

A copy of the Missouri DOR's application for exemption renewal is available for review in the docket for this notice.

Issued on: July 27, 2018.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2018-0008-N-6]

#### Approved Agency Information Collection Activities

**AGENCY:** Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

**ACTION:** Notice of Office of Management and Budget (OMB) Approval of Revised Instructions for Form FRA F 6180.57 and Other Recent FRA Information Collection OMB Approvals.

**SUMMARY:** FRA announces that OMB approved the information collection requests (ICRs) identified below for 3 years.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W33-497, Washington, DC 20590 (telephone: (202) 493-6292) or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W34-212, Washington, DC 20590 (telephone: (202) 493-6132).

**SUPPLEMENTARY INFORMATION:** On June 6, 2018, OMB approved revised instructions Form FRA F 6180.57, Highway-Rail Grade Crossing Accident/ Incident Report, for 3 years under OMB No. 2130-0500 (49 CFR part 225). This latest approval authorizes FRA to capture information concerning post-accident toxicological testing for certain human-factor highway-rail grade crossing accidents and incidents in the narrative block of this form. The newly revised 49 CFR 219.201, effective on June 12, 2017, requires post-accident toxicological testing of railroad employees when at least one of five specific requirements is met for certain human factor categories of highway-rail grade crossing accidents and incidents. Additionally, under the Paperwork

Reduction Act of 1995 (PRA) and its implementing regulations, FRA announces that OMB approved the renewal ICRs identified below for 3 years. These renewal ICRs pertain to 49 CFR parts 213, 217, 218, 224, 227, 228, 229, 231, 232, 234, 237, 238, 239, 241, 242, 243, and 272. Finally, FRA announces that OMB approved two study-related renewal ICRs for 3 years.

The PRA, 44 U.S.C. 3501-3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to display OMB control numbers and inform respondents of their legal significance once OMB approval is obtained. In the past 12 months, OMB approved the following renewal information collections with the following new expiration dates: (1) OMB No. 2130-0500 (49 CFR part 225) (Form FRA F 6180.55/55a/56/57/78/81/98107/150)—June 30, 2021; (2) OMB No. 2130-0545, Passenger Train Emergency Preparedness (49 CFR part 239)—July 31, 2020; (3) OMB No. 2130-0552, Locomotive Cab Sanitation Standards (49 CFR part 229)—July 31, 2020; (4) OMB No. 2130-0564, Locomotive Crashworthiness (49 CFR part 229)—July 31, 2020; (5) OMB No. 2130-0602, Critical Incident Stress Plans (49 CFR part 272)—August 31, 2020; (6) OMB No. 2130-0005, Hours of Service Regulations (49 CFR part 228) (Form FRA F 6180.3)—January 31, 2021; (7) OMB No. 2130-0566, Reflectorization of Freight Rolling Stock (49 CFR part 224) (Form FRA F 6180.113)—November 30, 2020; (8) OMB No. 2130-0594, Railroad Safety Appliance Standards (49 CFR part 231)—October 31, 2020; (9) OMB No. 2130-0035, Railroad Operating Rules (49 CFR parts 217 & 218)—February 28, 2021; (10) OMB No. 2130-0592, Track Safety Standards; Concrete Crossties (49 CFR part 213)—February 28, 2021; (11) OMB No. 2130-0506, Identification of Cars Moved in Accordance with 49 CFR 232.3(d) (Formerly Order 13528) (49 CFR part 232)—March 31, 2021; (12) OMB No. 2130-0556, U.S. Locational Requirement for Dispatching Rail Operations in the United States (49 CFR part 241)—April 30, 2021; (13) OMB No. 2130-0595, Safety and Health Requirements Related to Camp Cars (49 CFR part 228)—April 30, 2021; (14) OMB No. 2130-0597, Training, Qualification, and Oversight for Safety-Related Railroad Employees (49 CFR parts 213 & 243)—April 30, 2021; (15) OMB No. 2130-0571, Occupational Noise Exposure for Railroad Operating Employees (49 CFR part 227)—May 31, 2021; and (16) OMB No. 2130-0596,

Conductor Certification (49 CFR part 242)—May 31, 2021.

