

**1FEDERAL RAILROAD ADMINISTRATION
POSITIVE TRAIN CONTROL AND OTHER SIGNAL SYSTEMS¹
(Title 49 Code of Federal Regulations Parts 235 and 236)
SUPPORTING JUSTIFICATION
OMB Control No. 2130-0553**

Summary

- This submission is a request for a revision to the last approval granted by the Office of Management and Budget (OMB) on October 30, 2018, which expires on March 31, 2020.
- The Federal Railroad Administration (FRA) published the required 60-day *Federal Register* on December 30, 2019. See 84 FR 72121. FRA received 3 comments to this Notice.
- The total number of burden hours requested for this information collection is 68,373 hours. The total number of burden hours previously approved by OMB was 2,728,528 hours.
- The total number of responses requested for this information collection is 4,568,393. The total number of responses previously approved by OMB was 147,526.
- Program changes due to the proposed new form increased the burden by 190 hours.
- Overall, the adjustments decreased the burden by 2,660,155 hours and increased responses by 4,420,837 after a thorough review of the data.
- The answer to question number 12 itemizes all information collection requirements with each requirement of these rules. (See pages 23-31)
- The answer to question number 15 itemizes all adjustments associated with this rule. (See pages 33-46.)

1. Circumstances that make collection of the information necessary.

Under the 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 it has fully implemented an FRA-certified and interoperable PTC system. 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

¹ FRA makes a technical correction to the title of OMB Control Number 2130-0553. Formerly, it was titled “Positive Train Control.”

any other information FRA requests. *See id.* Further, 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).

Accordingly, under its statutory and regulatory authority, 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), until the railroad finishes fully implementing an FRA-certified and interoperable PTC system on its required main lines. *See* 49 U.S.C. 20157(c)(1)–(2); *see also* 49 CFR 236.1009(h). Each subject railroad must submit these quarterly reports by the due dates in the following table:²

	Coverage Period	Due Dates for Quarterly PTC Progress 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 applicable 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>. By law, only 35 railroads³ (including 32 host railroads and 3 tenant-only commuter railroads) are currently required to submit Quarterly PTC Progress Reports (Form FRA F 6180.165) and Annual PTC Progress Reports (Form FRA F 6180.166).

In addition, FRA to require host railroads operating FRA-certified PTC systems to submit a Statutory Notification of PTC System Failures (Form FRA F 6180.177) to fulfill the temporary reporting requirement under the Positive Train Control Enforcement and Implementation Act of 2015 (PTCEI Act), and FRA is proposing an alternative reporting frequency and reporting location, as the statutory mandate authorizes FRA to establish. [Background for the PTC Final Rule Published on January 15, 2010](#)

² As stated on the cover page of the Quarterly PTC Progress Report (Form FRA F 6180.165), “A railroad must submit quarterly reports until a PTC system is fully implemented on all required main lines under 49 U.S.C. 20157 and 49 CFR part 236, subpart I, including a quarterly report for the quarter in which the railroad completes full PTC system implementation.” *See* 49 U.S.C. 20157(c)(2).

³ Currently, 42 railroads are directly subject to the statutory mandate to implement a PTC system. However, only 35 railroads are currently subject to these progress-related reporting requirements, given that by law, such reporting requirements no longer apply to the 4 host railroads that fully implemented PTC systems as of December 31, 2018, and 3 other tenant-only commuter railroads that fully implemented their PTC systems to date.

The President signed RSIA into law on October 16, 2008, mandating PTC system implementation by December 31, 2015. Specifically, Section 104 of the Rail Safety Improvement Act of 2008, Pub. L. 110-432, 122 Stat. 4854, (Oct. 16, 2008) (codified at 49 U.S.C. 20157) (RSIA) requires the installation of PTC systems governing all train operations on certain track. To effectuate this goal, RSIA required the covered railroads to submit for FRA approval a PTC implementation plan (PTCIP) within 18 months (i.e., by April 16, 2010).

On July 27, 2009, FRA published an NPRM regarding the mandatory implementation and operation of PTC systems in accordance with RSIA. During the comment period for that proceeding, CSX Transportation, Inc., suggested that FRA create a de minimis exception to the requirement that lines carrying PIH materials traffic (but not applicable passenger traffic) be equipped with PTC systems.

The final rule, published on January 15, 2010, included a de minimis exception, since FRA believed that it contained significant merit and that it fell within the scope of the issues set forth in the proposed rule. However, since none of the parties had an opportunity to comment on this specific exception as provided in the final rule, FRA sought further comments on the extent of the de minimis exception. The further comments responsive to this issue were largely favorable, although the Association of American Railroads (AAR) sought some further modification and clarification. In publishing its second PTC system final rule on September 27, 2010, FRA decided not to amend the de minimis exception any further based on the comments submitted. AAR, in its Petition dated April 22, 2011, requested that FRA initiate a rulemaking to expand the de minimis exception and otherwise amend the rules concerning the limited operations exception, en route failures of trains operating with PTC systems, and the discontinuance of signal systems once PTC systems were installed. AAR also requested that FRA develop a new exception to allow unequipped trains to operate on PTC lines during certain yard operations. On October 21, 2011, FRA held a meeting in Washington, DC, with the PTC Working Group (WG) to the Railroad Safety Advisory Committee (RSAC) to seek input and guidance concerning the issues raised in AAR's Petition and other technical amendments. FRA facilitated a valuable group discussion relating to each of the proposed amendments.

Taking into account this input, FRA published an NPRM on December 11, 2012. With respect to the categorical de minimis exception at 49 CFR 236.1005(b)(4)(iii), FRA proposed to modify the categorical de minimis exception to raise the maximum number of freight cars containing PIH materials from fewer than 100 cars to fewer than 200 cars and revise the grade limitation to be more consistent with the definition of "heavy grade" present in 49 CFR Part 232. FRA also proposed to remove the traffic limitation of 15 million gross tons (MGT) from the general de minimis exception in paragraph (b)(4)(iii)(C), but not the categorical exception in paragraph (b)(4)(iii)(B). In response to AAR's

suggestions for a yard move exception, FRA proposed to add a yard movement exception that would authorize movements by unequipped locomotives over PTC-equipped main line track segments for the purpose of switching service or transfer train movements. FRA did not propose to create an additional limited operations exemption, remove oversight from signal system discontinuances, or modify the default rules for resolving en route failures of a PTC system, though FRA requested comments on these elements of AAR's Petition. FRA also proposed a number of technical amendments to the signal and grade crossing regulations of 49 CFR Parts 234, 235, and 236. After learning that some viewed the scope of the NPRM as ambiguous, FRA published a notice of clarification on January 28, 2013, to ensure that commenters would have an adequate opportunity to address each element of AAR's Petition. After the close of the comment period, FRA held a meeting of the RSAC PTC WG on May 24, 2013, in order to gather more information relating to the comments and an additional meeting on July 9, 2013, to discuss draft rule text.

In sum, FRA's final rule primarily amends the regulations implementing a requirement of the Rail Safety Improvement Act of 2008 that certain passenger and freight railroads install positive train control (PTC) systems governing operations on certain main line tracks. This final rule revises an existing regulatory exception to the requirement to install a PTC system for track segments carrying freight only that present a de minimis safety risk. The final rule also adds a new exception for unequipped trains associated with certain yard operations to operate within PTC systems. The final rule also revises the provisions related to various failures of a PTC system, adds new provisions related to other failures of a PTC system, and amends the regulations on applications for approval of certain modifications of signal and train control systems. Last, this final rule makes technical amendments to FRA's other signal and train control regulations and FRA's regulations governing highway-rail grade crossing warning systems.

2. How, by whom, and for what purpose the information is to be used.

This is a revision to a current collection of information associated with FRA's part 235 and 236 rules. Specifically, FRA is requesting the re-approval of the Quarterly PTC Progress Reports (Form FRA F 6180.165) and Annual PTC Progress Reports (Form FRA F 6180.166) with changes. Per the industry's and OMB's previous recommendations, FRA has considered ways in which it can phase out certain requirements forms FRA F 6180.165 and FRA F 6180.166), while railroads continue to fully implement their PTC systems on the required main lines.

Railroads' submission of Quarterly PTC Progress Reports (Form FRA F 6180.165) and Annual PTC Progress Reports (Form FRA F 6180.166)—consistent with the reporting requirements under the PTCEI Act—enables FRA to effectively monitor railroads' progress toward fully implementing FRA-certified and interoperable PTC systems on the approximately 57,855 route miles subject to the statutory mandate. Such reporting also enables FRA to identify railroad-specific and industry-wide obstacles to full PTC system

implementation and to provide timely technical assistance. Moreover, this reporting framework enables FRA to provide the public and Congress with data-driven status reports on industry's progress toward implementing this mandated technology on a regular basis, which will be especially important throughout 2020, as the statutory deadline for most mandated railroads to fully implement PTC systems is December 31, 2020.

Additionally, FRA is proposing a new mandatory form—Statutory Notification of PTC System Failures (Form FRA F 6180.177; web based) to fulfill the temporary reporting requirement under PTCEI Act. With the web-based form, host railroads would be required to identify the number of PTC system initialization failures, cut outs, and malfunctions by state and subdivision to enable FRA to closely monitor trends in PTC system reliability throughout the country and focus its resources on any areas where such failures are occurring at a high rate.

Overall, FRA uses the information collected under subparts H and I of part 236 for compliance purposes. FRA uses and will use the information collected to ensure that new or novel signal and train control technologies, essentially electronic or processor-based systems, meet the “performance standard” and work as intended in the U.S. rail environment.

Background

FRA has established new reporting requirements for railroads implementing PTC to comply with statutory mandates to collect information, to effectively track and report railroad progress, and to perform its role ensuring compliance through enforcement and industry oversight. See, e.g., 49 U.S.C. § 20157(c)(1)–(2).

The purpose of collecting precise geographic information in the Annual PTC Progress Report (Form FRA F 6180.166) is to inform FRA of the exact stretches of railroad track (identified by milepost limits and/or control point limits, depending on the railroad's business practices) where a PTC system had been implemented and was operable by the end of the previous calendar year. FRA cannot function properly as a safety agency without knowing the actual milepost and/or control point limits of where PTC systems have been implemented and are operable. FRA has an internal GIS database containing various maps of PTC implementation across the country, and FRA needs to maintain the database and ensure it depicts the accurate and precise status of railroads' implementation progress.

Under the PTCEI Act, FRA is required to conduct reviews at least annually to ensure each railroad is complying with its revised PTC implementation plan (PTCIP). 49 U.S.C. § 20157(c)(2). Congress required each railroad to provide detailed information about implementation progress such as end-of-year milestones for hardware implementation, separated by each major hardware category, in its revised PTCIP. 49 U.S.C. § 20157(a)

(2)(A)(iii)(III). PTC systems are required to be implemented on approximately 60,000 miles of the over 140,000-mile U.S. rail network, and FRA inspectors cannot feasibly inspect every mile at different points in time to know where the hardware of PTC systems has and has not been implemented. FRA needs to know between which mileposts or control points each railroad has implemented a PTC system, so FRA inspectors can, among other tasks, verify that the PTC system is implemented and is working as required on the track railroads report to FRA. Collecting specific geographic information about where a PTC system is operable will enable FRA to independently audit the self-reported status of railroads' PTC implementation progress.

The information to be collected under section 235.6 of this rule is used to simplify and expedite the process of submitting application requests to FRA by railroads seeking to modify existing signal systems associated with PTC implementation. Instead of submitting such application requests to the Associate Administrator for Safety/Chief Safety Officer at agency Headquarters, railroads would submit such applications to the appropriate FRA Regional Administrator having jurisdiction over the affected territory for modifications of the signal system by the installation, relocation, or removal of signals, interlocked switches, derails, movable point frogs, or electronic locks in an existing system where the modification is directly associated with the implementation of PTC systems. This decentralized approach to such application requests will allow them to be more quickly reviewed, processed, and acted on by appropriate FRA Regional staff instead of being added as the next one in line to a long national queue of signal system modification applications. If the Regional Administrator for the appropriate regional office denies approval of the requested modification, the request would then be forwarded to the FRA Railroad Safety Board as an application for signal system modification.

Under section 235.6, copies of such modification application requests must be sent to railroad unions responsible for maintenance, inspection, and testing of signal systems under Part 236. This requirement allows union representatives the opportunity to review all railroad signal system modification requests/applications and enable them to send comments from the railroad workers perspective to the relevant FRA Regional Office regarding any issues or concerns that they may have with such signal system modifications. The appropriate FRA Regional Administrator will review these comments and factor them in to any decision to approve/deny such signal system modification applications associated with PTC implementation.

