

Section 610 Reviews

Section 610 of the Regulatory Flexibility Act (RFA) requires agencies to review all regulations that have a significant economic impact on a substantial number of small entities within 10 years of their adoption as final rules.

In reviewing rules to minimize impacts on small entities, agencies should consider the following: the continued need for the rule; the nature of complaints or comments received concerning the rule from the public; the complexity of the rule; the extent to which the rule overlaps, duplicates, or conflicts with other federal rules and, to the extent feasible, with state and local governmental rules; and the length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed since adoption of the rule.

If an agency determines that there will be a significant economic impact on a substantial number of small entities, the agency must prepare an initial regulatory flexibility analysis (IRFA). The IRFA should describe the impact of the proposed rule on small entities, and any alternatives to the proposed rule that would minimize the impact while accomplishing the stated objectives of the applicable statutes.

Federal Railroad Administration ((FRA) has reviewed for the following rules:

1. Informal Rules of Practice for Passenger Service (49 CFR Part 200)
2. Formal Rules of Practice for Passenger Service (49 CFR Part 201)
3. Railroad Police Officers (49 CFR Part 207)
4. Railroad Safety Enforcement Procedures (49 CFR Part 209)
5. Railroad Noise Emission Compliance Regulations (49 CFR Part 210)
6. Rules of Practice (49 CFR Part 211)
7. State Safety Participation Regulations (49 CFR Part 212)
8. Track Safety Standards (49 CFR Part 213)
9. Railroad Workplace Safety (49 CFR Part 214)
10. Railroad Freight Car Safety Standards (49 CFR Part 215)
11. Special Notice and Emergency Order Procedures: Railroad Track, Locomotive and Equipment (49 CFR Part 216)
12. Railroad Operating Rules (49 CFR Part 217)

13. Railroad Operating Practices (49 CFR Part 218)
14. Control of Alcohol and Drug Use (49 CFR Part 219)
15. Railroad Communications (49 CFR Part 220)
16. Rear End Marking Device – Passenger, Commuter and Freight Trains (49 CFR Part 221)
17. Safety Glazing Standards – Locomotives, Passenger Cars and Cabooses (49 CFR Part 223)
18. Railroad Accidents/Incidents: Reports Classification and Investigations (49 CFR Part 225)
19. Hours of Service of Railroad Employees (49 CFR Part 228)
20. Railroad Locomotive Safety Standards (49 CFR Part 229)
21. Steam Locomotive Inspection and Maintenance Standards (49 CFR Part 230)
22. Railroad Safety Appliance Standards (49 CFR Part 231)
23. Brake System Safety Standards for Freight and other Non-Passenger Trains and Equipment; End-of-train Devices (49 CFR Part 232)
24. Signal Systems Reporting Requirements (49 CFR Part 233)
25. Grade Crossing Signal System Safety (49 CFR Part 234)
26. Instructions Governing Applications for Approval of a Discontinuance or Material Modification of a Signal System or Relief from the Requirements of Part 236 (49 CFR Part 235)
27. Rules, Standards and Instructions Governing the Installation, Inspection, Maintenance and Repair of Signal and Train Control Systems, Devices and Appliances (49 CFR Part 236)
28. Passenger Equipment Safety Standards (49 CFR Part 238)
29. Passenger Train Emergency Preparedness (49 CFR Part 239)
30. Qualification and Certification of Locomotive Engineers (49 CFR Part 240)
31. Guarantee of Certificates of Trustees of Railroads in Reorganization (49 CFR Part 250)
32. Financial Assistance for Railroad Passenger Terminals (49 CFR Part 256)

33. Regulations Governing Loans and Loan Guarantees under the Railroad Rehabilitation and Improvement Financing Program (49 CFR Part 260)
34. Nondiscrimination in Federally Assisted Railroad Programs (49 CFR Part 265)
35. Assistance to States for Local Rail Service under Section 5 of the Department of Transportation Act (49 CFR Part 266)
36. Magnetic Levitation Transportation Technology Deployment Program (49 CFR Part 268)

Currently, FRA is reviewing the following rules:

1. Railroad Operating Practices (49 CFR Part 218)
2. Rear End Marking Device – Passenger, Commuter and Freight Trains (49 CFR Part 221)
3. United States Locational Requirement for Dispatching of United States Rail Operations (49 CFR Part 241)
4. Regulations on Safety Integration Plans Governing Railroad Consolidations, Mergers, and Acquisitions of Control (49 CFR Part 244)