

notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

**Public Participation:** The Federal eRulemaking Portal is available 24 hours each day, 365 days each year. You can obtain electronic submission and retrieval help and guidelines under the "help" section of the Federal eRulemaking Portal website. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments online. Comments received after the comment closing date will be included in the docket and will be considered to the extent practicable.

**FOR FURTHER INFORMATION CONTACT:** Jeff Secrist, Office of Registration and Safety Information, Department of Transportation, Federal Motor Carrier Safety Administration, West Building 6th Floor, 1200 New Jersey Avenue SE, Washington, DC 20590. Telephone: 202-385-2367; email [jeff.secrist@dot.gov](mailto:jeff.secrist@dot.gov).

**SUPPLEMENTARY INFORMATION:**

**Background:** FMCSA registers for-hire motor carriers of regulated commodities under 49 U.S.C. 13902, surface freight forwarders under 49 U.S.C. 13903, and property brokers under 49 U.S.C. 13904. Each registration is effective from the date specified under 49 U.S.C. 13905 (c).

Subsection (d) of 49 U.S.C. 13905 also provides that on application of the registrant, the Secretary may amend or revoke a registration, and hence the registrant's operating authority. Form OCE-46 allows these registrants to apply voluntarily for revocation of their operating authority or parts thereof. If the registrant fails to maintain evidence of the required level of insurance coverage on file with FMCSA, its operating authority will be revoked involuntarily. Although the effect of both types of revocation is the same, some registrants prefer to request voluntary revocation. For various business reasons, a registrant may request revocation of some part, but not all, of its operating authority.

This information collection, which supports the DOT Strategic Goal of Safety, is being revised to reflect modified estimates of burden hours and costs. For respondents, the program adjustment has resulted in increased total burden hours and an increase in respondent costs. The burden hour increase is due to an estimated increase in the number of annual filings of Form OCE-46 from 3,501 to 5,901 per year, resulting in an increase of 2,400 responses and 600 burden hours.

The previous iteration of this ICR did not include estimated labor costs for respondents; it only reported the estimated annual burden hours. This version adds estimated labor costs according to best practices. The estimated annual labor cost for industry resulting from submitting Form OCE-46 is \$49,527.

The total annual respondent cost has decreased by \$20,190. This decrease is due to the fact that respondents may now file the form online, at no charge. While the online submission option exists, FMCSA still estimates that approximately 1,567 respondents will continue to file the form by mail, which incurs notarization and postage fees.

For the Federal Government, the program costs have increased by \$11,176. While this ICR revised the Federal labor wage load factor downward to be consistent with the methodology used in other FMCSA ICRs, the overall cost to the Federal Government increased due to the increase in the number of forms received by FMCSA.

**Title:** Request for Revocation of Authority Granted.

**OMB Control Number:** 2126-0018.

**Type of Request:** Renewal of a currently approved information collection.

**Respondents:** For-hire motor carriers, freight forwarders, and property brokers.

**Estimated Number of Respondents:** 5,901.

**Estimated Time per Response:** 15 minutes (0.25 hours).

**Expiration Date:** September 30, 2020.

**Frequency of Response:** Other (as needed).

**Estimated Total Annual Burden:** 1,475 hours.

**Public Comments Invited:** You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The Agency will summarize or include your comments in the request for OMB's clearance of this information collection.

Issued under the authority of 49 CFR 1.87 on: December 11, 2019.

**Kelly Regal,**

*Associate Administrator for Office of Research and Information Technology.*

[FR Doc. 2019-27257 Filed 12-17-19; 8:45 am]

**BILLING CODE 4910-EX-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-2018-0328]

**Agency Information Collection Activities; New Information Collection: Beyond Compliance**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA).

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the information collection request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval and invites public comment. The primary purpose of the ICR is to obtain information from motor carriers, which will allow FMCSA to study and to assess the effectiveness of various technologies, programs, and policies on motor carrier safety performance in support of the implementation of the Fixing America's Surface Transportation Act (FAST Act) Beyond Compliance requirements.

**DATES:** FMCSA must receive your comments on or before February 18, 2020.

**ADDRESSES:** You may submit comments identified by Federal Docket Management System (FDMS) Docket Number FMCSA-2018-0328 using any of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- **Fax:** 1-202-493-2251.

- **Mail:** Docket Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001.

- **Hand Delivery or Courier:** Docket Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001 between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

**Instructions:** All submissions must include the Agency name and docket number. For detailed instructions on submitting comments, see the Public Participation heading below. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

**Docket:** For access to the docket to read background documents or

comments received, go to <http://www.regulations.gov>, and follow the online instructions for accessing the dockets, or go to the street address listed above.