Section 236.15 requires automatic block, traffic control, train stop, train control, cab signal, and positive train control be designated in timetable instructions. This information is used by railroad employees as they go about carrying out their daily jobs and ensures that identified specific types of signal and train control systems in operation on a railroad are designated in the railroad's timetable as a matter of general knowledge and high importance

Under section 236.1005(b)(4)(iii)(B)(4), in lieu of temporal separation, railroads may employ – subject to FRA approval – an alternative means of similarly reducing the risk of PTC-preventable accidents and a release of PIH materials on specified train line segments. FRA reviews such requests for non-temporal alternative risk mitigation on those line segments to determine that a level of safety equivalent to or greater than temporal separation is provided by proposed risk mitigation measures to reduce the risk of PTC-preventable accidents and a release of PIH materials so that the risk is negligible. If satisfied that the proffered mitigations would be successful, FRA will approve the exception of the line segment.

FRA uses the information collected under Subpart H and the additional information collected under Subpart I for compliance purposes. FRA uses the information collected to ensure that new or novel signal and train control technologies, essentially electronic or processor-based systems, meet the proposed “performance standard” and work as intended in the U.S. rail environment. These new signal and train control technologies are known as “Positive Train Control” (PTC). The rule “performance standard” provides that any new signal and train control system would meet or exceed the safety performance of the existing system. In other words, new “PTC” products must not degrade railroad safety. Before introduction into revenue service, these new systems – as well as subsystems and components thereof – will be carefully evaluated by FRA to verify that they meet the proposed performance standard. FRA aims to use the information collected to facilitate safety improvements through accelerated introduction of new technology. FRA also plans to carefully review the information collected to ensure that new positive train control (PTC) systems are compatible nationwide.

Railroads are required to furnish FRA with a variety of information regarding “positive train control” technology. Under Subpart A of Part 236, railroads are required to adopt a software management control plan to assure that software used in processor-based signal and train control equipment placed in service is the version intended by the railroad to be in service at each location. FRA uses this information as an audit trail to determine if the correct software is installed at the correct locations for all processor-based signal and train control systems on a railroad. FRA believes that these plans will enhance safety and provide other benefits to the railroad as well.

Under Subpart H, railroads are also required to develop a Railroad Safety Program Plan (RSPP) that serves as the railroad’s principal safety document for all safety-critical products. The RSPP must establish the minimum Product Safety Plan (PSP) requirements that will govern the development and implementation of all products subject to this Subpart. FRA requires railroads to submit their initial RSPPs for FRA review and approval prior to implementation of safety-critical products. FRA intends the RSPP to serve as a guide, as well as to be a formal step-by-step process, which covers the following: identification of all safety requirements that govern operation of a system; evaluation of the total system to identify known or potential safety hazards that may arise

over the life cycle of the system; identification of all safety issues during the design phase of the process; elimination or reduction of risk posed by the hazards identified; resolution of safety issues presented; development of a process to track progress; and development of a program of testing and analysis to demonstrate that safety requirements are met. FRA reviews RSPPs and RSPP amendments, which can be made at any time and which involve the same approval procedures that apply with the initial approval of the RSPP, to ensure that all the necessary information is provided and that the proposed new or modified PTC system meets or exceeds the overall safety provided by the old system.

Also, under Subpart H, railroads must submit a Product Safety Plan (PSP). Each PSP must include a complete description of the product and must include system specifications that describe the overall product and identify each component and its physical relationship in the system. FRA examines each PSP to fully understand how various parts relate to one another within a system. In particular, FRA reviews safety-critical functions to determine whether they are designed on the fail-safe principle. Each PSP must also include a description of the operation where the product will be used. FRA uses this information to determine the type of operation on which the product will be used, and the suitability of the product for that type of operation.

Railroads are also required to retain records. Railroads need to maintain documentation to demonstrate that the product PSP meets the safety requirements of the railroad's RSPP and applicable standards described in this Subpart, including the risk assessment. The risk assessment must contain all initial assumptions for the system that are listed in paragraph (i) of Appendix B, Risk Assessment Criteria. Railroads are required to develop and keep for the life cycle of the product an Operations Maintenance Manual (as specified in § 236.923). Railroads are also required to maintain records which designate persons who are qualified under the railroad's training program to perform safety-related inspection, testing, maintenance, repairing, dispatching, or operating tasks regarding the safety-critical product. After the product is placed in service, railroads are required to maintain a database of safety-relevant hazards on the product which arise or are discovered. All documents and records must be made available for FRA inspection and copying during normal business hours. FRA uses the information provided by these records to fully ensure that processor-based signal and train control systems are safe, and are properly installed, maintained, inspected, and tested by qualified personnel who have complete and current information concerning the product.

Section 236.1005 provides flexibility to railroads by permitting requests for temporary rerouting. FRA will review temporary rerouting requests of trains equipped with a PTC system (as required by this Part) onto a track not equipped with a PTC system and a train not equipped with a PTC system onto a track with a PTC system – whether due to emergencies (for periods of more than 14 days) or planned maintenance (requests must be made 10 days in advance) – to understand the context and details of the rerouting and to determine whether the requested rerouting is necessary and in the interest of public safety.

For emergency requests, FRA will review the information collected to ensure that a higher level of safety is maintained during the period of the rerouting. For rerouting due to planned maintenance, FRA will review requests to determine whether a railroad should reroute at all. Whether the request is for emergency or planned maintenance purposes, FRA will review the information collected to ensure that the track segments upon which the train will be rerouted have an absolute block established in advance of each rerouted train movement and that each rerouted train movement does not exceed 59 miles per hour for passenger and 49 miles per hour for freight trains in order to protect both railroad workers and the public at large.

Section 236.1006 details the requirements for equipping locomotives operating in PTC territory. It also provides that movements in excess of 20 miles are authorized until December 31, 2020, subject to restrictions, including that the Class II or Class III railroad must report to FRA progress in equipping the necessary number of locomotives with PTC. FRA reviews these reports by Class II/Class III railroads to monitor their progress in complying with mandatory statutory deadlines for equipping their locomotives with Positive Train Control.

Section 236.1007 requires a PTC railroad that conducts freight or passenger operations at more than 125 miles per hour to have an approved PTC Safety Plan (PTCSP) accompanied by an “HSR-125” document. This speed is the maximum speed for Class 7 track under § 236.307. At these higher speeds, the consequences of a derailment or collision are significantly greater than at lower speeds due to the involved vehicle’s kinetic energy. FRA reviews “HSR-125” documents to ensure the additional safety analysis contained in this document provides suitable evidence to the agency that the PTC system can support a level of safety equivalent to, or better than, the best level of safety of comparable rail service in the United States or a foreign country (where railroads request to use foreign service data in their “HSR-125” document) over the five-year period preceding the submission of the PTCSP. FRA also reviews and evaluates the “HSR-125” document to determine that it includes a method to ensure that these high speed lines have the capability to detect incursions, including such hazards as large motor vehicles falling on the track structure from highway bridges, from outside the right of way, as well as the capability of providing warning to trains. For a PTC railroad that conducts freight or passenger operations at more than 150 miles per hour, FRA will review the “HSR-125” document to confirm that it is part of an overall system safety plan approved by the Administrator and that a Rule of Part Applicability governs such extremely high speed operations.

Section 236.1009 spells out PTC procedural requirements and mandates each Class I carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation to develop and submit by April 16, 2010, a plan for implementing a PTC system by December 31, 2015. PTCIP content requirements are fully delineated in § 236.1011. FRA reviews these PTC Implementation Plans (PTCIPs) to see that the

specified contents are included in each PTCIP and to ensure the implementation includes design, testing, potential Verification and Validation, installation, and operation over the PTC system's life cycle. PTCIPs are integral part of the FRA PTC System Certification process, along with a Type Approval number and PTC Safety Plan (PTCSP). FRA examines each PTCIP to confirm that it fully describes the technology that will be employed, how the PTC railroad intends to comply with § 236.1009, how the PTC system provides for interoperability of the system between host and all tenant railroads on the lines required to be equipped with PTC systems under this subpart, and how all the other requirements stipulated in § 236.1011 are met.

Section 236.1013 establishes that, for a PTC system to obtain a Type Approval from FRA, a PTC Development Plan (PTCDP) must be filed in accordance with § 236.1009. FRA reviews the PTCIP and PTCDP contemporaneously in order predetermine and share with the railroad an appropriate course of action to adequately address the various issues specific to the railroad and related to drafting a successful PTC Safety Plan (PTCSP). The PTCDP is the core document that provides the FRA Associate Administrator for Safety sufficient information to determine whether the PTC system proposed for installation by the railroad could meet the statutory requirements for PTC systems prescribed in the RSIA of 2008 and the regulatory requirements under new subpart I.

Section 236.1015 sets forth PTC Safety Plan (PTCSP) content requirements and what each railroad must do to receive a PTC System Certification. FRA carefully scrutinizes each PTCSP to assure that the as-built PTC system fulfills the required statutory PTC functions and is in compliance with the requirements of this Subpart. Each PTCSP must address railroad-specific implementation issues associated with the PTC system identified by the submitted Type Approval. Each PTCSP must include a risk assessment. FRA uses this information as a basis to confirm compliance with the appropriate performance standard. Also, FRA reviews the risk assessment to see that it provides evidence that risks associated with the product have been carefully considered and that steps have been taken to eliminate or mitigate them. Additionally, each PTCSP must address safety Verification and Validation procedures as defined under this Part. FRA believes that Verification and Validation for safety are vital parts of the PTC development process. FRA uses this information to ensure the adequacy and coverage of the tests are appropriate. FRA will only issue a PTC System Certification if the PTCSP receives agency approval. Receipt of a PTC System Certification affirms that the PTC system has been reviewed and approved by FRA in accordance with this Part and meets all of its requirements.

Section 236.1017 requires that each PTCSP must be supported by an independent third party assessment when the Associate Administrator (for Safety) concludes that it is necessary based upon criteria spelled out in § 236.913(g)(2)(vii). If an independent assessment is required, the assessment may apply to the entire system or a designated portion of the system. FRA reviews any third party audits to verify that the minimum requirements outlined in Appendix F to this Part are met.

Section 236.1019 pertains exclusively to exceptions from the rule that trackage over which scheduled intercity and commuter passenger service is provided is considered main line track requiring installation of a PTC system.

Section 236.1021 references discontinuances, material modifications, and amendments. In this section, FRA requires agency approval prior to certain PTC system changes. Amendments can add, remove, or update parts of the railroad's PTCIP, PTCDP, or PTCSP. FRA reviews these requests for amendment (RFAs) to ensure that all necessary information is provided to the agency to determine whether agency approval should be granted.

Section 236.1023 requires PTC product vendors and railroads to notify FRA when any PTC system, subsystem, component, product, or process fails, malfunctions, or otherwise experiences a defect that decreases or eliminates any safety functionality. FRA reviews these notifications to make certain that the cause of such failures, malfunctions, or defects are identified and that corrective actions are taken without undue delay.

Section 236.1029 requires communication of a report to a designated railroad officer when a PTC on-board device on a lead locomotive that is operating in or is to be operated within a PTC system fails or is otherwise cut-out. These reports are used by railroads to ensure necessary safety measures are taken, in particular that the necessary alternative protection of absolute block is established. FRA monitors these reports to verify that appropriate records are kept relating to the occurrence of en route failures.

Section 236.1035 stipulates required information that railroads must provide to FRA before any field testing of an uncertified PTC system, or a product of an uncertified PTC system, or any regression testing of a certified PTC system is conducted. FRA reviews these documents/plans to make informed decisions regarding the safety of testing operations.

Section 236.1037 specifies records retention requirements. Each railroad with a PTC system required to be installed under this Subpart must maintain at a designated office on the railroad: (1) a current copy of each FRA approved Type Approval, if any, PTCDP, and PTCSP that it holds; (2) adequate documentation to demonstrate that the PTCSP and PTCDP meet the safety requirements of this Subpart, including the risk assessment; (3) an Operations and Maintenance Manual, pursuant to § 236.1039; and (4) training and testing records pursuant to § 236.1043(b). FRA reviews these records for compliance with a performance standard and with the requirements of this new Subpart.

Section 236.1039 requires railroads to catalog and maintain all documents as specified in the PTCDP and PTCSP for the installation, maintenance, repair, modification, inspection, and testing of the PTC system and have them in one Operations and Maintenance Manual.

Section 236.1041 requires railroads and contractors to establish and implement training and qualifications programs for PTC systems subject to this Subpart. These programs must meet the minimum requirements spelled out in the PTCDP and PCTSP in §§ 236.1039-236.1045, as appropriate, for the following personnel: (1) Persons whose duties include installing, maintaining, repairing, modifying, inspecting, and testing safety-critical elements of the railroad's PTC systems, including central office, wayside, or onboard subsystems; (2) Persons who dispatch train operations (issue or communicate any mandatory directive that is executed or enforced, or is intended to be executed or enforced, by a train control system subject to this subpart); (3) Persons who operate trains or serve as a train or engine crew member subject to instruction and testing under Part 217 of this Chapter, on a train operating in territory where a train control system subject to this subpart is in use; (4) Roadway workers whose duties require them to know and understand how a train control system affects their safety and how to avoid interfering with its proper functioning; and (5) The direct supervisors of persons listed in paragraphs (a)(1) through (a)(4) of this section.

