

1111FEDERAL RAILROAD ADMINISTRATION
Passenger Equipment Safety Standards
(Title 49 Code of Federal Regulations (CFR) Part 238)
SUPPORTING JUSTIFICATION
OMB Control No. 2130-0544

Summary of Submission

- This submission is an extension without change (with changes in estimates) of the last three-year approval granted by the Office of Management and Budget (OMB) on January 30, 2019, which expires January 31, 2022.
- The Federal Railroad Administration (FRA) published the required 60-day Federal Register Notice on November 8, 2021. See 86 FR 61830. FRA received no comments related to the information collection request.
- Overall, the adjustments decreased the burden by 4,504,327 hours and increased responses by 80,802 after a thorough review of the data.
- The answer to question number 12 itemizes all information collection requirements.
- The answer to question number 15 itemizes all adjustments.

1. Circumstances that make collection of the information necessary.

FRA has broad statutory authority to regulate all areas of railroad safety.¹ The regulations pertaining to Passenger Equipment Safety were first enacted in 1994² and most recently amended in 2018. The regulations were developed to ensure safety standards for passenger rail equipment. The regulations also govern emergency preparedness plans. The Passenger Equipment Safety Standards final rule established comprehensive safety standards for railroad passenger equipment, including requirements for carbody structure and emergency systems.

On May 4, 1998, under section 215 of the Act, FRA published the Passenger Train Emergency Preparedness (PTEP) final rule.³ The PTEP final rule contained minimum Federal safety standards for the preparation, adoption, and implementation of emergency preparedness plans by railroads connected with the operation of passenger trains, including freight railroads hosting the operations of passenger rail service. The rule also established specific requirements for passenger train emergency systems, and contained

¹ 49 U.S.C. 20103(a); 49 CFR 1.89.

² Federal Railroad Safety Authorization Act of 1994 (the Act), Public Law 103-440, 108 Stat. 4619, 4623-4624.

³ 63 FR 24630.

specific requirements for participation in debrief and critique sessions following emergency situations and full-scale simulations.

On May 12, 1999, FRA published the Passenger Equipment Safety Standards (PESS) final rule.⁴ The PESS final rule established comprehensive safety standards for railroad passenger equipment, including requirements for carbody structure and emergency systems. FRA subsequently amended the final rule to address petitions seeking FRA's reconsideration of certain requirements contained in the rule; FRA grouped issues together and published three sets of amendments to the final rule.⁵

On October 19, 2006, FRA published a final rule addressing various requirements related to the inspection, testing, and operation of passenger equipment, as well as the attachment of safety appliances.⁶

On February 1, 2008, FRA published the Passenger Train Emergency Systems final rule promoting passenger occupant safety by addressing emergency communication, emergency egress, and rescue access requirements.⁷ FRA also established additional requirements for passenger train emergency systems.⁸

On January 8, 2010, FRA published a final rule enhancing requirements for the structural strength of the front end of cab cars and multiple-unit (MU) locomotives.⁹

On March 13, 2013, FRA published a final rule to amend the Federal Track Safety Standards to promote the safe interaction of rail vehicles and the tracks they operate on at speeds up to 220 mph.¹⁰

On December 7, 2015, FRA published a final rule amending FRA's PESS to address the safety of passenger train exterior side doors.¹¹

Lastly, FRA published a final rule on November 21, 2018, that amended FRA's PESS using a performance-based approach to adopt new and modified requirements governing the construction of conventional and high-speed passenger rail equipment.¹² The final rule added a new tier of passenger equipment safety standards (Tier III) to facilitate the safe implementation of high-speed passenger rail service at speeds up to 220 mph. The

⁴ 64 FR 25540.

⁵ 65 FR 41284, 67 FR 19970, and 67 FR 42892.

⁶ 71 FR 61835.

⁷ 73 FR 6370.

⁸ 78 FR 71786 and 79 FR 18128.

⁹ 75 FR 1180.

¹⁰ 78 FR 16052.

¹¹ 80 FR 76118.

¹² 83 FR 59182.

final rule also established crashworthiness and occupant protection performance requirements in the alternative to those currently specified for Tier I passenger trainsets.

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

The information collection under 49 CFR part 238 is used by FRA to promote passenger train safety by ensuring requirements are met for railroad equipment design and performance, fire safety, emergency systems, inspection, testing, and maintenance, and other provisions for the safe operation of railroad passenger equipment.

- The information collected under § 238.111 is used by FRA to ensure that such Tier II and Tier III passenger equipment is safe and suitable to be placed in rail service.
- The information collected under § 238.213 is used to ensure new cab cars and MU locomotives, utilizing low-level passenger boarding on the non-operating side of the cab meet all the enhanced requirements set forth in this section.
- Also, FRA reviews the information collected from the requirements relating to passenger equipment to ensure that all new and existing safety appliances directly attached to the equipment by welding are properly identified, inspected, and handled.
- The information collected regarding passenger trains in consists with defective equipment found during a Class I or Class IA brake test are used by railroads and by FRA to track defective equipment and to ensure the safe movement of trains and equipment. The information (tagging, use of automated tracking systems, and notification of crew members) from passenger equipment that develops defects en route, enables railroad employees to take appropriate safety measures both to reduce the likelihood of accident/incidents.
- The information collected from waiver petitions is used to determine whether it is safe and in the public interest to grant exceptions to any of the requirements of this rule.
- The information collected from pre-revenue service testing plans is used to ensure the safety of passenger equipment before such equipment is placed in passenger service.
- New passenger equipment design information submitted by equipment manufacturers on behalf of railroads is used to ensure that fire safety considerations and features in the design of this equipment reduce the risk of personal injury to passengers and crewmembers in the event of fire evacuation and reduce the risk of equipment damage.
- FRA reviews locomotive brake system information and air compressor information to ensure that railroads demonstrate through verifiable data, analysis, or actual testing that the safety of the train is being maintained.
- The information collected under § 238.703, is used to verify railroad compliance with the quasi-static requirements of this section for Tier III trainsets.
- The information collected under § 238.705, is used to validate that the occupied volume integrity (OVI) for each individual vehicle of Tier III trainsets in a dynamic

collision scenario has been demonstrated/maintained, thus protecting all occupants of the trainset.

- The information collected under §§ 238.707 and 238.709, is used to ensure that Tier III trainsets comply with the vertical override protection and with the fluid entry inhibition requirements stipulated in this regulation.
- The information collected under § 238.731 is used to ensure that the maximum safe operating speed for its Tier III trainsets results in no thermal damage to equipment or infrastructure during normal operations of the brake system.
- The information collected under § 238.741 is used to ensure that performance-oriented requirements are met for an emergency window egress and rescue access plan.
- The information collected under § 238.751 is used to review a hazard analysis submitted by a railroad that is using an alternative technology to an alerter, in order to confirm that it provides at least an equivalent level of safety.
- Finally, FRA also uses the collection of information after an incident or accident to assist its investigators in determining the cause(s) of the incident/accident, as well as possible contributing factors to the event. The information collected enables FRA to accomplish its mission of promoting and ensuring safe rail transportation throughout the United States.

3. Extent of automated information collection.

To date, FRA estimates that approximately 85 percent of all responses are completed electronically by the railroads. FRA strongly encourages the use of advanced information technology, wherever feasible, to reduce burden on respondents.

4. Efforts to identify duplication.

To our knowledge, this information is not duplicated anywhere. Similar data is not available from any other source.

5. Efforts to minimize the burden on small businesses.

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 regulation as proposed. For the regulation, there is only one type of small entity that would be affected: small passenger railroads.

“Small entity” is defined in 5 U.S.C. 601(3) as having the same meaning as “small business concern” under section 3 of the Small Business Act. This includes any small business concern that is independently owned and operated, and is not dominant in its field of operation. 5 U.S.C. 601(5) defines “small entities” as governments of cities,

counties, towns, townships, villages, school districts, or special districts with populations less than 50,000.

The U.S. Small Business Administration (SBA) stipulates “size standards” for small entities. It provides that industry sectors relevant for the rulemaking must not exceed the limits listed below (and still classify as a “small entity”):¹³

- 1,000 employees for the railroad rolling stock manufacturing.
- 1,500 employees for line haul operating railroads.
- 500 employees for motor and generator manufacturing.
- 500 employees for switching and terminal establishments.

Federal agencies may adopt their own size standards for small entities in consultation with SBA, and in conjunction with public comment. Under the authority provided to it by the SBA, FRA published a final policy, which formally establishes small entities as railroads that meet the line haulage revenue requirements of a Class III railroad.¹⁴

Currently, the revenue requirements are \$20 million or less in annual operating revenue, adjusted annually for inflation. The \$20 million limit (adjusted annually for inflation) is based on the Surface Transportation Board’s threshold of a Class III railroad, which is adjusted by applying the railroad revenue deflator adjustment.¹⁵

6. Impact of less frequent collection of information.

If this information were not collected or collected less frequently, rail safety throughout the United States would be jeopardized. Specifically, the number and severity of railroad accidents/incidents and accompanying injuries and fatalities might rise if FRA were unable collect this information and monitor railroad operations and safety practices. Safety programs and safety oversight require timely and accessible information in order to be effective.