Additionally, in the last 18 months, OMB approved the following two study-related renewal information collections with the following new expiration dates: (1) OMB No. 2130-0617, Survey of Insular and Tourist Railroads (49 CFR part 237) (email survey)—November 31, 2020; and (2) OMB No. 2130-0622, Cab Technology Integration Lab (CTIL) Head-Up Display Study (Forms FRA F 6180.170a; FRA F 6180.170b)—January 31, 2021.

Persons affected by the above-referenced information collections are not required to respond to any collection of information unless it displays a currently valid OMB control number. These OMB approvals certify FRA has complied with the provisions of the PRA (44 U.S.C. 3501-3520) and with 5 CFR 1320.5(b) informing the public about OMB's approval of the information collection requirements of the above cited forms, studies, and regulations.

**Authority:** 44 U.S.C. 3501-3520.

**Juan D. Reyes III,**

*Chief Counsel.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2018-0008-N-7]

#### Proposed Agency Information Collection Activities; Comment Request

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of Information Collection Request; request for comment.

**SUMMARY:** Under the Paperwork Reduction Act of 1995 (PRA), this notice announces that FRA is forwarding the Information Collection Request (ICR) abstracted below to the Office of Management and Budget (OMB) for review and comment. The ICR describes the information collections and their expected burden. On May 10, 2018, FRA published a notice providing a 60-day period for public comment on the ICR. **DATES:** Interested persons are invited to submit comments on or before September 7, 2018.

**ADDRESSES:** Submit written comments on the ICR to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503,

Attention: FRA Desk Officer. Comments may also be sent via email to OMB at the following address: [oir\\_submissions@omb.eop.gov](mailto:oir_submissions@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W33-497, Washington, DC 20590 (telephone: (202) 493-6292); or Ms. Kim Toone, Information Collection Clearance Officer, Office of Administration, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W34-212, Washington, DC 20590 (telephone: (202) 493-6132).

**SUPPLEMENTARY INFORMATION:** The PRA, 44 U.S.C. 3501-3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve an ICR. *See* 44 U.S.C. 3506, 3507; 5 CFR 1320.8-12. On May 10, 2018, FRA published a 60-day notice in the **Federal Register** soliciting comment on the ICR for which it is now seeking OMB approval. *See* 83 FR 21815 (May 10, 2018). During the comment period, on June 4, 2018, counsel for the Association of American Railroads asked clarifying questions, on behalf of its member railroads, regarding FRA's proposed changes to Section 6 of the Quarterly PTC Progress Report (Form FRA F 6180.165) and Annual PTC Progress Report (Form FRA F 6180.166). Consistent with the abstract below, and FRA's summary in its 60-day notice, FRA confirmed that a host railroad may provide its *approximate* completion dates for interoperability testing with

each tenant railroad in Section 6 of the reporting forms. FRA received no written comments in response to the 60-day notice.

Before OMB decides whether to approve these proposed collections of information, it must provide 30 days for public comment. Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30-day notice is published. 44 U.S.C. 3507(b)-(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983 (Aug. 29, 1995). OMB believes the 30-day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR at 44983. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect.

*Comments are invited on the following ICR regarding:* (1) Whether the information collection activities are necessary for FRA to properly execute its functions, including whether the information will have practical utility; (2) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology.

The summary below describes the ICR that FRA will submit for OMB clearance as the PRA requires:

*Title:* Positive Train Control.  
*OMB Control Number:* 2130-0553.

*Abstract:* Under the Positive Train Control Enforcement and Implementation Act of 2015 (PTCEI Act), each railroad subject to 49 U.S.C. 20157(a) must submit an annual progress report to FRA by March 31, 2016, and annually thereafter, until PTC system implementation is completed. 49 U.S.C. 20157(c)(1). The PTCEI Act specifically requires each railroad to provide certain information in the annual reports regarding its progress toward implementing a PTC system, in addition to any other information FRA requests. *See id.* In addition, 49 U.S.C. 20157(c)(2) requires FRA to conduct compliance reviews at least annually to ensure each railroad is complying with its revised PTC Implementation Plan (PTCIP), including any FRA-approved amendments. The PTCEI Act requires railroads to provide information to FRA that FRA determines is necessary to adequately conduct such compliance reviews. 49 U.S.C. 20157(c)(2).

