



July 31, 2025

Tariq Bokhari
Acting Administrator
Federal Transit Administration
1200 New Jersey Avenue, SE
West Building
Ground Floor, Room W12-140
Washington, D.C. 20590-0001

Subject: Docket No. FTA-2025-0008

Dear Acting Administrator Tariq Bokhari,

The American Public Transportation Association (APTA) represents a \$79 billion industry that directly employs 430,000 people and supports millions of private-sector jobs. APTA supports the Federal Transit Administration's (FTA's) commitment to streamline regulations. APTA and FTA have a long history of successful partnership and collaboration, and we look forward to continuing this important work together.

Safety is the number one core value of the public transportation industry, including bus, rail, commuter and intercity rail and ferry operators. The employees responsible for managing and operating public transportation systems are fully committed to the safety of their systems, passengers, fellow employees, and the public. As a result of this commitment to safety, traveling by public transportation is ten times safer per mile than traveling by car. We greatly appreciate the open dialogue, successful collaboration, and productive engagement between FTA and APTA regarding safety. We also appreciate the opportunity to respond to FTA's Rail Transit Roadway Worker Protection (RWP) Notice of Proposed Rulemaking (NPRM) published in the *Federal Register* at 90 FR 28695 on July 1, 2025.

First, APTA applauds FTA's proposal to modify 49 C.F.R. § 671.25(c) based on existing audit practice and allow agencies to conduct audits of the RWP simultaneously with review and approval of a transit agency's Public Transportation Agency Safety Plan or any other review or audit. As APTA noted in its comments to the DOT RFI on reducing regulatory burdens, "the requirement to conduct an annual audit on RWP at 671.25(2)(c) is duplicative, considering existing auditing practices, risk-based inspections and ongoing oversight activities." FTA's modification will greatly relieve the burden on APTA's member rail transit agencies (RTA) by only having one combined audit, rather than multiple audits. We greatly appreciate FTA addressing this concern in the NPRM and urge the agency to adopt it in the final rule.

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As APTA noted in its [May 5, 2025 response to DOT's Regulatory Reform Request for Information](#) on regulatory burdens, there are other aspects of the RWP final rule that we encourage FTA to revisit to reduce regulatory burdens. These include:

- **The requirement for a RWP manual and track access guide at § 671.13** – APTA members believe requiring the creation of a RWP manual and track access guide for numerous employees on numerous of miles of track is extremely burdensome. APTA encourages FTA to revisit this requirement.
- **The requirement for a Roadway Worker in Charge (RWIC) at § 671.31 whose sole duty is to be the RWIC** – At most agencies, the RWIC performs ancillary duties, such as paperwork, overseeing operations, and managing people. None of these duties interfere with their primary safety responsibility. Given industry-wide workforce shortages, APTA urges FTA to revisit its mandate that the RWIC can only perform one job function.
- **The requirement for written and acknowledged job safety briefings at § 671.33** – RTAs already conduct these briefings so requiring written and signed briefings is burdensome, especially for those agencies who conduct these briefings on the track prior to work taking place. APTA suggests that FTA revisit this requirement and allow RTA's to continue to conduct the job safety briefings before all shifts but not require employees to sign an acknowledgment.

Conclusion

APTA appreciates the opportunity to comment on this important proposal and looks forward to continuing to work with you on this matter. If you have any questions regarding this request, please contact, Brian Alberts, Senior Director Safety and Advisory Services at (202)496-4885 or balberts@apta.com, or contact Taria Barron, General Counsel, at (202) 496-4808, or tbarron@apta.com. Thank you for your consideration and we look forward to continuing to work with FTA to streamline regulations and improve transportation safety.

Sincerely,



Paul P. Skoutelas
President and CEO