

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

Summary

- This submission is a request for a revision of the last three-year approval granted by the Office of Management and Budget (OMB) on October 29, 2021, and which expires October 31, 2024.
- The Federal Railroad Administration (FRA) published the required 60-day *Federal Register* notice on April 28, 2022. *See* 87 FR 25346. FRA received no comments to this Notice.
- Overall, the total burden for this collection increased by 1,024 hours and decreased by 71 responses.
- Program change increased the burden by 1,168 hours and increased responses by 73.
- The adjustments decreased the burden by 144 hours and decreased responses by 144.
- The answer to question number 12 itemizes information collection requirements.
- The answer to question number 15 itemizes adjustments.

1. Circumstances that make collection of the information necessary.

Section 20157 of title 49 of the United States Code (U.S.C.) mandates that each Class I railroad, and each entity providing regularly scheduled intercity or commuter rail passenger transportation implement an FRA-certified positive train control (PTC) system on: (1) its main lines over which poison- or toxic-by-inhalation hazardous materials are transported, if the line carries five million or more gross tons of any annual traffic; (2) its main lines over which intercity or commuter rail passenger transportation is regularly provided; and (3) any other tracks the Secretary of Transportation (Secretary) prescribes by regulation or order.¹ By law, PTC systems must be designed to prevent certain accidents or incidents, including train-to-train collisions, over-speed derailments,

¹ Rail Safety Improvement Act of 2008, Pub. L. No. 110-432, 104(a), 122 Stat. 4848 (Oct. 16, 2008), as amended by the Positive Train Control Enforcement and Implementation Act of 2015 (PTCEI Act), Pub. L. No. 114-73, 129 Stat. 568, 576–82 (Oct. 29, 2015), and the Fixing America’s Surface Transportation Act, Pub. L. No. 114-94, section 11315(d), 129 Stat. 1312, 1675 (Dec. 4, 2015), codified as amended at 49 U.S.C. 20157. *See also* Title 49 Code of Federal Regulations (CFR) part 236, subpart I.

incursions into established work zones, and movements of trains through switches left in the wrong position.²

On November 15, 2021, President Joseph R. Biden signed into law the Infrastructure Investment and Jobs Act (IIJA). Section 22414 of the IIJA impacts FRA's existing Form FRA F 6180.152, the Biannual Report of PTC System Performance. Section 22414 establishes the same reporting requirement as FRA's existing regulations, using the same FRA form number and content requirements. *See* 49 U.S.C. § 20157(m); 49 CFR § 236.1029(h). However, the statutory reporting requirement is quarterly, not biannual like FRA's regulations.

During a recent rulemaking, FRA collected public comment on this exact FRA reporting requirement. *See* 85 Fed. Reg. 82400 (Dec. 18, 2020) (Notice of Proposed Rulemaking); 86 Fed. Reg. 40154 (July 27, 2021) (Final Rule) (amending 49 CFR § 236.1029(h)). During the comment period, FRA received comments from the following entities and two individuals, which were all generally supportive: the American Public Transportation Association; the Association of American Railroads and the American Short Line and Regional Railroad Association (jointly filed); the National Railroad Passenger Corporation (Amtrak); and New Jersey Transit.

Feedback from the public and industry has already been incorporated into the existing Form FRA F 6180.152 that OMB approved in October 2021. *See* 49 CFR § 236.1029(h). The substance of the form remains unchanged in light of the statutory requirements IIJA imposes, as the content required by FRA's existing regulations and Section 22414 of the IIJA is identical in substance. To implement Section 22414 of the IIJA, as codified at 49 U.S.C. § 20157(m), the existing OMB-approved Form FRA F 6180.152 would need to be modified only to refer to the new quarterly reporting frequency.

Accordingly, FRA will modify Form FRA F 6180.152 to align with the statutory quarterly framework under 49 U.S.C. § 20157(m). The modified form will refer to the following quarterly reporting deadlines under 49 U.S.C. § 20157(m)(3): April 30 (covering the period from January 1 to March 31), July 31 (covering the period from April 1 to June 30), October 31 (covering the period from July 1 to September 30), and January 31 (covering the period from October 1 to December 31 of the prior calendar year). *See* 49 U.S.C. § 20157(m)(3).

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

FRA is modifying the FRA reporting requirement by increasing the frequency from biannual to quarterly in order to align with the new statutory reporting requirement under Section 22414 of the IIJA. Under the new quarterly reporting framework, FRA estimates that each report, covering a shorter period (three months), would take 32 hours to prepare.

² 49 U.S.C. 20157(g)(1), (i)(5); 49 CFR 236.1005 (setting forth the technical specifications).

This estimate is based on the fact that under the quarterly framework, the reporting period would be half as long and, correspondingly, it would take approximately half as long (i.e., 24 hours) to compile the performance-related data for that period, plus an additional 8 hours to account for any additional administrative burdens in completing the form.