The information collected ensures that proper inspections, tests, and maintenance of railroad equipment are performed by appropriately trained personnel at prescribed intervals. Through such inspections, tests, and maintenance, passenger cars with defective safety appliances or defective power brakes or other defective components can be identified and properly handled or repaired in a safe and effective manner.

Failure to collect this information, or to do so less frequently, might mean more passenger cars operating with defective equipment that would go undetected, or more unskilled or unqualified individuals performing safety-sensitive tasks that lead to

¹³ U.S. Small Business Administration, “Table of Small Business Standards Matched to North American Industry Classification System Codes,” effective November 5, 2010.

¹⁴ 68 FR 24891, May 9, 2003.

¹⁵ For further information on the calculation of the specific dollar limit, see 49 CFR part 1201.

derailments, collisions, and other adverse rail events.

In sum, this collection of information advances the mission of FRA, which is to ensure, enhance, and promote safety throughout the U.S. rail system.

7. Special circumstances.

The recordkeeping requirement under § 238.309, periodic brake maintenance, must be kept in the railroad's files, the cab of the locomotive, or a designated location in the passenger car until the next such periodic test. Additionally, some of these records will be kept up to six years depending on the next periodic test.

Furthermore, under § 238.103(b), fire safety certifications for materials in passenger equipment are kept as long as the equipment is owned by the railroad and will be transferred with the equipment when sold by one railroad to another railroad.

All other information collection requirements contained in the rule are in compliance with this section.

8. Compliance with 5 CFR 1320.8.

In accordance with the Paperwork Reduction Act of 1995, Pub. L. No.104-13, § 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. §§ 3501-3520), and its implementing regulations, 5 CFR Part 1320, FRA published a notice in the Federal Register on November 8, 2021, soliciting public comments on these information collection requirements. FRA solicited comments regarding whether the collection is necessary for FRA to properly execute its functions; the accuracy of FRA's estimates; ways to enhance the quality, utility, and clarity of the information collected; and, way for FRA to minimize the burden on the public.¹⁶ FRA received no comments related to the information collection request.

Consultations with representatives of the affected population:

FRA regularly engages with the railroad industry, as part of FRA's oversight of railroads' safety standards for all passenger equipment safety standards. Individuals from the industry are generally in direct contact with FRA inspectors at the time of the site inspection and can provide any comments or concerns to the inspector.

On an annual basis, FRA participates with the passenger railroad industry in the development and the updating of the industry standards for passenger equipment safety. Additionally, FRA hosts the Passenger Safety Working Group through Railroad Safety Advisory Committee. Through these activities, FRA is regularly engaged and in

¹⁶ 86 FR 61830.

consultation with the industry.

9. Payments or gifts to respondents.

There are no monetary payments or gifts made to respondents associated with the information collection requirements contained in this regulation.

10. Assurance of confidentiality.

The information contained on various report forms is a matter of public record and, therefore, confidentiality is not promised to any respondent.

11. Justification for any questions of a sensitive nature.

There are no questions of a sensitive or private nature involving this regulation.

12. Estimate of burden hours for information collected.

The estimates for the respondent universe, total annual responses, and average time per responses are based on the experience and expertise of FRA's Office of Railroad Systems and Technology.

The total annual burden hours, under the fifth column, is calculated by multiplying total annual responses by average time per responses. For example, 10 reports * 15 minutes = 2.50 hours.

The total cost equivalent, under the seventh column, is calculated by multiplying total annual burden hours by the appropriate employee group hourly wage rate that includes a 75-percent overhead charge. For example, 2.5 hours * \$77.47 = \$193.60.

FRA is including the dollar equivalent cost for each of the itemized hours below using the 2020 Surface Transportation Board's (STB) Full-Year Wage A&B data series as the basis for each cost-equivalent calculation.

- For professional and administrative staff, the hourly wage rate is \$77.47 per hour (\$44.27 * 75-percent overhead charge).
- For maintenance of equipment & stores employees, the hourly wage is \$59.89 per hour (\$34.22 * 75-percent overhead charge).

Note: The hourly wage rate of \$77.47 was used to calculate total cost equivalent for all items except for §§ 238.229(d), 238.237(d), 238.303(e)(15), 238.307(c)(1) and (e)(1), 238.311, 238.313(h) and 238.731(d) and (f) which is \$59.89.

CFR Section	Respondent universe	Total annual responses (A)	Average time per response (B)	Total annual burden hours (C) = A * B	Total cost equivalent (D) = C * wage rates	Section analyses and estimates
229.47(a)-(b)— Emergency Brake Valve— Marking brake pipe valve as such	FRA anticipates zero submissions for stencils and markings.					
238.7—Waivers	34 railroads	12 waivers	6 hours	72.00 hours	\$5,575.68	This paperwork requirement requires each railroad requesting a waiver of compliance for requirements in this Part to submit information to FRA in accordance with Part 211. FRA estimates it will take approximately six hours to complete each waiver.
238.15(b)—Movement of passenger equipment with power brake defects— Limitations on movement of passenger equipment containing a power brake defect at the time a Class I or IA brake test is performed—Passenger equipment tagged or information is recorded as prescribed under § 238.18(c)(2)	34 railroads	1,000 tags	3 minutes	50.00 hours	\$3,872.00	This paperwork requirement requires each railroad to tag and record information when a brake defect is found at the time of the brake test. FRA estimates it will take approximately three minutes to affix each tag.
—(c) Limitations on movement of passenger equipment in passenger	34 railroads	288 tags	3 minutes	14.40 hours	\$1,115.14	This paperwork requirement requires each railroad to tag and record information when a brake

service that becomes defective en route after a Class I or IA brake test— Tagging of defective equipment						defect is found en route. FRA estimates it will take approximately three minutes to affix each tag.
—(c)(4) Conditional requirement—Notice between employees	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is covered under § 238.15(a)-(b).					
238.17—Movement of passenger equipment with other than power brake defects—Tagging of defective equipment	34 railroads	200 tags	3 minutes	10.00 hours	\$774.40	This paperwork requirement requires each railroad, prior to movement of the defective equipment, to place a tag or card placed on both sides of the defective equipment, or to update an automated tracking system. FRA estimates it will take approximately three minutes to affix each tag.
—(e) Special requisites for movement of passenger equipment with safety appliance defects	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is covered under § 238.17.					
—(e)(4) Crew member notifications	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is covered under § 238.17.					
238.19(b)-(c)—Reporting and tracking defective passenger equipment— Retention or availability of records	FRA determined, since the 1990s, retention and availability of records for reporting and tracking defective passenger equipment are handled by the railroad industry as part of their normal business operations.					
—(d) List of power brake repair points	This ICR only affects Amtrak, which has submitted the necessary list of power brake repair points. FRA does not anticipate any changes or updates to this list over the next few years. Consequently, there is no burden associated with this requirement.					
238.21(b)—Special approval procedure— Petitions for special approval of alternative	34 railroads	1 petition	16 hours	16.00 hours	\$1,239.04	This paperwork requirement requires each railroad asking for alternate standards to submit a petition to FRA.

standard						FRA estimates it will take approximately 16 hours to complete each petition.
—(c) Petitions for special approval of alternative compliance	34 railroads	1 petition	40 hours	40.00 hours	\$3,097.60	This paperwork requirement requires each railroad asking for alternate compliance to submit a petition to FRA. FRA estimates it will take approximately 16 hours to complete each petition.
—(f) Comments on petitions	Manufacturers and public	2 comments	1 hour	2.00 hours	\$154.88	This paperwork requirement allows for an individual, business, or manufacturer to comment on a petition received. FRA estimates it will take approximately one hour to prepare and file each comment.
238.103(c)—Fire safety analysis for procuring new passenger cars and locomotives	1 new railroad	1 analysis	150 hours	150.00 hours	\$11,616.00	This paperwork requirement requires each railroad that procures new passenger cars and locomotives to complete a written fire safety analysis for such equipment. FRA estimates it will take approximately 150 hours to complete each fire safety analysis.
—(d) Fire safety analysis for existing passenger cars and locomotives—Revised Fire Safety Analysis for leased or transferred equipment	34 railroads	1 revised analysis	10 hours	10.00 hours	\$774.40	This paperwork requirement requires each railroad to complete or revise fire safety analysis taking into consideration the change in railroad operations when equipment is transferred to new service.