**Privacy Act:** In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL 14—FDMS), which can be reviewed at <https://www.transportation.gov/privacy>.

**Public Participation:** The Federal eRulemaking Portal is available 24 hours each day, 365 days each year. You can obtain electronic submission and retrieval help and guidelines under the “help” section of the Federal eRulemaking Portal website. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments online. Comments received after the comment closing date will be included in the docket and will be considered to the extent practicable.

**FOR FURTHER INFORMATION CONTACT:** Ms. Nicole Michel, Research Division, U.S. Department of Transportation, Federal Motor Carrier Safety Administration, West Building 6th Floor, 1200 New Jersey Avenue SE, Washington, DC 20590. Telephone: 202-366-4354; email: [nicole.michel@dot.gov](mailto:nicole.michel@dot.gov).

**SUPPLEMENTARY INFORMATION:**

**Background:** FMCSA requests OMB’s review and approval of a new ICR to implement the Beyond Compliance Program, required by section 5222 of the Fixing America’s Surface Transportation Act (FAST Act) (Pub. L. 114-94, 129 Stat. 1312, 1540, Dec. 4, 2015) (49 U.S.C. 31100 note).

The FAST Act requires FMCSA to allow recognition, including credit or an improved Safety Measurement System (SMS) percentile, for motor carriers that: (1) Install advanced safety equipment; (2) use enhanced driver fitness measures; (3) adopt fleet safety management tools, technologies, and programs; or (4) satisfy other standards determined appropriate by the Administrator.

The FAST Act also requires the FMCSA Administrator to carry out the Beyond Compliance provisions through: (1) Incorporating a methodology into the Compliance Safety Accountability (CSA) program; or (2) establishing a safety Behavior Analysis and Safety Improvement Category (BASIC).

FMCSA intends to meet the requirements of the FAST Act by: (1) Developing a process for identifying elements of technology and safety programs as a basis for recognition; (2) seeking input from stakeholders; (3) using a third party for a monitoring program; and (4) providing a report to Congress.

The primary purpose of the ICR is to obtain information from motor carriers, which will allow FMCSA to study and to assess the effectiveness of various technologies, programs, and policies on motor carrier safety performance in support of the implementation of the FAST Act Beyond Compliance requirements. To accomplish this, the study will complete the following three objectives:

- (1) Identify high-performing carriers in terms of safety performance.
- (2) Determine the safety technologies, programs, and policies employed by these carriers.
- (3) Gauge the relative effectiveness of those safety technologies, programs, and policies based on the expert opinion and performance metrics of the high performing carriers.

The data being collected for this study consists of responses from a select group of motor carriers on the most effective technologies, programs, and policies for achieving safe operations. The study does not attempt to conduct a full survey of the motor carrier population. Instead, it relies on expert opinion from carriers that are objectively determined to exhibit safe operations that exceed industry averages as indicated by driver out-of-service rates, vehicle out-of-service rates, and crash rates. To identify these carriers, the study will utilize existing data from the Motor Carrier Management Information System (MCMIS) database.

FMCSA will collect data through an electronic survey of motor carriers who have safety performance records that are better than national averages. These carriers will be identified by examining Department of Transportation-reportable crash rates, driver out-of-service rates at roadside inspections, and vehicle out-of-service rates at roadside inspections. Only those carriers that perform near the top quartile (as determined by the selection criteria laid out below) across all three carrier size categories (large, medium, and small) are potential participants.

Participants would be invited to participate in an online webinar that explains the survey design (*i.e.*, analytic hierarchy process, or AHP). AHP is a tool for addressing complex decision-making that employs a series of structured, pairwise comparisons in

which respondents must express a preference for one alternative over another according to various evaluation criteria. Participants may not know how to proceed through the pairwise comparisons. Instead of solely relying on written instructions to explain to participants how to complete the survey, the project team believes it would be useful to conduct an information session via a webinar so an example can be provided and any questions answered. The webinar would be conducted multiple times and participants would be given the option to select the one that best suits their schedules. In addition to the webinar, an online video would be made available to participants that explains the AHP.

Once participants complete the webinar, they will be given a link to complete the survey online using an online survey tool such as Survey Monkey or Qualtrics. In the context of the Beyond Compliance ICR, the AHP-based survey would work by presenting motor carriers with alternatives for what an ideal safety program looks like and allowing them to systematically compare the major elements of these programs. The survey results would then be analyzed to determine the safety program elements that were most frequently scored the highest across participants. The resulting information would reveal the elements of safety programs that these motor carriers are using and their achieved results. It would also reveal what these motor carriers believe to be the most effective for achieving safety and should be included in a Beyond Compliance program.