Background on Current Information Collections

- The information collected under section 235.6 is used to simplify and expedite the process of submitting application requests to FRA by railroads seeking to modify existing signal systems associated with PTC implementation.
- Section 235.6 requires that copies of such modification application requests must be sent to railroad unions responsible for maintenance, inspection, and testing of signal systems under part 236. This requirement allows union representatives the opportunity to review all railroad signal system modification requests/applications and enable them to send comments from the railroad workers' perspective.
- Railroads are required to furnish FRA with a variety of information regarding PTC technology. Under subpart A of part 236 (sections 236.1-236.23), railroads are required to adopt a software management control plan to assure that software used in processor-based signal and train control equipment placed in service is the version intended by the railroad to be in service at each location. FRA uses this information as an audit trail to determine if the correct software is installed at the correct locations for all processor-based signal and train control systems on a railroad.
- Under subpart H (sections 236.901-236.929), railroads are required to develop a Railroad Safety Program Plan (RSPP) that serves as the railroad's principal safety document for all safety-critical products. FRA requires railroads to submit their initial RSPPs for FRA review and approval prior to implementation of safety-critical products.
- Also, under subpart H, if applicable, railroads must submit a Product Safety Plan (PSP). Each PSP must include a complete description of the product and must include system specifications that describe the overall product and identify each component and its physical relationship in the system. FRA examines each PSP and uses this information to determine the type of operation on which the product will be used, and the suitability of the product for that type of operation.
- Railroads are also required to retain records.
- Section 236.1005 provides flexibility to railroads by permitting requests for temporary rerouting. FRA will review temporary rerouting requests to determine whether the requested rerouting is necessary and in the interest of public safety.
- Section 236.1006 details the requirements for equipping locomotives operating in PTC territory. FRA reviews these reports by Class II/Class III railroads to monitor their progress in complying with mandatory statutory deadlines for equipping their locomotives with PTC.

- Section 236.1007 requires a PTC railroad that conducts freight or passenger operations at more than 125 miles per hour to have an approved PTCSPs accompanied by an “HSR-125” document. FRA reviews “HSR-125” documents to ensure the additional safety analysis contained in this document provides suitable evidence to the agency that the PTC system can support a level of safety equivalent to, or better than, the best level of safety of comparable rail service.
- Section 236.1009 spells out PTC Implementation Plan (PTCIP) requirements and mandates each Class I carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation to develop and submit a plan for implementing a PTC system. FRA examines each PTCIP to confirm that it fully describes the technology that will be employed and how the requirements stipulated in sections 236.1009 and 236.1011 are met.
- Section 236.1013 establishes that, for a PTC system to obtain a Type Approval from FRA, a PTCDP must be filed in accordance with § 236.1009. The PTCDP is the core document that provides the FRA Associate Administrator for Safety sufficient information to determine whether the PTC system proposed for installation by the railroad could meet the statutory requirements for PTC systems and the regulatory requirements under subpart I, which covers PTC Systems.
- Section 236.1015 sets forth PTCSP content requirements and what each railroad must do to receive a PTC System Certification. Each PTCSP must include a risk assessment. FRA uses this information as a basis to confirm compliance with the appropriate performance standard.
- Section 236.1017 requires that each PTCSP must be supported by an independent third-party assessment when FRA Associate Administrator for Safety concludes that it is necessary based upon criteria spelled out in § 236.913(g)(2)(vii). If an independent assessment is required, the assessment may apply to the entire system or a designated portion of the system. FRA reviews any third-party audits to verify that the minimum requirements are met.
- Section 236.1019 pertains exclusively to exceptions from the rule that trackage over which scheduled intercity and commuter passenger service is provided is considered main line track requiring installation of a PTC system.
- Section 236.1021 references discontinuances, material modifications, and amendments. FRA reviews these RFAs to ensure that all necessary information is provided to the agency to determine whether agency approval should be granted.
- Section 236.1023 requires PTC product vendors and railroads to notify FRA when any PTC system, subsystem, component, product, or process fails, malfunctions, or otherwise experiences a defect that decreases or eliminates any safety functionality. FRA reviews these notifications to make certain that the cause of such failures, malfunctions, or defects are identified and that corrective actions are taken without undue delay.
- Section 236.1029 requires communication of a report to a designated railroad officer when a PTC onboard device on a lead locomotive that is operating in or is to be operated within a PTC system fails or is otherwise cut-out. These reports are

used by railroads to ensure necessary safety measures are taken, that the necessary alternative protection of absolute block is established. FRA monitors these reports to verify that appropriate records are kept relating to the occurrence of en route failures.

- Section 236.1035 stipulates required information that railroads must provide to FRA before any field testing of an uncertified PTC system, or a product of an uncertified PTC system, or any regression testing of a certified PTC system is conducted. FRA reviews these documents/plans to make informed decisions regarding the safety of testing operations.
- Section 236.1037 specifies records retention requirements. FRA reviews these records for compliance with a performance standard and with the requirements of subpart I.
- Section 236.1039 requires railroads to catalog and maintain all documents as specified in the PTCDP and PTCSP for the installation, maintenance, repair, modification, inspection, and testing of the PTC system and have them in one Operations and Maintenance Manual.
- Section 236.1041 requires railroads and contractors to establish and implement training and qualifications programs for PTC systems subject to this subpart. These programs must meet the minimum requirements spelled out in the PTCDP and PTCSP in §§ 236.1039-236.1045, as appropriate, for the certain personnel.
- Section 236.1043 requires regular and periodic evaluations of a railroad's/contractor's PTC training program and retention of training records. Railroads/contractors use this information as an audit to determine if their PTC training program materials and curriculum are effective and are imparting the specific knowledge, skills, and abilities to accomplish the stated goals of the training program. FRA reviews training records to verify that required personnel are properly trained and that new designations of qualified personnel are recorded, as appropriate.

