



## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### 49 CFR Part 672

[Docket No. FTA-2025-0009]

RIN 2132-AB58

### Public Transportation Safety Certification Training Program

**AGENCY:** Federal Transit Administration (FTA), U.S. Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** The Federal Transit Administration (FTA) is publishing a final rule amending the reporting requirements for the Public Transportation Safety Certification Training Program (PTSCTP). This final rule reduces reporting burdens for rail transit agencies (RTA) and State Safety Oversight Agencies (SSOA).

**DATES:** This rule is effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**FOR FURTHER INFORMATION CONTACT:** For program matters, contact Jeremy Furrer, Office of Transit Safety and Oversight, FTA, telephone at (202) 366-8929 or [jeremy.furrer@dot.gov](mailto:jeremy.furrer@dot.gov). For legal matters, contact Mark Montgomery, Office of Chief Counsel, (202) 366-1017 or [mark.montgomery@dot.gov](mailto:mark.montgomery@dot.gov).

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#### I. Executive Summary

This final rule amends the PTSCTP regulation at 49 CFR part 672. The final rule maintains the existing minimum training requirements for SSOA employees and contractors who conduct reviews, inspections, examinations, and other safety oversight activities of public transportation systems, and employees and contractors who are directly responsible for the safety oversight of a rail fixed guideway public transportation system. This final rule reduces the burden of the reporting requirement in 49 CFR 672.21(d) by reducing the reporting frequency from semiannual to annual, and by removing the reference to reporting dates for additional reporting flexibility.

#### A. Statutory Authority

Congress directed FTA to create and implement a comprehensive Public Transportation Safety Program, one element of which is the requirement for PTSCTP, in the Moving Ahead for Progress in the 21st Century Act (MAP-21) (Pub. L. No. 112-141; July 6, 2012), codified at 49 U.S.C. 5329. Specifically, 49 U.S.C. 5329(c) directed FTA to establish a PTSCTP for Federal and State employees, or other designated personnel, who conduct safety audits and examinations of public transportation systems and employees of public transportation agencies directly responsible for safety oversight.

#### B. Background

To implement the requirements of 49 U.S.C. 5329(c), FTA issued a final rule on July 19, 2018, which added part 672, “Public Transportation Safety Certification Training Program,” to title 49 of the Code of Federal Regulations (83 FR 34053). Subsequently, the Infrastructure Investment and Jobs Act (Pub. L. No. 117-58; November 15, 2021) added new requirements to FTA’s Public Transportation Safety Program that FTA addressed in the PTSCTP curriculum through a final rule on August 14, 2024 (89 FR 65999). To ensure compliance with safety training requirements, the 2024 final rule established a semiannual reporting requirement at 49

CFR 672.21(d) for each SSOA and RTA to submit a current list of individuals designated as required PTSCTP participants, and the course or courses that the agency has identified as required for PTSCTP recertification.

On April 3, 2025, as part of its implementation of Executive Order (E.O.) 14219, “Ensuring Lawful Governance and Implementation of the President’s ‘Department of Government Efficiency’ Deregulatory Agenda,” issued on February 19, 2025, and E.O. 14192, “Unleashing Prosperity through Deregulation,” issued on January 31, 2025, DOT issued a request for information (RFI) seeking comments and information to assist DOT in identifying existing regulations, guidance, paperwork requirements, and other regulatory requirements to be modified or repealed, consistent with law, to achieve meaningful burden reduction while continuing to meet statutory obligations and ensure the safety of the U.S. transportation system (90 FR 14953). In response to the RFI, the American Public Transportation Association (APTA), a nonprofit group that advocates for the interests of the public transportation industry in the United States, commented that the semiannual reporting requirement in 49 CFR 672.21(d) is an “undue burden” on transit agencies. APTA also noted that some SSOAs are implementing this requirement through the program standards they must establish under 49 CFR 674.27. Responsive to APTA’s comment, and to achieve meaningful burden reduction, FTA published a Notice of Proposed Rulemaking (NPRM) on July 1, 2025, proposing to reduce the frequency of the reporting requirement from semiannual to annual (90 FR 28697). In this final rule, FTA is adopting the change as proposed.

