

1111FEDERAL RAILROAD ADMINISTRATION
Use of Locomotive Horns at Highway-Rail Grade Crossings
(Title 49 Code of Federal Regulations (CFR) Part 222)
SUPPORTING JUSTIFICATION
OMB Control No. 2130-0560

Summary of Submission

- This submission is a request for an extension without change (with changes in estimates) of the last three-year approval granted by the Office of Management and Budget (OMB) on April 17, 2019, which expires April 30, 2022.
- The Federal Railroad Administration (FRA) published the required 60-day Federal Register Notice on January 14, 2022. See 87 FR 2482. FRA received no comments in response to this Notice.
- Overall, the adjustments decreased the burden by 1,983 hours and decreased responses by 742 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.

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1. Circumstances that make collection of the information necessary.

On November 2, 1994, Congress passed Public Law 103-440 (“Act”), which added section 20153 to title 49 of the United States Code (U.S.C.). Subsections (i) and (j) were added on October 9, 1996 when section 20153 was amended by Public Law 104-264. The Act required that the Secretary of Transportation prescribe regulations requiring that locomotive horns be sounded by trains approaching and entering public highway-rail grade crossings. FRA also was granted the authority to make reasonable exceptions to this requirement. The regulatory requirements pertaining to the use of locomotive horns at highway-rail grade crossings are codified in 49 CFR part 222.

Section 222.33 provides that a railroad operating over a public highway-rail grade crossing may, at its discretion, choose not to sound the locomotive horn if the locomotive speed is 15 miles per hour or less and the train crew or appropriately equipped flaggers provide warnings to motorists. FRA has determined that these limited types of rail operations do not present a significant risk of loss of life or serious personal injury.

Locomotive horn sounding is also not required within quiet zones that are equipped with supplementary safety measures (SSMs) at each public highway-rail grade crossing. In addition, locomotive horn sounding is not required within quiet zones that have a Quiet

Zone Risk Index at or below the Nationwide Significant Risk Threshold or the Risk Index with Horns. These highway-rail grade crossing corridors have been deemed, by the Administrator, to constitute categories of highway-rail grade crossings that do not present a significant risk with respect to loss of life or serious personal injury or that fully compensate for the absence of the warning provided by the locomotive horn. Therefore, communities with highway-rail grade crossing corridors that meet either of these standards may silence routine sounding of the locomotive horn at grade crossings within the crossing corridor if all other applicable quiet zone requirements have been met. (See § 222.39.)

The collection of information under 49 CFR part 222 is mission critical and allows FRA to promote and enhance rail safety throughout the United States.

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

FRA collects information from railroads and public authorities in order to increase safety at highway-rail grade crossings nationwide. FRA reviews applications by public authorities intending to establish new quiet zones by implementing alternative safety measures and approves the effectiveness rate assigned to them. The following is a section-by-section overview that pertains to information collection activities.

- Under § 222.15, a railroad or a local or State public authority may seek a waiver of a regulatory requirement in 49 CFR Part 222 by submitting a waiver petition to FRA. FRA reviews these waiver petitions to determine whether they are in the public interest and consistent with the safety of highway and railroad users.
- Under § 222.17, FRA reviews applications from State agencies to become a FRA-recognized State agency to determine whether the proposed scope of State agency involvement will facilitate safe and effective quiet zone development.
- Under § 222.39, FRA reviews applications by public authorities intending to establish new or, in some cases, continue quiet zones to ensure that the necessary level of safety is achieved. Also, under § 222.39, FRA reviews comments from potentially affected parties (including railroads operating within grade crossings that will be included in the quiet zone and State agencies responsible for highway and road safety and grade crossing safety) concerning a public authority's application to establish a quiet zone..
- Under § 222.43, FRA reviews notices to confirm that FRA and other potentially affected parties are notified by the public authority of upcoming quiet zones.
- Under § 222.47, FRA reviews written affirmations to ensure that SSMs and alternative safety measures (ASMs) conform to the requirements of Appendices A and B to 49 CFR Part 222 or to the terms of the quiet zone approval. FRA also reviews updated grade crossing inventory forms to make sure that FRA has an up-to-date, accurate, and complete grade crossing inventory form for each public highway-rail grade crossing, private highway-rail grade crossing, and pedestrian

