspection and enforcement activities within a specific geography or on a certain railroad. In essence, it helps FRA optimize existing inspection and accident data in such a way to identify potential safety "hot spots" so they can be examined before a serious safety hazard emerges.

State Rail Safety Participation Program:

The Rail Safety Act of 1970 authorized the states to work with the FRA to enforce federal railroad safety regulations. Today, the State Safety Participation Program consists of 30 states employing 160 safety inspectors in the five rail safety inspection disciplines. State programs generally emphasize planned, routine compliance inspections; however, states may undertake additional investigative and surveillance activities consistent with overall program needs and individual state capabilities.

For more on the State Rail Safety Participation Program, click [here](#)

For additional information, please contact
FRA Public Affairs (202) 493-6024 or www.fra.dot.gov.
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