						FRA estimates it will take approximately 10 hours to complete each revised analysis.
238.105—Train electronic hardware and software safety—New railroads	1 new railroad	1 program plan	150 hours	150.00 hours	\$11,616.00	This paperwork requirement requires each new railroad to develop a written hardware and software safety program. FRA estimates it will take approximately 150 hours to develop each program plan.
238.107—Inspection, testing, and maintenance plan—Development of maintenance plan for new railroads	1 new railroad	1 maintenance plan	150 hours	150.00 hours	\$11,616.00	This paperwork requirement requires each new passenger railroad to develop an inspection, testing, and maintenance plan. FRA estimates it will take approximately 150 hours to develop each maintenance plan.
—(c) Inspection, testing, and maintenance plan for existing railroads—Maintenance plan review	34 railroads	34 maintenance plan reviews	20 hours	680.00 hours	\$52,659.20	This paperwork requirement requires each passenger railroad to review its ITM plan annually. FRA estimates it will take approximately 20 hours to complete each maintenance plan review.
238.109(b)—Training, qualification, and designation program—Development of training program/curriculum for new railroads	1 new railroad	1 training program	160 hours	160.00 hours	\$12,390.40	This paperwork requirement requires each new railroad to develop written procedures for tasks related to ITM. FRA estimates it will take approximately 160 hours to develop each training program.

—(b) Training employees and supervisors	The associated burdens relating to the training of employees and supervisors have been addressed previously when FRA calculated the economic costs of the regulation.					
—(b)(13) Recordkeeping —Employees and trainers —Training qualifications	34 railroads	488 records	3 minutes	24.40 hours	\$1,889.54	This paperwork requirement requires each passenger railroad to maintain records to demonstrate that employees performing safety-related tasks are qualified to do so. FRA estimates it will take approximately three minutes to complete each record.
238.111(a)—Pre-revenue service acceptance testing plan: Passenger equipment that has previously been used in service in the U.S.	34 railroads	1 plan	16 hours	16.00 hours	\$1,239.04	This paperwork requirement requires each passenger railroad to develop a pre-revenue service acceptance test plan for equipment that has been previously used in the U.S. but is being put into service for the first time on a railroad's system. FRA estimates it will take approximately 16 hours to complete developing each testing plan.
—(b) Passenger equipment that has not been previously used in revenue service in the U.S.	34 railroads	1 plan	192 hours	192.00 hours	\$14,868.48	This paperwork requirement requires each passenger railroad to create a testing plan for equipment that has not been previously used in the U.S. FRA estimates it will take approximately 192 hours to complete developing each testing plan.
—(b) Subsequent equipment orders	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is covered above under § 238.111(a) and (b).					

—(b)(4) Tier II & Tier III passenger equipment: Report of test results to FRA	1 railroad	1 letter	4 hours	4.00 hours	\$309.76	This paperwork requirement requires each passenger railroad to document and report to FRA the results of pre-revenue service testing. FRA estimates it will take approximately four hours to complete each letter.
—(b)(7) and (c) Plan submitted to FRA for Tier II or Tier III equipment before being placed in service	In the past 20 years, FRA only received 1 modification plan. Thus, FRA anticipates zero modified plans in the next three years.					
238.131—Exterior side door safety systems—New passenger cars/locomotives used in passenger service—Failure Modes, Effects, Criticality Analysis (FMECA)	1 new railroad	1 analysis	80 hours	80.00 hours	\$6,195.20	This paperwork requirement requires each new passenger railroad to conduct a Criticality Analysis on exterior side doors to ensure that the train is not able to move unless all doors are closed. FRA estimates it will take approximately 80 hours to complete each analysis.
238.133(a)—Exterior side door safety systems—Passenger cars and locomotives used in a passenger service—Bypass device verification—Functional test plans	1 new railroad	1 plan	4 hours	4.00 hours	\$309.76	This paperwork requirement requires each new passenger railroad to develop a plan to ensure that the door summary status indicator is functioning as intended. FRA estimates it will take approximately four hours to complete each verification.
—(b) Unsealed door bypass device—Notification	The associated burdens related to safety job briefings have been addressed previously when FRA calculated the economic costs of the regulation.					

to railroad's designated authority by train crewmember of unsealed door by-pass device						
—(c) En route failure— Safety briefing by train crew when door by-pass device is activated	34 railroads	100 topic-specific briefings and notifications	2 minutes	3.33 hours	\$257.88	This paperwork requirement requires the train crew members to hold a safety briefing when door by-pass device is activated. FRA estimates it will take approximately two minutes to complete each briefing.
—(c) Notification to designated RR authority by train crewmember that door by-pass device has been activated	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is already covered above under § 238.133(c).					
—(c)(1) On-site qualified person (QP) description to a qualified maintenance person (QMP) off-site that equipment is safe to move for repairs	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is already covered above under § 238.133(c).					
—(c)(2) QP/QMP notification to crewmember in charge that door by-pass has been activated and safety briefing by train crew	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is already covered above under § 238.133(c).					
—(d) Records	34 railroads	100 records	2 minutes	3.33 hours	\$257.88	This paperwork requirement requires each passenger railroad to keep a record of each door by-pass activation and each unintended opening of an exterior door. FRA estimates it will take approximately two minutes to

						complete each record.
—(d) Records of unintended opening of a powered exterior side door	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is already covered above under § 238.133(d).					
—(g)(2) RR record of bypass activations found unsealed	Duplicate estimate removed. The burden for this requirement is already covered above under § 238.133(d).					
238.135(a)(1)—Operating practices for exterior side door safety systems— Daily job briefings	The associated burdens related to daily job briefings have been addressed previously when FRA calculated the economic costs of the regulation.					
—(c) Railroads’ request to FRA for special consideration to operate passenger trains with exterior side doors or trap doors, or both, open between stations	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is already covered above under § 238.7 or § 238.21.					
—(c)(4) Railroads’ response to FRA request for additional information concerning special consideration request	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is already covered above under § 238.7 or § 238.21.					
—(d) Operating rules on how to safely override a door summary circuit or no-motion system, or both, in the event of an en route exterior side door failure or malfunction on a passenger train (Note: Includes burden under § 238.137)	1 new railroad	1 operating rule	8 hours	8.00 hours	\$619.52	This paperwork requirement requires each passenger railroad to develop an operating rule on how to safely override a door summary circuit in the event of an en route failure or malfunction. FRA estimates it will take approximately eight hours to complete each operating rule.
—(d) Railroads to provide a copy of written operating rules to train crew	Railroads were required to complete the requirements of this subsection by December 6, 2018, so the estimated burden is zero.					

members and control center personnel						
—(e) Railroads’ training of train crew members on requirements of this section	The associated burdens relating to the training of train crew members have been addressed previously when FRA calculated the economic costs of the regulation. FRA estimates the paperwork burdens associated with training recordkeeping under § 238.109 or under the OMB control numbers 2130-0596 or 2130-0533.					
—(e) Railroads’ training of new employees	The associated burdens relating to the training of new employees have been addressed previously when FRA calculated the economic costs of the regulation. FRA estimates the burdens associated with training recordkeeping under § 238.109 or under the OMB control numbers 2130-0596 or 2130-0533.					
—(g) RR operational/efficiency tests of train crew members & control center employees	The associated burdens relating to operational testing or observation of operating crewmembers and control center personnel have been previously addressed when FRA calculated the economic costs of the regulation.					
238.201(b)—Scope/alternative compliance—Supporting documentation demonstrating compliance	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is already covered above under § 238.21.					
—(b) Notice of tests sent to FRA 30 days prior to commencement of operations	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is already covered above under § 238.111(b)(4).					
238.229(c)—Safety appliances—Welded safety appliances—Written lists submitted to FRA by the railroads	1 new railroad	1 list	1 hour	1.00 hour	\$77.44	This paperwork requirement requires each passenger railroad with equipment placed into service before January 1, 2007, that is equipped with a safety appliance to submit a written list of each welded safety appliance bracket or support. FRA estimates it will take approximately one hour to submit each list.
—(d) Defective welded safety appliance or welded safety appliance bracket or	34 railroads	4 tags	3 minutes	.20 hours	\$11.98	This paperwork requirement requires each passenger railroad to tag defective welded safety

support—Tagging						appliances. FRA estimates it will take approximately three minutes for tagging each device.
—(d) Notification to crewmembers about non-compliant equipment	34 railroads	2 notices	1 minute	.03 hours	\$2.32	This paperwork requirement requires each passenger railroad to notify the crewmember in charge of the movement who will in turn notify other crewmembers of the defective equipment. FRA estimates it will take approximately one minute to complete each notification.
—(g) Inspection plans	1 new railroad	1 plan	16 hours	16.00 hours	\$1,239.04	This paperwork requirement requires each new passenger railroad to submit a written safety appliance inspection plan. FRA estimates it will take approximately 16 hours to complete each inspection plan.
—(h) Inspection personnel —Training	The associated burdens relating to training of inspection personnel have been addressed previously when FRA calculated the economic costs of the regulation. FRA estimates the paperwork burdens associated with the retention of training records under § 238.109.					
—(j)(1)(iv) Remedial action: Defect/crack in weld—A record of the welded repair	The associated burdens relating to inspections have been addressed previously when FRA calculated the economic costs of the regulation. FRA estimates the paperwork burdens associated with the retention of inspection records under § 238.229(k).					
—(j)(2)(iv) Petitions for special approval of alternative compliance— Impractical equipment design	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is already covered above under § 238.21.					
—(k) Records of the inspection and repair of	Duplicate estimate removed. The estimated burden for this regulatory requirement is already covered below under § 238.303 and under the OMB control number 2130-0004.					