### **C. Summary of Provisions**

FTA is amending 49 CFR 672.21(d) to require annual, rather than semiannual, reporting of compliance with safety training requirements.

## **II. Notice of Proposed Rulemaking and Response to Comments**

FTA issued an NPRM for the PTSCTP on July 1, 2025. The public comment period for the NPRM closed on September 2, 2025. FTA received five comment submissions to the

rulemaking docket. Commenters included States, transit agencies, industry associations, and a labor union. Some comments within these submissions were outside the scope of this rulemaking, and FTA does not respond to comments in this final rule that were outside the scope. FTA thanks the industry association that provided these comments and will take them into consideration for the future.

FTA reviewed all relevant comments and took them into consideration when developing the final rule.

*Comments:* FTA received four comments in support of the proposed modification to § 672.21(d). Two industry associations commented that this modification will appreciably reduce the reporting burden. One RTA and one SSOA also expressed full support of FTA's proposed amendment. The RTA stated that this amendment will alleviate unnecessary administrative burden while maintaining accountability for compliance with PTSCTP requirements, improve efficiency, and advance regulatory streamlining consistent with E.O.s 14192 and 14219. It also stated that the change will preserve safety oversight integrity, as annual reporting is sufficient for FTA to track PTSCTP compliance.

One labor union strongly opposed FTA's proposal, arguing that semiannual reporting is an accountability mechanism ensuring agencies are attentive to safety training compliance and certification requirements. The commenter stated that changing this requirement to annual reporting would double the length of time during which noncompliance, errors, or omissions could continue undetected. They further argued the proposal would result in only "trivial" cost savings, and that the estimated burden reduction does not justify the risk of safety oversight gaps. The commenter recommended that FTA retain the current semiannual reporting requirement.

*FTA Response:* FTA appreciates the comments supporting its proposal and agrees that this change will reduce the reporting burden for RTAs and SSOAs and improve efficiency. FTA appreciates the comment expressing concern with the proposed amendment; however, FTA disagrees that the proposal would create gaps in safety or oversight. The reporting requirement at

§ 672.21(d) is not the only accountability mechanism to ensure recipients comply with the PTSCTP safety training and certification requirements. FTA monitors compliance with PTSCTP requirements through the Certifications and Assurances for FTA Grants and Cooperative Agreements (Category 15), which is a required certification under §§ 672.31 and 674.39. SSOAs conduct oversight pursuant to the State Safety Oversight (SSO) regulation at § 674.27(a)(7), which requires SSOAs to ensure RTA compliance with PTSCTP requirements. FTA monitors each SSOA's compliance with these regulations through SSOA annual reporting to FTA and FTA's triennial audits of SSOAs under 49 U.S.C. 5329(e)(10). FTA also may review a recipient's compliance with PTSCTP whenever it deems necessary, including investigating any specific allegations of noncompliance.

Based on FTA's experience administering the PTSCTP reporting requirements and feedback from the industry, including comments in this docket and APTA's comment on the RFI described in Section I.B above, FTA finds that the burden of semiannual reporting fails to outweigh the benefit. Annual reporting, combined with existing oversight mechanisms, is sufficient to oversee recipient compliance with PTSCTP requirements. Accordingly, FTA finds that reducing the frequency of reporting from semiannual to annual is justified and is finalizing the change as proposed.

### **III. Regulatory Analyses and Notices**

#### **Executive Orders 12866 and 13563 (Regulatory Review)**

E.O. 12866 ("Regulatory Planning and Review"), as supplemented by E.O. 13563 ("Improving Regulation and Regulatory Review"), directs Federal agencies to assess the benefits and costs of regulations and to select regulatory approaches that maximize net benefits when possible. This action does not meet the criteria of a "significant regulatory action." Therefore, the Office of Management and Budget (OMB) has not reviewed this action.

The amendment to the rule will reduce reporting requirements for SSOAs and RTAs subject to the PTSCTP. Previously, agencies were required to report information on designated

participants and recertification courses semiannually to FTA; the amended rule reduces the frequency from semiannual to annual.

