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Office of Public Affairs
1200 New Jersey Avenue, SE
Washington, DC 20590
www.transportation.gov/briefingroom

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Contact: FRA Public Affairs
Tel.: (202) 493-6024
FRAPA@DOT.gov

FRA Issues Final Rule to Strengthen Freight Car Safety Standards to Help Protect America’s Rail Network and the Public

New rule ensures higher safety, security, and manufacturing standards

WASHINGTON, D.C. – The Federal Railroad Administration (FRA) today announced a final rule to further enhance the safety of the U.S. freight rail industry by introducing tougher standards for newly-built freight cars placed into service within the U.S. The new regulation establishes and ensures compliance with stringent limitations on the use of sensitive technology and components originating from countries of concern or state-owned enterprises, ensuring that America’s rail network remains protected from risks of exploitation or compromise.

“The Biden-Harris Administration continues to use the full range of our authority to make freight rail systems safer—and push the industry to integrate higher safety standards throughout their operations,” said **U.S. Transportation Secretary Pete Buttigieg**. “With the new standards we’re announcing today, freight cars will be built with components and technology to strengthen safety before they are incorporated into our nation’s rail systems.”

Under the new regulation, freight cars must meet strict manufacturing requirements. They must be manufactured, assembled, and substantially transformed in a qualified facility by a qualified manufacturer and components from countries of concerns and state-owned enterprises are restricted. Additionally, sensitive technology and any essential components of that technology may not originate from a country of concern or state-owned enterprise. Freight car manufacturers must certify that their cars comply with these standards before being placed into service on the U.S. general railroad system. Manufacturers must also maintain detailed records to support their certification, which will be available for FRA review upon request. Enforcement of the rule includes civil penalties for noncompliance. Violations can result in manufacturers being prohibited from supplying freight cars to the U.S. rail system.

“The safety and security of our nation’s freight rail system are of the highest importance,” said **FRA Administrator Amit Bose**. “The Bipartisan Infrastructure Law provides safety and

security standards aimed at preventing the exploitation of freight cars for illicit purposes and the potential compromise of sensitive technologies within the industry. By enforcing stringent controls on where freight car technology and materials originate, this rule aims to minimize risks related to compromised security, ensuring that U.S. rail remains safe and reliable.”

The final rule officially amends the Freight Car Safety Standards in 49 CFR Part 215 and fulfills a rail safety provision in the Bipartisan Infrastructure Law to help strengthen the nation’s rail equipment infrastructure and safeguarding it against potential vulnerabilities.

Under the Biden-Harris Administration, USDOT and FRA have taken unprecedented actions to improve rail safety while continuing to urge Congress to pass comprehensive rail safety legislation:

- **Finalizing new safety regulations:** USDOT has taken historic steps to improve the safety of railroads for workers and communities through rulemaking.
 - *Train Crew Size Safety Requirements:* FRA issued a long-awaited rule that ensures trains are safely staffed by establishing minimum safety requirements for the size of train crews. The new rule will enhance safety in the rail industry by generally requiring and emphasizing the importance and necessity of a second crewmember on all trains.
 - *Certification of Signal and Dispatcher Employees:* FRA issued final rules to require railroads to develop written programs for certifying dispatchers and signal employees.
 - *Requiring Emergency Escape Breathing Apparatus:* FRA issued a final rule requiring railroads to provide emergency escape breathing apparatus to train crews and other employees when transporting certain hazardous materials.
 - *Advanced Notification for First Responders:* The Pipeline and Hazardous Materials Safety Administration issued a final rule to require railroads to always maintain — and update in real-time — accurate, electronic information about rail hazmat shipments in a train consist that would be accessible to authorized emergency response personnel.

- **Utilizing safety oversight authorities and undertaking new initiatives:** FRA is consistently drawing attention to emerging rail safety concerns with more than 20 Safety Advisories and Bulletins combined over the last three years, holding railroads accountable through enforcement action, assessing one of the highest amounts ever in the agency’s records for Class I freight railroads in 2023; and undertaking new, focused efforts to ensure safety, such as conducting safety audits and examining the Nation’s high-hazard flammable train routes following the 2023 Norfolk Southern derailment in East Palestine, Ohio.

- **Expanding vital safety program to include Class I railroads and their workers:** At Secretary Buttigieg’s urging, a growing number of workers employed at the Class I freight railroads can finally report their experiences to FRA’s Confidential Close Call Reporting System (C3RS)—a vital safety program that allows workers to confidentially report unsafe events and share valuable insight to prevent future incidents.

- **Deploying historic infrastructure funding:** USDOT continues to deploy the historic resources from President Biden’s Bipartisan Infrastructure Law to upgrade rail infrastructure and improve the safety of communities across the country, notably through FRA’s Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program and Railroad Crossing Elimination Program.

The rule, as submitted to the Federal Register, can be viewed [here](#).