the welded safety appliance brackets						
238.230(b)(1)—Safety Appliances—New equipment—Inspection record of welded equipment by qualified employee	FRA anticipates zero records.					
—(b)(3) Welded safety appliances: Documentation for equipment impractically designed to mechanically fasten safety appliance support	FRA anticipates zero plans.					
238.231—Brake System—Inspection and repair of hand/parking brake: Records (under FRA Form 6180.49A)	The paperwork burden for this requirement is covered under § 238.303 and under the OMB control number 2130-0004.					
—(h) Procedures verifying hold of hand/parking brakes	1 new railroad	1 procedure	2 hours	2.00 hours	\$154.88	This paperwork requirement requires each new passenger railroad to develop procedures to verify the hold of hand/parking brakes. FRA estimates it will take approximately two hours to complete each procedure.
238.237(a)-(b)—Automated monitoring-Documentation for alerter/deadman control timing	1 new railroad	1 document	2 hours	2.00 hours	\$154.88	This paperwork requirement requires each new passenger railroad to document the basis for setting alerter or deadman control timing and make this documentation available to FRA upon request.

						FRA estimates it will take approximately two hours to complete each document..
—(d) Defective alerter/deadman control: Tagging	34 railroads	25 tags	3 minutes	1.25 hours	\$74.86	This paperwork requirement requires each passenger railroad to tag a defective alerter/deadman control device. FRA estimates it will take approximately three minutes to place each tag.
238.303—Exterior calendar day mechanical inspection of passenger equipment: Notice of previous inspection	FRA anticipates zero notices.					
—(e)(15) Dynamic brakes not in operating mode: Tag	34 railroads	50 tags	3 minutes	2.50 hours	\$149.73	This paperwork requirement requires each passenger railroad to tag MU locomotives equipped with dynamic brakes found not to be in operating mode or containing a defective condition. FRA estimates it will take approximately three minutes for each tag.
—(e)(15)(ii) Conventional locomotives equipped with inoperative dynamic brakes: Tagging	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is already covered above under § 238.303(e)(15).					
—(e)(17) MU passenger equipment found with inoperative/ineffective air compressors at exterior calendar day inspection: Documents	FRA anticipates zero submissions.					

—(e)(17)(v) Written notice to train crew about inoperative/ineffective air compressors	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is already covered above under § 238.303(e)(15).					
—(e)(18)(iv) Records of inoperative air compressors	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is already covered below under § 238.303(g).					
—(g) Record of exterior calendar day mechanical inspection (Other than locomotives) (*Note: Includes burden for records of inoperative air compressors under § 238.303(e)(18)(iv))	34 railroads	1,734,115 daily inspection records	1 minute	28,901.92 hours	\$2,238,164.68	This paperwork requirement requires each passenger railroad to keep a record of each exterior calendar day mechanical inspection performed. FRA estimates it will take approximately one minute to complete each record.
238.305—Interior calendar day mechanical inspection of passenger cars -Tagging of defective end/side doors	34 railroads	540 tags	3 minutes	27.00 hours	\$2,090.88	This paperwork requirement requires each passenger railroad to display a notice on a defective end/side door indicating that the door is defective. FRA estimates it will take approximately three minutes for each tag.
—(f) Records of interior calendar day inspection	34 railroads	3,102,865 daily inspection records	1 minute	51,714.42 hours	\$4,004,764.68	This paperwork requirement requires each passenger railroad to keep a record of each interior calendar day mechanical inspection performed. FRA estimates it will take approximately one minute for each record.
238.307(a)(2)—Periodic mechanical inspection of	34 railroads	2 notices	5 hours	10.00 hours	\$774.40	This paperwork requirement allows a passenger railroad to

passenger cars and unpowered vehicles— Alternative inspection intervals: Notifications						adopt and comply with alternative periodic mechanical inspection intervals for specific components or equipment provided they notify FRA. FRA estimates it will take approximately five hours for each notice.
—(c)(1) Notice of seats and seat attachments broken or loose	34 railroads	200 notices	2 minutes	6.67 hours	\$399.47	This paperwork requirement requires each passenger railroad to tag a seat that is broken or has a seat attachment that is broken or loose. FRA estimates it will take approximately two minutes for each notice.
—(e)(1) Records of each periodic mechanical inspection	34 railroads	5,184 inspection records	1 hour	5,184.00 hours	\$310,469.76	This paperwork requirement requires each passenger railroad to keep a record of each periodic mechanical inspection. FRA estimates it will take approximately one hour to complete each record.
—(e)(2) Detailed documentation of reliability assessments as basis for alternative inspection interval	34 railroads	2 documents	100 hours	200.00 hours	\$15,488.00	This paperwork requirement requires each passenger railroad to document any reliability assessments depended upon for implementing an alternative inspection interval. FRA estimates it will take approximately 100 hours to complete each document.
238.311—Single car test	34 railroads	50 tags	3 minutes	2.50 hours	\$149.73	This paperwork requirement

—Tagging to indicate need for single car test						requires each passenger railroad to tag equipment that needs a single car test if the test cannot be made at the point where repairs are made. FRA estimates it will take approximately three minutes for each tag.
238.313(h)—Class I Brake Test—Record for additional inspection for passenger equipment that does not comply with § 238.231(b)(1)	34 railroads	15,600 records	30 minutes	7,800.00 hours	\$467,142.00	This paperwork requirement requires each passenger railroad to keep a record of each class I brake test. FRA estimates it will take approximately 30 minutes to complete each record.
238.315(a)(1)—Class IA brake test —Notice to train crew that test has been performed (verbal notice)	The associated burdens related to briefings have been addressed previously when FRA calculated the economic costs of the regulation.					
—(f)(5) Communicating signal tested and operating as intended	The associated burdens related to briefings have been addressed previously when FRA calculated the economic costs of the regulation.					
238.317—Class II brake test—Communicating signal tested and operating as intended	The associated burdens related to briefings have been addressed previously when FRA calculated the economic costs of the regulation.					
238.321—Out-of-service credit—Passenger car: Out-of-use notation	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is covered under § 238.307 and under OMB control number 2130-0004 under 229.23(d)-(g).					
238.445(a)—Automated Monitoring — Performance monitoring: alerters/alarms	There are no paperwork burdens associated with this subsection. FRA corrects its previous overinclusion.					

—(c) Monitoring system: Self-test feature: Notifications	There are no paperwork burdens associated with this subsection. FRA corrects its previous overinclusion.					
238.703—Quasi-static compression load requirements—Document to FRA on Tier III trainsets	1 new railroad	.33 document	40 hours	13.20 hours	\$1,022.21	This paperwork requirement requires each new passenger railroad to submit load requirements to FRA on Tier III trainsets. FRA estimates it will take approximately 40 hours to complete each document.
238.705—Dynamic collision scenario—Model validation document to FRA for review and approval	1 new railroad	.33 validation document	40 hours	13.20 hours	\$1,022.21	This paperwork requirement requires each new passenger railroad to submit model verification to FRA. FRA estimates it will take approximately 40 hours to complete each document.
238.707—Override protection—Anti-climbing performance evaluation for Tier III trainsets	1 new railroad	.33 evaluation	40 hours	13.20 hours	\$1,022.21	This paperwork requirement requires each new passenger railroad to evaluate the anti-climbing performance for Tier III trainsets. FRA estimates it will take approximately 40 hours to complete each evaluation.
238.709—Fluid entry inhibition—Information to demonstrate compliance with this section of a Tier III trainset	1 new railroad	.33 analysis	20 hours	6.60 hours	\$511.10	This paperwork requirement requires each new passenger railroad to demonstrate compliance with fluid entry inhibition. FRA estimates it will take approximately 20 hours to

						complete each analysis.
238.721—Glazing—Cab glazing; end facing— Documentation containing technical justification	3 glass manufacturers	.33 technical documentation	60 hours	19.80 hours	\$1,533.31	This paperwork requirement requires each glass manufacturer to document the technical justification for end facing windows. FRA estimates it will take approximately 60 hours to complete each documentation.
—(a)(6) Marking of end-facing exterior windows for Tier III trainsets	Windows are, customarily, automatically marked during the production process. Therefore, there will be no additional burden to mark the windows.					
—(b) Cab Glazing; side-facing exterior windows in Tier III cab—Each end-facing exterior window in a cab shall, at a minimum, provide ballistic penetration resistance that meets the requirements of appendix A to part 223 (Certification of Glazing Materials)	3 glass manufacturers	.33 analysis	10 hours	3.30 hours	\$255.55	This paperwork requirement requires each passenger railroad to certify that ballistic penetration resistance meets the requirements for end-facing windows. FRA estimates it will take approximately 10 hours to complete each analysis.
—(b) Marking of side-facing exterior windows in Tier III Trainsets	Windows are, customarily, automatically marked during the production process. Therefore, there will be no additional burden to mark the windows.					
—(c) Non-Cab Glazing; Side-facing exterior windows—Tier III— compliance document for Type II glazing	3 glass manufacturers	.33 analysis	20 hours	6.60 hours	\$511.10	This paperwork requirement requires each glass manufacturer to document that type II glazing meets the requirements specified in this section. FRA estimates it will take approximately 20 hours to complete each analysis.