Section 236.1043 requires regular and periodic evaluations of railroads/contractors PTC training programs and retention of training records. Railroads/contractors use this information as an audit to determine if their PTC training program materials and curriculum are effective and are imparting the specific knowledge, skills, and abilities to accomplish the stated goals of the training program. Railroads/contractors also use this information to determine if the stated goals of the training program reflect the correct and current products and operations. FRA reviews training records to verify that required personnel are properly trained and that new designations of qualified personnel are recorded, as appropriate.

Finally, section 236.1045, section 236.1047, and section 236.1049 set forth the training requirements for office personnel, locomotive engineers and other operating personnel, and roadway workers, respectively. Again, FRA seeks to prevent under-trained and unqualified people from performing safety critical functions related to a PTC system and to ensure that all railroad PTC railroad personnel are properly trained to safely perform assigned duties that are crucial to maintaining safe PTC systems and a safe rail work environment.

In sum, FRA uses the information collected under subparts H I to ensure that new or novel Positive Train Control technologies are, at a minimum, as safe as the systems they would replace. This collection of information is a vital means that enables FRA to accomplish its main mission of promoting, enforcing, and enhancing safe rail transportation in this country.

3. Extent of automated information collection.

This information collection will require the use of automated, electronic, mechanical, or other technological collection techniques. The railroad must submit the annual, quarterly, and monthly PTC progress report forms using FRA's Secure Information Repository (SIR) at <https://sir.fra.dot.gov>. Many railroads have used the SIR website to submit their PTCIPs, revised PTCIPs, and monthly progress reports (approved under OMB No. 2130-0553). FRA will assist any railroad that has not created an account on the SIR website to help the railroad obtain access efficiently. To expedite the collection and dissemination of information by the railroad, FRA is providing railroads with a specific form for the annual report (FRA F 6180.166), the quarterly report (FRA F 6180.165), and the new monthly Statutory Notification of PTC System Failures (Form FRA F 6180.177).

In keeping with past agency practice and the requirements of the Government Paperwork Elimination Act (GPEA), FRA highly encourages and strongly supports the use of advanced information technology, wherever possible, to reduce burden. In Subpart H of this rule, FRA provides for electronic recordkeeping, or automated tracking systems. Furthermore, the hazard log or database of all safety-relevant hazards affecting positive train control/processor-based signal and train control systems may be kept electronically. FRA believes that electronic records are not only convenient but also help to reduce the time and cost burdens experienced by railroads in gathering necessary information.

Also, because railroads have expressed concern that 15 days is not enough time to report an inconsistency of safety-relevant hazards – exceeding the threshold set forth in the Product Safety Plan – to FRA, especially when traditional postal service is used to deliver the report, FRA has decided to allow railroads to fax or e-mail the report required under §236.917(b).

Electronic recordkeeping is also permitted under Subpart I under the same terms as in Subpart H. Under 49 CFR § 236.1011, railroads are permitted to submit much of the PTCIP information electronically. FRA expects each PTCIP to include various highly specific and descriptive elements relating to each railroad's infrastructure and operations. FRA recognizes manual assembly of each piece of data into a PTCIP may be exceptionally onerous and time consuming and may make the PTCIP prone to errors. In light of the foregoing, and due to the statutory requirement that Congress be apprised on the progress of the railroad carriers in implementing their PTC systems, FRA believes that electronic submission of much of this information may be warranted and preferred. To facilitate collection of this data, FRA is accepting the submission of this data in electronic format.

In particular, FRA believes that the preferred, least costly, and least error-prone method to comply with § 236.1011 is for railroads to submit an electronic geographic digital system map containing the segment attribute information in shape file format, which is a data format structure compatible with most Geographic Information System (GIS) software packages. Using a GIS format provides an efficient means for organizing basic transportation-related geographic data to facilitate the input, analysis, and display of

transport networks. Railways around the world rely on GIS to manage key information for rail operations, maintenance, asset management, and decision support systems. FRA believes that the railroads may have already identified track segments, and their physical and operational characteristics, in shape file format.

Additionally, the report required under § 236.1029(b)(1) may be made electronically and the records required to be retained under § 236.1037(a) and § 236.1037(c), which pertain to the results of inspections and tests specified in each railroad's PTCSP and PTCDP, may be kept electronically, subject to approval by FRA. Finally, the training records required under § 236.1043-236.1049 may be kept electronically.

To date, FRA's PTC expert estimates that approximately 100 percent of required Subpart I documents have been submitted electronically to the agency.

4. Efforts to identify duplication.

The information being requested in the annual PTC progress report, in the quarterly PTC progress report, and in the proposed monthly statutory notification of PTC system failures will help FRA perform its duty to assess compliance established by the PTCEI ACT. It will also provide FRA with much more detailed data to more accurately capture each railroad's actual progress to date.

Overall, the information collection requirements concern the introduction of the latest signal and train control systems in this country and facilitate agency fulfillment of a congressional mandate.

To our knowledge, these information collection requirements are not duplicated anywhere else. Similar data are not available from any other source.

5. Efforts to minimize the burden on small businesses.

Respondents will be individual railroads mandated to provide this information under 49 U.S.C. § 20157. While some of those railroads are smaller, short-line railroads that may qualify as small businesses, most are larger freight or passenger railroads that do not qualify as small businesses. Therefore, the burden to small businesses should be negligible. Furthermore, requiring submission on the quarterly and annual forms may reduce the burden for smaller entities, which would otherwise need to create some mechanism to catalog this information on their own.

Background for the PTC Rule Published on January 15, 2010

The "universe" of the entities under consideration includes only those small entities that can reasonably be expected to be directly affected by the provisions of this rule. In this

case, the “universe” will be Class III freight railroads that operate on rail lines that are currently required to have PTC systems installed. Such lines are owned by railroads not considered to be small.

The U.S. Small Business Administration (SBA) stipulates in its “Size Standards” that the largest a railroad business firm that is “for-profit” may be, and still be classified as a “small entity,” is 1,500 employees for “Line Haul Operating Railroads” and 500 employees for “Switching and Terminal Establishments.” “Small entity” is defined in the Act as a small business that is independently owned and operated, and is not dominant in its field of operation. Additionally, section 601(5) defines “small entities” as governments of cities, counties, towns, townships, villages, school districts, or special districts with populations less than 50,000.

Federal agencies may adopt their own size standards for small entities in consultation with SBA and in conjunction with public comment. Pursuant to that authority, FRA has published a final policy that formally establishes “small entities” as railroads which meet the line haulage revenue requirements of a Class III railroad and passenger railroads that serve populations less than 50,000.⁴ The revenue requirements are currently \$20 million or less in annual operating revenue. The \$20 million limit (which is adjusted by applying the railroad revenue deflator adjustment)⁵ is based on the Surface Transportation Board’s (STB) threshold for a Class III railroad carrier. FRA is using the STB’s threshold in its definition of “small entities” for this rule.

FRA believes that portions of the rule revising the requirements regarding at § 236.2 regarding grounds and § 236.567 regarding en route failures are technical in nature, and do not create any economic impacts on any regulated entities, large or small.

Provisions regarding failures of new systems were not in FRA’s prior PTC rules, but FRA acknowledges that it is unlikely that railroads would have been held to an impossible standard, and that some accommodation would have to have been made for system failures that were inevitable. Therefore, the modified rule text at § 236.1029(b), (c), and (g) would not impose any additional costs or create any new benefits on any railroads, including railroads that are small entities.

The changes to the *de minimis* provisions in the final rule (i.e., § 236.1005(b)(4)(iii)) will impact Class III freight railroads that operate on lines of other railroads currently required to have PTC systems installed. To the extent that such host railroads receive relief from such a requirement along certain lines, Class III railroads that operate over those lines will not have to equip their locomotives with PTC system components. FRA believes that small railroads operating over the affected lines are already allowed to avoid equipping locomotives under existing §236.1006(b)(4), or are otherwise equipping their locomotives

⁴ See 68 FR 24891 (May 9, 2003); 49 CFR part 209, app. C.

⁵ For further information on the calculation of the specific dollar limit, please see 49 CFR part 1201.

to operate over other track segments equipped with PTC systems. Further, some Class III freight railroads host passenger operations, but FRA does not believe any of those Class III freight railroads have any switching operations that would be affected by the final rule (i.e., the yard movements exception at 236.1006(b)(5)). To the extent that any Class III freight railroads are affected in circumstances of which FRA is unaware, the effect would be a benefit, in that the Class III freight railroads would be able to avoid installing PTC systems on some locomotives. FRA believes that no small entities will be affected by changes to the *de minimis* provisions and the yard movements exception, and that, therefore, the number of small entities affected is not substantial, and that the impact on them is not significant.

Five small railroads are required to file a PTCIP and will be affected by the changes in the reporting requirements in § 236.1009. The reporting requirements will require the railroad to report its progress in installing PTC, in April 2013, 2014 and 2015, in order to comply with the statutory deadlines. FRA believes that all railroads implementing PTC will track this information and compile the information as part of internal management activities at least as frequently for what is likely to be a relatively large capital project on every affected railroad. FRA believes the incremental reporting regulatory burden is negligible, on the order of forwarding to FRA an e-mail already generated within a railroad. FRA believes this is not a significant burden upon the railroads affected. Thus, FRA believes the reporting requirements will not have a significant impact on a substantial number of small entities.

Pursuant to the Regulatory Flexibility Act, 5 U.S.C. 605(b), the FRA Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities.

6. Impact of less frequent collection of information.

This information collection activity is essential to effectuate FRA oversight of railroads' implementation of PTC under 49 U.S.C. § 20157. Under the PTCEI Act, railroads will have the burden of collecting, cataloging, and presenting this information in some form, including the required annual report and information required by FRA to perform compliance reviews, regardless of whether or not a form is provided. See 49 U.S.C. §§ 20107, 20157(c)(1)–(2); 49 CFR §§ 236.1006(b)(2), 236.1009(h), 236.1011(f). In addition, FRA must submit a report to Congress on each railroad's progress toward implementing PTC by July 1, 2018, under the PTCEI Act, and FRA intends to report to Congress at least once before that date. See 49 U.S.C. § 20157(d). Current and detailed information from the industry will be essential to preparing accurate and robust reports for Congress.

If the information required under Subpart H and Subpart I were not collected, or collected less frequently, FRA believes its ability to maintain rail safety in the United States might

be seriously jeopardized. New, more cost-effective (processor-based) signal and train control systems, which can increase current safety levels, are now emerging. These new systems can also improve train travel times and make rail transportation more attractive for greater numbers of people, as well as reduce the time required to ship goods. In order to fulfill its primary mission as well as the statutory mandate under 49 U.S.C. § 20157, FRA needs to be able to make accurate and informed determinations that proposed “Positive Train Control (PTC)” systems meet a crucial high-level performance standard before carriers design and deploy these systems. It is essential, therefore, that FRA obtain extensive documentation of the safety of “PTC” systems, as well as subsystems and components thereof, before any “PTC” system is actually placed in revenue service in order to confirm that rail carriers meet this high-level performance standard. FRA demands that such systems provide for positive train separation and be compatible nationwide. The required information, particularly the risk assessment data, can be used by FRA as a basis to measure and identify the likelihood of a hazardous event and the potential for the system to function as intended, as well as to confirm compliance with the performance standard.

If FRA were unable to collect the required information or to collect it less frequently than stipulated, there might be more incidents of train-to-train collisions like the ones in Graniteville, South Carolina, and Chatsworth, California, with multiple accompanying injuries and fatalities. In the case of a high speed accident between two trains, the results could be catastrophic. Scores of people, including train crews, passengers, and bystanders, could be killed or injured. In the case of a train(s) carrying hazardous materials, there could also be severe damage to the environment and substantial harm to surrounding communities. Moreover, if FRA were unable to collect the required information and carefully review it, “PTC” systems might be put into place or installed at unauthorized/improper locations. This could result in other accidents/incidents, including train derailments, with corresponding casualties that could have been prevented.

Without the required information, FRA could not be assured that railroads establish and implement a PTC training program. Also, if FRA were unable to collect this information, FRA would have no way to know that essential personnel responsible for installing, operating, maintaining, modifying, inspecting, repairing, and testing safety-critical elements of systems were properly trained to carry out their assigned duties regarding vital PTC systems. Without the ability to oversee the adoption and implementation of each railroad’s required PTC training program and the proper training of its personnel, there would most likely be increased numbers of accidents/incidents, such as those mentioned above, with even greater numbers of injuries and fatalities to train crews, roadway and other rail (signal) workers, and members of the traveling public. The core part of FRA’s safety program is to reduce, to the greatest extent possible, the annual number of rail collisions and derailments that cause loss of life and serious injuries, severe damage to rail equipment, and damage to the natural environment and to surrounding communities whenever a rail accident/incident occurs.