3. Extent of automated information collection.

In keeping with past agency practice and the requirements of the Government Paperwork Elimination Act, FRA highly encourages and strongly supports the use of advanced information technology, wherever possible, to reduce paperwork burdens.

FRA developed an Excel-based Report of PTC System Performance (Form FRA F 6180.152) that railroads utilize to satisfy the reporting requirements. This form incorporates the information currently required under 49 CFR § 236.1029(h) and the additional types of information specified in FRA's 2021 final rule, which is consistent with Section 22414 of the IIJA.

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

4. Efforts to identify duplication.

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

5. Efforts to minimize the burden on small businesses.

Respondents are individual railroads mandated to provide this information under 49 U.S.C. § 20157. While some of those railroads are smaller, short-line railroads that may qualify as small businesses, most are larger freight or passenger railroads that do not qualify as small businesses. Therefore, the burden to small businesses should be negligible.

The “universe” of entities includes only those small entities that can reasonably be expected to be directly affected by the provisions of this rule. In this case, the “universe” will be Class III freight railroads that operate on rail lines that are currently required to have PTC systems installed. Such lines are owned by railroads not considered to be small.

The U.S. Small Business Administration (SBA) has authority to regulate issues related to small businesses, and stipulates in its size standards that a “small entity” in the railroad industry is a for-profit “line-haul railroad” that has fewer than 1,500 employees, a “short line railroad” with fewer than 500 employees, or a “commuter rail system” with annual receipts of less than seven million dollars. See “Size Eligibility Provisions and Standards,” 13 CFR part 121, subpart A.

While FRA estimates that the expanded reporting requirement should double the number of submissions under Form FRA F 6180.152, the substance of the form remains as is. FRA expects the total annual burden estimate, despite the increased number of responses from 73 to 146, to remain the same because railroads would be collecting, analyzing, and reporting 365 days’ worth of data about their PTC systems’ performance under either reporting framework (biannual or quarterly).

6. Impact of less frequent collection of information.

This information collection activity is essential to effectuate FRA oversight of railroads’ operation of PTC technology under 49 U.S.C. § 20157. By statute, railroads have the burden of collecting, cataloging, and presenting this information in Form FRA F 6180.152.³ This data enables FRA to actively oversee the performance and reliability of PTC systems. The collection of information serves to meet the congressional mandate in 49 U.S.C. § 20157 and advance the goal of enhancing rail safety nationwide.

7. Special circumstances.

³ See 49 U.S.C. § 20157(m); 49 CFR § 236.1029(h).

All 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 April 28, 2022, soliciting comments.⁴ FRA received no comments in response to this notice.

Consultations with representatives of the affected population:

FRA regularly engages with host railroads, tenant railroads, and PTC system vendors and suppliers, as part of FRA's oversight of railroads' implementation of PTC systems on the mandated main lines under 49 U.S.C. § 20157 and the other lines where railroads are voluntarily implementing PTC technology.

9. Payments or gifts to respondents.

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

10. Assurance of confidentiality.

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

The statutory mandate does not require that FRA publicly release the Reports of PTC System Performance (Form FRA F 6180.152). However, if FRA decides in the future to voluntarily post any of this failure-related information on its website, the procedures specified in 49 CFR § 209.11 will govern any railroad's request for confidential treatment of information.

11. Justification for any questions of a sensitive nature.

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

12. Estimate of burden hours for information collected.

In the following table, estimates for the respondent universe, annual responses, and average time per responses are based on the experience and expertise of FRA's Signal and Train Control Division.

⁴ See 87 FR 25346.

The total annual burden hours, under the fourth column, is calculated by multiplying the total annual responses by the average time per responses. For example, 10 expedited applications * 5 hours = 50 hours.

The total cost equivalent, under the fifth column, is calculated by multiplying the total annual burden hours by the appropriate employee group hourly wage rate that includes a 75-percent overhead charge. For example, 50 hours * \$77 = \$3,850. 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 railroad executives, officials, and staff assistants, the hourly wage rate is \$120 per hour (\$68.81 * 1.75 = \$120). For professional and administrative staff, the hourly wage rate is \$77 per hour (\$44.27 * 1.75 = \$77).

Note: The hourly wage rate of \$77 was used to calculate total cost equivalent for all items except for §§ 236.913(a), 236.1001(b), 236.1007(c), 236.1007(d), 236.1009(a)(2), and 236.1009(a)(3) which is \$120.