—(c) Marking of side-facing exterior windows—Tier III Trainsets—non-cab cars	Windows are, customarily, automatically marked during the production process. Therefore, there will be no additional burden to mark the windows.					
—(c)(2) Alternative standard to FRA for side-facing exterior window intended to be breakable and serve as an emergency window exit (option to comply with an alternative standard)	3 glass manufacturers	.67 alternative analysis	5 hours	3.35 hours	\$259.42	This paperwork requirement requires each glass manufacturer to submit an alternative analysis for side facing windows if they choose not to use the standard in this section. FRA estimates it will take approximately 5 hours to complete each alternative analysis.
238.731(a)—Brake Systems—RR analysis and testing Tier III trainsets’ maximum safe operating speed	Duplicate estimate removed. The estimated paperwork burden for this regulatory requirement is covered under § 238.111(b).					
—(d) Tier III trainsets’ passenger brake alarm—legible stenciling/markings of devices with words “Passenger Brake Alarm” (Including the design of the sticker)	1 new railroad	53.33 stencilings	1 hour (design) + 2 minutes (marking)	55.11 hours	\$3,300.54	This paperwork requirement requires each new passenger railroad to stencil/mark the passenger brake alarms either on the device or on an adjacent badge plate. FRA estimates it will take approximately one hour to complete each design and two minutes for each marking.
—(f) Main reservoir test/certification	1 new railroad	.33 certification	6 hours	1.98 hours	\$118.58	This paperwork requirement requires each new passenger railroad to certify that the main reservoir test meets the requirements in this section. FRA estimates it will take

						approximately six hours to complete each certification.
—(h) Main reservoir tests —Inspection, testing and maintenance (ITM) plan	1 railroad	.33 ITM plan	10 hours	3.30 hours	\$255.55	This paperwork requirement requires each passenger railroad to submit an ITM plan for main reservoir tests. FRA estimates it will take approximately 10 hours to complete each ITM plan.
—(j) Brake application/release— Brake actuator design with approved brake cylinder pressure as part of design review process	1 railroad	.33 design	40 hours	13.20 hours	\$1,022.21	This paperwork requirement requires the minimum brake cylinder pressure to be established by the railroad, as approved by FRA, to provide adequate adjustment from minimum service to full service for proper train operation FRA estimates it will take approximately 40 hours to complete each design.
—(o) Train securement— Tier III equipment: demonstrated securement procedure	1 railroad	.33 procedure	8 hours	2.64 hours	\$204.44	This paperwork requirement requires each passenger railroad to develop the procedures used to secure the equipment and shall also demonstrate that those procedures effectively secure the equipment on all grade conditions identified by the railroad, as approved by FRA. FRA estimates it will take approximately eight hours to complete each demonstration.
238.733—Interior fixture attachment—Analysis for FRA approval (Tier III)	1 railroad	.33 analysis/ document	20 hours	6.60 hours	\$511.10	This paperwork requirement requires each passenger railroad requesting an alternative standard

						<p>for interior fixture attachments to submit an analysis to FRA for approval.</p> <p>FRA estimates it will take approximately 20 hours to complete each analysis.</p>
238.735—Seat crashworthiness standard (passenger & cab crew)—Analysis for FRA approval (Tier III)	1 railroad	.33 analysis/ document	40 hours	13.20 hours	\$1,022.21	<p>This paperwork requirement requires each passenger railroad requesting an alternative standard to submit a seat crashworthiness analysis to FRA.</p> <p>FRA estimates it will take approximately 40 hours to complete each analysis.</p>
238.737—Luggage racks—Analysis for FRA approval (Tier III)	1 railroad	.33 analysis/ document	20 hours	6.60 hours	\$511.10	<p>This paperwork requirement requires each passenger railroad requesting an alternative standard to submit an analysis on luggage racks for FRA approval.</p> <p>FRA estimates it will take approximately 20 hours to complete each analysis.</p>
238.741—Emergency window egress and rescue access—Plan to FRA for passenger cars in Tier III trainsets not in compliance with sections 238.113 or 238.114	1 railroad	.33 plan	60 hours	19.80 hours	\$1,533.31	<p>This paperwork requirement requires each passenger railroad to submit a plan if a passenger car employs the use of emergency egress panels or additional door exits instead of emergency window exits or rescue access windows.</p> <p>FRA estimates it will take approximately 60 hours to complete each plan.</p>

238.743—Emergency Lighting—Analysis for FRA approval (Tier III)	1 railroad	.33 analysis/test	60 hours	19.80 hours	\$1,533.31	This paperwork requirement requires each passenger railroad to submit an analysis of emergency lighting to FRA for approval. FRA estimates it will take approximately 60 hours to complete each analysis.
238.751—Alerters—Alternate technology—Analysis for FRA approval (Tier III)	1 railroad	.33 analysis/test	40 hours	13.20 hours	\$1,022.21	This paperwork requirement requires each passenger railroad requesting an alternate technology to the alerter to conduct an analysis that confirms the ability of the technology to provide an equivalent level of safety. This analysis shall be approved by FRA. FRA estimates it will take approximately 40 hours to complete each analysis.
Total	34 railroads	4,860,940 responses	N/A	95,946 hours	\$7,173,483	

13. Estimate of total annual costs to respondents.

There are additional costs to respondents in addition to those in question number 12 above.

- Printing of defective tags (2,157 TAGS @ 15 cents each) = \$323.55 rounded to \$324.

14. Estimate of cost to Federal Government.

To calculate the Federal Government administrative cost, the 2022 Office of Personnel Management wage rates were used. Wages were considered at the burdened wage rate by multiplying the actual wage rate by an overhead cost of 75

percent. The following table shows the estimated average annual cost to the Federal Government to review all the required documents associated with this rule.

Resources	Pay grade	2022 salary	Number of employees	Percent share	Total wages
Division director	GS-15-5	\$168,282	1	25	\$73,623.38
General engineers	GS-14-5	\$143,064	2	75	\$375,543.00
Specialists	GS-13-5	\$121,065	3	5	\$31,779.56
Field inspector	GS-12-5	\$101,813	1	10	\$17,817.28
Total (rounded)					\$498,763

15. Explanation of program changes and adjustments.

This is an extension without change (with changes in estimates) to a current collection of information. The current OMB inventory for this information collection shows a total burden of 4,600,273 hours and 4,780,138 responses, while the requesting inventory estimates a total burden of 95,946 hours and 4,860,940 responses. Overall, the burden for this submission has decreased by 4,504,327 hours and increased by 80,802 responses. Also, the previous cost to respondents decreased from \$193,627 to \$324. There is no change in the method of the collection. The decrease in burden (hourly and cost) is solely the result of adjustments.

FRA made several adjustments to its estimated paperwork burdens in this ICR extension. As noted in the PRA table below, FRA determined that many estimated paperwork burdens were either outdated or accounted for in other regulatory sections. Additionally, FRA found the associated burdens related to train equipment inspection and testing, as well as employee training and job briefings have been addressed previously when FRA calculated the economic costs of the regulation. FRA also notes below where it anticipates zero railroad submissions during this 3-year ICR period. For instance, the burdens previously associated with 49 CFR 238.303(g) and 238.307(e) were significantly adjusted after removing the inspection times from the burden hours. This adjustment is correct because the burden is imposed by the underlying regulation, thus times for the inspection did not arise from this information collection requirement, so it was incorrect to quantify them as costs related to the information collection.

CFR Section	Total Annual Responses			Total Annual Burden Hours			PRA Adjustments and Explanations
	Previous Submission	Current Submission	Difference	Previous Submission	Current Submission	Difference	
229.47(a)-(b)—Emergency Brake Valve—Marking brake pipe valve as such	32 markings (1 minute)	0	-32 markings	1 hour	0	-1 hour	FRA anticipates zero submissions for stencils and markings.
238.7—Waivers	5 waivers (2 hours)	12 waivers (6 hours)	7 waivers	10 hours	72 hours	62 hours	The increase in burden hours is due to review of estimated number of submissions expected to be received. Additionally, the average of time per submission was increased and is now more accurate in terms of the time necessary to prepare this type of document.
238.15(b)—Movement of passenger equipment with power brake defects— Limitations on movement of passenger equipment containing a power brake defect at the time a Class I or IA brake test is performed—Passenger equipment tagged or information is recorded as prescribed under § 238.18(c)(2)	1,000 tags (3 minutes)	1,000 tags (3 minutes)	0	50 hours	50 hours	0	No adjustments are made.
—(c) Limitations on movement of passenger equipment in passenger service that becomes defective en route after a	288 tags (3 minutes)	288 tags (3 minutes)	0	14 hours	14.40 hours	.40 hours	An adjustment is made due to rounding.