In sum, the collection of information serves to meet the congressional mandate enunciated in 49 U.S.C. § 20157 and advances the goal of enhancing rail safety nationwide. In this, it assists both DOT and FRA in fulfilling the top Departmental/agency goal.

7. **Special circumstances.**

Under § 236.917(b), railroads may have to report information to FRA more often than quarterly if the frequency of the safety-relevant hazards exceeds the threshold set forth in the Product Safety Plan (PSP). Once the product is placed in service, railroads must report the inconsistency to the FRA Director, Office of Safety Assurance and Compliance, at agency headquarters within 15 days of discovery. Railroads are also required to provide a final report to the FRA Director, Office of Safety Assurance and Compliance, on the results of the analysis and countermeasures taken to reduce the frequency of the safety-relevant hazard(s) below the threshold set forth in the PSP when the problem is resolved.

Additionally, under § 236.917(a), railroads must retain at a designated office, for the life cycle of the product (about 25 years), the following: (i) Adequate documentation to demonstrate that the PSP meets the safety requirements of the Railroad's Safety Program Plan (RSPP) and applicable standards in this subpart, including the risk assessment; (ii) An Operations and Maintenance Manual, pursuant to § 236.919; and (iii) training records pursuant to § 236.923(b).

Furthermore, under § 236.1005(g)(1)(i), written or telephonic notification to the applicable FRA Regional Administrator of temporary emergency rerouting of trains equipped with a PTC system onto a track not equipped with a PTC system and of trains not equipped with a PTC system onto a track equipped with a PTC system must be made within one business day of the beginning of the rerouting. Also, under section 236.1005(g)(2)(ii), rerouting requests of trains equipped with a PTC system onto a track not equipped with a PTC system and of trains not equipped with a PTC system onto a track equipped with a PTC system due to planned maintenance must be filed with the applicable FRA Regional Administrator no less than 10 days prior to the planned rerouting. Both requirements are to ensure rail safety and prevent avoidable collisions and derailments.

Moreover, under § 236.1037(d), if the frequency of safety-relevant hazards exceeds the threshold set forth in either the PTCDP or PTCSP, reports of the inconsistency must be made in writing by mail, facsimile, e-mail, or hand delivery to the FRA Director of Safety Assurance and Compliance within 15 days of discovery. Again, this is to ensure rail safety.

Finally, under § 236.1043(b), employers must retain training records of those employees who are qualified under this section until new designations are recorded, or for at least one year after such persons leave applicable service. These records are necessary so that FRA

inspectors can verify that employees are properly trained and qualified to perform their duties related to the installation, repair, modification, inspection, and testing of PTC systems and safety-critical elements of the railroad's PTC system. These records are also essential for FRA/NTSB investigators in the event of a rail accident/incident. All other reporting and recordkeeping requirements are in compliance with this section.

8. Compliance with 5 CFR 1320.8.

In keeping with the requirements of the 1995 Paperwork Reduction Act (PRA) and 5 CFR 1320 (OMB's Implementing Guidance), FRA published the required 60-day Federal Register Notice on December 30, 2019. See 84 FR 72121. FRA received 3 sets of comments in response to this notice.

First, on December 30, 2019, via e-mail, J.P. Morgan's Equity Research Division (Airfreight & Surface Transportation) inquired about whether FRA will make railroads' Statutory Notifications of PTC System Failures (Form FRA F 6180.177) publicly available. The statutory mandate does not require FRA to publicly release the Statutory Notifications of PTC System Failures (Form FRA F 6180.177) that railroads submit under 49 U.S.C. 20157(j)(4). However, if FRA decides in the future to publicly release any failure-related information, FRA would be limited to a certain extent by any requests for confidentiality that railroads may submit pursuant to 49 CFR 209.11.

Second, by e-mail and letter dated February 28, 2020, on behalf of itself and its member railroads, the Association of American Railroads (AAR) submitted comments regarding FRA's proposed changes to the Quarterly PTC Progress Report (Form FRA F 6180.165) and the Annual PTC Progress Report (Form FRA F 6180.166), and FRA's new proposed form, the Statutory Notification of PTC System Failures (Form FRA F 6180.177), implementing the temporary reporting requirement under 49 U.S.C. 20157(j)(4).

Third, by two letters dated February 28, 2020, on behalf of itself and its member organizations, the American Public Transportation Association (APTA) submitted comments regarding FRA's new proposed form, the Statutory Notification of PTC System Failures (Form FRA F 6180.177).⁶

FRA notes that AAR's and APTA's written comments are generally similar in substance to several Class I railroads' and passenger railroads' verbal comments during FRA's most recent PTC collaboration session on February 5, 2020.

In the 60-day Federal Register notice, FRA initially proposed to make the following three sections of both the Quarterly PTC Progress Report (Form FRA F 6180.165) and the

⁶ FRA acknowledges that APTA submitted two separate letters, both dated February 28, 2020, to Docket No. FRA-2019-0004-N-20 on www.regulations.gov. The letters are mostly identical in substance, except one of the letters contains an additional section with four questions at the end of the letter.

Annual PTC Progress Report (Form FRA F 6180.166) optional for most railroads: Section 2 (“Update on Spectrum”); Section 3.1 (“Locomotive Status”), except the software-related narrative section; and Section 3.3 (“Infrastructure/Wayside Status”). 84 FR at 72123. In AAR’s comments, dated February 28, 2020, AAR requested that FRA also make the following additional sections optional: Section 3.2 (“Infrastructure/Back Office Status”); Section 4 (“Installation/Track Segment Progress”); Section 5 (“Update on Employee Training”); and multiple rows in Section 1 (“Summary”) to the extent the information in those rows “will not significantly change.”

Based on the industry’s comments and feedback, FRA now proposes to make the following sections of the Quarterly PTC Progress Report (Form FRA F 6180.165) and Annual PTC Progress Report (Form FRA F 6180.166) optional for most railroads: Section 2 (“Update on Spectrum”); Section 3.1 (“Locomotive Status”), except the software-related narrative section; Section 3.2 (“Infrastructure/Back Office Status”); Section 3.3 (“Infrastructure/Wayside Status”); and Section 5 (“Update on Employee Training”). FRA proposes that those sections would be optional for any railroad that previously demonstrated to FRA it had finished acquiring all necessary spectrum, installing all PTC system hardware for the implementation of its PTC system, and/or training the employees required to receive PTC training under 49 CFR 236.1041 through 236.1049, consistent with the governing FRA-approved PTCIP. This would encompass nearly all railroads subject to the statutory mandate that are still in the process of fully implementing their PTC systems—including the railroads currently field testing their PTC systems, conducting revenue service demonstration (RSD) or expanding RSD to additional main lines, and conducting interoperability testing with their PTC-required tenant railroads—given that railroads generally needed to finish acquiring spectrum, training necessary employees, and installing all PTC system hardware by December 31, 2018, to qualify for and obtain FRA’s approval of an alternative schedule and sequence by law. See 49 U.S.C. 20157(a)(3)(B).

In addition, based on AAR’s comments, FRA also now proposes to make Section 4 (“Installation/Track Segment Progress”) optional but only for a railroad that reports in Section 1 (“Summary”) of the applicable Quarterly PTC Progress Report (Form FRA F 6180.165) or Annual PTC Progress Report (Form FRA F 6180.166) that its PTC system is governing operations, including RSD, on all PTC-mandated route miles as of that reporting period. Section 4 (“Installation/Track Segment Progress”) remains mandatory for all other railroads subject to the statutory mandate.

Further, AAR’s comments, dated February 28, 2020, also generally express support for the fact that FRA’s web-based form for the Statutory Notification of PTC System Failures (Form FRA F 6180.177) will enable railroads to upload bulk data using a comma-separated values (CSV) file (e.g., FRA’s template Excel spreadsheet saved as a CSV file). AAR states that it “supports this flexibility, which would reduce the railroads’ reporting

burden by avoiding the necessity of having to copy the data from a spreadsheet onto FRA's form."

9. Payments or gifts to respondents.

There are no payments, gifts, or other types of remuneration to respondents.

10. Assurance of confidentiality.

FRA fully complies with all laws pertaining to confidentiality, including the Privacy Act of 1974. With respect to the three forms:

The statutory mandate specifically requires that FRA publicly release railroads' Annual PTC Progress Reports (Form FRA F 6180.166). See 49 U.S.C. § 20157(c)(3). FRA also voluntarily publishes railroads' Quarterly PTC Progress Reports (Form FRA F 6180.165) on FRA's website at <https://railroads.dot.gov/train-control/ptc/ptc-annual-and-quarterly-reports>. In addition, each quarter, FRA posts detailed infographics depicting railroads' self-reported progress toward fully implementing FRA-certified and interoperable PTC systems at <https://www.fra.dot.gov/ptc>.

The statutory mandate does not require that FRA publicly release the new Statutory Notifications of PTC System Failures (Form FRA F 6180.177) that railroads submit under 49 U.S.C. § 20157(j)(4). However, please note that if FRA decides in the future to voluntarily post any of this failure-related information on its website, FRA would be limited to a certain extent by any requests for confidentiality that railroads submit pursuant to 49 CFR § 209.11.

Under 49 CFR §§ 209.11 and 236.1009(e)(3), a railroad may request confidentiality. However, if FRA does not believe the information is confidential, or if another party seeks such information under § 209.11 (invoking the Freedom of Information Act), FRA will perform a review to determine whether it should be disclosed. Until such time, to the extent required by law, FRA will honor each railroad's request for confidentiality, especially if it is performed judiciously and is justified (e.g., trade secret). If the information, however, is somehow changed to reduce or eliminate its connection to a single source (e.g., aggregating numbers across all railroads to develop a national or regional total), it is likely no longer protected as confidential.

While FRA continues to believe that there is no need at this time to substantially revise § 209.11, FRA has proposed in Subpart I to require an additional document to assist FRA in efficiently and correctly reviewing confidential information. Under § 209.11, a redacted and an un-redacted copy of the same document must be submitted. When FRA review is required to determine whether confidentiality should be afforded, FRA personnel must painstakingly compare side-by-side the two versions to determine what information has

been redacted. This process may result in information for which exemption from disclosure is being requested to be misidentified. To reduce this burden and to ensure that the intellectual property of the railroad and their suppliers is appropriately guarded, FRA requires that any material submitted for confidential treatment under Subpart I and § 209.11 include a third version that would indicate, without fully obscuring, the redacted portions for which protection is requested. For instance, to indicate without obscuring the plan's redacted portions, the railroad may use the highlighting, underlining, or strikethrough functions of its word processing program. This document will also be treated as confidential under § 209.11. FRA could amend § 209.11 to include this requirement. However, FRA does not believe it to be necessary at this time.

FRA is allowing the submission of an adequate GIS shapefile to fulfill some of the PTCIP content requirements under § 236.1011. However, with respect to requesting confidential treatment of specific information contained in a GIS shapefile, which includes primarily map data, FRA recognizes that visually blocking out the information would defeat the purpose. For instance, a black dot over a particular map location, or a black line over a particular route, would actually reveal the location. Thus, FRA expects that a railroad seeking confidential treatment for portions of a GIS shapefile will submit three versions of the shapefile to comply with paragraph (e). Alternatively, a single shapefile can include three separate layers each representing the three levels of confidentiality, with specific instructions indicating which elements are being displayed and how to handle the file for confidentiality purposes. FRA also expects that the version for public consumption would not include the information for which the railroad is seeking confidential treatment.

As noted in the previous final rule information collection submission, NICTD strongly urged FRA to only accept PTCIPs that provided full public disclosure of all the information needed to obtain components from multiple suppliers, including message interface standards, functional allocation for each subsystem, and safety allocation for each subsystem (e.g. identifying which hazards and safety-critical assumptions are made for each subsystem). NICTD asserted that it was not requesting proprietary information for any subsystems, but merely the ability to utilize alternative sources to fulfill the subsystem requirements within the overall PTC system. According to NICTD, this would substantially improve the likelihood of commuter railroads being able to obtain components from the multiple suppliers that are currently more than willing to develop components that will safely operate with other systems. Moreover, NICTD stated that this would facilitate compliance with interoperability requirements, as the knowledge gained would simplify development of interoperable systems and reduce procurement delays. Amtrak agreed on the need for full public disclosure and asserted that it should be able to review and comment on the PTCIPs of the Class I railroads.

FRA understands these positions, and plans to address them in the near future.

11. Justification for any questions of a sensitive nature.

The information sought relates only to PTC implementation statutory compliance and is authorized by statute and regulation. Thus, there are no questions of personal or sensitive nature.

