



U.S. Department
of Transportation

Administrator

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

February 22, 2016

Mr. Howard Shelanski
Administrator, Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street NW
Washington, DC 20503

Dear Administrator Shelanski:

Under 49 U.S.C. § 20157, as amended by the Positive Train Control Enforcement and Implementation Act of 2015 (PTCEI Act) and the Fixing America's Surface Transportation (FAST) Act, all railroads required to implement a positive train control (PTC) system must provide information on implementation progress. As outlined in the PTCEI Act, railroads must submit an annual progress report to the Federal Railroad Administration (FRA) by March 31, 2016, and annually thereafter, until implementation is complete. 49 U.S.C. § 20157(c)(1). The PTCEI Act specifically requires railroads to provide certain information to FRA in the annual progress reports, and authorizes FRA to request that railroads provide additional information in the annual progress reports. See id. The annual progress report will report all progress for the previous calendar year. For example, the annual progress report due by March 31, 2016, shall cover the railroad's implementation progress from January 1 to December 31, 2015.

As described above, FRA is proposing new reporting requirements for railroads implementing PTC, which are consistent with the statutory mandate that railroads shall provide certain information to FRA and which will enable FRA to effectively track and report railroad progress, and to perform its role in ensuring the timely and safe implementation of PTC through enforcement and industry oversight. See, e.g., 49 U.S.C. § 20157(c)(1)–(2).

The annual PTC progress report due March 31, 2016, and annually thereafter, is required by law. 49 U.S.C. § 20157(c)(1). However, FRA is providing a form industry must use to provide the annual reports to FRA and guidance explaining the type of information that railroads must provide under the PTCEI Act and that FRA is additionally requiring. See 49 U.S.C. § 20157(c)(1)(A)–(G). This will ensure consistency of the information the industry provides to FRA and its usefulness to FRA for assessing progress and compliance.

As provided under 5 CFR § 1320.13, *Emergency Processing*, FRA is requesting emergency processing for this new collection of information as specified in the Paperwork Reduction Act of 1995 and its implementing regulations. FRA cannot reasonably comply with normal clearance

procedures because the use of normal clearance procedures is reasonably likely to cause a statutory deadline to be missed.

After OMB approval of its emergency clearance request, FRA will follow the normal clearance procedures for the information collection associated with Form FRA F 6180.166, Annual PTC Progress Report Form, prior to the expiration of the emergency approval.

Sincerely,

A handwritten signature in blue ink that reads "Corey W. Hill". The signature is written in a cursive style with a large, stylized "C" and "H".

Corey W. Hill
Acting Executive Director