



# Nebraska Public Service Commission

## State Participant – FRA State Safety Participation Program

### FRA Participation Program Overview

The FRA State Participation Program is a partnership between FRA and a state that allows a state to employ safety inspectors to conduct supplementary safety inspections. State participants coordinate with FRA to conduct planned, routine compliance inspections. States may undertake additional investigative and surveillance activities consistent with overall program needs and state capabilities.

There are six inspection disciplines: Track, Hazardous Materials, Operating Practices, Signals and Train Control, Motive Power and Equipment, and Grade Crossing and Trespass Outreach.

**DID YOU KNOW?**  
Before a state may conduct any railroad safety inspections, a state must first enter into an agreement with the FRA that outlines a states' delegated authority to conduct safety inspections. A state must also have state authority to have such a program.



### Motive Power and Equipment

Monitor compliance with locomotive safety standards, freight car safety standards, power brake regulations, and blue signal regulations.



### Track

Monitor compliance and regulations and standards concerning railroad track and related appurtenances. Inspections are conducted to determine condition of roadbed, track structure, track geometry, and track-related devices (frogs, switches, etc).



### Operating Practices

Perform on-board train inspections to monitor compliance with Federal regulations and railroad operating rules regarding the safe operation of trains.



### Signals and Train Control

Monitor railroad compliance with all regulations and standards concerning signals and train control systems, devices, and appliances. As well as compliance with Federal requirements for the inspection, testing, maintenance, and prompt repair of warning devices at highway-grade crossings.



### Hazardous Materials

Address railroads, intermodal facilities, chemical shipper and consignee facilities, freight forwarders/agents, and tank car manufacturing and repair facilities for compliance with hazardous materials regulations. Specifically, to inspect methods of construction, manufacturing, and testing for transporting hazardous materials.



### Grade Crossing and Trespass

Monitor compliance and regulations and standards concerning grade crossing safety.

### Quick Facts:

- The Public Service Commission currently has one fully certified Motive Power and Equipment inspector and is onboarding a track inspector to begin their OJT with the FRA.
- The inspections done by state inspectors are supplement to those done by the FRA. State inspectors can identify defects but may only recommend the FRA issue a violation.
- Any punitive enforcement of Federal regulations resides solely within the FRA.
- Currently, state involvement is limited to an assistive role with the FRA upon the occurrence of any major accident or incident. However, railroads are required to, at minimum, telephonically report certain accidents and incidents to the Commission.
- State inspectors are limited to conducting safety inspections within their specified discipline.
- The FRA oversees a state inspector's discipline certification. There are stringent requirements the FRA has established for acceptance into the safety disciplines.
- State inspectors do not have the ability to certify in multiple disciplines.
- Under Neb. Rev. Stat. 75-401, the Commission is limited to only having inspectors in the Motive Power and Equipment discipline and the track discipline.