12. Estimate of burden hours for information collected.

CFR Section/Subject	Respondent Universe	Total Annual Responses	Average Time per Response	Total Annual Burden Hours	Total Annual Dollar Cost Equivalent ⁷
235.6(c) – Expedited application for approval of certain changes described in this section	42 railroads	10 expedited applications	5 hours	50 hours	\$3,800
– Copy of expedited application to labor union	42 railroads	10 copies	30 minutes	5 hours	\$380
– Railroad letter rescinding its request for expedited application of certain signal system changes	42 railroads	1 letter	6 hours	6 hours	\$456
– Revised application for certain signal system changes	42 railroads	1 application	5 hours	5 hours	\$380
– Copy of railroad revised application to labor union	42 railroads	1 copy	30 minutes	.5 hours	\$38
236.1 – Railroad maintained signal plans at all interlockings, automatic signal locations, and controlled points, and updates to ensure accuracy	700 railroads	25 plan changes	15 minutes	6.3 hours	\$479
236.15 – Designation of automatic block, traffic control, train stop, train control, cab signal, and PTC territory in timetable instructions	700 railroads	10 timetable instructions	30 minutes	5 hours	\$380
236.18 – Software management control plan – New railroads	2 railroads	2 plans	160 hours	320 hours	\$24,320
236.23(e) – The names, indications, and aspects of roadway and cab signals shall be defined in the carrier’s Operating Rule Book or Special Instructions. Modifications shall be filed with FRA within 30 days after such modifications become effective	700 railroads	2 modifications	1 hour	2 hours	\$152
236.587(d) – Certification and departure test results	742 railroads	4,562,500 train departures	5 seconds	6,337 hours	\$481,612

⁷ The dollar equivalent cost is derived from the Surface Transportation Board’s Full Year Wage A&B data series using the appropriate employee group hourly wage rate that includes a 75-percent overhead charge. For Executives, Officials, and Staff Assistants, this cost amounts to \$115 per hour. For Professional/Administrative staff, this cost amounts to \$76 per hour.

236.905(a) – Railroad Safety Program Plan (RSPP) – New railroads	2 railroads	2 RSPPs	40 hours	80 hours	\$6,080
236.913(a) – Filing and approval of a joint Product Safety Plan (PSP)	742 railroads	1 joint plan	2,000 hours	2,000 hours	\$230,000
(c)(1) – Informational filing/petition for special approval	742 railroads	.5 filings/approval petitions	50 hours	25 hours	\$1,900
(c)(2) – Response to FRA’s request for further data after informational filing	742 railroads	.25 data calls/documents	5 hours	1 hour	\$76
(d)(1)(ii) – Response to FRA’s request for further information within 15 days after receipt of the Notice of Product Development (NOPD)	742 railroads	.25 data calls/documents	1 hour	.25 hours	\$19
(d)(1)(iii) – Technical consultation by FRA with the railroad on the design and planned development of the product	742 railroads	.25 technical consultations	5 hours	1.3 hour	\$99
(d)(1)(v) – Railroad petition to FRA for final approval of NOPD	742 railroads	.25 petitions	1 hour	.25 hours	\$19
(d)(2)(ii) – Response to FRA’s request for additional information associated with a petition for approval of PSP or PSP amendment	742 railroads	1 request	50 hours	50 hours	\$3,800
(e) – Comments to FRA on railroad informational filing or special approval petition	742 railroads	.5 comments/letters	10 hours	5 hours	\$380
(h)(3)(i) – Railroad amendment to PSP	742 railroads	2 amendments	20 hours	40 hours	\$3,040
(j) – Railroad field testing/information filing document	742 railroads	1 field test document	100 hours	100 hours	\$7,600
236.917(a) – Railroad retention of records: results of tests and inspections specified in the PSP	13 railroads with PSP	13 PSP safety results	160 hours	2,080 hours	\$158,080
(b) – Railroad report that frequency of safety-relevant hazards exceeds threshold set forth in PSP	13 railroads	1 report	40 hours	40 hours	\$3,040
(b)(3) – Railroad final report to FRA on the results of the analysis and countermeasures taken to reduce the frequency of safety-relevant hazards	13 railroads	1 report	10 hours	10 hours	\$760
236.919(a) – Railroad Operations and Maintenance Manual (OMM)	13 railroads	1 OMM update	40 hours	40 hours	\$3,040

(b) – Plans for proper maintenance, repair, inspection, and testing of safety-critical products	13 railroads	1 plan update	40 hours	40 hours	\$3,040
(c) – Documented hardware, software, and firmware revisions in OMM	13 railroads	1 revision	40 hours	40 hours	\$3,040
236.921 and 923(a) – Railroad Training and Qualification Program	13 railroads	1 program	40 hours	40 hours	\$3,040
236.923(b) – Training records retained in a designated location and available to FRA upon request	13 railroads	350 records	10 minutes	58 hours	\$4,408
Form FRA F 6180.165 – Quarterly PTC Progress Report Form (49 U.S.C. 20157(c)(2))	35 railroads	140 reports/forms	23.22 hours	3,251 hours	\$247,076
Form FRA F 6180.166 – Annual PTC Progress Report Form (49 U.S.C. 20157(c)(1) and 49 CFR 236.1009(a)(5))	35 railroads	35 reports/forms	40.12 hours	1,404 hours	\$106,704
Form FRA F 6180.177 – Statutory Notification of PTC System Failures (*New Form* Under 49 U.S.C. 20157(j)(4)) ⁸	36 railroads	190 reports/forms	1 hour	190 hours	\$14,440
236.1001(b) – A railroad’s additional or more stringent rules than prescribed under 49 CFR part 236, subpart I	36 railroads	1 rule or instruction	40 hours	40 hours	\$4,600
236.1005(b)(4)(i)–(ii) – A railroad’s submission of estimated traffic projections for the next 5 years, to support a request, in a PTC Implementation Plan (PTCIP) or a request for amendment (RFA), not to implement a PTC system based on reductions in rail traffic	The burden is accounted for under 49 CFR 236.1009(a) and 236.1021.				
236.1005(b)(4)(iii) – A railroad’s request for a <i>de minimis</i> exception, in a PTCIP or an RFA, based on a minimal quantity of PIH materials traffic	7 Class I railroads	1 exception request	40 hours	40 hours	\$3,040
(b)(5) – A railroad’s request to remove a line from its PTCIP based on the sale of the line to another railroad and any related request for FRA review from the acquiring railroad	The burden is accounted for under 49 CFR 236.1009(a) and 236.1021.				

⁸ Form FRA F 6180.177: This temporary reporting requirement would expire by law on approximately December 31, 2021, as further explained in Section IV of this notice. See 49 U.S.C. 20157(j).

(g)(1)(i) – A railroad’s request to temporarily reroute trains not equipped with a PTC system onto PTC-equipped tracks and vice versa during certain emergencies	36 railroads	45 rerouting extension requests	8 hours	360 hours	\$27,360
(g)(1)(ii) – A railroad’s written or telephonic notice to the applicable FRA Regional Administrator of the conditions necessitating emergency rerouting and other required information under 236.1005(i)	36 railroads	45 written or telephonic notices	2 hours	90 hours	\$6,840
(g)(2) – A railroad’s temporary rerouting request due to planned maintenance not exceeding 30 days	36 railroads	720 requests	8 hours	5,760 hours	\$437,760
(h)(1) – A response to any request for additional information from the FRA Regional Administrator or Associate Administrator, prior to commencing rerouting due to planned maintenance	36 railroads	10 requests	2 hours	20 hours	\$1,520
(h)(2) – A railroad’s request to temporarily reroute trains due to planned maintenance exceeding 30 days	36 railroads	160 requests	8 hours	1,280 hours	\$97,280
236.1006(b)(4)(iii)(B) – A progress report due by December 31, 2020, and by December 31, 2022, from any Class II or III railroad utilizing a temporary exception under this section	36 railroads	5 reports	16 hours	80 hours	\$6,080
236.1007(c) – An HSR-125 document accompanying a host railroad’s PTCS, for operations over 125 mph	36 railroads	1 HSR-125 document	3,200 hours	3,200 hours	\$368,000
(c)(1) – A railroad’s request for approval to use foreign service data, prior to submission of a PTCS	36 railroads	1 request	8,000 hours	8,000 hours	\$608,000
(d) (formerly (e)) – A railroad’s request in a PTCS that FRA excuse compliance with one or more of this section’s requirements	36 railroads	1 request	1,000 hours	1,000 hours	\$115,000
236.1009(a)(2) – A PTCIP if a railroad becomes a host railroad of a main line requiring the implementation of a PTC system, including the information under 49 U.S.C. 20157(a)(2) and 49 CFR 236.1011	264 railroads	1 PTCIP	535 hours	535 hours	\$61,525

(a)(3) – Any new PTCIPs jointly filed by a host railroad and a tenant railroad	264 railroads	1 joint PTCIP	267 hours	267 hours	\$30,705
(b)(1) – A host railroad’s submission, individually or jointly with a tenant railroad or PTC system supplier, of an unmodified Type Approval	264 railroads	1 document	8 hours	8 hours	\$608
(b)(2) – A host railroad’s submission of a PTC Development Plan (PTCDP) with the information required under 49 CFR 236.1013, requesting a Type Approval for a PTC system that either does not have a Type Approval or has a Type Approval that requires one or more variances	264 railroads	1 PTCDP	2,000 hours	2,000 hours	\$152,000
(d) – A host railroad’s submission of a PTCSP	The burdens are accounted for under 49 CFR 236.1015.				
(e)(3) – Any request for full or partial confidentiality of a PTCIP, Notice of Product Intent (NPI), PTCDP, or PTCSP	42 railroads	10 confidentiality requests	8 hours	80 hours	\$6,080
(h) – Any responses or documents submitted in connection with FRA’s use of its authority to monitor, test, and inspect processes, procedures, facilities, documents, records, design and testing materials, artifacts, training materials and programs, and any other information used in the design, development, manufacture, test, implementation, and operation of the PTC system, including interviews with railroad personnel	36 railroads	36 interviews and documents	4 hours	144 hours	\$10,944
(j)(2)(iii) – Any additional information provided in response to FRA’s consultations or inquiries about a PTCDP or PTCSP	36 railroads	20 documents	400 hours	8,000 hours	\$608,000
236.1011(e) – Any public comment on PTCIPs, NPIs, PTCDPs, and PTCSPs	36 railroads	2 public comments	8 hours	16 hours	\$1,216
236.1013, PTCDP and NPI content requirements	The burdens are accounted for under 49 CFR 236.1009(b), (c), and (e) and 236.1021.				
236.1015 – Any new host railroad’s PTCSP meeting all content requirements under 49 CFR 236.1015	264 railroads	1 PTCSP	8,000 hours	8,000 hours	\$608,000
(g) – A PTCSP for a PTC system replacing an existing certified PTC	36 railroads	1 PTCSP	3,200 hours	3,200 hours	\$243,200

system					
(h) – A quantitative risk assessment, if FRA requires one to be submitted	36 railroads	1 assessment	3,200 hours	3,200 hours	\$243,200
236.1017(a) – An independent third-party assessment, if FRA requires one to be conducted and submitted	21 railroads	1 assessment	1,600 hours	1,600 hours	\$184,000
(b) – A railroad’s written request to confirm whether a specific entity qualifies as an independent third party	21 railroads	1 written request	8 hours	8 hours	\$608
– Further information provided to FRA upon request	21 railroads	1 set of additional information	20 hours	20 hours	\$1,520
(d) – A request not to provide certain documents otherwise required under Appendix F for an independent, third-party assessment	21 railroads	1 request	20 hours	20 hours	\$1,520
(e) – A request for FRA to accept information certified by a foreign regulatory entity for purposes of 49 CFR 236.1017 and/or 236.1009(i)	21 railroads	1 request	32 hours	32 hours	\$2,432
236.1019(b) – A request for a passenger terminal main line track exception (MTEA)	37 railroads	1 MTEA	160 hours	160 hours	\$12,160
(c)(1) – A request for a limited operations exception (based on restricted speed, temporal separation, or a risk mitigation plan)	37 railroads	1 request and/or plan	160 hours	160 hours	\$12,160
236.1021(a)–(d) – Any request for amendment (RFA) to a railroad’s PTCIP, PTCDP, and/or PTCSP	36 railroads	10 RFAs	160 hours	1,600 hours	\$121,600
(e) – Any public comments, if an RFA includes a request for approval of a discontinuance or material modification of a signal or train control system and a <i>Federal Register</i> notice is published	5 interested parties	10 RFA public comments	16 hours	160 hours	\$12,160
236.1023(a) – A railroad’s PTC Product Vendor List, which must be continually updated	36 railroads	2 updated lists	8 hours	16 hours	\$1,216
(b)(2)–(3) – A vendor or supplier's notification, upon receipt of a report of any safety-critical failure of its product, to any railroads using the product	The burdens are accounted for under 49 CFR 236.1015 and 49 CFR 236.1021.				
(b)(2)–(3) – A vendor’s or supplier’s notification, upon receipt of a report of any safety-critical failure of its product, to any railroads using the	10 vendors	.5 notifications	8 hours	4 hours	\$304