CFR Section/Subject	Respondent universe	Total annual responses (A)	Average time per responses (B)	Total annual burden hours (C) = A * B ⁵	Total cost equivalent (D) = C * wage rate ⁸	Section Analyses and Estimates
229.135(b) – Event recorders	The burden for these provisions are included under that of § 236.907 relating to the Product Safety Plan (PSP) and under § 236.1015 relating to the PTC Safety Plan. Consequently, there is no additional burden associated with these requirements.					
234.207 – Adjustment, repair, or replacement of component.	The burden for this requirement is included under OMB No. 2130-0534. Consequently, there is no additional burden associated with this requirement.					
234.275 - Processor-based systems	The burden for the first part of this requirement regarding the Product Safety Plan (PSP) is included under that of § 236.907. The burden for PTCDPs and PTCSPs are included under that of § 236.1013 and § 236.1015, respectively. Consequently, there is no additional burden associated with it.					
235.6(c) – Expedited application for approval of certain changes described in this section	42 railroads	10 expedited applications	5 hours	50 hours	\$3,850	Modification of a signal system consisting of the installation, relocation, or removal of one or more signals, interlocked switches, derails, movable-point frogs, or electric locks in an

⁵ Totals may not add due to rounding

						<p>existing system directly associated with the implementation of PTC pursuant to Subpart I of Part 236, if the modification does not include the discontinuance or decrease of limits of a signal or train control system.</p> <p>FRA estimates that it will take approximately 5 hours to complete each expedited application with the necessary information.</p>
– Copy of expedited application to labor union	42 railroads	10 copies	30 minutes	5 hours	\$385	<p>FRA estimates that one (1) copy of each of the 10 expedited application requests (with the necessary notice and profile plan) will be provided to the Headquarters of the Railroad Signalmen’s Union or BRS (Brotherhood of Railroad Signalmen).</p> <p>FRA estimates that it will take approximately 30 minutes to complete each modification request copy.</p>
– Railroad letter rescinding its request for expedited application of certain signal system changes	42 railroads	1 letter	6 hours	6 hours	\$462	<p>FRA estimates that approximately 1 letter rescinding a request for expedited application of certain signal system changes will be made by railroads and sent to FRA. It is estimated that it will take approximately 6 hours to complete each rescindment letter.</p>
– Revised application for certain signal system changes	42 railroads	1 application	5 hours	5 hours	\$385	<p>FRA estimates that approximately 1 revised application for approval of certain signal system changes that include the required notice, profile plan, and statement will be sent to FRA under §§ 235.5 and 235.9–235.20.</p> <p>FRA estimates that it will take approximately 5 hours to complete each revised application with the necessary information.</p>
– Copy of railroad revised application to labor union	42 railroads	1 copy	30 minutes	0.5 hour	\$39	<p>FRA estimates that 1 copy of the revised application request (with the necessary notice</p>

						and profile plan) will be provided to the Headquarters of the Railroad Signalmen's Union or Brotherhood of Railroad Signalmen. FRA estimates that it will take approximately 30 minutes to complete a modification request copy.
236.0 - Applicability, minimum requirements, and penalties	The burden for this requirement is included under that of § 236.1009. Consequently, there is no additional burden associated with this requirement.					
236.1 – Railroad maintained signal plans at all interlockings, automatic signal locations, and controlled points, and updates to ensure accuracy	700 railroads	25 plan changes	15 minutes	6.3 hours	\$485	As required for maintenance, plans shall be kept at all interlockings, automatic signals and controlled points. Plans shall be legible and correct. FRA estimates that it will take approximately 15 minutes to complete each plan update.
236.15 – Designation of automatic block, traffic control, train stop, train control, cab signal, and PTC territory in timetable instructions	700 railroads	10 timetable instructions	30 minutes	5 hours	\$385	Automatic block, traffic control, train stop, train control, cab signal, and PTC territory shall be designated in timetable instructions. FRA estimates that that it will take approximately 30 minutes to complete each timetable instruction.
236.18 – Software management control plan – New railroads	2 railroads	2 plans	160 hours	320 hours	\$24,640	FRA estimates that the Class II railroads and Class III railroads have prepared and adopted a software management control plan. Therefore, only new or existing Class II and Class III railroads that become subject to this requirement would be affected. It is estimated that it will take each railroad approximately 160 hours to develop its software management control plan.
236.23(e) – The names, indications, and aspects of roadway and cab signals shall be defined in the	700 railroads	2 modifications	1 hour	2 hours	\$154	The names, indications, and aspects of roadway and cab signals shall be defined in the carrier's Operating Rule Book or Special Instructions. Modifications shall be filed with the FRA within

carrier's Operating Rule Book or Special Instructions. Modifications shall be filed with FRA within 30 days after such modifications become effective						thirty days after such modifications become effective. FRA estimates that it will take about an hour for each modification.
236.110 - Results of tests	The burden for this requirement is included under OMB No. 2130-0006. Consequently, there is no additional burden associated with this requirement.					
236.587(d) – Certification and departure test results	742 railroads	4,562,500 train departures	5 seconds	6,337 hours	\$487,949	The certification and the test results shall be posted in the cab of the locomotive and a copy of the certification and test results left at the test location for filing in the office of the supervisory official having jurisdiction. FRA estimates that it will take about 5 seconds to record each departure.
236.905(a) – Railroad Safety Program Plan (RSPP) – New railroads	2 railroads	2 RSPPs	40 hours	80 hours	\$6,160	The RSPP must establish the minimum Product Safety Plan (PSP) requirements that will govern the development and implementation of all products subject to this subpart, consistent with the provisions contained in § 236.907. FRA estimates that it will take approximately 40 hours to write the petition.
236.907 – Product Safety Plans (PSP)	The burden for this requirement is included under § 236.913(c1) - (c2). Consequently, there is no additional burden associated with this requirement.					
236.909 - Minimum performance standard	The burden for this requirement is included under § 236.913(d). Consequently, there is no additional burden associated with this requirement.					
236.913(a) – Filing and approval of a joint Product Safety Plan (PSP)	742 railroads	1 joint plan	2,000 hours	2,000 hours	\$240,000	A PSP must be prepared for each product covered by this subpart. A joint PSP must be prepared when: (1) The territory on which a product covered by this subpart is normally