- crossing within the quiet zone.
- Under § 222.51, FRA reviews documentation provided by public authorities wishing to retain quiet zones that FRA has indicated will be terminated. FRA reviews this documentation to verify that the public authority has made a written commitment to lower the potential risk to the traveling public at grade crossings within the quiet zone to a level at or below the Nationwide Significant Risk Threshold, or to a level fully compensating for the absence of the train horn.
 - Under § 222.55, FRA reviews requests from public authorities for new SSMs or ASMs to determine whether they are effective substitutes for the locomotive horn in the prevention of collisions and casualties at public highway-rail grade crossings.
 - Under § 222.57, a public authority or other interested party may petition the Administrator for review of any decision by the Associate Administrator granting or denying an application for approval of a new SSM or ASM under § 222.55 of this part.
 - Under § 222.59, a public authority installing a wayside horn at a grade crossing within a quiet zone must provide written notice that a wayside horn is being installed to all railroads operating over the public highway-rail grade crossings within the quiet zone, the highway or traffic control authority or law enforcement authority having control over vehicular traffic at the crossings within the quiet zone, the landowner having control over any private crossings within the quiet zone, the State agency responsible for grade crossing safety, the State agency responsible for highway and road safety, and the Associate Administrator.
 - Finally, under Appendix B, FRA reviews required records pertaining to non-engineering ASMs, such as programmed enforcement, public education and awareness, and photo enforcement, to make sure that the public authority performs monitoring and sampling efforts at the grade crossing for a period of not less than five (5) years and that safety is not jeopardized or compromised.

3. Extent of automated information collection.

FRA strongly encourages the use of advanced information technology, wherever possible, to reduce burden on respondents. The regulation under Part 222 prescribes standards for sounding train horns (whistles) when trains approach and pass through public highway-rail grade crossings. FRA encourages electronic submissions, when feasible.

The information that must be collected and supplied to FRA may take a variety of forms, depending on the safety measures proposed by the public authority. For example, a proposal to employ “photo enforcement” would include the use of advanced electronic automatic cameras to monitor driver compliance at crossings. Other possible safety measures, such as the temporary closing of a crossing, will require a written notification of the proposed safety measure and the evidence for its effectiveness.

While the public authority is given maximum latitude in the methods used for the collection of the necessary information, and electronic and/or automatic methods are encouraged where appropriate, the actual notification of the alternative measures selected must be in writing. This is necessary because FRA is not the sole recipient of the information. All railroads operating over the affected grade crossings, the highway or traffic control authority or law enforcement authority, and the State agency responsible for highway and road safety must also be notified.

To assist respondents and to reduce the burden on them, FRA has made Form FRA F 6180.71, U.S. DOT AAR Crossing Inventory Form, available in a PDF, web-based fillable format. This form is used to collect highway-grade crossing information from States and railroads.

4. Efforts to identify duplication.

The information collected to FRA's knowledge is not duplicated anywhere.

Similar data is not available from any other source.

5. Efforts to minimize the burden on small businesses.

FRA certified that this regulation would not have a significant economic impact on a substantial number of small entities.

The costs of implementing this regulation were predominately on governmental jurisdictions, some of which are "small governmental jurisdictions." As defined by the Small Business Administration, this term means governments of cities, counties, towns, townships, villages, school districts, or special districts with a population of less than fifty thousand. The most significant impacts from this regulation will be on governmental jurisdictions whose communities currently have either formal or informal whistle bans in place. FRA estimates that approximately 70 percent of these governmental jurisdictions are considered to be small entities.

The information collection requirements contained in this regulation with respect to quiet zones are discretionary.

FRA expects that the majority of "communities" establishing quiet zones in this updated submission will be "large communities." To the extent that small communities establish quiet zones, the number of grade crossings will also be small and, therefore, the amount of information to be collected will be very minimal.

Additionally, the regulation does not apply to (1) railroads exclusively operating freight

trains only on track which is not part of the general system of transportation; (2) passenger railroads that operate only on track which is not part of the general system of transportation and that operate at a maximum of 15 miles per hour over public grade crossings; and (3) rapid transit operations within an urban area that are not connected to the general system of transportation.

6. Impact of less frequent collection of information.

The sounding of train horns is a long-established method of providing safety at highway-rail grade crossings. FRA believes, and the data supports, that train horns provide an effective warning to motorists and thereby, may reduce the number of collisions involving motorists and trains, as well as the number of incidents involving trains and pedestrians at crossings and corresponding casualties.

Without this collection of information, FRA would have no means of ensuring that quiet zones where train horns do not routinely sound will have a risk level that is no higher than the average risk level at gated crossings nationwide where locomotive horns are sounded regularly, or that the effectiveness of routine locomotive horn sounding is compensated for in quiet zones where trains do not sound regularly.

In sum, this collection of information both complies with the law and helps FRA to fulfill its mission, which is to promote and enhance rail safety throughout the United States.

7. Special circumstances.

Under Appendix B of Part 222, the public authority must retain records pertaining to monitoring and sampling efforts at the grade crossings for a period of not less than five (5) years for non-engineering ASMs. These records must be made available, upon request, to FRA, as provided by 49 U.S.C. 20107.

