

GAO Highlights

Highlights of [GAO-14-85](#), a report to congressional requesters

Why GAO Did This Study

Railroad accidents pose significant safety risks to railroads, their employees, passengers, and the public. FRA oversees safety of the nation's railroads. In light of three high profile accidents in 2012 involving fatalities or hazardous materials, GAO was asked to review FRA's oversight processes and the challenges to railroad safety. This report examines (1) the overall framework that FRA, the states, and the railroads use to ensure rail safety; (2) the extent to which FRA and the railroads assess safety risks and allocate resources to address those risks; and (3) what challenges, if any, exist to FRA's current safety framework, and what ongoing and emerging issues FRA faces. GAO analyzed FRA accident and incident data, reviewed the analytical models FRA uses to incorporate risk into its inspection program, and interviewed FRA headquarters and field safety staff, officials from the 7 largest freight railroads and 11 smaller railroads, industry associations and 7 rail labor organizations.

What GAO Recommends

GAO recommends that FRA develop (1) a plan for finalizing its rulemaking and interim steps to implement its oversight of safety risk reduction programs, and (2) a strategic human capital plan that identifies and prioritizes FRA's human capital needs, links them to FRA's strategic goals and objectives, and includes approaches for how FRA will recruit, train, and retain inspectors and its new workforce of PTC and safety risk management specialists. DOT agreed to consider the recommendations and provided technical and other comments, which were incorporated as appropriate.

View [GAO-14-85](#). For more information, contact Susan Fleming at (202) 512-2834 or flemings@gao.gov.

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RAIL SAFETY

Improved Human Capital Planning Could Address Emerging Safety Oversight Challenges

What GAO Found

The Federal Railroad Administration's (FRA) rail-safety oversight framework relies on inspections to ensure railroads comply with federal safety regulations. FRA inspects railroad infrastructure and operations, identifies safety defects, and may, if warranted, cite the railroads for violations of federal safety regulations. The agency estimates that its inspectors have the ability to annually inspect less than 1 percent of the railroad activities covered in regulation. As a result, railroads have the primary responsibility for safety of the railroad system. To formulate regulations, FRA instituted the Railroad Safety Advisory Committee, a forum for FRA, the railroads, rail labor organizations, and other stakeholders to arrive at a consensus on proposed rules. Thirty states partner with FRA in providing FRA-certified railroad safety inspectors who are also authorized to enforce federal safety regulations. Finally, many railroads have additional safety programs, rules, and technologies to ensure safety beyond the required federal standards.

FRA has developed a risk-based approach to direct its inspection efforts, but the agency has been slow to implement broader risk reduction planning. FRA has two tools to help direct its inspection efforts—the National Inspection Plan (NIP) and the Staffing Allocation Model (SAM). The NIP process uses past accident and other data to target FRA's inspection activities, and the SAM estimates the best allocation of the different types of inspectors across FRA regions in order to minimize damage and casualties from rail accidents. However, all eight FRA regional administrators expressed concerns about FRA's staffing process that relies primarily on the SAM to predict appropriate regional inspector needs, and that does not allow the flexibility needed to accommodate the regions' changing resource needs. In addition, the Railroad Safety Improvement Act of 2008 mandated safety risk reduction plans primarily for large freight and passenger railroads. FRA has not yet issued the final rule directing railroads to develop the plans, which was mandated to be issued by October 2012. According to FRA, the rulemaking was delayed due to concerns by railroads over their potential liability. Although FRA anticipates completing approval of railroad's plans by 2016, the agency has not developed an interim plan with specific timeframes to ensure that there are no further delays in issuing regulations and that timely evaluation and approval of the railroads' risk reduction plans occurs.

FRA faces several rail safety challenges, including how it will: (1) implement its oversight of positive train control (PTC), a technology designed to prevent certain types of rail accidents caused by human factors, and risk reduction plans; (2) adjust to changing rail traffic flows; and (3) ensure it has enough inspectors for its current and future oversight workload, as FRA expects 30 percent of field safety staff will be eligible to retire in 5 years. While FRA has long-term rail safety goals, its ability to meet those goals and respond to challenges is hampered by its lack of a strategic human capital plan. FRA officials stated that due to uncertainties about their budget, PTC implementation, and risk reduction plans, they plan for human capital needs in their annual budget request, rather than through a strategic human capital plan. However, without a plan, FRA may not make well-informed decisions about its workforce needs including having inspectors with the right skills for its current oversight activities and enough specialists to oversee the rail industry's implementation of PTC and safety risk reduction plans.