						<p>subject to joint operations, or is operated upon by more than one railroad; and (2) The PSP involves a change in method of operation.</p> <p>FRA estimates that it will take approximately 2,000 hours to write each joint PSP and notification.</p>
(c)(1) – Informational filing/petition for special approval	742 railroads	0.5 filings/approval petitions	50 hours	25 hours	\$1,925	<p>Not less than 180 days prior to planned use of the product in revenue service as described in the PSP or PSP amendment, the railroad shall submit an informational filing to FRA.</p> <p>FRA estimates that it will take approximately 50 hours to write an informational filing.</p>
(c)(2) – Response to FRA’s request for further data after informational filing	742 railroads	0.25 data calls/documents	5 hours	1 hour	\$77	<p>FRA estimates that it will request further information in approximately 0.25 instances under the above requirement. It is estimated that it will take approximately 5 hours to gather the necessary information and complete the documentation.</p>
(d)(1)(ii) – Response to FRA’s request for further information within 15 days after receipt of the Notice of Product Development (NOPD)	742 railroads	0.25 data calls/documents	1 hour	0.25 hour	\$19	<p>Within 15 days of receipt of the Notice of Product Development, the Associate Administrator for Safety either acknowledges receipt, or acknowledges and requests more information.</p> <p>FRA estimates that it will receive approximately one data call every two years with the necessary information under the above requirement and it will take approximately one (1) hour to complete each document and sent them to FRA.</p>
(d)(1)(iii) – Technical consultation by FRA with the railroad on the design and planned development of the product	742 railroads	0.25 technical consultations	5 hours	1.3 hours	\$96	<p>If FRA concludes the Notice of Product Development contains sufficient information, the Associate Administrator for Safety determines the extent and nature of the assessment and review necessary for final</p>

						<p>product approval. FRA may convene a technical consultation as necessary to discuss issues related to the design and planned development of the product.</p> <p>FRA estimates that each consultation will take approximately 5 hours.</p>
(d)(1)(v) – Railroad petition to FRA for final approval of NOPD	742 railroads	0.25 petitions	1 hour	0.25 hour	\$19	<p>Within 30 days of receipt of the petition for final approval, the Associate Administrator for Safety either acknowledges receipt or acknowledges receipt and requests more information.</p> <p>FRA estimates it will take one (1) hour to complete this submission.</p>
(d)(2)(ii) – Response to FRA’s request for additional information associated with a petition for approval of PSP or PSP amendment	742 railroads	1 request	50 hours	50 hours	\$3,850	<p>Within 60 days of receipt of the petition for approval, FRA either acknowledges receipt, or acknowledges receipt and requests more information.</p> <p>FRA estimates it will take 50 hours to complete this request.</p>
(e) – Comments to FRA on railroad informational filing or special approval petition	742 railroads	0.5 comments/letters	10 hours	5 hours	\$385	<p>Interested parties may submit to FRA information and views pertinent to FRA’s consideration of an informational filing or petition for approval.</p> <p>FRA estimates that it will take approximately 5 hours to complete each comment and send it to FRA.</p>
(f) – Petition for approval prior to completion of field testing of the product	The burden for this requirement is included under § 236.91. Consequently, there is no additional burden associated with this requirement.					
(h)(3)(i) – Railroad amendment to PSP	742 railroads	2 amendments	20 hours	40 hours	\$3,080	A railroad may submit an amendment to a PSP at any time in the same manner as the initial PSP.

						FRA estimates that that each amendment will take approximately 20 hours to complete and submit to FRA.
(j) – Railroad field testing/information filing document	742 railroads	1 field test document	100 hours	100 hours	\$7,700	Field testing of a product may be conducted prior to approval of a PSP by the submission of an informational filing by a railroad. The FRA will arrange to monitor the tests based on the information provided in the filing. FRA estimates that each field-testing document will take approximately 100 hours to complete and submit to FRA.
236.917(a) – Railroad retention of records: results of tests and inspections specified in the PSP	13 railroads with PSP	13 PSP safety results	160 hours	2,080 hours	\$160,160	A railroad must maintain at a designated office on the railroad: (i) For the life cycle of the product, adequate documentation to demonstrate that the PSP meets the safety requirements of the railroad’s RSPP and applicable standards in this subpart, including the risk assessment; (ii) An Operations and Maintenance Manual, pursuant to § 236.919; and (iii) Training records pursuant to § 236.923(b). Results of inspections and tests specified in the PSP must be recorded as prescribed in § 236.110. Contractors of the railroad must maintain at a designated office training records pursuant to §236.923(b). FRA estimates that each of these documents will take approximately 160 hours annually to complete.
(b) – Railroad report that frequency of safety-relevant hazards exceeds threshold set forth in PSP	13 railroads	1 report	40 hours	40 hours	\$3,080	After the product is placed in service, the railroad must maintain a database of all safety-relevant hazards as set forth in the PSP and those that had not been previously identified in the PSP.

