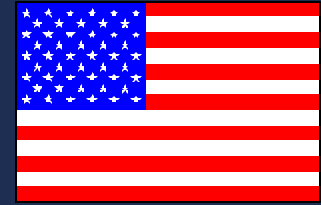




Federal Railroad Administration



Section 610 Reviews

Section 610 Reviews

Year	Regulations to be Reviewed	Year	
		Analysis	Review
1	49 CFR parts 200 through 201	1998	1999
2	49 CFR parts 207, 209, 211, 215 and 256	1999	2000
3	49 CFR parts 210, 212, 214 and 217	2000	2001
4	49 CFR parts 219	2001	2002
5	49 CFR parts 218 and 221	2002	2003
6	49 CFR parts 216 and 228 through 229	2003	2004
7	49 CFR parts 223 and 233	2004	2005
8	49 CFR parts 225, 231 and 234	2005	2006
9	49 CFR parts 235 through 236, 250, 260 and 266	2006	2007
10	49 CFR parts 213, 220, 230, 232, 239, 240 and 265	2007	2008

Section 610 Reviews

Section 610 of the Regulatory Flexibility Act (RFA) requires Federal agencies to review all rules that have a significant economic impact on substantial number of small entities within 10 years of their adoption as final rules. Pursuant to Section 610 of RFA, Federal Railroad Administration (FRA) has reviewed the following regulations:

Completed Section 610 Reviews

49 CFR PART	Description
200	Informal Rules of Practice for Passenger Service
201	Formal Rules of Practice for Passenger Service
207	Railroad Police Officers
209	Railroad Safety Enforcement Procedures
210	Railroad Noise Emissions Compliance Regulations
211	Rules of Practice
212	State Safety Participation Regulations
214	Railroad Workplace Safety
215	Railroad Freight Car Safety Standards

Completed Section 610 Reviews

49 CFR PART	Description
217	Railroad Operating Rules
218	Railroad Operating Practices
219	Control of Alcohol and Drug Use
221	Rear End Marking Device – Passenger, Commuter and Freight Trains
256	Financial Assistance for Railroad Passenger Terminals

Section 610 Reviews - Impacts

After initial review of these rule, FRA determined that the 214 and 215 have a significant economic impact on substantial number of small entities. Both of these rules were reviewed in greater detail to determine whether these rules should be continued without change, or should be amended or rescinded to minimize their significant impact on small entities:

Section 610 Reviews – Impacts 49 CFR Part 214

49 CFR Part 214, Subpart B prescribes minimum railroad safety rules for railroad employees performing work on bridges, while Subpart C prescribes minimum safety standards for roadway workers:

- There are no specific provisions in the regulation that limit its impact on small entities.**

Section 610 Reviews – Impacts

49 CFR Part 214

- **However, various provisions of the regulation apply in different circumstances. For example, roadway worker protection rules for locations with frequent high speed train operations are more complex than those which normally apply to the slower, less frequent operation typical of smaller railroads. To this extent the impact of the regulation on small entities is inherently limited.**

Section 610 Reviews – Impacts

49 CFR Part 215

49 CFR Part 215 prescribes minimum federal safety standards for the inspection, testing, and maintenance of railroad freight cars.

- FRA has attempted to minimize the impact of this rule on small entities by allowing abbreviated inspections of freight cars by train crews, and by allowing considerable flexibility in the movement of defective cars for purposes of repair.**

Section 610 Reviews – Impacts

49 CFR Part 215

- In addition, FRA has provided small entities the authority to petition for continued in-service use of equipment that is more than 50 years old.
- Therefore, FRA has determined that 49 CFR Part 215 should continue without change, as the rule already contains provisions that minimize adverse effects on the safe transportation of railroad freight cars.