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

8. Compliance with 5 CFR 1320.8.

As required by the Paperwork Reduction Act of 1995 (PRA) and 5 CFR 1320, FRA published a notice in the Federal Register on January 14, 2022, soliciting comments.¹ FRA received no comments in response to this notice.

Consultations with representatives of the affected population:

¹ 87 FR 2482.

Individuals from the railroad industry and public authorities are generally in direct contact with FRA and can provide any comments or concerns to FRA.

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 collected is not of a confidential nature, and FRA pledges no confidentiality.

11. Justification for any questions of a sensitive nature.

This regulation applies to railroad operations and community safety practices at highway-rail grade crossings. FRA does not ask for any information in which members of the public or railroad employees would be identified.

There are no sensitive questions, and no sensitive information is requested.

12. Estimate of burden hours for information collected.

The estimates for the respondent universe, annual responses, and average time per responses are based on the experience and expertise of FRA’s Office of Regional Operations and Outreach.

FRA is including the dollar equivalent cost for each of the itemized hours below using the Surface Transportation Board’s Full-Year Wage A&B data series as the basis for each cost calculation. For professional and administrative staff, the hourly wage rate is \$77.44 per hour (\$44.25 * 1.75). For transportation (train and engine) staff, the hourly wage rate is \$61.79 per hour (\$35.31 * 1.75).

CFR Section ²	Respondent universe	Total annual responses	Average time per	Total annual	Wage rates	Total cost equivalent	PRA Analyses and Estimates
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		(A)	response (B)	burden hours (C) = A * B	(D)	(E) = C * D	
222.15—How does one obtain a waiver of a provision of this regulation? —Petition for waiver	754 railroads + 645 public Authorities	2 petitions	4 hours	8.00 hours	\$77.44	\$619.52	Each petition for waiver must be filed in accordance with 49 CFR part 211. FRA estimates it will take approximately 4 hours to complete each waiver petition.
222.17—How can a State agency become a recognized State agency?	FRA anticipates zero applications, as FRA has yet to receive any submissions under this provision.						
222.39(b)—How is a quiet zone established? —Public authority application to FRA— Applications to establish quiet zone	645 public authorities	15 applications	80 hours	1,200.00 hours	\$61.79	\$74,148.00	A public authority may apply to the Associate Administrator for approval of a quiet zone that does not meet the standards for public authority designation under paragraph (a) of this section, but in which it is proposed that one or more safety measures be implemented. Such proposed quiet zone may include only ASMs, or a combination of ASMs and SSMs at various crossings within the quiet zone. Note that an engineering improvement which does not fully comply with the requirements for an SSM under appendix A of this part, is considered to be an ASM. It is estimated that it will take approximately 80 hours for each authority to prepare its application and submit it to FRA.
—(b)(1)(i) Updated Grade Crossing Inventory Form (includes requirements under 222.49(a))	645 public authorities	75 updated forms	30 minutes	37.50 hours	\$61.79	\$2,317.13	Each application must contain an accurate, complete and current Grade Crossing Inventory Form for each public and private highway-rail grade crossing within the proposed quiet zone.

² The estimated paperwork burdens for §§ 222.25, 222.27, 222.35, 222.37, 222.38, 222.45, and 222.49(b) are covered under §§ 222.39 and 222.43.

							It is estimated that it will take approximately 30 minutes to update each Grade Crossing Inventory Form.
—(b)(1)(iii) Diagnostic team review of proposed quiet zone crossings	645 public authorities	3 team reviews	16 hours	48.00 hours	\$77.44	\$3,717.12	<p>The public authorities' applications must contain detailed information about diagnostic team reviews of any crossing within the proposed quiet zone, including a membership list and a list of recommendations made by the diagnostic team.</p> <p>It is estimated that each diagnostic team review will take approximately 16 hours to complete.</p>
—(b)(3)(i) 60-day comment period— Copies of public authority application	645 public authorities	90 copies	2 minutes	3.00 hours	\$61.79	\$185.37	<p>The public authority application for FRA approval of the proposed quiet zone shall be provided, by certified mail, return receipt requested, to: all railroads operating over the public highway-rail grade crossings within the quiet zone; the highway or traffic control or law enforcement authority having jurisdiction over vehicular traffic at grade crossings within the quiet zone; the landowner having control over any private highway-rail grade crossings within the quiet zone; the State agency responsible for highway and road safety; the State agency responsible for grade crossing safety; and the Associate Administrator.</p> <p>FRA estimates that approximately six (6) copies of each of the previously mentioned 15 quiet zone applications (or a total of 90 copies) will be provided to the specified parties under the above requirement. It is estimated that it will take approximately two (2) minutes to copy each application and send it to the stipulated party.</p>
—(b)(3)(ii) 60-day	754	30 comments	1.5	45.00	\$77.44	\$3,484.80	Except as provided in paragraph (b)(3)(iii) of