						FRA estimates that it will take approximately 40 hours to prepare the initial and final reports.
(b)(3) – Railroad final report to FRA on the results of the analysis and countermeasures taken to reduce the frequency of safety-relevant hazards	13 railroads	1 report	10 hours	10 hours	\$770	<p>A railroad must provide a final report to the FRA Director, Office of Safety Assurance and Compliance, on the results of the analysis and countermeasures taken to reduce the frequency of the safety-relevant hazard(s) below the threshold set forth in the PSP when the problem is resolved.</p> <p>FRA estimates that it will take approximately 10 hours to prepare the report and submit it to FRA.</p>
236.919(a) – Railroad Operations and Maintenance Manual (OMM)	13 railroads	1 OMM update	40 hours	40 hours	\$3,080	<p>A railroad must catalog and maintain all documents as specified in the PSP for the installation, maintenance, repair, modification, inspection, and testing of the product and have them in one Operations and Maintenance Manual, readily available to persons required to perform such tasks and for inspection by FRA and FRA certified state inspectors.</p> <p>FRA estimates that it will take approximately 40 hours to update OMM.</p>
(b) – Plans for proper maintenance, repair, inspection, and testing of safety-critical products	13 railroads	1 plan update	40 hours	40 hours	\$3,080	<p>Plans required for proper maintenance, repair, inspection, and testing of safety-critical products must be adequate in detail and must be made available for inspection by FRA and FRA certified state inspectors where such products are deployed or maintained. They must identify all software versions, revisions, and revision dates. Plans must be legible and correct.</p> <p>FRA estimates that that the plan will take approximately 40 hours to complete.</p>
(c) – Documented hardware, software, and	13 railroads	1 revision	40 hours	40 hours	\$3,080	Hardware, software, and firmware revisions must be documented in the Operations and

firmware revisions in OMM						<p>Maintenance Manual according to the railroad's configuration management control plan and any additional configuration/revision control measures specified in the PSP.</p> <p>FRA estimates that it will take approximately 40 hours to prepare and document each hardware, software, and firmware revision.</p>
236.921 and 923(a) – Railroad Training and Qualification Program	13 railroads	1 program	40 hours	40 hours	\$3,080	<p>Employers must establish and implement training and qualification programs for products subject to this subpart. These programs must meet the minimum requirements set forth in the PSP and in §§ 236.923 through 236.929 as appropriate, for the following personnel: (1) through (4) of this section.</p> <p>FRA estimates that it will take approximately 40 hours to establish the training program under this provision.</p>
236.923(b) – Training records retained in a designated location and available to FRA upon request	13 railroads	350 records	10 minutes	58 hours	\$4,466	<p>The employer's program must provide training for persons who perform the functions described in paragraph (a) of this section to ensure that they have the necessary knowledge and skills to effectively complete their duties related to processor-based signal and train control equipment.</p> <p>FRA estimates that it will take approximately 10 minutes to retain each record.</p>
236.1001(b) – A railroad's additional or more stringent rules than prescribed under 49 CFR part 236, subpart I	38 railroads	1 rule or instruction	40 hours	40 hours	\$4,800	<p>Each railroad may prescribe additional or more stringent rules, and other special instructions, that are not inconsistent with this subpart.</p> <p>FRA estimates that it will take approximately 40 hours to develop the additional or more stringent rules document.</p>

236.1005(b)(4)(i)–(ii) – A railroad’s submission of estimated traffic projections for the next 5 years, to support a request, in a PTCIP or an RFA, not to implement a PTC system based on reductions in rail traffic	The burden is accounted for under 49 CFR 236.1009(a) and 236.1021.					
(b)(4)(iii) – A railroad’s request for a <i>de minimis</i> exception, in a PTCIP or an RFA, based on a minimal quantity of PIH materials traffic	7 Class I railroads	1 exception request	40 hours	40 hours	\$3,080	A railroad may request review of the requirement to install a PTC system on a track segment where a PTC system is otherwise required by this section, but has not yet been installed, based upon the presence of a minimal quantity of PIH materials traffic. FRA estimates that it will take approximately 40 hours to complete the exception request.
(b)(5) – A railroad’s request to remove a line from its PTCIP based on the sale of the line to another railroad and any related request for FRA review from the acquiring railroad	The burden is accounted for under 49 CFR 236.1009(a) and 236.1021.					
(g)(1)(i) – A railroad’s request to temporarily reroute trains not equipped with a PTC system onto PTC-equipped tracks and vice versa during certain emergencies	38 railroads	45 rerouting extension requests	8 hours	360 hours	\$27,720	A temporary rerouting request in the event of an emergency. FRA estimates that it will take approximately eight (8) hours to gather the necessary information and complete the extension request and send it to FRA.
(g)(1)(ii) – A railroad’s written or telephonic	38 railroads	45 written or telephonic	2 hours	90 hours	\$6,930	The railroad provides written or telephonic notification to the applicable SMT of the

