

Transportation Security Administration, DHS

§ 1582.1

Categories	Security-sensitive job functions for freight rail	Examples of job titles applicable to these functions*
E. Providing security of the owner/operator's equipment and property.	2. Employees covered under the Federal hours of service laws as "dispatching service employees." See 49 U.S.C. 21101(2) and 21105. Employees who provide for the security of the railroad carrier's equipment and property, including acting as a railroad police officer (as that term is defined in 49 CFR 207.2).	Police officer, special agent; patrolman; watchman; guard.
F. Loading or unloading cargo or baggage	Includes, but is not limited to, employees that load or unload hazardous materials.	Service track employee.
G. Interacting with travelling public (on board a vehicle or within a transportation facility).	Employees of a freight railroad operating in passenger service.	Conductor, engineer, agent.
H. Complying with security programs or measures, including those required by Federal law.	1. Employees who serve as security coordinators designated in § 1570.201 of this subchapter, as well as any designated alternates or secondary security coordinators. 2. Employees who— a. Conduct training and testing of employees when the training or testing is required by TSA's security regulations. b. Perform inspections or operations required by § 1580.205 of this subchapter. c. Manage or direct implementation of security plan requirements.	Security coordinator, train master, assistant train master, roadmaster, division roadmaster.

*These job titles are provided solely as a resource to help understand the functions described; whether an employee must be trained is based upon the function, not the job title.

PART 1581 [RESERVED]

PART 1582—PUBLIC TRANSPORTATION AND PASSENGER RAILROAD SECURITY

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AUTHORITY: 49 U.S.C. 114; Pub. L. 110-53 (121 Stat. 266, Aug. 3, 2007) secs. 1402 (6 U.S.C. 1131), 1405 (6 U.S.C. 1134), and 1408 (6 U.S.C. 1137).

SOURCE: 85 FR 16511, Mar. 23, 2020, unless otherwise noted.

Subpart A—General

§ 1582.1 Scope.

- (a) Except as provided in paragraph (b) of this section, this part includes requirements for the following persons. Specific sections in this part provide detailed requirements.
 - (1) Each passenger railroad carrier.
 - (2) Each public transportation agency.
 - (3) Each operator of a rail transit system that is not operating on track that is part of the general railroad system of transportation, including heavy rail transit, light rail transit, automated guideway, cable car, inclined plane, funicular, and monorail systems.
 - (4) Each tourist, scenic, historic, and excursion rail owner/operator, whether operating on or off the general railroad system of transportation.

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(b) This part does not apply to a ferry system required to conduct training pursuant to 46 U.S.C. 70103.

§ 1582.3 Terms used in this part.

In addition to the terms in §§1500.3, 1500.5, and 1503.202 of subchapter A and §1570.3 of subchapter D of this chapter, the following term applies to this part.

Security-sensitive employee means an employee whose responsibilities for the owner/operator include one or more of the security-sensitive job functions identified in appendix B to this part if the security-sensitive function is performed in the United States or in direct support of the common carriage of persons or property between a place in the United States and any place outside of the United States.

§ 1582.5 Preemptive effect.

Under 49 U.S.C. 20106, issuance of the passenger railroad and public transportation regulations in this subchapter preempts any State law, regulation, or order covering the same subject matter, except an additional or more stringent law, regulation, or order that is necessary to eliminate or reduce an essentially local security hazard; that is not incompatible with a law, regulation, or order of the U.S. Government; and that does not unreasonably burden interstate commerce.

Subpart B—Security Programs

§ 1582.101 Applicability.

The requirements of this subpart apply to the following:

- (a) Amtrak (also known as the National Railroad Passenger Corporation).
- (b) Each owner/operator identified in Appendix A to this part.
- (c) Each owner/operator described in §1582.1(a)(1) through (3) of this part that serves as a host railroad to a freight operation described in §1580.301 of this subchapter or to a passenger train operation described in paragraph (a)(1) or (a)(2) of this section.

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§ 1582.103 [Reserved]

§ 1582.105 [Reserved]

§ 1582.107 [Reserved]

§ 1582.109 [Reserved]

§ 1582.111 [Reserved]

§ 1582.113 Security training program general requirements.

(a) *Security training program required.* Each owner/operator identified in §1582.101 of this part is required to adopt and carry out a security training program under this subpart.

(b) *General requirements.* The security training program must include the following information:

- (1) Name of owner/operator.
- (2) Name, title, telephone number, and email address of the primary individual to be contacted with regard to review of the security training program.
- (3) Number, by specific job function category identified in Appendix B to this part, of security-sensitive employees trained or to be trained.
- (4) Implementation schedule that identifies a specific date by which initial and recurrent security training required by §1570.111 of this subchapter will be completed.
- (5) Location where training program records will be maintained.
- (6) Curriculum or lesson plan, including learning objectives and method of delivery (such as instructor-led or computer-based training) for each course used to meet the requirements of §1582.115 of this part. TSA may request additional information regarding the curriculum during the review and approval process. If recurrent training under §1570.111 of this subchapter is not the same as initial training, a curriculum or lesson plan for the recurrent training will need to be submitted and approved by TSA.
- (7) Plan for ensuring supervision of untrained security-sensitive employees performing functions identified in Appendix B to this part.
- (8) Plan for notifying employees of changes to security measures that could change information provided in previously provided training.