comment period— Comments to FRA on public authority application	railroads		hours	hours			<p>this section, any party that receives a copy of the public authority application may submit comments on the public authority application to the Associate Administrator during the 60-day period after the date on which the public authority application was mailed.</p> <p>It is estimated that it will take approximately 1.5 hours to prepare and send each comment.</p>
—(b)(3)(iii) 60-day comment period— Written no-comment statements	FRA anticipates zero written statements.						
222.41—How does this rule affect Pre-Rule Quiet Zones and Pre- Rule Partial Quiet Zones?—Notices and certifications	The one-time requirement under this provision has been fulfilled.						
222.42— How does this rule affect Intermediate Quiet Zones and Intermediate Partial Quiet Zones?—Notices and certifications	The one-time requirement under this provision has been fulfilled.						
222.43—What notices and other information are required to create or continue a quiet zone? — Written notice of public authority's intent to create new quiet zone and notification to required parties	Public authorities, railroads, and state agencies	60 notices + 180 notifications	40 hours + 10 minutes	2,430.00 hours	\$61.79	\$150,149.70	<p>The public authority shall provide written notice, by certified mail, return receipt requested, of its intent to create a New Quiet Zone or New Partial Quiet Zone under § 222.39 of this part or to implement new SSMs or ASMs within a Pre-Rule Quiet Zone or Pre-Rule Partial Quiet Zone under § 222.41(c) or (d) of this part.</p> <p>FRA estimates that it will take each of the affected communities approximately 40 hours to</p>

							complete each written notice, and that each public authority will send an average of approximately 3 notifications to the required parties (60 notices times 3 notifications = 180 notifications). It is estimated that each notification will take approximately 10 minutes to complete.
—(b)(3) Notice of Intent —60-day comment period	754 railroads	120 comments	1.5 hours	180.00 hours	\$77.44	\$13,939.20	A party that receives a copy of the public authority's Notice of Intent may submit information or comments about the proposed quiet zone to the public authority during the 60-day period after the date on which the Notice of Intent was mailed. It is estimated that each comment will take approximately 1.5 hours to complete and send to the public authority.
—(d) Notice of Quiet Zone Establishment— The Notice of Quiet Zone Establishment and notification to required parties	645 public authorities	60 notices + 360 notifications	40 hours + 10 minutes	2,460.00 hours	\$61.79	\$152,003.40	The notice itself must state with specificity the grade crossings within the quiet zone, identified by both U.S. DOT National Highway-Rail Grade Crossing Inventory Number and street or highway name, as well as the other information stipulated in paragraph (d) of this section. FRA estimates that approximately 60 public authorities will compose notices with all the accompanying information under the above requirement and that each of these 60 public authorities will send an average of approximately 6 notifications to the required parties (a total then of 360). It is estimated that each quiet zone notice will take approximately 40 hours to compose and each notification will take approximately 10 minutes to complete.
—(d)(2)(v)-(vi) Required contents— Crossing	645 public authorities	300 updated forms	30 minutes	150.00 hours	\$61.79	\$9,268.50	An accurate and complete Grade Crossing Inventory Form for each public, private, and

Inventory Forms (includes requirements under 222.49(a))							pedestrian grade crossing within the quiet zone that reflects: 1) the conditions existing at the crossing before any new SSMs or ASMs were implemented and 2) SSMs and ASMs in place upon establishment of the quiet zone. SSMs and ASMs that cannot be fully described on the Inventory Form shall be separately described. It is estimated that it will take approximately 30 minutes to update each Grade Crossing Inventory Form.
—(d)(2)(xi) Certification by chief executive officer that the information submitted by the public authority is accurate	645 public authorities	60 certifications	5 minutes	5.00 hours	\$61.79	\$308.95	The chief executive officer of each public authority participating in the establishment of the quiet zone provides a signed statement The chief executive officer shall certify that the information submitted by the public authority is accurate and complete to the best of his/her knowledge and belief. It is estimated that each certification will take approximately 5 minutes to complete each certification.
222.45—When is a railroad required to cease routine sounding of locomotive horns at crossings?—	The estimated paperwork burden for this requirement is already covered § 222.43.						
222.47—What periodic updates are required?— Written affirmation to FRA that Supplementary or Alternative Safety Measures (SSMs or ASMs) conform to the requirements of Appendices A and B or	645 public authorities	180 written affirmations + 1,080 copies	30 minutes + 2 minutes	126.00 hours	\$61.79	\$7,785.54	The public authority must affirm in writing to the Associate Administrator that all SSMs and ASMs implemented within the quiet zone continue to conform to the requirements of appendices A and B of this part or the terms of the Quiet Zone approval. Copies of such notification must be provided to the parties identified in § 222.43(a)(3) of this part by certified mail, return receipt requested.