notice of the conditions necessitating emergency rerouting and other required information under 236.1005(i)		notices				<p>information listed in paragraph (i) within one business day of the beginning of the rerouting made in accordance with this paragraph; and (iii) the conditions under paragraph (j) of this section are followed.</p> <p>FRA estimates that it will take approximately two (2) hours to complete each written or telephonic notification.</p>
(g)(2) – A railroad’s temporary rerouting request due to planned maintenance not exceeding 30 days	38 railroads	720 requests	8 hours	5,760 hours	\$443,520	<p>In the event planned maintenance that would prevent usage of the regularly used track if: (i) the maintenance period does not to exceed 30 days; (ii) a request is filed with the applicable Regional Administrator in accordance with paragraph (i) of this section no less than 10 days prior to the planned rerouting; and (iii) the conditions contained in paragraph (j) of this section are followed.</p> <p>FRA estimates that it will take approximately eight (8) hours to gather the necessary information and complete each rerouting request.</p>
(h)(1) – A response to any request for additional information from FRA, prior to commencing rerouting due to planned maintenance	38 railroads	10 requests	2 hours	20 hours	\$1,540	<p>For the purposes of paragraph (g)(2) of this section, the rerouting request shall be self-executing unless the applicable SMT responds with a notice disapproving of the rerouting or providing instructions to allow rerouting. Such instructions may include providing additional information to the SMT or Associate Administrator prior to the commencement of rerouting. Once the SMT responds with a notice under this paragraph, no rerouting may occur until the SMT or Associate Administrator provides his or her approval.</p>

						FRA estimates that it will take approximately 2 hours to complete each request.
(h)(2) – A railroad’s request to temporarily reroute trains due to planned maintenance exceeding 30 days	38 railroads	160 requests	8 hours	1,280 hours	\$98,560	In the event the temporary rerouting described in paragraph (g)(2) of this section is to exceed 30 consecutive calendar days: (i) The railroad shall provide a request in accordance with paragraphs (i) and (j) of this section with the Associate Administrator no less than 10 business days prior to the planned rerouting; and (ii) The rerouting shall not commence until receipt of approval from the Associate Administrator. FRA estimates that it will take approximately eight (8) hours to gather the necessary information and complete each rerouting request.
236.1006(b)(4)(iii)(B) – A progress report due by December 31, 2020, and by December 31, 2022, from any Class II or III railroad utilizing a temporary exception under this section	262 railroads	5 reports	16 hours	80 hours	\$6,160	To the extent any movement exceeds 20 miles in length, such movement is not permitted without the controlling locomotive being equipped with an onboard PTC system after December 31, 2023, and each applicable Class II or III railroad shall report to FRA its progress in equipping each necessary locomotive with an onboard PTC apparatus to facilitate continuation of the movement. The progress reports shall be filed not later than December 31, 2020 and, if all necessary locomotives are not yet equipped, on December 31, 2022. FRA estimates that it will take approximately 16 hours to gather the necessary information and to complete each report.
(b)(5)(vii) – A railroad’s request to utilize different yard movement procedures, as part of a	The burden is accounted for under 49 CFR 236.1015 and 236.1021.					

freight yard movements exception						
236.1007(b)(1) – For any high-speed service over 90 miles per hour (mph), a railroad’s PTC Safety Plan (PTCSP) must additionally establish that the PTC system was designed and will be operated to meet the fail-safe operation criteria in Appendix C	The burden is accounted for under 49 CFR 236.1015 and 236.1021.					
(c) – An HSR-125 document accompanying a host railroad’s PTCSP, for operations over 125 mph	38 railroads	1 HSR-125 document	3,200 hours	3,200 hours	\$384,000	In addition to the requirements of paragraphs (a) and (b) of this section, a host railroad that conducts a freight or passenger operation at more than 125 miles per hour shall have an approved PTCSP accompanied by a document (“HSR-125”) establishing that the system: (1) through (2) of this section. FRA estimates that it will take approximately 3,200 hours to complete each “HSR-125” document.
(c)(1) – A railroad’s request for approval to use foreign service data, prior to submission of a PTCSP	38 railroads	0.3 requests	8,000 hours	2,667 hours	\$205,359	FRA estimates that approximately one request every three years to use foreign service data before submittal of the PTCSP will be made under the above requirement. FRA estimates that it will take approximately 8,000 hours to gather the foreign service data and complete each request.
(d) – A railroad’s request in a PTCSP that FRA excuse compliance with	38 railroads	1 request	1,000 hours	1,000 hours	\$120,000	In addition to the requirements of paragraphs (a) through (c) of this section, a host railroad that conducts a freight or passenger operation at