product					
(c)(1)–(2) – A railroad's process and procedures for taking action upon being notified of a safety-critical failure or a safety-critical upgrade, patch, revision, repair, replacement, or modification, and a railroad's configuration/revision control measures, set forth in its PTCSP	The burdens are accounted for under 49 CFR 236.1015 and 49 CFR 236.1021.				
(d) – A railroad's submission, to the applicable vendor or supplier, of the railroad's procedures for action upon notification of a safety-critical failure, upgrade, patch, or revision to the PTC system and actions to be taken until it is adjusted, repaired, or replaced	36 railroads	2.5 notifications	16 hours	40 hours	\$3,040
(e) – A railroad's database of all safety-relevant hazards, which must be maintained after the PTC system is placed in service	36 railroads	36 database updates	16 hours	576 hours	\$43,776
(e)(1) – A railroad's notification to the vendor or supplier and FRA if the frequency of a safety-relevant hazard exceeds the threshold set forth in the PTCDP and PTCSP, and about the failure, malfunction, or defective condition that decreased or eliminated the safety functionality	36 railroads	.5 notifications	8 hours	4 hours	\$304
(e)(2) – Continual updates about any and all subsequent failures	36 railroads	.5 updates	8 hours	4 hours	\$304
(f) – Any notifications that must be submitted to FRA under 49 CFR 236.1023	The burdens are accounted for under 49 CFR 236.1023(e), (g), and (h).				
(g) – A railroad's and vendor's or supplier's report, upon FRA request, about an investigation of an accident or service difficulty due to a manufacturing or design defect and their corrective actions	36 railroads	.5 reports	40 hours	20 hours	\$1,520
(h) – A PTC system vendor's or supplier's reports of any safety-relevant failures, defective conditions, previously unidentified hazards, recommended mitigation actions, and any affected railroads	10 vendors	.5 reports	8 hours	4 hours	\$304
(k) – A report of a failure of a PTC system resulting in a more favorable aspect than intended or other condition hazardous to the movement of a train, including the	The burdens are accounted for under 49 CFR 236.1023(e), (g), and (h) and 49 CFR part 233.				

reports required under part 233					
236.1029(b)(4) – A report of an en route failure, other failure, or cut out to a designated railroad officer of the host railroad	36 railroads	1,000 reports	30 minutes	500 hours	\$38,000
(h) – An annual report of PTC system failures due April 16th each year after a railroad’s applicable deadline for full PTC system implementation	36 railroads	36 reports	8 hours	288 hours	\$21,888
236.1031(a)–(d) – A railroad’s Request for Expedited Certification (REC)	36 railroads	1 REC letter + supporting documentation	8 hours	8 hours	\$608
236.1033 – Communications and security requirements	The burdens are accounted for under 49 CFR 236.1009 and 236.1015.				
236.1035(a)–(b) – A railroad’s request for authorization to field test an uncertified PTC system and any responses to FRA’s testing conditions	36 railroads	10 requests	40 hours	400 hours	\$30,400
236.1037(a)(1)–(2) – Records retention	The burdens are accounted for under 49 CFR 236.1009 and 236.1015.				
236.1037(a)(3)–(4) – Records retention	The burdens are accounted for under 49 CFR 236.1039 and 236.1043(b).				
236.1037(b) – Results of inspections and tests specified in a railroad’s PTCSP and PTCDP	36 railroads	800 records	1 hour	800 hours	\$60,800
(c) – A contractor’s records related to the testing, maintenance, or operation of a PTC system maintained at a designated office	36 railroads	1,600 records	10 minutes	267 hours	\$20,292
(d)(3) – A railroad’s final report of the results of the analysis and countermeasures taken to reduce the frequency of safety-related hazards below the threshold set forth in the PTCSP	36 railroads	.5 final reports	160 hours	80 hours	\$6,080
236.1039(a)–(c), (e) – A railroad’s PTC Operations and Maintenance Manual (OMM), which must be maintained and available to FRA upon request	36 railroads	2 OMM updates	10 hours	20 hours	\$1,520
(d) – A railroad’s identification of a PTC system’s safety-critical components, including spare equipment	36 railroads	1 identified new component	1 hour	1 hour	\$76
236.1041(a)–(b) and 236.1043(a) – A railroad’s PTC Training and Qualification Program (i.e., a written	36 railroads	2 programs	10 hours	20 hours	\$1,520

plan)					
236.1043(b) – Training records retained in a designated location and available to FRA upon request	36 railroads	500 PTC training records	1 minute	8 hours	\$608
Total	N/A	4,568,393 responses	N/A	68,373 hours	\$5,533,356

13. Estimate of total annual costs to respondents.

There will be no additional cost burden to respondents beyond the burden listed in FRA’s answer to question number 12 and those customary and usual expenses associated with normal daily business operations. Each railroad should be tracking its implementation progress with sufficient detail to demonstrate statutory and regulatory compliance to FRA and, as such, does not require respondents to keep any new records specifically associated with this data collection.

14. Estimate of Cost to Federal Government.

To calculate the government administrative cost, the 2020 Office of Personnel Management wage rates were used. The average wage, step 5, was used as a midpoint. Wages were considered at the burdened wage rate by multiplying the actual wage rate by an overhead cost of 75 percent. The follow table shows the estimated average annual cost to the Federal government to review all the required documents and conduct the external audits associated with this rule.

Resources	Pay Grade	Annual-Average Wage Rate	Number of Employees	Percent Share of Time Use	Total Wages (Wages * 1.75 of Overhead Cost)
Division Staff Director	GS-15	\$161,730	1	50	141,514
Deputy Staff Director	GS-14	\$137,491	1	100	240,609
PTC Senior Test and Plan Monitors	GS-14	\$137,491	2	100	481,219
PTC Regional Specialists	GS-13	\$103,396	8	100	1,447,544
PTC Safety Specialist at Headquarter	GS-12	\$97,848	1	30	51,370
Electronic Engineer	GS-14	\$114,046	2	40	159,664
Estimated Average Annual Cost to Government					\$2,521,920

Additional Cost Associated with One New Report and Maintenance all Three Forms

The railroads submit the annual, quarterly, and monthly PTC progress report forms using FRA’s Secure Information Repository (SIR) at <https://sir.fra.dot.gov>. Many railroads

have used the SIR website to submit their PTCIPs, revised PTCIPs, and monthly progress reports. FRA will assist any railroad that has not created an account on the SIR website to help the railroad obtain access efficiently. To expedite the collection and dissemination of information by the railroads, FRA is providing railroads with a specific form for the annual report (FRA F 6180.166), the quarterly report (FRA F 6180.165), and the new monthly Statutory Notification of PTC System Failures (Form FRA F 6180.177). The following is the annualized cost to the federal government pertaining to the creation and publication of the Statutory Notification of PTC System Failures (new Form FRA F 6180.177), the processing of all forms—165, 166, 177—and their associated data.

Resource	Report	Year	Develop-ment Hours	# Employees	\$/Hour	Review/Processing Hours	# Emplo-yees	Total
FRA Supervisor	Annual Report (166)	1	1	1	120	5	1	\$720
FRA Supervisor	Quarterly Report (165)	1	1	1	120	20	1	\$2,520
FRA Supervisor	Failure Notification (177)	1	5	1	120	100	1	\$12,600
FRA Supervisor	Annual Report (166)	2	0	0	120	5	1	\$600
FRA Supervisor	Quarterly Report (165)	2	0	0	120	5	1	\$600
FRA Supervisor	Failure Notification (177)	2	0	0	120	100	1	\$12,000
FRA Supervisor	Annual Report (166)	3	0	0	120	5	1	\$600
FRA Supervisor	Quarterly Report (165)	3	0	0	120	5	1	\$600
FRA Supervisor	Failure Notification (177)	3	0	0	120	20	1	\$2,400
Annual Average Cost								\$10,880
Data Analyst (Contractor)	Annual Report (166)	1	3	1	100	25	2	\$5,300
Data Analyst (Contractor)	Quarterly Report (165)	1	5	1	100	400	2	\$80,500
Data Analyst (Contractor)	Failure Notification (177)	1	40	1	100	480	2	\$100,000
Data Analyst (Contractor)	Annual Report (166)	2	0	0	100	25	2	\$5,000

Data Analyst (Contractor)	Quarterly Report (165)	2	0	0	100	100	2	\$20,000
Data Analyst (Contractor)	Failure Notification (177)	2	0	0	100	480	2	\$96,000
Data Analyst (Contractor)	Annual Report (166)	3	0	0	100	5	2	\$1,000
Data Analyst (Contractor)	Quarterly Report (165)	3	0	0	100	100	2	\$20,000
Data Analyst (Contractor)	Failure Notification (177)	3	0	0	100	100	2	\$20,000
Annual Average Cost								\$115,933
Total Annual Average Cost								\$126,813

GRAND TOTAL FEDERAL GOVERNMENT ANNUAL COST = \$2,648,733

15. Explanation of program changes and adjustments.

Currently, the OMB inventory for this collection of information shows a total burden of 2,728,528 hours and 147,526 responses, while this updated submission reflects a total burden of 68,373 hours and 4,568,393 responses.

FRA provided a thorough review of this package and determined many of our initial figures were based on rough estimates and in some cases, were not accounted for (e.g., section 236.587(d) which resulted the addition of close to 4.6 million responses). Additionally, we realized some of the estimates were double counted and others were outdated. Moreover, other estimates were not Paperwork Reduction Act (PRA) requirements, thus leading to the increased figures, which were substantially decreased accordingly in this submission. Thus, our latest review has refined our estimates to be more accurate. The two tables below provide specific information on the review of any that have changed.

TABLE FOR PROGRAM CHANGES

CFR Section/Subject	Total Annual Responses			Total Annual Burden Hours		
	Previous submission	Current submission	Difference	Previous submission	Current submission	Difference
Form FRA F 6180.177 – Statutory Notification of PTC System Failures (*New Form* Under 49 U.S.C.	0	190 reports/forms	190 reports/forms	0	190 hours	190 hours

20157(j)(4))						
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*****Program changes** above increased the burden by *190 hours* and by *190 responses* from the last approved submission.

TABLE FOR ADJUSTMENTS

CFR Section/Subject	Total Annual Responses			Total Annual Burden Hours		
	Previous Submission	Current Submission	Difference	Previous Submission	Current Submission	Difference
234.275 – Processor –based systems – Railroad letter explaining deviations of a product from requirements	25 letters	0	-25 letters	100 hours	0	-100 hours
235.6(c) – Expedited application for approval of certain changes described in this section	500 expedited applications	10 expedited applications	-490 expedited applications	2,500 hours	50 hours	-2,450 hours
– Copy of expedited application to labor union	500 copies	10 copies	-490 copies	250 hours	5 hours	-245 hours
– Railroad letter rescinding its request for expedited application of certain signal system changes	25 letters	1 letter	-24 letters	150 hours	6 hours	-144 hours
– Revised application for certain signal system changes	13 applications	1 application	-12 applications	65 hours	5 hours	-60 hours
– Copy of railroad revised application to labor union	13 copies	1 copy	-12 copies	7 hours	1 hours	-7 hours
236.1 – Railroad maintained signal plans at all interlockings, automatic signal locations, and controlled points--and update each plan to ensure accuracy	0	25 plan changes	25 plan changes	0	6 hours	6 hours
236.15 – Designation of automatic block, traffic control, train stop, train control, cab signal, and PTC territory in timetable instructions	13 timetable instructions	10 timetable instructions	-3 timetable instructions	13 hours	5 hours	-8 hours
236.18 – Software management control plan – New railroads	1 plan	2 plans	1 plan	2,150 hours	320 hours	-1,830 hours
– Subsequent years: Updated plans	20 updated plans	updated plans	-20 updated plans	30 hours	hours	-30 hours
236.23(e) – The names, indications, and aspects of roadway and cab signals	0	2 modifications	2 modifications	0	2 hours	2 hours

shall be defined in the carrier's Operating Rule Book or Special Instructions. Modifications shall be filed with FRA within 30 days after such modifications become effective						
236.587(d) – Certification and departure test results.	0	4,562,500 train departures	4,562,500 train departures	0	6,337 hours	6,337 hours
236.905(a) – Railroads Safety Program Plan (RSPP) – New railroads	1 RSPP	2 RSPPs	1 RSPP	135 hours	80 hours	-55 hours
(c)(2) – FRA request for additional information	1 document	0	-1 document	133 hours	0	-133 hours
(d) – Railroad request to modify RSPP	1 request for amendment	0	-1 request for amendment	400 hours	0	-400 hours
236.907 – Product Safety Plans (PSP) [Covered under section 236.913(c1)-(c2)]	5 plans	0	-5 plans	32,000 hours	0	-32,000 hours
236.909(b) – Railroad petition for review and approval of Product Safety Plan (PSP) [Covered under section 236.913(d1)]	2 petitions/reviews	0	-2 petitions/reviews	38,400 hours	0	-38,400 hours
236.909(e)(1) – Railroad sensitivity analysis supporting railroad risk assessment	5 analyses	0	-5 analyses	800 hours	0	-800 hours
236.913(a) – Filing and approval of a joint Product Safety Plan (PSP)	1 joint plan	1 joint plan	0	25,600 hours	2,000 hours	-23,600 hours
(c)(1) – Informational filing/petition for special approval	6 filings/approval petitions	.5 filings/approval petitions	-5.5 filings/approval petitions	11,568 hours	25 hours	-11,543 hours
(c)(2) – Response to FRA's request for further data after informational filing	2 data calls/documents	.25 data calls/documents	-1.75 data calls/documents	1,600 hours	1 hour	-1,599 hours
(d)(1)(ii) – Response to FRA's request for further information within 15 days after receipt of Notice of Product Development (NOPD)	6 data calls/documents	.25 data calls/documents	-5.75 data calls/documents	96 hours	.25 hours	-96 hours
(d)(1)(iii) – Technical consultation by FRA with railroad on the design and planned development of the product	6 technical consultations	.25 technical consultations	-5.75 technical consultations	720 hours	1.3 hours	-719 hours
(d)(1)(v) – Railroad petition to FRA for final approval of	6 petitions	.25 petitions	-5.75 petitions	96 hours	.25 hours	-96 hours