the terms of the Quiet Zone approval—Copies of such notification must be provided to the required parties							It is estimated that it will take approximately 30 minutes to compose each affirmation and an additional 2 minutes to make copies for the 6 required parties and send copies to them.
—(a)(2) and (b)(2) Updated Crossing Inventory Forms (includes requirements under 222.49(a))	645 public authorities	900 updated forms	30 minutes	450.00 hours	\$61.79	\$27,805.50	The public authority must provide to the Associate Administrator an up-to-date, accurate, and complete Grade Crossing Inventory Form for each public highway-rail grade crossing, private highway-rail grade crossing, and pedestrian grade crossing within the quiet zone. It is estimated that it will take approximately 30 minutes to update each Grade Crossing Inventory Form.
222.49—Who may file Grade Crossing Inventory Forms?	The estimated paperwork burden for this requirement is included under that of §§ 222.39, 222.43 and 222.47.						
222.51(a)-(b)—Under what conditions will quiet zone status be terminated? —Written commitment to lower the potential risk to the traveling public at the crossings within the quiet zone	645 public Authorities	15 written commitments	5 hours	75.00 hours	\$61.79	\$4,634.25	Within six months after the date of receipt of notification from FRA that the Quiet Zone Risk Index exceeds the Nationwide Significant Risk Threshold, the public authority provides to the Associate Administrator a written commitment to lower the potential risk to the traveling public at the crossings within the quiet zone to a level at, or below, the Nationwide Significant Risk Threshold or the Risk Index With Horns. It is estimated that it will take approximately 5 hours to complete each commitment/statement with the necessary accompanying information and send it to FRA.
—(c) Review at FRA's initiative—Comments from interested parties during FRA's review of quiet zone status	645 public authorities	2 comments	30 minutes	1.00 hour	\$61.79	\$61.79	The Associate Administrator may, at any time, review the status of any quiet zone. If the Associate Administrator makes any of the following preliminary determinations, the Associate Administrator will provide written

							<p>notice to the public authority, all railroads operating over public highway-rail grade crossings within the quiet zone, the highway or traffic control authority or law enforcement authority having control over vehicular traffic at the crossings within the quiet zone, the landowner having control over any private crossings within the quiet zone, the State agency responsible for grade crossing safety, and the State agency responsible for highway and road safety, and will publish notice of the determination in the Federal Register. After providing an opportunity for comment, the Associate Administrator may require that additional safety measures be taken or that the quiet zone be terminated.</p> <p>It is estimated that it will take approximately 30 minutes to complete each comment and send it to FRA.</p> <p>Note: The burden for challenges of the Associate Administrator’s decisions is covered under § 222.57(b) below.</p>
—(d) Termination by the public authority— Written notice of termination	FRA estimates zero public authorities will elect to terminate a quiet zone that they only recently designated or established, and so there will be no need to provide any written notices of termination. Consequently, there is no estimated paperwork burden associated with this requirement.						
—(e) Notification of termination	FRA estimates that there will be zero quiet zones terminated under the provisions of this section, and that there will be no need to provide written notifications to relevant parties. Consequently, there is no estimated paperwork burden associated with this requirement.						
222.55(b)—How are new supplementary or alternative safety measures approved? — Request for FRA	645 public authorities	1 letter	30 minutes	.50 hour	\$61.79	\$30.90	Interested parties may apply for approval from the Associate Administrator to demonstrate proposed new SSMs or ASMs to determine whether they are effective substitutes for the locomotive horn in the prevention of collisions

Approval of new SSMs or ASMs for quiet zones							and casualties at public highway-rail grade crossings. It is estimated that it will take approximately 30 minutes to complete each letter and send it to FRA.
—(d) Request for SSM/ASM approval upon completion of demonstration of proposed new SSMs or ASMs	Interested parties and public	1 letter	30 minutes	.50 hour	\$61.79	\$30.90	Upon completion of a demonstration of proposed new SSMs or ASMs, interested parties may apply to the Associate Administrator for their approval. It is estimated that it will take approximately 30 minutes to complete each letter and send it to FRA.
—(g) A public authority or other interested party may appeal to the Administrator from a decision by the Associate Administrator granting or denying approval of a proposed new SSM or ASM	The estimated paperwork burden for this requirement is covered under § 222.57.						