Under its statutory and regulatory investigative authorities, FRA currently requires, and seeks to continue requiring, each subject railroad to submit Quarterly PTC Progress Reports (Form FRA F 6180.165) and Annual PTC Progress Reports (Form FRA F 6180.166) on its PTC system implementation progress. *See* 49 U.S.C. 20157(c)(1)-(2); *see also* 49 U.S.C. 20107; 49 CFR 236.1009(h).

Specifically, in addition to the Annual PTC Progress Report (Form FRA F 6180.166) due each March 31 under 49 U.S.C. 20157(c)(1), railroads must provide quarterly progress reports covering the preceding three-month period and submit the forms to FRA on the dates in the following table until full PTC system implementation is completed:

	Coverage period	Due dates for quarterly reports
Q1 .....	January 1-March 31 .....	April 30.
Q2 .....	April 1-June 30 .....	July 31.
Q3 .....	July 1-September 30 .....	October 31.
Q4 .....	October 1-December 31 .....	January 31.

Each railroad must submit its Quarterly PTC Progress Reports on Form FRA F 6180.165 and its Annual PTC Progress Reports on Form FRA F 6180.166 on FRA's Secure Information Repository at <https://sir.fra.dot.gov>.

**II. Proposed Revisions to the Quarterly and Annual PTC Progress Report Forms**

On August 15, 2017, OMB approved the Quarterly PTC Progress Report (Form FRA F 6180.165) and Annual PTC Progress Report (Form FRA F

6180.166) for a period of one year, expiring on August 31, 2018. The current Quarterly PTC Progress Report Form and Annual PTC Progress Report Form, as approved through August 31, 2018, can be accessed and downloaded in FRA's eLibrary at: <https://www.fra.dot.gov/eLib/details/L17365> and <https://www.fra.dot.gov/eLib/details/L17366>, respectively. These versions of the forms took into account the Association of American Railroads' written comments on behalf of itself and

its member railroads; the American Public Transportation Association's written comments on behalf of Northeast Illinois Commuter Rail System, the Utah Transit Authority, the Tri-County Metropolitan Transportation District of Oregon, and the Fort Worth Transportation Authority; and industry stakeholders' comments during FRA's public meeting on April 19, 2016. FRA published minutes from the meeting on [www.regulations.gov](http://www.regulations.gov) under Docket No. FRA-2016-0002. For a summary of the

oral and written comments and FRA's responses to the comments, please see 81 FR 28140, May 9, 2016.

Following the above cited 60-day public comment period, FRA is now requesting OMB's re-approval of the forms, with the five changes described below. First, in Section 1 of the Quarterly PTC Progress Report Form (FRA F 6180.165), FRA proposes revising the row "Territories Where Revenue Service Demonstration Has Been Initiated" to state "Territories in Revenue Service Demonstration or in PTC Operation" for clarity, based on additional feedback from the industry following OMB's approval of the form on August 15, 2017. FRA intended this row to include any and all territories where a railroad had initiated revenue service demonstration (RSD), even if a railroad subsequently obtained PTC System Certification from FRA and is operating its PTC system in revenue service. The purpose of this row is to collect information regarding a railroad's progress toward meeting the statutory criteria under 49 U.S.C. 20157(a)(3)(B)(vi)–(vii), if applicable. Based on feedback from the industry, FRA proposes clarifying the language in this row in Section 1 so railroads understand that a railroad can include in this row the number of territories where its PTC system is in RSD or in operation. This proposed change does not result in any additional reporting burden as it is only a clarifying change.