NOPD						
(d)(2)(ii) – Response to FRA's request for additional information in response to petition for approval of PSP or PSP amendment	0	1 request	1 request	0	50 hours	50 hours
(e) – Comments to FRA on railroad informational filing or special approval petition	7 comments/letters	.5 comments/letters	-6.5 comments/letters	1,680 hours	5 hours	-1,675 hours
(h)(3) – Third party final assessment	1 report	0	-1 report	104,000 hours	0	-104,000 hours
(h)(3)(i) – Railroad Amendment to PSP	15 amendments	2 amendments	-13 amendments	2,400 hours	40 hours	-2,360 hours
(j) – Railroad field testing/information filing document	6 field tests/documents	1 field test/document	-5 field tests/documents	19,200 hours	100 hours	-19,100 hours
236.917(a) – Railroad retention of records: results of tests and inspections specified in PSP	3 PSP safety results	13 PSP safety results	10 PSP safety results	360,000 hours	2,080 hours	-357,920 hours
(b) – Railroad report that frequency of safety relevant hazards exceeds threshold set forth in PSP	1 report	1 report	0	104 hours	40 hours	-64 hours
(b)(3) – Railroad final report to FRA on the results of the analysis and countermeasures taken to reduce the frequency of safety-relevant hazards	0	1 report	1 report	0	10 hours	10 hours
236.919(a) – Railroad Operations and Maintenance Manual (OMM)	6 OMM updates	1 OMM update	-5 OMM updates	240 hours	40 hours	-200 hours
(b) – Plans for proper maintenance, repair, inspection, and testing of safety-critical products	6 plan updates	1 plan update	-5 plan updates	320,010 hours	40 hours	-319,970 hours
(c) – Documented hardware, software, and firmware revisions in OMM	6 revisions	1 revision	-5 revisions	38,640 hours	40 hours	-38,600 hours
236.921(a) – Training & qualification program [The recordkeeping portion is covered under section 236.923(b).]	6 programs	0	-6 programs	2,400 hours	0	-2,400 hours
(b) – Trained signalmen & dispatchers	300 trained signalmen + 20 trained dispatchers	0	- 300 trained signalmen - 20 trained dispatchers	12,400 hours	0	-12,400 hours
236.921 and 923(a) – Railroad Training and Qualification Program	6 analyses/documents	1 analysis/document	-5 analyses/documents	4,320 hours	40 hours	-4,280 hours

236.923(b) – Training records retained in a designated location and available to FRA upon request	350 records	350 records	0	58 hours	58 hours	0
Form FRA F 6180.165 – Quarterly PTC Progress Report Form (49 U.S.C. 20157(c)(2))	164 reports/forms	140 reports/forms	-24 reports/forms	3,746 hours	3,251 hours	-495 hours
Form FRA F 6180.166 – Annual PTC Progress Report Form (49 U.S.C. 20157(c)(1) and 49 CFR 236.1009(a)(5))	41 reports/forms	35 reports/forms	-6 reports/forms	1,626 hours	1,404 hours	-222 hours
236.1001(b) – A railroad's additional or more stringent rules than prescribed under 49 CFR part 236, subpart I	3 rules or instructions	1 rule or instruction	-2 rules or instructions	240 hours	40 hours	-200 hours
236.1005(b)(4)(iii) – A railroad's request for a de minimis exception, in a PTCIP or an RFA, based on a minimal quantity of PIH materials traffic	3 relief requests	1 relief request	-2 relief requests	192 hours	40 hours	-152 hours
(g)(1)(i) – A railroad's request to temporarily reroute trains not equipped with a PTC system onto PTC-equipped tracks and vice versa during certain emergencies	47 extension requests	45 extension requests	-2 extension requests	376 hours	360 hours	-16 hours
(g)(1)(ii) – A railroad's written or telephonic notice to the applicable FRA Regional Administrator of the conditions necessitating emergency rerouting and other required information under 236.1005(i)	47 written or telephonic notices	45 written or telephonic notices	-2 written or telephonic notices	94 hours	90 hours	-4 hours
(g)(2) – A railroad's temporary rerouting request due to planned maintenance not exceeding 30 days	720 requests	720 requests	0	5,760 hours	5,760 hours	0
(h)(1) – A response to any request for additional information from the FRA Regional Administrator or Associate Administrator, prior to commencing rerouting due to planned maintenance	0	10 requests	10 requests	0	20 hours	20 hours

(h)(2) – A railroad's request to temporarily reroute trains due to planned maintenance exceeding 30 days	361 requests	160 requests	-201 requests	2,888 hours	1,280 hours	-1,608 hours
236.1006(b)(4)(iii)(B) – A progress report due by December 31, 2020, and by December 31, 2022, from any Class II or III railroad utilizing a temporary exception under this section	35 reports	5 reports	-30 reports	560 hours	80 hours	-480 hours
236.1007(c) – An HSR-125 document accompanying a host railroad's PTCSP, for operations over 125 mph	3 HSR-125 documents	1 HSR-125 document	-2 HSR-125 documents	9,600 hours	3,200 hours	-6,400 hours
(c)(1) – A railroad's request for approval to use foreign service data, prior to submission of a PTCSP	2 data requests	1 data request	-1 data request	16,000 hours	8,000 hours	-8,000 hours
(d) – Submission of PTCSP w/HSR-125 document by host railroad conducting freight or passenger operations at more than 150 mph [This paragraph, formerly 49 CFR 236.1007(d), has been removed from the regulation.]	3 PTCSPs with HSR-125 documents	0	-3 PTCSPs with HSR-125 documents	9,600 hours	0	-9,600 hours
(d) (formerly (e)) – A railroad's request in a PTCSP that FRA excuse compliance with one or more of this section's requirements	1 request	1 request	0	1,000 hours	1,000 hours	0
236.1009(a)(2) – A PTCIP if a railroad becomes a host railroad of a main line requiring the implementation of a PTC system, including the information under 49 U.S.C. 20157(a)(2) and 49 CFR 236.1011	1 PTCIP + 20 RFAs	1 PTCIP	-20 RFAs	6,935 hours	535 hours	-6,400 hours
(a)(3) – Any new PTCIPs jointly filed by a host railroad and a tenant railroad	5 joint PTCIPs	1 joint PTCIP	-4 joint PTCIPs	1,335 hours	267 hours	-1,068 hours
(a)(4)(ii) – A railroad's notification to FRA that the subject railroads were unable to agree on a joint PTCIP	1 notification	0	-1 notification	32 hours	0	-32 hours
(a)(4)(iii) – A railroad's comprehensive list of issues	1 list	0	-1 list	80 hours	0	-80 hours

preventing the subject railroads from jointly filing a PTCIP						
(a)(4)(iv) – A conference with FRA to develop and submit a mutually acceptable PTCIP	1 conference call	0	-1 conference call	1 hours	0	-1 hours
(a)(5) – Annual report by each RR filing PTCIP [This burden is already accounted for under "Form FRA F 6180.166 – Annual PTC Progress Report Form" above. See added row directly above.]	76 reports	0	-76 reports	2,584 hours	0	-2,584 hours
(b)(1) – A host railroad's submission, individually or jointly with a tenant railroad or PTC system supplier, of an unmodified Type Approval	2 documents	1 document	-1 document	16 hours	8 hours	-8 hours
(b)(2) – A host railroad's submission of a PTC Development Plan (PTCDP) with the information required under 49 CFR 236.1013, requesting a Type Approval for a PTC system that either does not have a Type Approval or has a Type Approval that requires one or more variances	20 cover letters + 20 modified Type Approvals + 2 PTCDPs plan	1 plan	-20 cover letters - 20 modified Type Approvals - 1 PTCDP plan	44,960 hours	2,000 hours	-42,960 hours
(c) – A railroad's submission of a Notice of Product Intent (NPI) and any responses to a provisional FRA approval, as required	3 NPIs + 1 PTCIP	0	-3 NPIs - 1 PTCIP	3,745 hours	0	-3,745 hours
– RR submission of PTCD [Accounted for under 236.1009(b)(2).]	1 PTCDP	0	- 1 PTCDP	2,135 hours	0	-2,135 hours
(c)(2) Updated PTCIP + updated PTCDP [Accounted for under 236.1009(c).]	1 PTCIP + 1 PTCDP	0	- 1 PTCIP - 1 PTCDP	2,670 hours	0	-2,670 hours
(c)(2)(i) – Corrected PTCIP + corrected NPI [Accounted for under 236.1009(c).]	1 amended PTCIP + 1 amended NPI	0	- 1 amended PTCIP - 1 amended NPI	405 hours	0	-405 hours

(c)(2)(ii) – Reworked PTCIP + reworked PTCDP [Accounted for under 236.1009(c).]	1 PTCIP + 1 PTCDP	0	- 1 PTCIP - 1 PTCDP	670 hours	0	-670 hours
– Resubmitted PTCIP/PTCDP [Accounted for under 236.1009(c).]	1 PTCIP + 1 PTCDP	0	- 1 PTCIP - 1 PTCDP	670 hours	0	-670 hours
(e)(2) – Any materials filed under 49 CFR part 236, subpart I translated from a foreign language into English	1 document	0	-1 document	8,000 hours	0	-8,000 hours
(e)(3) – Any request for full or partial confidentiality of a PTCIP, NPI, PTCDP, or PTCSP [PRA estimates only for confidentiality requests.]	38 cover letters + 38 confidentiality requests	10 confidentiality requests	- 38 cover letters - 28 confidentiality requests	30,704 hours	80 hours	-30,624 hours
(f)(2) – Railroad field testing or independent assessment undertaken at FRA request for Type Approval or PTC System Certification [Accounted for under 236.1015, 236.1014, and/or 236.1035.]	190 field test documents + 2 assessments	0	- 190 field test documents - 2 assessments	153,600 hours	0	-153,600 hours
(h) – Any responses or documents submitted in connection with FRA's use of its authority to monitor, test, and inspect processes, procedures, facilities, documents, records, design and testing materials, artifacts, training materials and programs, and any other information used in the design, development, manufacture, test, implementation, and operation of the PTC system, including interviews with railroad personnel	76 interviews and documents	36 interviews and documents	-40 interviews and documents	38 hours	144 hours	106 hours
(j)(2)(iii) – Any additional information provided in response to FRA's consultations or inquiries about a PTCDP or PTCSP	8 documents	20 documents	12 documents	3,200 hours	8,000 hours	4,800 hours
236.1011(e) – Any public comment on PTCIPs, NPIs, PTCDPs, and PTCSPs	1 PTCIP + 40 public comments	2 public comments	- 1 PTCIP - 38 public comments	463 hours	16 hours	-447 hours