Class I or IA brake test— Tagging of defective equipment							
—(c)(4) Conditional requirement—Notice between employees	144 notices (3 minutes)	0	-144 notices	7 hours	0	-7 hours	The estimated paperwork burden for this regulatory requirement is covered under § 238.15(a)-(b).
238.17—Movement of passenger equipment with other than power brake defects—Tagging of defective equipment	200 tags (3 minutes)	200 tags (3 minutes)	0	10 hours	10 hours	0	No adjustments are made.
—(e) Special requisites for movement of passenger equipment with safety appliance defects	76 tags (3 minutes)	0	-76 tags	4 hours	0	-4 hours	The estimated paperwork burden for this regulatory requirement is covered under § 238.17.
—(e)(4) Crew member notifications	38 radio notifications (30 seconds)	0	-38 radio notifications	.32 hours	0	-.32 hours	The estimated paperwork burden for this regulatory requirement is covered under § 238.17.
238.21(b)—Special approval procedure— Petitions for special approval of alternative standard	1 petition (16 hours)	1 petition (16 hours)	0	16 hours	16 hours	0	No adjustments are made.
—(c) Petitions for special approval of alternative compliance	1 petition (40 hours)	1 petition (40 hours)	0	40 hours	40 hours	0	No adjustments are made.
—(f) Comments on petitions	4 comments (1 hour)	2 comments (1 hour)	-2 comments	4 hours	2 hours	-2 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.

238.103(c)—Fire safety analysis for procuring new passenger cars and locomotives	1 analysis (150 hours)	1 analysis (150 hours)	0	150 hours	150 hours	0	No adjustments are made.
—(d) Fire safety analysis for existing passenger cars and locomotives—Revised Fire Safety Analysis for leased or transferred equipment	3 analyses (20 hours)	1 revised analysis (10 hours)	-2 revised analysis	60 hours	10 hours	-50 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received. Additionally, the average of time per submission was decreased and is now more accurate in terms of the time necessary to prepare this type of document.
238.105—Train electronic hardware and software safety—New railroads	0	1 program plan (150 hours)	1 program plan	0	150 hours	150 hours	The increase in burden hours is due to review of estimated number of submissions (a new railroad) expected to be received.
238.107—Inspection, testing, and maintenance plan—Development of maintenance plan for new railroads	0	1 maintenance plan (150 hours)	1 maintenance plan	0	150 hours	150 hours	The increase in burden hours is due to review of estimated number of submissions (a new railroad) expected to be received.
—(c) Inspection, testing, and maintenance plan for existing railroads—Maintenance plan review	32 reviews (60 hours)	34 maintenance plan reviews (20 hours)	2 maintenance plan reviews	1,920 hours	680 hours	-1,240 hours	The reduction in burden hours is due to review of average time per submission. The average of time per submission was decreased and is now more accurate in terms of the time necessary to prepare this type of document.

238.109(b)—Training, qualification, and designation program— Development of training program/curriculum for new railroads	0	1 training program (160 hours)	1 training program	0	160 hours	160 hours	The increase in burden hours is due to review of estimated number of submissions (a new railroad) expected to be received.
—(b) Training employees and supervisors	2500 employees + 100 trainers (1 hours)	0	-2,600 trainings	3,458 hours	0	-3,458 hours	The associated burdens relating to the training of employees and supervisors have been addressed previously when FRA calculated the economic costs of the regulation.
—(b)(13) Recordkeeping— Employees and trainers— Training qualifications	2,500 records (3 minutes)	488 records (3 minutes)	-2,012 records	125 hours	24.42 hours	-100.58 hours	The reduction in burden hours is due to review of estimated number of trainings expected to be recorded.
238.111(a)—Pre-revenue service acceptance testing plan: Passenger equipment that has previously been used in service in the U.S.	1 plan (16 hours)	1 plan (16 hours)	0	16 hours	16 hours	0	No adjustments are made.
—(b) Passenger equipment that has not been previously used in revenue service in the U.S.	1 plan (192 hours)	1 plan (192 hours)	0	192 hours	192 hours	0	No adjustments are made.
—(b) Subsequent equipment orders	1 plan (60 hours)	0	-1 plan	60 hours	0	-60 hours	The estimated paperwork burden for this regulatory requirement is covered above under § 238.111(a) and (b).
—(b)(4) Tier II & Tier III Passenger Equipment: Report of test results to FRA	1 report (60 hours)	1 letter (4 hours)	0	60 hours	4 hours	-56 hours	The reduction in burden hours is due to review of average time per submission. The average of

							time per submission was decreased and is now more accurate in terms of the time necessary to prepare this type of document.
—(b)(7) and (c) Plan submitted to FRA for Tier II or Tier III equipment before being placed in service (R)	1 plan (20 hours)	0	-1 plan	20 hours	0	-20 hours	In the past 20 years, FRA only received 1 modification plan. Thus, FRA anticipates zero modified plans in the next three years.
238.131—Exterior side door safety systems—New passenger cars/locomotives used in passenger service—Failure Modes, Effects, Criticality Analysis (FMECA)	2 analyses (4 hours)	1 analysis (80 hours)	-1 analysis	8 hours	80 hours	72 hours	The increase in burden hours is due to review of average time per submission. The average of time per submission was increased and is now more accurate in terms of the time necessary to prepare this type of document.
238.133(a)—Exterior side door safety systems—Passenger cars and locomotives used in a passenger service—By-pass device verification—Functional test plans	32 plan updates (4 hours)	1 plan (4 hours)	-31 plans	128 hours	4 hours	-124 hours	The reduction in burden hours is due to review of estimated number of submissions (a new railroad) expected to be received. The existing railroads have already completed this requirement.
—(b) Unsealed door by-pass device—Notification to railroad's designated authority by train crewmember of unsealed door by-pass device	9,994 radio notifications (30 seconds)	0	-9,994 radio notifications	84 hours	0	-84 hours	The associated burdens related to safety job briefings have been addressed previously when FRA calculated the economic costs of the regulation.
—(c) En route failure—Safety briefing by train	320 safety briefings	100 topic- specific	-220 topic-specific	11 hours	3.33 hours	-7.67 hours	The reduction in burden hours is due to review of

crew when door by-pass device is activated	(2 minutes)	briefings and notifications (2 minutes)	briefings and notifications				estimated number of submissions (a new railroad) expected to be received.
—(c) Notification to designated RR authority by train crewmember that door by-pass device has been activated	320 radio notifications (30 seconds)	0	-320 radio notifications	3 hours	0	-3 hours	The estimated paperwork burden for this regulatory requirement is already covered above under § 238.133(c).
—(c)(1) On-site qualified person (QP) description to a qualified maintenance person (QMP) off-site that equipment is safe to move for repairs	320 QP descriptions (5 minutes)	0	-320 QP descriptions	27 hours	0	-27 hours	The estimated paperwork burden for this regulatory requirement is already covered above under § 238.133(c).
—(c)(2) QP/QMP notification to crewmember in charge that door by-pass has been activated and safety briefing by train crew	320 notices (30 seconds) + 320 safety briefings (10 minutes)	0	-640 notices and briefings	56 hours	0	-56 hours	The estimated paperwork burden for this regulatory requirement is already covered above under § 238.133(c).
—(d) Records	320 records (2 minutes)	100 records (2 minutes)	-220 records	11 hours	3.33 hours	-7.67 hours	The reduction in burden hours is due to review of estimated number of records expected to be received.
—(d) Records of unintended opening of a powered exterior side door	20 records (2 hours)	0	-20 records	40 hours	0	-40 hours	The estimated paperwork burden for this regulatory requirement is already covered above under § 238.133(d).
—(g)(2) RR record of by-pass activations found unsealed	20 records (4 hours)	0	-20 records	80 hours	0	-80 hours	The estimated paperwork burden for this regulatory requirement is already covered above under § 238.133(d).
238.135(c)—Railroads	2 requests	0	-2 requests	50 hours	0	-50 hours	The estimated paperwork

