



Transportation Trades Department, AFL-CIO

September 2, 2025

Kyle D. Fields  
Chief Counsel  
Federal Railroad Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

**RE: Repealing Outdated Railroad Workplace Safety Requirements and Making Other Improvements**  
**Docket No. FRA-2025-0083**

Mr. Fields:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to respond to the Federal Railroad Administration's (FRA) notice of proposed rulemaking (NPRM) regarding roadway workplace safety requirements. TTD consists of 39 affiliate unions representing workers in all modes of transportation, including rail workers who will be affected by this proposal.<sup>1</sup> We urge the FRA to take our comments into consideration. In addition, we strongly endorse the comments filed in this docket by our affiliate, the Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters (BMWED).

**Background**

This NPRM proposes to repeal several roadway workplace safety requirements that the FRA views as obsolete. In addition, the FRA proposes to establish a new special approval procedure to enable regulated entities, after public notice and approval from the FRA, to utilize an alternative approach to bridge worker safety. Finally, this rule proposes to clarify that the required training for operators of roadway maintenance machines equipped with a crane includes specific aspects such as maintaining vertical clearance.

TTD supports the comments filed in this docket by our affiliate, the BMWED. We agree with the BMWED that several of the changes proposed in this NPRM would serve to remove obsolete regulatory language, clarify existing obligations, and modernize compliance mechanisms without reducing safety. We also support the establishment of a formal special approval procedure for

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<sup>1</sup> Attached is a complete list of the unions affiliated with TTD.

bridge worker safety systems under new § 214.119, provided it includes adequate labor protections, verification requirements, and precise implementation guidance.

However, we must express concern that this NPRM was not developed with feedback from members who serve on the Railroad Safety Advisory Committee (RSAC), which was specifically created by the FRA in 1996 to develop new regulatory standards with all rail stakeholders working together to improve safety. In our view, it is essential for changes like those promulgated in this rule be considered by the RSAC. We are concerned that the Department of Transportation (DOT) recently suspended many federal transportation advisory committees and terminated current committee members, including members of the RSAC, without providing a clear timeline for resuming meetings. We urge the FRA to swiftly reconstitute these committees, like the RSAC, and restore labor representation in order to resume the consideration of important issues like those raised in this docket. We further encourage FRA to re-engage the RSAC process for any future revisions to Part 214.

### **Crane Operator Training**

We concur with the BMWED's statement of support for the proposed clarification in this NPRM that training for operators of roadway maintenance machines equipped with a crane must include instruction on maintaining vertical clearance. We appreciate the FRA's attention to this matter and respectfully request that the Agency refer §214.357 to the RSAC for comprehensive review in order to modernize training content, standards, delivery, certification, and oversight.

### **Removal of Outdated Deadlines**

We are concerned about the FRA's proposed removal of §214.515(b), which currently permits operators to request overhead protective covers on older machines. As the BMWED notes in its comments, the FRA provides no evidence to support its assumption that this provision is no longer necessary. If machines still in service lack adequate overhead protection, workers should retain the right to request such covers and have their request evaluated. We must remind the FRA that ensuring the safety of the rail workforce is one of its guiding principles. Eliminating this language without supporting data risks denying workers a basic means of self-advocacy with regard to equipment safety.

### **Section 214.119 Special Approval Procedure**

We encourage the FRA to thoughtfully consider the BMWED's recommendations for improvements to this section of the NPRM. These recommendations include:

#### **1. Require Third-Party Safety Verification**

The FRA should mandate that any petition submitted under § 214.119 include independent third-party verification that the proposed alternative provides an equal or greater level of safety compared to existing regulatory requirements. This verification must come from a qualified safety

expert, licensed engineer, or accredited evaluator with no financial or institutional affiliation with the submitting railroad or contractor. Independent assessment is critical to preventing conflicts of interest and to ensuring the technical legitimacy of safety claims made in the petition.

## 2. Require Direct Consultation with Labor Representatives

The current draft requires only that the petitioner notify labor representatives of the submission. We believe this is inadequate. The FRA should amend the provision to require direct consultation with affected labor representatives before approval. Worker input must not be perfunctory; it must be documented, solicited meaningfully, and considered alongside any employer assertions. Given that roadway workers are the ones exposed to the risks being evaluated, they must be active participants in any decision to approve alternative protections.

## 3. Develop a Formal Public Guidance Document for § 214.119

The FRA should develop guidance to ensure that § 214.119 is implemented consistently and transparently. This guidance should include criteria for determining what constitutes “equal or greater” safety; documentation standards for petitions; expectations for the labor consultation and notice; requirements for public comments and timelines; and acceptable forms of third-party verification.

## Conclusion

We acknowledge the FRA’s effort to simplify existing roadway workplace safety regulations. However, we respectfully request that the Agency thoughtfully evaluate the recommended modifications suggested here and by our affiliate, the BMWED. We appreciate the opportunity to comment on this matter and look forward to working with the FRA in the future.

Sincerely,

A handwritten signature in black ink, appearing to be 'Greg Regan', written over a circular stamp or seal.

Greg Regan  
President