The reduced reporting requirements will result in cost savings for regulated entities. The requirements affect 31 SSOAs and 64 RTAs in operation as of March 1, 2023, for a total of 95 agencies. In the 2024 final rule, FTA estimated that an agency would spend four hours per year to fulfill semiannual reporting requirements, for a total of 380 hours per year across the 95 agencies. Reducing the frequency to annual reporting will result in total savings of 190 hours (380 hours ÷ 2) per year.

To estimate cost savings, FTA used May 2024 occupational wage data from the Bureau of Labor Statistics, the latest available as of May 2025, in the “Transit and Ground Passenger Transportation” industry (North American Industry Classification System code 485000).<sup>1</sup> To estimate the wages of agency staff completing the auditing requirements, FTA used the “General and Operations Managers” job category (code 11-1021). FTA used median hourly wages (\$42.45) as a basis for the estimates, multiplying the wages by 1.62 ( $\$42.45 \times 1.62 = \$68.69$ ) to account for employer benefits.<sup>2</sup>

Over the next ten years, the rule will result in annual cost savings of \$11,000 discounted at a three percent rate and \$9,000 discounted at a seven percent rate in 2024 dollars.

### **Executive Order 14192 (Deregulatory Action)**

E.O. 14192 (“Unleashing Prosperity Through Deregulation”) requires that for “each new [E.O. 14192 regulatory action] issued, at least ten prior regulations be identified for elimination.” Implementation Guidance for E.O. 14192, issued by OMB (Memorandum M-25-20, March 25,

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<sup>1</sup> Bureau of Labor Statistics. 2025. “May 2024 National Occupational Employment and Wage Estimates: United States: NAICS 485000—Transit and Ground Passenger Transportation.” <https://data.bls.gov/oes/#/industry/485000>.

<sup>2</sup> Multiplier derived using Bureau of Labor Statistics data on employer costs for employee compensation in December 2024 (<https://www.bls.gov/news.release/ecec.htm>). Employer costs for State and local government workers averaged \$63.46 an hour, with \$39.22 for wages and \$24.23 for benefit costs. To estimate full costs from wages, one would use a multiplier of  $\$63.46/\$39.22$ , or 1.62.

2025) defines an E.O. 14192 deregulatory action as “an action that has been finalized and has total costs less than zero.” This final rule is expected to have total costs less than zero and, therefore, is expected to be an E.O. 14192 deregulatory action.

### **Regulatory Flexibility Act**

The Regulatory Flexibility Act of 1980 (RFA) (5 U.S.C. 601 *et seq.*) requires Federal agencies to assess the impact of a regulation on small entities unless the agency determines that the regulation is not expected to have a significant economic impact on a substantial number of small entities.

Under the Act, public-sector organizations and local governments qualify as small entities if they serve a population of less than 50,000. RTAs do not qualify as small entities because they operate in urbanized areas with populations of more than 50,000, and SSOAs do not qualify because they are State agencies. Therefore, FTA certifies that the final rule will not have a significant effect on a substantial number of small entities.

### **Unfunded Mandates Reform Act of 1995**

FTA has determined that this final rule does not impose unfunded mandates, as defined by the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4, March 22, 1995). This rule does not include a Federal mandate that may result in expenditures of \$100 million or more adjusted for inflation in any one year, adjusted for inflation, by State, local, and Tribal governments in the aggregate or by the private sector.

### **Executive Order 13132 (Federalism Assessment)**

E.O. 13132 requires agencies to assure meaningful and timely input by State and local officials in the development of regulatory policies that may have a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. This action has been analyzed in accordance with the principles and criteria contained in E.O. 13132, dated August 4, 1999, and FTA determined this action will not have a substantial direct effect or

sufficient federalism implications on the States. FTA also determined this action will not preempt any State law or regulation or affect the States' ability to discharge traditional State governmental functions.

### **Executive Order 12372 (Intergovernmental Review)**

The regulations implementing E.O. 12372 regarding intergovernmental consultation on Federal programs and activities do not apply to this rulemaking.