request to FRA for special consideration to operate passenger trains with exterior side doors or trap doors, or both, open between stations	(25 hours)						burden for this regulatory requirement is already covered above under § 238.7 or § 238.21 for purposes of this analysis only.
—(c)(4) Railroads' response to FRA request for additional information concerning special consideration request	1 additional document (12 hours)	0	-1 additional document	12 hours	0	-12 hours	The estimated paperwork burden for this regulatory requirement is already covered above under § 238.7 or § 238.21 for purposes of this analysis only.
—(d) Operating rules on how to safely override a door summary circuit or no-motion system, or both, in the event of an en route exterior side door failure or malfunction on a passenger train (Note: Includes burden under § 238.137)	10 operating rules (42 hours)	1 operating rule (8 hours)	-9 operating rules	420 hours	8 hours	-412 hours	The reduction in burden hours is due to review of estimated number of submissions (a new railroad) expected to be received. The existing railroads have already completed this requirement. Additionally, the average of time per submission was decreased since the rail industry uses an industry-wide template to offset the burden.
—(d) Railroads to provide a copy of written operating rules to train crew members and control center personnel	10,000 operating rule copies (1 minute)	0	-10,000 operating rule copies	167 hours	0	-167 hours	Railroads were required to complete the requirements of this subsection by December 6, 2018, so the estimated burden is zero.
—(e) Railroads' training of train crew members on requirements of this section	3,383 RR trained employees (30 minutes)	0	-3,383 trainings	1,692 hours	0	-1,692 hours	The associated burdens relating to the training of train crew members have been addressed previously when FRA calculated the

							economic costs of the regulation. FRA estimates the paperwork burdens associated with training recordkeeping under § 238.109 or under the OMB control numbers 2130-0596 or 2130-0533.
—(e) Railroads’ training of new employees	150 workers (30 minutes)	0	-150 workers	75 hours	0	-75 hours	The associated burdens relating to the training of new employees have been addressed previously when FRA calculated the economic costs of the regulation. FRA estimates the burdens associated with training recordkeeping under § 238.109 or under the OMB control numbers 2130-0596 or 2130-0533.
—(g) Railroads’ operational/efficiency tests of train crew members & control center employees	3,383 tests (2 minutes)	0	-3,383 tests	113 hours	0	-113 hours	The associated burdens relating to operational testing or observation of operating crewmembers and control center personnel have been previously addressed when FRA calculated the economic costs of the regulation.
238.201(b)—Scope/ alternative compliance— Supporting documentation demonstrating compliance	1 plan (40 hours)	0	-1 plan	40 hours	0	-40 hours	The estimated paperwork burden for this regulatory requirement is already covered above under § 238.21.
—(b) Notice of tests sent to FRA 30 days prior to commencement of	1 notice (30 minutes)	0	-1 notice	1 hour	0	-1 hour	The estimated paperwork burden for this regulatory requirement is already

operations							covered above under § 238.111(b)(4).
238.229(c)—Safety appliances—Welded safety appliances—Written lists submitted to FRA by the railroads	32 lists (1 hour)	1 list (1 hour)	-31 lists	32 hours	1 hours	-31 hours	The reduction in burden hours is due to review of estimated number of submissions (a new railroad) expected to be received. The existing railroads have already completed this requirement.
—(d) Defective welded safety appliance or welded safety appliance bracket or support—Tagging	4 tags (3 minutes)	4 tags (3 minutes)	0	.02 hour	.20 hour	0	No adjustments are made.
—(d) Notification to crewmembers about non-compliant equipment	2 notices (1 minute)	2 notices (1 minute)	0	.03 hour	.03 hour	0	No adjustments are made.
—(g) Inspection plans	1 plan (16 hours)	1 plan (16 hours)	0	16 hours	16 hours	0	No adjustments are made.
—(h) Inspection personnel —Training	60 workers (4 hours)	0	-60 workers	240 hours	0	-240 hours	The associated burdens relating to training of inspection personnel have been addressed previously when FRA calculated the economic costs of the regulation. FRA estimates the paperwork burdens associated with the retention of training records under § 238.109.
—(j)(1)(iv) Remedial action: Defect/crack in weld	1 record (2 hours)	0	-1 record	2 hours	0	-2 hours	The associated burdens relating to inspections have

—A record of the welded repair							been addressed previously when FRA calculated the economic costs of the regulation. FRA estimates the paperwork burdens associated with the retention of inspection records under § 238.229(k).
—(j)(2)(iv) Petitions for special approval of alternative compliance— Impractical equipment design	1 petition (4 hours)	0	-1 petition	4 hours	0	-4 hours	The estimated paperwork burden for this regulatory requirement is already covered above under § 238.21.
—(k) Records of the inspection and repair of the welded safety appliance brackets	3,264 records (12 minutes)	0	-3,264 records	653 hours	0	-653 hours	The estimated burden for this regulatory requirement is already covered below under § 238.303 and under the OMB control number 2130-0004 (§ 229.21).
238.230(b)(1)—Safety Appliances—New Equipment—Inspection record of welded equipment by qualified Employee	100 records (6 minutes)	0	-100 records	10 hours	0	-10 hours	FRA anticipates zero records.
—(b)(3) Welded safety appliances: Documentation for equipment impractically designed to mechanically fasten safety appliance support	1 document (4 hours)	0	-1 document	4 hours	0	-4 hours	FRA anticipates zero plans.
238.231—Brake System— Inspection and repair of hand/parking brake: Records (under FRA Form 6180.49A)	2,500 forms (21 minutes)	0	-2,500 forms	875 hours	0	-875 hours	The paperwork burden for this requirement is covered under § 238.303 and under the OMB control number 2130-0004.

—(h) Procedures verifying hold of hand/parking brakes	1 procedure (2 hours)	1 procedure (2 hours)	0	2 hours	2 hours	0	No adjustments are made.
238.237(a)-(b)—Automated monitoring- Documentation for alerter/deadman control timing	1 document (2 hours)	1 document (2 hours)	0	2 hours	2 hours	0	No adjustments are made.
—(d) Defective alerter/deadman control: Tagging	25 tags (3 minutes)	25 tags (3 minutes)	0	1 hours	1.25 hours	.25 hours	An adjustment is made due to rounding.
238.303—Exterior calendar day mechanical inspection of passenger equipment: Notice of previous inspection	32 notices (1 minute)	0	-32 notices	1 hour	0	-1 hour	FRA anticipates zero notices.
—(e)(15) Dynamic brakes not in operating mode: Tag	50 tags (3 minutes)	50 tags (3 minutes)	0	3 hours	2.50 hours	-.50 hours	An adjustment is made due to rounding.
—(e)(15)(ii) Conventional locomotives equipped with inoperative dynamic brakes: Tagging	50 tags (3 minutes)	0	-50 tags	3 hours	0	-3 hours	The estimated paperwork burden for this regulatory requirement is already covered above under § 238.303(e)(15).
—(e)(17) MU passenger equipment found with inoperative/ineffective air compressors at exterior calendar day inspection: Documents	4 documents (2 hours)	0	-4 documents	8 hours	0	-8 hours	FRA anticipates zero submissions.
—(e)(17)(v) Written notice to train crew about inoperative/ineffective air	100 notices (3 minutes)	0	-100 notices	5 hours	0	-5 hours	The estimated paperwork burden for this regulatory requirement is already

compressors							covered above under § 238.303(e)(15).
—(e)(18)(iv) Records of inoperative air compressors	100 records (2 minutes)	0	-100 records	3 hours	0	-3 hours	The estimated paperwork burden for this regulatory requirement is already covered below under § 238.303(g).
—(g) Record of exterior calendar day mechanical inspection (Other than locomotives) (*Note: Includes burden for records of inoperative air compressors under § 238.303(e)(18)(iv))	1,959,620 records (10 minutes inspections + 1 minute record)	1,734,115 daily inspection records (1 minute)	-225,505 daily inspection records	359,264 hours	28,901.92 hours	-330,362.08 hours	The reduction in burden hours is due to review of estimated number of submissions (records) expected to be received. Additionally, FRA adjusted the average time per response by removing the burden associated with inspection.
238.305—Interior calendar day mechanical inspection of passenger cars -Tagging of defective end/side doors	540 tags (1 minute)	540 tags (3 minutes)	0	9 hours	27 hours	18 hours	The increase in burden hours is due to review of average time per tagging. The average of time per tag was increased and is now consistent with the other estimates on tagging.
—(f) Records of interior calendar day inspection	1,959,620 records (5 minutes Inspection + 1 minute record)	3,102,865 daily inspection records (1 minute)	1,143,245 daily inspection records	359,264 hours	51,714.42 hours	307,549.58 hours	The adjustment in burden hours is due to review of estimated number of records expected to be received (an increase) and the amount of time per record (a decrease). Additionally, FRA adjusted the average time per response by removing the burden associated with inspection.