236.1015 – Any new host railroad's PTCSP meeting all content requirements under 49 CFR 236.1015	3 PTCSPs	1 PTCSP	-2 PTCSPs	48,000 hours	8,000 hours	-40,000 hours
(e)(2) – For a vital, overlay PTC system	28 PTCSPs	0	-28 PTCSPs	627,200 hours	0	-627,200 hours
(e)(3) – For a stand-alone PTC system	1 PTCSP	0	-1 PTCSP	32,000 hours	0	-32,000 hours
(e)(4) – A railroad's conference with FRA about the appropriate structuring of a safety case and analysis for a mixed system	3 conferences	0	-3 conferences	96 hours	0	-96 hours
– A PTCSP for a mixed PTC system	1 PTCSP	0	-1 PTCSP	28,800 hours	0	-28,800 hours
(f) – A railroad's submission of additional information to FRA upon request	19 documents	0	-19 documents	60,800 hours	0	-60,800 hours
(g) – A PTCSP for a PTC system replacing an existing certified PTC system	19 PTCSP	1 PTCSP	-18 PTCSP	60,800 hours	3,200 hours	-57,600 hours
(h) – A quantitative risk assessment, if FRA requires one to be submitted	19 assessments	1 assessment	-18 assessments	60,800 hours	3,200 hours	-57,600 hours
236.1017(a) – An independent third-party assessment, if FRA requires one to be conducted and submitted	1 assessment	1 assessment	0	8,000 hours	1,600 hours	-6,400 hours
(b) – A railroad's written request to confirm whether a specific entity qualifies as an independent third party	1 written request	1 written request	0	8 hours	8 hours	hours
– Further information provided to FRA upon request	1 additional information	1 additional information	0	160 hours	20 hours	-140 hours
(d) – A request not to provide certain documents otherwise required under Appendix F for an independent, third-party assessment	1 request	1 request	0	160 hours	20 hours	-140 hours
(e) – A request for FRA to accept information certified by a foreign regulatory entity for purposes of 49 CFR 236.1017 and/or 236.1009(i)	1 request	1 request	0	32 hours	32 hours	0

236.1019(a) – Main line track exception addendum (MTEA) [Accounted for under 49 CFR 236.1019(b) through (e).]	36 MTEAs	0	- 36 MTEAs	5,760 hours	0	-5,760 hours
236.1019(b) – A request for a passenger terminal main line track exception	19 MTEAs	1 MTEA	-18 MTEAs	3,040 hours	160 hours	-2,880 hours
(c)(1) – A request for a limited operations exception (based on restricted speed, temporal separation, or a risk mitigation plan)	19 requests and/or plans	1 request and/or plan	-18 requests and/or plans	3,040 hours	160 hours	-2,880 hours
(d) – A railroad's collision hazard analysis, if FRA requires one to be conducted and submitted	12 analyses	0	-12 analyses	19,200 hours	0	-19,200 hours
(e) – Any temporal separation procedures utilized under the 49 CFR 236.1019(c)(1)(ii) exception	11 procedures	0	-11 procedures	1,760 hours	0	-1,760 hours
236.1021(a)–(d) – Any request for amendment (RFA) to a railroad's PTCIP, PTCDP, and/or PTCSP	19 RFAs	10 RFAs	-9 RFAs	3,040 hours	1,600 hours	-1,440 hours
(e) – Any public comments, if an RFA includes a request for approval of a discontinuance or material modification of a signal or train control system and a Federal Register notice is published	7 reviews + 20 RFA public comments RFA public comments	10 RFA public comments	- 7 reviews - 10 RFA public comments RFA public comments	341 hours	160 hours	-181 hours
236.1023(a) – A railroad's PTC Product Vendor List, which must be continually updated	38 lists	2 lists	-36 lists	304 hours	16 hours	-288 hours
(b)(2)–(3) – A vendor or supplier's notification, upon receipt of a report of any safety-critical failure of its product, to any railroads using the product	0	1 notifications	1 notification	0	4 hours	4 hours
(d) – A railroad's submission, to the applicable vendor or supplier, of the railroad's procedures for action upon notification of a safety-critical failure, upgrade, patch, or revision to the PTC system and actions to be	38 notifications	3 notifications	-36 notifications	608 hours	40 hours	-568 hours

taken until it is adjusted, repaired, or replaced						
(e) – A railroad's database of all safety-relevant hazards, which must be maintained after the PTC system is placed in service	0	36 database updates	36 database updates	0	576 hours	576 hours
(e)(1) – A railroad's notification to the vendor or supplier and FRA if the frequency of a safety-relevant hazard exceeds the threshold set forth in the PTCDP and PTCSP, and about the failure, malfunction, or defective condition that decreased or eliminated the safety functionality	142 notifications	1 notification	-142 notifications	2,272 hours	4 hours	-2,268 hours
(e)(2) – Continual updates about any and all subsequent failures	142 notice updates	1 notice update	-142 notice updates	2,272 hours	4 hours	-2,268 hours
(g) – A railroad's and vendor's or supplier's report, upon FRA request, about an investigation of an accident or service difficulty due to a manufacturing or design defect and their corrective actions	5 reports	1 report	-5 reports	2,000 hours	20 hours	-1,980 hours
(h) – A PTC system vendor's or supplier's reports of any safety-relevant failures, defective conditions, previously unidentified hazards, recommended mitigation actions, and any affected railroads	142 reports + 142 copies	1 report	- 141.5 reports - 142 copies	3,408 hours	4 hours	-3,404 hours
236.1029(b)(4) – A report of an en route failure, other failure, or cut out to a designated railroad officer of the host railroad	836 reports	1,000 reports	164 reports	80,256 hours	500 hours	-79,756 hours
(c) and (g)(1) – A railroad's submission of an alternative system failure procedure in an Order of Particular Applicability, PTCSP, or RFA	1 order or request	0	-1 order or request	3,200 hours	0	-3,200 hours
(g)(3)(iii) – A railroad's notice to the applicable FRA regional office of any	76 notices + 114 unplanned	0	- 76 notices - 114 unplanned notices	1,900 hours	0	-1,900 hours

planned temporary disabling of a PTC system at least 7 days in advance and contemporaneous notice of any unplanned temporary disabling	notices					
(h) – An annual report of PTC system failures due April 16th each year after a railroad's applicable deadline for full PTC system implementation	38 reports	36 reports	-2 reports	760 hours	288 hours	-472 hours
236.1031(a)–(d) – A railroad's Request for Expedited Certification	3 REC letters + supporting documents	1 REC letter + supporting documentation	-2 REC letters + supporting documents	480 hours	8 hours	-472 hours
– Railroad PTC System request to FRA for grandfathering of previously approved train control system [Accounted for under section 236.1031(a)-(d).]	3 requests	0	-3 requests	4,800 hours	0	-4,800 hours
236.1035(a)–(b) – A railroad's request for authorization to field test an uncertified PTC system and any responses to FRA's testing conditions	190 requests	10 requests	-180 requests	152,000 hours	400 hours	-151,600 hours
(c) – A railroad's waiver request under 49 CFR part 211 for relief from regulatory requirements other than 49 CFR part 236, if necessary to enable PTC system field testing	38 waivers	0	-38 waivers	12,160 hours	0	-12,160 hours
236.1037(b) – Results of inspections and tests specified in a railroad's PTCSP and PTCDP	836 records	800 records	-36 records	3,344 hours	800 hours	-2,544 hours
236.1037(c) – A contractor's records related to the testing, maintenance, or operation of a PTC system maintained at a designated office	18,240 records	1,600 records	-16,640 records	9,120 hours	267 hours	-8,853 hours
(d)(1) – A railroad's report when the frequency of safety-relevant hazards exceeds the threshold set forth in the PTCDP and PTCSP [Accounted for under	4 reports	0	-4 reports	32 hours	0	-32 hours

section 236.1037(b).]						
(d)(3) – A railroad's final report of the results of the analysis and countermeasures taken to reduce the frequency of safety-related hazards below the threshold set forth in the PTCSP	4 final reports	1 final report	-4 final reports	640 hours	80 hours	-560 hours
236.1039(a)–(c), (e) – A railroad's PTC Operations and Maintenance Manual (OMM), which must be maintained and available to FRA upon request	38 OMM updates	2 OMM updates	-36 OMM updates	9,500 hours	20 hours	-9,480 hours
(d) – A railroad's identification of a PTC system's safety-critical components, including spare equipment	114,000 identified new components	1 identified new component	-113,999 identified new components	114,000 hours	1 hour	-113,999 hours
(e) – OMM Designated PTC officer responsible for scheduled service interruptions [Any PRA-related burden is accounted for by the OMM itself.]	76 designated officers	0	-76 designated officers	152 hours	0	-152 hours
236.1041(a)–(b) and 236.1043(a) – A railroad's PTC Training and Qualification Program (i.e., a written plan)	38 programs	2 programs	-36 programs	15,200 hours	20 hours	-15,180 hours
236.1043(a) – Regular & periodic evaluations of PTC training program	38 regular and periodic evaluations	0	-38 regular and periodic evaluations	27,360 hours	0	-27,360 hours
236.1043(b) – Training records retained in a designated location and available to FRA upon request	560 PTC training records	500 PTC training records	-60 PTC training records	93 hours	8 hours	-85 hours
236.1045(a) – PTC training of office control personnel [Does not constitute a collection of information under the PRA.]	32 trained personnel	0	-32 trained personnel	640 hours	0	-640 hours
236.1047(d) – PTC training of conductors [The PRA-related burden is accounted for under 236.1043(b).]	7,600 trained personnel	0	-7,600 trained personnel	22,800 hours	0	-22,800 hours
Total	147,556 responses	4,568,203 responses	4,420,647 responses	2,728,528 hours	68,183 hours	-2,660,345 hours

Adjustments above decreased the burden by 2,660,345 hours, and increased the number of responses by 4,420,647 from the last approved submission.

16. Publication of results of data collection.

The information provided by railroads will be published on the FRA's public website and annual reports will continue to be made available within each railroad's existing docket on www.regulations.gov. Confidential or proprietary information will be handled as described in question 10, above.

17. Approval for not displaying the expiration date for OMB approval.

Once OMB approval is received, FRA will publish the approval number for these information collection requirements in the **Federal Register**.

18. Exception to certification statement.

No exceptions are taken at this time.

Meeting Department of Transportation (DOT) Strategic Goals

This information collection supports all five DOT strategic goals. First, it supports the Department's highest strategic goal, namely transportation safety. The "Positive Train Control" rule and corresponding information collection seeks to reduce the number and severity of railroad accidents/incidents, particularly train-to-train collisions, and ensuing casualties to train crews and passengers by ensuring that processor-based signal and train control ("PTC") systems are not put into revenue service until FRA has carefully reviewed all the required documentation, and is satisfied that such systems meet the proposed "high level" performance standard. The "performance standard" provides that any new signal and train control system meets or exceeds the safety performance of the existing system. FRA aims to use the information collected to facilitate safety improvement through accelerated introduction of new technology. FRA believes the information collected will additionally promote the public health and safety by reducing the number and extent of injuries to roadway and signal workers by ensuring that these employees are thoroughly trained regarding the role of a processor-based train control ("PTC") system in establishing protection for workers and their equipment, whether at a work zone or while moving between work locations.

The information collected also supports the second DOT strategic goal of mobility. As these new systems become more widely available and are approved by FRA and put into revenue service, they will provide important benefits. As mentioned earlier, one of the main benefits of "PTC" systems will be enhanced rail safety. A national rail system

which has less accidents/incidents will be a more attractive option for domestic travelers, a safer workplace for railroad employees, and safer to the public in general. Another expected benefit of “PTC” systems will be improved train travel times. Such improvements will further increase the attractiveness of rail transport to larger numbers of people. This new technology will provide a system that is more integrated and will serve to make rail travel more viable and, therefore, more accessible. A more efficient rail system will, naturally, aid in providing flexibility of choices.

Additionally, the information collected supports the third DOT strategic goal of economic growth and trade. The use and expansion of “PTC” systems will create a more efficient and more cost-effective national rail transportation system (corridor-by-corridor). Producers, as a result of lower shipping costs, will be able to move a greater number of goods by rail. This, in turn, will help make U.S. products more competitive and will serve to promote greater trade with Canada and Mexico. Increased domestic demand for products (resulting from lower prices) and increased trade with America’s neighbors will facilitate growth of the domestic gross national product.

The collection of information supports the fourth DOT strategic goal of human and natural environment. By carefully reviewing and approving “PTC” systems that comply with the “high level” performance standard (meets or exceeds current levels of safety), FRA aims to reduce the number of accidents/incidents, especially train-to-train collisions. By reducing the number and severity of railroad accidents/incidents and resulting property damage, communities and the natural environment will be protected and preserved. It should be noted that a collision involving a train or trains carrying hazardous materials can cause great harm to the environment and surrounding communities. Fully approved and functioning “PTC” systems will help eliminate such occurrences, and thus will promote the sustainability and livability of communities throughout the country.

Finally, this information collection supports the DOT strategic goal of national security. A national rail system, which is more efficient because of approved “PTC” technology, will be able to quickly move both passenger and freight cars carrying men and materiel in the event of a national emergency. In a world filled with terrorism, instability, and sudden crises, the ability to transport men and materiel to specific destinations on schedule will no doubt greatly serve the national interest and indeed promote national security.

In this information collection, as in all its information collection activities, FRA seeks to do its very best to fulfill DOT Strategic Goals and to be an integral part of One DOT.