### **Paperwork Reduction Act**

In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA) and the White House Office of Management and Budget's (OMB) implementing regulation at 5 CFR 1320.8(d), FTA is seeking approval from OMB for a currently approved information collection associated with a notice of proposed rulemaking. The information collection (IC) was previously approved on 10/31/2025. Since FTA is not changing the content of the information being collected but is reducing the burden hours, FTA will request a non-substantive change to align with this rulemaking. This submission reflects updated requirements that lower the responding burden hours and associated costs to recipients.

*OMB Control Number:* 2132-0578

*Type of Collection:* Operators of public transportation systems.

*Type of Review:* OMB Clearance. Previously Approved Information Collection Request.

*Summary of the Collection:* The information collection (IC) provides minimum training requirements for Federal and State personnel and contractors who conduct safety audits and examinations of transit systems and for transit agency personnel and contractors who are directly responsible for safety oversight to enhance the technical proficiency.

*Need for and Expected Use of the Information to be Collected:* Collection of information for this program is necessary to ensure FTA grantees subject to the PTSCTP regulation certify compliance with training and recertification training requirements and allow FTA to monitor ongoing PTSCTP participation and compliance. The program establishes a uniform curriculum

for safety training that consists of minimum requirements to enhance the technical proficiency of transit safety personnel.

*Respondents:* Respondents include State Safety Oversight Agency personnel and contractors who conduct safety audits and examinations of rail transit systems, rail transit agency personnel and contractors who are directly responsible for safety oversight, and bus transit agency personnel and contractors who are directly responsible for safety oversight.

*Frequency:* Annual, Periodic.

### **National Environmental Policy Act**

The Department has analyzed the environmental impacts of this notice of proposed rulemaking pursuant to the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq.*). FTA has determined that this rule is categorically excluded pursuant to 23 CFR 771.118(c)(4). Categorical exclusions are categories of actions that the agency has determined normally do not significantly affect the quality of the human environment and, therefore, do not require either an environmental assessment (EA) or environmental impact statement (EIS). See DOT Order 5610.1D § 9. In analyzing the applicability of a categorical exclusion, the agency must also consider whether extraordinary circumstances are present that would warrant the preparation of an EA or EIS. *Id.* § 9(b). This rulemaking, which reduces the regulatory burden on grant recipients by extending the baseline period to establish a waiver of certain administrative requirements, is categorically excluded pursuant to 23 CFR 771.118(c)(4): “[p]lanning and administrative activities not involving or leading directly to construction, such as: promulgation of rules, regulations, directives, or program guidance.” FTA does not anticipate any environmental impacts, and there are no extraordinary circumstances present in connection with this rulemaking.

### **Executive Order 13175 (Tribal Consultation)**

FTA has analyzed this rule under E.O. 13175, dated November 6, 2000, and it will not have substantial direct effects on one or more Indian Tribes; will not impose substantial direct

compliance costs on Indian Tribal governments; and will not preempt Tribal laws. Therefore, a Tribal summary impact statement is not required.

### **Executive Order 13211 (Energy Effects)**

FTA has analyzed this action under E.O. 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. FTA has determined this action is not a significant energy action under that order and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. Therefore, a Statement of Energy Effects is not required.

### **Privacy Act**

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the *Federal Register* at 65 FR 19477 (April 11, 2000).

### **Regulation Identifier Number**

A Regulation Identifier Number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross-reference this rule with the Unified Agenda.

### **List of Subjects in 49 CFR Part 672**

Mass transportation, Reporting and recordkeeping requirements, Safety.

In consideration of the foregoing, and under the authority of 49 U.S.C. 5329 and 5334, and the delegation of authority at 49 CFR 1.91, the Federal Transit Administration amends title 49, Code of Federal Regulations, part 672, as set forth below:

### **PART 672—PUBLIC TRANSPORTATION SAFETY CERTIFICATION**

1. The authority citation for part 672 continues to read as follows:

**Authority:** 49 U.S.C. 5329, 5334; 49 CFR 1.91.

2. Amend § 672.21 by revising paragraph (d) introductory text to read as follows:

**§ 672.21 Records.**

\* \* \* \* \*

(d) *Annual reporting.* The identified POC must submit documentation annually to FTA, via electronic method defined by FTA, that identifies:

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Issued in Washington, D.C., under authority delegated in 49 CFR 1.91.

**Jamie Pfister,**

Acting Executive Director.

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