238.307(a)(2)—Periodic mechanical inspection of passenger cars and unpowered vehicles— Alternative inspection intervals: Notifications	2 notices (5 hours)	2 notices (5 hours)	0	10 hours	10 hours	0	No adjustments are made.
—(c)(1) Notice of seats and seat attachments broken or loose	200 notices (2 minutes)	200 notices (2 minutes)	0	7 hours	6.67 hours	-.33 hours	An adjustment is made due to rounding.
—(e)(1) Records of each periodic mechanical inspection	19,284 insp./ records (200 hours Inspection + 2 minutes records)	5,184 inspection records (1 hour)	-14,100 inspection records	3,857,443 hours	5,184 hours	-3,852,259 hours	The reduction in burden hours is due to review of estimated number of submissions (records) expected to be received. Additionally, FRA adjusted the average time per response by removing the burden associated with inspection.
—(e)(2) Detailed documentation of reliability assessments as basis for alternative inspection interval	5 documents (100 hours)	2 documents (100 hours)	-3 documents	500 hours	200 hours	-300 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.
238.311—Single car test— Tagging to indicate need for single car test	50 tags (3 minutes)	50 tags (3 minutes)	0	3 hours	2.50 hours	-.50 hours	An adjustment is made due to rounding.
238.313(h)—Class I Brake Test—Record for additional inspection for passenger equipment that does not comply with § 238.231(b) (1)	15,600 insp./ records (30 minutes)	15,600 records (30 minutes)	0	7,800 hours	7,800 hours	0	No adjustments are made.

238.315(a)(1)—Class IA brake test —Notice to train crew that test has been performed (verbal notice)	18,250 notices (5 seconds)	0	-18,250 notices	25 hours	0	-25 hours	The associated burdens related to briefings have been addressed previously when FRA calculated the economic costs of the regulation.
—(f)(5) Communicating signal tested and operating as intended	365,000 operating sufficiency tests (15 seconds)	0	-365,000 operating sufficiency tests	1,521 hours	0	-1,521 hours	The associated burdens related to briefings have been addressed previously when FRA calculated the economic costs of the regulation.
238.317—Class II brake test —Communicating signal tested and operating as intended	365,000 operating sufficiency tests (15 seconds)	0	-365,000 operating sufficiency tests	1,521 hours	0	-1,521 hours	The associated burdens related to briefings have been addressed previously when FRA calculated the economic costs of the regulation.
238.321—Out-of-service credit—Passenger car: Out-of-use notation	1,250 notes (2 minutes)	0	-1,250 notes	42 hours	0	-42 hours	The estimated paperwork burden for this regulatory requirement is covered under § 238.307 and under OMB control number 2130-0004 under 229.23(d)-(g).
238.445(a)—Automated Monitoring —Performance monitoring: alerters/alarms	10,000 alerts/alarms (10 seconds)	0	-10,000 alerts/alarms	28 hours	0	-28 hours	There are no paperwork burdens associated with this subsection. FRA corrects its previous overinclusion.
—(c) Monitoring system: Self-test feature: Notifications	21,900 notices (20 seconds)	0	-21,900 notices	122 hours	0	-122 hours	There are no paperwork burdens associated with this subsection. FRA corrects its previous overinclusion.
238.703—Quasi-static compression load requirements—Document to FRA on Tier III trainsets	1 analysis (40 hours)	.33 document (40 hours)	-.67 document	40 hours	13.20 hours	-26.80 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be

							received.
238.705—Dynamic collision scenario—Model validation document to FRA for review and approval	1 model validation (40 hours)	.33 validation document (40 hours)	-.67 validation document	40 hours	13.20 hours	-26.80 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.
238.707—Override protection—Anti-climbing performance evaluation for Tier III trainsets	1 test/analysis (40 hours)	.33 evaluation (40 hours)	-.67 evaluation	40 hours	13.20 hours	-26.80 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.
238.709—Fluid entry inhibition—Information to demonstrate compliance with this section of a Tier III trainset	1 compliance document/analysis (20 hours)	.33 analysis (20 hours)	-.67 analysis	20 hours	6.60 hours	-13.40 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.
238.721—Glazing—Cab glazing; end facing—Documentation containing technical justification	1 data document/analysis (60 hours)	.33 technical documentation (60 hours)	-.67 technical documentation	60 hours	19.80 hours	-40.20 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.
—(a)(6) Marking of end-facing exterior windows for Tier III trainsets	60 markings (2 minutes)	0	-.60 markings	2 hours	0	-2 hours	Windows are, customarily, automatically marked during the production process. Therefore, there will be no additional burden to mark the windows.
—(b) Cab Glazing; side-facing exterior windows in Tier III cab—Each end-facing exterior window in a cab shall, at a minimum, provide ballistic penetration resistance that meets the requirements of appendix A to part 223 (Certification of Glazing Materials)	1 document/analysis (10 hours)	.33 analysis (10 hours)	-.67 analysis	10 hours	3.30 hours	-6.70 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.

—(b) Marking of side-facing exterior windows in Tier III Trainsets	120 window markings (2 minutes)	0	-120 window markings	4 hours	0	-4 hours	Windows are, customarily, automatically marked during the production process. Therefore, there will be no additional burden to mark the windows.
—(c) Non-Cab Glazing; Side-facing exterior windows—Tier III—compliance document for Type II glazing	1 data document/analysis (20 hours)	.33 analysis (20 hours)	-.67 analysis	20 hours	6.60 hours	-13.40 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.
—(c) Marking of side-facing exterior windows—Tier III Trainsets—non-cab cars	1,200 glass markings (2 minutes)	0	-1,200 glass markings	40 hours	0	-40 hours	Windows are, customarily, automatically marked during the production process. Therefore, there will be no additional burden to mark the windows.
—(c)(2) Alternative standard to FRA for side-facing exterior window intended to be breakable and serve as an emergency window exit (option to comply with an alternative standard)	1 alternative standard (5 hours)	.67 alternative analysis (5 hours)	-.33 alternative analysis	5 hours	3.35 hours	-1.65 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.
238.731(a)—Brake Systems—RR analysis and testing Tier III trainsets' maximum safe operating speed	1 analysis/test (480 hours)	0	-1 analysis/test	480 hours	0	-480 hours	The estimated paperwork burden for this regulatory requirement is covered under § 238.111(b).
—(d) Tier III trainsets' passenger brake alarm—legible stenciling/markings of devices with words "Passenger Brake Alarm" (Including the design of the sticker)	240 stencils/markings (20 minutes)	53 stencillings (1 hour (design) + 2 minutes (marking))	-187 stencillings	80 hours	55.11 hours	-24.89 hours	The adjustment in burden hours is due to review of estimated number of submissions expected to be received (a decrease) and the amount of time per stenciling (an increase).

							The average of time per stenciling was increased and now includes the burden of associated with the designing of the stencils.
—(f) Main reservoir test/certification	1 test/cert. (6 hours)	.33 certification (6 hours)	-.67 certification	6 hours	1.98 hours	-4.02 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.
—(h) Main reservoir tests—Inspection, testing and maintenance plan (ITM)	1 ITM plan (480 hours)	.33 ITM plan (10 hours)	-.67 ITM plan	480 hours	3.30 hours	-476.70 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received. In the next three years, FRA anticipates one ITM plan as condition to a waiver. Additionally, the burden time for this component of the ITM plan would be 10 hours as opposed to the prior 480 hours per ITM burden.
—(j) Brake application/release—Brake actuator design with approved brake cylinder pressure as part of design review process	1 design (40 hours)	.33 design (40 hours)	-.67 design	40 hours	13.20 hours	-26.80 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.
—(o) Train securement—Tier III equipment: demonstrated securement procedure	1 procedure (8 hours)	.33 procedure (8 hours)	-.67 procedure	8 hours	2.64 hours	-5.36 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.
238.733—Interior fixture attachment—Analysis for FRA approval (Tier III)	1 analysis/document (20 hours)	.33 analysis/document (20 hours)	-.67 analysis/document	20 hours	6.60 hours	-13.40 hours	The reduction in burden hours is due to review of estimated number of

							submissions expected to be received.
238.735—Seat crashworthiness standard (passenger & cab crew)—Analysis for FRA approval (Tier III)	1 analysis/ document (40 hours)	.33 analysis/ document (40 hours)	-.67 analysis/ document	40 hours	13.20 hours	-26.80 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.
238.737—Luggage racks—Analysis for FRA approval (Tier III)	1 analysis/ document (20 hours)	.33 analysis/ document (20 hours)	-.67 analysis/ document	20 hours	6.60 hours	-13.40 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.
238.741—Emergency window egress and rescue access—Plan to FRA for passenger cars in Tier III trainsets not in compliance with sections 238.113 or 238.114	1 plan (60 hours)	.33 plan (60 hours)	-.67 plan	60 hours	19.80 hours	-40.20 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.
238.743—Emergency Lighting—Analysis for FRA approval (Tier III)	1 analysis/ test (60 hours)	.33 analysis/ test (60 hours)	-.67 analysis/ test	60 hours	19.80 hours	-40.20 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.
238.751—Alerters—Alternate technology—Analysis for FRA approval (Tier III)	1 analysis/ test (40 hours)	.33 analysis/ test (40 hours)	-.67 analysis/ test	40 hours	13.20 hours	-26.80 hours	The reduction in burden hours is due to review of estimated number of submissions expected to be received.

16. Publication of results of data collection.

FRA has no plans to publish this information.

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.