Second, in footnotes 4 and 6 of the Quarterly PTC Progress Report Form (FRA F 6180.165), FRA proposes adding a hyperlink to Appendix A. The footnotes currently state: "If a particular category listed in this table does not apply to the railroad's technology, please indicate 'N/A.' A railroad may add categories or subcategories if it wants to provide more detail." FRA proposes adding the phrase "in Appendix A" to the second sentence with a hyperlink to that appendix to the form, as it will help direct railroads to the available section of the PDF where they can provide additional information. A hyperlink to Appendix A was in the corresponding footnotes in the prior version of the Quarterly PTC Progress Report Form that OMB approved through June 30, 2017, but the hyperlink was omitted in error from the current version of the form. This proposed change (*i.e.*, adding a hyperlink to an existing appendix) does not result in any additional reporting burden as it is only a formatting change.

Third, in Section 4 (entitled "Installation/Track Segment Progress—Current Status") of both the quarterly form and the annual form, FRA

proposes replacing the "Testing" option in the drop-down menu with two more precise options—*i.e.*, "Field Testing" and "Revenue Service Demonstration." This modification will help ensure clearer and more accurate reporting, without imposing an additional reporting burden.

Fourth, with respect to only the Annual PTC Progress Report Form (FRA F 6180.166), FRA proposes to delete a now inapplicable instruction from footnote 7 in Section 4, which stated,

Please note: For the Annual PTC Progress Report due by March 31, 2017, this mandatory geographic requirement (that must be satisfied by either completing Column 5 in Section 4 or submitting a GIS shapefile as described above) is due to FRA by April 30, 2017. Every other part of this form must be completed and submitted to FRA by March 31, 2017. This limited extension applies only in 2017.

FRA delayed the due date for submitting that specific information in 2017 only, per OMB's request, to ensure railroads had sufficient time to compile and provide the information. FRA proposes removing that note from footnote 7 as it is no longer applicable or necessary. By statute, a railroad's Annual PTC Progress Report is due by March 31st each year until it completes PTC system implementation. 49 U.S.C. 20157(c)(1).

Fifth, with respect to both the quarterly form and the annual form, FRA proposes making certain changes to Section 6 (entitled "Update on Interoperability Progress"). FRA proposes removing the portion of the instruction that states a host railroad must provide information about the status of each tenant railroad's rolling stock "if the tenant does not have a separate PTCIP on file." FRA proposes removing this limiting instruction because FRA needs to know the PTC implementation status of any tenant railroad that operates on the host railroad's property, except any tenant railroad that is subject to an exception under 49 CFR 236.1006(b). In addition, before the final column in the table in Section 6, FRA proposes adding a column entitled, "Scheduled Completion Date for Interoperability Testing." This information is necessary for FRA to understand the progress a host railroad and each of its required tenant railroads are jointly making toward testing and achieving PTC system interoperability, consistent with host railroad's PTC Implementation Plan and/or PTC Safety Plan. FRA estimates the additional burden for a host railroad to complete this new reporting requirement would be, on average, approximately 2.5 hours for Class I railroads and large passenger

railroads; 1.25 hours for Class II and medium passenger railroads; and thirty minutes for Class III, terminal, and small passenger railroads.

### III. Overview of Information Collection

The associated collection of information is summarized below.

*Title:* Positive Train Control (Quarterly Positive Train Control Progress Report and Annual Positive Train Control Progress Report).

*Type of Request:* Extension with change of a currently approved information collection.

*Affected Public:* Businesses (railroads).

*Form(s):* FRA F 6180.165 and FRA F 6180.166.

*Respondent Universe:* 41 Railroad Carriers.

*Frequency of Submission:* On occasion.

*Total Estimated Annual Responses:* 147,526.

*Total Estimated Annual Burden:* 2,728,528 hours.

Under 44 U.S.C. 3507(a) and 5 CFR 1320.5(b) and 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**Authority:** 44 U.S.C. 3501–3520.

**Juan D. Reyes III,**

*Chief Counsel.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Reports, Forms, and Record Keeping Requirements Agency Information Collection Activity Under OMB Review

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), U.S. Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, this notice announces the Information Collection Request (ICR) abstracted below will be submitted to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected burden. A **Federal Register** Notice with a 60-day comment period soliciting public comments on the following information collection was published on May 18, 2018 (83 FR