Data collection will be completed within 90 days of the end of the pilot program period and followed by a statistical analysis in 180 days. Both descriptive and analytical methods will be employed during the data analysis. The results of the study will be documented in a technical report that will be delivered to and maintained by FMCSA. This report will be available to the public on the FMCSA website, at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov). The contents of the technical report will be utilized in developing the report to Congress that FMCSA is required to provide pursuant to section 5222 of the FAST Act.

FMCSA is requesting a one-time collection of data for the Beyond Compliance study. Currently, there is no existing data set that can be used for this project. Not collecting this data would result in the failure of FMCSA to fulfill the congressional mandate to develop a Beyond Compliance program, as specified in section 5222 of the FAST

Act. The draft supporting statement for this information collection is available in the docket.

*Title:* Beyond Compliance.

*OMB Control Number:* 2126-00XX.

*Type of Request:* New information collection.

*Respondents:* Motor carrier operational managers.

*Estimated Number of Respondents:* 225 (estimated that 225 will receive the survey with 112 fully completing the survey).

*Estimated Time per Response:* Email Invitation: 5 minutes. Webinar: 10 minutes. Survey: 45 minutes. Email Reminder (first): 5 minutes. Email Reminder (second): 5 minutes. Total time per response (estimated 113 that choose not to complete the survey): 10 minutes. Total time per response (estimated 112 that fully complete the survey): 70 minutes.

*Expiration Date:* This is a new ICR.

*Frequency of Response:* Once.

*Estimated Total Annual Burden:* 160 hours [225 email recipients × 15 minutes + 112 webinar respondents × 10 minutes + 112 survey respondents × 45 minutes].

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; (4) ways that the burden could be minimized without reducing the quality of the collected information; and (5) whether the potential respondents should be expanded to include carriers who have made significant safety improvements and/or carriers who wish to participate in the study, and if so, how should "significant safety improvements" be defined. The Agency will summarize or include your comments in the request for OMB's clearance of this information collection.

Issued under the authority of 49 CFR 1.87 on: December 11, 2019.

**Kelly Regal,**

*Associate Administrator for Office of Research and Information Technology.*

[FR Doc. 2019-27255 Filed 12-17-19; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2019-0105]

#### Petition for Waiver of Compliance

Under part 211 of title 49 of the Code of Federal Regulations (CFR), this provides the public notice that by letter received December 10, 2019, Kansas City Southern (KCS) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 236. FRA assigned the petition Docket Number FRA-2019-0105.

Specifically, KCS seeks relief from the 2-year periodic testing requirements in § 236.377, *Approach locking*; § 236.378, *Time locking*; § 236.379, *Route locking*; § 236.380, *Indication locking*; and § 236.381, *Traffic locking*. KCS also requests relief from the 1-year periodic testing period of § 236.109, *Time releases, timing relays, and timing devices*, on all vital microprocessor-based systems.

KCS proposes to verify and test signal locking systems controlled by microprocessor-based equipment by use of alternative procedures every 4 years after initial baseline testing or program change as follows:

- Verification of the Cyclic Redundancy Check (CRC)/Check Sum/Universal Control Number (UNC) of an existing location's application logic to the baseline tested version.
- Comparison and verification of all input/output arrangement, vital timer durations, and vital program settings between the existing location and prints/records pertaining to the baseline tested version.
- Re-establishment of the baseline tested version via full compliance with 49 CFR part 236 when a discrepancy is caused/found between the existing and baseline versions.
- Incorporate recording of alternative method into KCS's test record-keeping system.

KCS states its current record-keeping system has all the information and requirements for baseline tests. Furthermore, the existing test records fulfil all the requirements for baseline test record keeping. Given this, KCS desires to use these test records as the existing baseline versions. Subsequent alternative tests would be recorded as such within KCS's record-keeping system.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at

the Department of Transportation's Docket Operations Facility, 1200 New Jersey Ave. SE, W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Website:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Ave. SE, W12-140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Ave. SE, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by February 3, 2020 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy). See also <http://www.regulations.gov/#/privacyNotice> for the privacy notice of [www.regulations.gov](http://www.regulations.gov).

Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety Chief Safety Officer.*

[FR Doc. 2019-27250 Filed 12-17-19; 8:45 am]

**BILLING CODE 4910-06-P**