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## News

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### **Federal Railroad Administration Releases 2021 Fiscal Year Enforcement Report**

The Federal Railroad Administration today released its [Annual Enforcement Report](#) summarizing regulatory compliance inspections and audits that FRA or state inspectors participating in FRA's rail safety program conducted during the past fiscal year (FY), as well as civil penalty enforcement actions arising from them.

In FY 2021, over 70,000 inspections were conducted to assess railroad compliance with regulations and laws governing track, motive power and equipment, operating practices, signal and train control, hazardous materials, and others.

“This enforcement report provides a snapshot of one important aspect of FRA’s safety oversight, highlighting the thousands of hours our teams invest in hands-on fieldwork each year,” said FRA Administrator Amit Bose. “Through the pandemic, FRA inspectors have continued this work to help ensure the safety of our nation’s railroads.”

Federal and state rail safety inspectors have several enforcement tools at their disposal. Civil monetary penalties are reserved for the most severe instances of non-compliance.

In making those determinations, FRA inspectors and managers consider the inherent seriousness of the condition or action; the kind and degree of potential safety hazard the condition or action poses; any actual harm to persons or property already caused by the condition or action; and the offending entity’s general level of compliance as revealed by the inspection. Enforcement actions may be against a railroad, a contractor to a railroad, a shipper of hazardous material, a manufacturer of a tank car, or an individual.

Civil penalties are assessed based on specific guidelines outlined in the Code of Federal Regulations. FRA may elect to settle such claims, as authorized by the Federal Claims Collection Act, based on a wide variety of mitigating factors. Doing so can permit the efficient collection of

claims, usually without requiring time-consuming, costly, or protracted litigation that does not materially improve safety.

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