222.57(a)—Can parties seek review of the Associate Administrator's actions? —A public authority or other interested party may petition FRA for review of any decision by the Associate Administrator granting or denying an application for approval of a new SSM or ASM under § 222.55 (plus copies to the required parties)	645 public authorities and interested parties	1 petition + 6 copies	2 hours + 2 minutes	2.20 hours	\$61.79	\$135.94	<p>A public authority or other interested party may petition the Administrator for review of any decision by the Associate Administrator granting or denying an application for approval of a new SSM or ASM under § 222.55 of this part.</p> <p>It is estimated that it will take approximately 2 hours to complete each petition letter and send it to FRA, and approximately 2 minutes to make a copy of each petition and send it to the relevant party.</p>
—(b) Request for FRA reconsideration of disapproval of Quiet Zone and copies of requests to the required parties	645 public authorities	1 petition letter + 6 copies	2 hours + 2 minutes	2.20 hours	\$61.79	\$135.94	<p>A public authority may request reconsideration of a decision by the Associate Administrator to deny an application by that authority for approval of a quiet zone, or to require additional safety measures, by filing a petition for reconsideration with the Associate Administrator.</p> <p>It is estimated that it will take approximately 2 hours to complete each petition letter and send it to FRA, and approximately 2 minutes to make a copy of each petition and send it to the relevant party.</p>
—(b) Additional documents to FRA as a follow-up to petition for reconsideration	645 public authorities	1 additional document and set of materials	2 hours	2.00 hours	\$61.79	\$123.58	<p>It is estimated that it will take approximately 2 hours to complete this additional document and send it to FRA.</p>
—(b) Letter requesting informal FRA hearing	645 public authorities	1 letter	30 minutes	.50 hour	\$61.79	\$30.90	<p>It is estimated that it will take approximately 30 minutes to complete each letter and send it to FRA.</p>
222.59(b)—When may a	645 public	5 notices +	2.5	13.50	\$61.79	\$834.17	<p>A public authority installing a wayside horn at a</p>

<p>wayside horn be used?— Written notice of wayside horn installation at Grade Crossing within a quiet zone plus copies of the written notices to the required parties</p>	<p>authorities</p>	<p>30 copies</p>	<p>hours + 2 minutes</p>	<p>hours</p>			<p>grade crossing within a quiet zone shall provide written notice that a wayside horn is being installed to all railroads operating over the public highway-rail grade crossings within the quiet zone, the highway or traffic control authority or law enforcement authority having control over vehicular traffic at the crossings within the quiet zone, the landowner having control over any private crossings within the quiet zone, the State agency responsible for grade crossing safety, the State agency responsible for highway and road safety, and the Associate Administrator.</p> <p>FRA estimates that approximately 5 written notices will be completed by public authorities and 30 notice copies sent to relevant parties under the above requirement. It is estimated that it will take approximately 2.5 hours to complete each notice and approximately 2 minutes to make a copy of the notice, and send it to one of the required parties.</p>
<p>—(c) Notice of wayside horn installation located outside a quiet zone</p>	<p>645 public authorities</p>	<p>5 notices + 30 copies</p>	<p>2.5 hours + 2 minutes</p>	<p>13.50 hours</p>	<p>\$61.79</p>	<p>\$834.17</p>	<p>A railroad or public authority installing a wayside horn at a grade crossing located outside a quiet zone shall provide written notice that a wayside horn is being installed to all railroads operating over the public highway-rail grade crossing, the highway or traffic control authority or law enforcement authority having control over vehicular traffic at the crossing, the State agency responsible for grade crossing safety, the State agency responsible for highway and road safety, and the Associate Administrator.</p> <p>FRA estimates that approximately 5 written</p>

							notices will be completed by public authorities and 30 notice copies sent to relevant parties under the above requirement. It is estimated that it will take approximately 2.5 hours to complete each notice and approximately 2 minutes to make a copy of the notice, and send it to one of the required parties.
Appendix B to Part 222—Alternative Safety Measures—Non-Engineering ASMs—Programmed Enforcement	FRA anticipates zero submissions. Additionally, FRA has yet to receive any submissions under this provision.						
Appendix B to Part 222—Alternative Safety Measures—Non-Engineering ASMs—Photo Enforcement	FRA anticipates zero submissions. Additionally, FRA has yet to receive any submissions under this provision.						
229.129(c)(10)—Locomotive horn—Written Reports and Records of Locomotive Horn Testing	The one-time testing requirement under this provision for locomotives built before September 18, 2016 has been fulfilled. However, any estimated burden for testing records will be covered under OMB control number 2130-0004 under 229.23.						
Total	754 railroads + 645 public authorities	3,620 responses	N/A	7,253 hours	N/A	\$452,585	N/A

13. Estimate of total annual costs to respondents.

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

Set-up costs
<i>These costs are one-time, and have already been incurred.</i>

222.15—How does one obtain a waiver of a provision of this regulation?—Petition for waiver	2 petitions (4 hours)	2 petitions (4 hours)	0	8.00 hours	8.00 hours	0	No adjustment.
222.39(b)—How is a quiet zone established?—Public authority application to FRA—Applications to establish quiet zone	15 applications (80 hours)	15 applications (80 hours)	0	1,200.00 hours	1,200.00 hours	0	No adjustment.
—(b)(1)(i) Updated Grade Crossing Inventory Form (includes requirements under 222.49(a))	75 updated forms (1 hour)	75 updated forms (30 minutes)	0	75.00 hours	37.50 hours	-37.50 hours	The average time per submission is now more accurate in terms of the time necessary to prepare this type of document. The reduction in burden hours reflects this reduction in the average time per submission.
—(b)(1)(iii) Diagnostic team review of proposed quiet zone crossings	3 team reviews (16 hours)	3 team reviews (16 hours)	0	48.00 hours	48.00 hours	0	No adjustment.
—(b)(3)(i) 60-day comment period—Copies of public authority application	90 copies (10 minutes)	90 copies (2 minutes)	0	15.00 hours	3.00 hours	-12.00 hours	The average time per submission is now more accurate in terms of the time necessary to copy this type of document. The reduction in burden hours reflects this reduction in the average time per submission.
—(b)(3)(ii) 60-day comment period—Comments to FRA on public authority application	30 comments (1.50 hours)	30 comments (1.50 hours)	0	45.00 hours	45.00 hours	0	No adjustment.

222.43—What notices and other information are required to create or continue a quiet zone? —Written notice of public authority's intent to create new quiet zone and notification to required parties	60 notices + 180 notifications (40 hours + 10 minutes)	60 notices + 180 notifications (40 hours + 10 minutes)	0	2,430.00 hours	2,430.00 hours	0	No adjustment.
—Updated Crossing Inventory Forms	300 updated forms (1 hour)	0	-300 updated forms	300.00 hours	0	-300.00 hours	This is a correction. There is no paperwork requirement under 222.43 requiring the respondent to submit updated forms.
—(b)(3) Notice of Intent—60-day comment period	120 comments (4 hours)	120 comments (1.50 hours)	0	480.00 hours	180.00 hours	-300.00 hours	The average time per submission is now more accurate in terms of the time necessary to prepare this type of document. The reduction in burden hours reflects this reduction in the average time per submission.
—(d) Notice of Quiet Zone Establishment— The Notice of Quiet Zone Establishment and notification to required parties	60 notices + 360 notifications (40 hours + 10 minutes)	60 notices + 360 notifications (40 hours + 10 minutes)	0	2,460.00 hours	2,460.00 hours	0	No adjustment.
—(d)(2)(v)-(vi) Required contents— Updated Crossing Inventory Forms (includes requirements under 222.49(a))	300 updated forms (1 hour)	300 updated forms (30 minutes)	0	300.00 hours	150.00 hours	-150.00 hours	The average time per submission is now more accurate in terms of the time necessary to prepare this type of document. The reduction in burden hours reflects this reduction in the average time per submission.
—(d)(2)(xi)	60	60	0	5.00 hours	5.00 hours	0	No adjustment.

Certification by chief executive officer that the information submitted by the public authority is accurate	certifications (5 minutes)	certifications (5 minutes)					
222.47—What periodic updates are required?—Written affirmation to FRA that Supplementary or Alternative Safety Measures (SSMs or ASMs) conform to the requirements under Appendices A and B or the terms of the Quiet Zone approval—Copies of such notification must be provided to the required parties	213 written affirmations + 1,278 copies (30 minutes + 2 minutes)	180 written affirmations + 1,080 copies (30 minutes + 2 minutes)	-33 written affirmations and -198 copies	150.00 hours	126.00 hours	-24.00 hours	FRA expects to receive less submissions in this 3-year ICR period and the burden hours are reduced accordingly. .
—(b)(2) Updated Crossing Inventory Forms (includes requirements under 222.49(a))	810 updated forms (1 hour)	900 updated forms (30 minutes)	90 updated forms	810.00 hours	450.00 hours	-360.00 hours	The average time per submission is now more accurate in terms of the time necessary to prepare this type of document. The reduction in burden hours reflects this reduction in the average time per submission.
222.51(a)-(b)—Under what conditions will quiet zone status be terminated?—Written commitment to lower the potential risk to the traveling public at the crossings within the	10 written commitments (5 hours)	15 written commitments (5 hours)	5 written commitments	50.00 hours	75.00 hours	25.00 hours	FRA expects to receive more submissions in this 3-year ICR period and the burden hours are increased accordingly.

quiet zone							
—(c) Review at FRA's initiative—Comments from interested parties during FRA's review of quiet zone status	2 comments (30 minutes)	2 comments (30 minutes)	0	1.00 hour	1.00 hour	0	No adjustment.
222.55(b)—How are new supplementary or alternative safety measures approved?—Request for FRA Approval of new SSMs or ASMs for quiet zones	1 letter (30 minutes)	1 letter (30 minutes)	0	1.00 hour	.50 hour	-.50 hour	An adjustment is made due to a rounding error.
—(c) Response to FRA's comments on new SSMs or ASMs	5 comments (30 minutes)	0	-5 comments	3.00 hours	0	-3 hours	This provision grants authority to the FRA Associate Administrator to order a temporary cessation in horn sounding for the purpose of demonstrating a new ASM or SSM. There is no PRA requirement for this provision.
—(d) Request for SSM/ASM approval upon completion of demonstration of proposed new SSMs or ASMs	1 letter (30 minutes)	1 letter (30 minutes)	0	1.00 hour	.50 hour	-.50 hour	An adjustment is made due to a rounding error.
222.57(a)—Can parties seek review of the Associate Administrator's actions?—A public authority or other interested party may petition FRA for review of any decision	1 petition + 5 copies (1 hour + 2 minutes)	1 petition + 6 copies (2 hours + 2 minutes)	1 copy	1.00 hour	2.20 hours	1.20 hours	The average time per submission is now more accurate in terms of the time necessary to prepare this type of document. The reduction in burden hours reflects this reduction in the average time per submission.

by the Associate Administrator granting or denying an application for approval of a new SSM or ASM under § 222.55 (plus copies to the required parties)							
—(b) Request for FRA reconsideration of disapproval of Quiet Zone application and copies of requests to the required parties	1 petition letter + 6 copies (5 hours + 2 minutes)	1 petition letter + 6 copies (2 hours + 2 minutes)	0	5.00 hours	2.20 hours	-2.80 hours	The average time per submission is now more accurate in terms of the time necessary to prepare this type of document. The reduction in burden hours reflects this reduction in the average time per submission.
—(b) Additional documents to FRA as a follow-up to petition for reconsideration	1 additional document/set of materials (2 hours)	1 additional document and set of materials (2 hours)	0	2.00 hours	2.00 hours	0	No adjustment.
—(b) Letter requesting an informal hearing	1 letter (30 minutes)	1 letter (30 minutes)	0	1.00 hour	.50 hour	-.50 hour	An adjustment is made due to a rounding error.
222.59(b)—When may a wayside horn be used?—Written notice of use of wayside horn installation at Grade Crossing within a quiet zone plus copies of the written notices to the required parties	5 notices + 30 copies (2.5 hours + 10 minutes)	5 notices + 30 copies (2.5 hours + 2 minutes)	0	18.00 hours	13.50 hours	-4.50 hours	The average time per submission is now more accurate in terms of the time necessary to copy this type of document. The reduction in burden hours reflects this reduction in the average time per submission.
—(c) Notice of wayside horn installation located outside a quiet zone	5 notices + 30 copies (2.5 hours + 10 minutes)	5 notices + 30 copies (2.5 hours + 2 minutes)	0	18 hours	13.50 hours	-4.50 hours	The average time per submission is now more accurate in terms of the time necessary to copy this type of

							document. The reduction in burden hours reflects this reduction in the average time per submission.
Appendix B to Part 222—Alternative Safety Measures—Non-engineering ASMs—Programmed Enforcement	1 record (500 hours)	0	-1 record	500 hours	0	-500.00 hours	FRA anticipates zero submissions. Additionally, FRA has yet to receive any submissions under this provision.
Appendix B to Part 222—Alternative Safety Measures—Non-Engineering ASMs—Photo Enforcement	1 record (9 hours)	0	-1 record	9 hours	0	-9.00 hours	FRA anticipates zero submissions. Additionally, FRA has yet to receive any submissions under this provision.
229.129(c)(10)—Locomotive horn—Written Reports and Records of Locomotive Horn Testing	300 reports or records (60 minutes)	0	-300 reports or records	300 hours	0	-300.00 hours	The estimated burden for this regulatory requirement is covered under OMB control number 2130-0004 under 229.23.

16. Publication of results of data collection.

FRA does not plan to publish the information collected.

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

FRA is not seeking approval to not display the expiration date.

18. Exception to certification statement.

No exceptions are taken at this time.