one or more of this section's requirements						<p>more than 150 miles per hour, which is governed by a Rule of Particular Applicability, shall have an approved PTCSP accompanied by an HSR-125 developed as part of an overall system safety plan approved by the Associate Administrator.</p> <p>FRA estimates that it will take approximately 1,000 hours to complete the PTCSP and accompanying "HSR-125 document."</p>
236.1009(a)(2) – A PTCIP if a railroad becomes a host railroad of a main line requiring the implementation of a PTC system, including the information under 49 U.S.C. 20157(a)(2) and 49 CFR 236.1011	264 railroads	1 PTCIP	535 hours	535 hours	\$64,200	<p>After April 16, 2010, a host railroad shall file: (i) a PTCIP if it becomes a host railroad of a main line track segment for which it required to implement and operate a PTC system in accordance with § 236.1005(b); or (ii) a request for amendment ("RFA") of its current and approved PTCIP in accordance with § 236.1021 if it intends to: (A) initiate a new category of service (i.e., passenger or freight); or (B) add, subtract, or otherwise materially modify one or more lines of railroad for which installation of a PTC system is required.</p> <p>FRA estimates that there will be approximately one (1) new rail start each year that will require a PTCIP under the above requirement. It is estimated that it will take 535 hours to complete each request.</p>
(a)(3) – Any new PTCIPs jointly filed by a host railroad and a tenant railroad	264 railroads	1 joint PTCIP	267 hours	267 hours	\$32,040	<p>The host and tenant railroad(s) shall jointly file PTCIP that addresses shared track: (i) if the host railroad is required to install and operate a PTC system on a segment of its track; and (ii) if the tenant railroad that shares the same track segment would have been required to install a PTC system if the host railroad had not otherwise been required to do so.</p>

						FRA estimates that it will take approximately 267 hours to complete each PTCIP.
(b)(1) – A host railroad’s submission, individually or jointly with a tenant railroad or PTC system supplier, of an unmodified Type Approval	264 railroads	1 document	8 hours	8 hours	\$616	An unmodified Type Approval previously issued by the Associate Administrator in accordance with § 236.1013 or § 236.1031(b) with its associated docket number. FRA estimates that it will take approximately eight (8) hours to gather the necessary information and complete the document.
(b)(2) – A host railroad’s submission of a PTCDP with the information required under 49 CFR 236.1013, requesting a Type Approval for a PTC system that either does not have a Type Approval or has a Type Approval that requires one or more variances	264 railroads	1 PTCDP	2,000 hours	2,000 hours	\$154,000	A PTCDP requesting a Type Approval for: (i) a PTC system that does not have a Type Approval; or (ii) a PTC system with a previously issued Type Approval that requires one or more variances. FRA estimates that each cover letter will take approximately 2,000 hours to complete each document.
(d) – A host railroad’s submission of a PTCSP	The burdens are accounted for under 49 CFR 236.1015.					
(e)(3) – Any request for full or partial confidentiality of a PTCIP, Notice of Product Intent (NPI), PTCDP, or PTCSP	38 railroads	10 confidentiality requests	8 hours	80 hours	\$6,160	Each filing referenced in this section may include a request for full or partial confidentiality in accordance with § 209.11 of this chapter. If confidentiality is requested as to a portion of any applicable document, then in addition to the filing requirements under § 209.11 of this chapter, the person filing the document shall also file a copy of the original un-redacted document, marked to indicate which portions are redacted in the document’s confidential version without obscuring the original document’s contents.

						FRA estimates that it will take eight (8) hours to complete the confidentiality request.
(h) – Any responses or documents submitted in connection with FRA’s use of its authority to monitor, test, and inspect processes, procedures, facilities, documents, records, design and testing materials, artifacts, training materials and programs, and any other information used in the design, development, manufacture, test, implementation, and operation of the PTC system, including interviews with railroad personnel	38 railroads	36 interviews and documents	4 hours	144 hours	\$11,088	<p>The Associate Administrator, or that person’s designated representatives, shall be afforded reasonable access to monitor, test, and inspect processes, procedures, facilities, documents, records, design and testing materials, artifacts, training materials and programs, and any other information used in the design, development, manufacture, test, implementation, and operation of the system, as well as interview any personnel: (1) through (2) of this section.</p> <p>FRA estimates that each interview/document will take approximately 4 hours to complete.</p>
(j)(2)(iii) – Any additional information provided in response to FRA’s consultations or inquiries about a PTCDP or PTCSP	38 railroads	1 set of additional information	400 hours	400 hours	\$30,800	<p>If FRA has not approved, approved with conditions, or denied the PTCDP or PTCSP within the 60-day or 180-day window, as applicable, FRA will provide the submitting party with a statement of reasons as to why the submission has not yet been acted upon and a projected deadline by which an approval or denial will be issued and any further consultations or inquiries will be resolved.</p> <p>FRA estimates that it will take approximately 400 hours to complete the set of additional information.</p>

236.1011(a)–(b) – PTCIP content requirements	The burdens are accounted for under 49 CFR 236.1009(a) and (e) and 236.1021.					
(e) – Any public comment on PTCIPs, NPIs, PTCDPs, and PTCSPs	38 railroads	2 public comments	8 hours	16 hours	\$1,232	<p>Upon receipt of a PTCIP, NPI, PTCDP, or PTCSP, FRA posts on its public website notice of receipt and reference to the public docket in which a copy of the filing has been placed. FRA may consider any public comment on each document to the extent practicable within the time allowed by the law and without delaying implementation of PTC systems.</p> <p>FRA estimates that each comment will take approximately eight (8) hours to complete.</p>
236.1013, PTCDP and NPI content requirements	The burdens are accounted for under 49 CFR 236.1009(b), (c), and (e) and 236.1021.					
236.1015 – Any new host railroad’s PTCSP meeting all content requirements under 49 CFR 236.1015	264 railroads	1 PTCSP	8,000 hours	8,000 hours	\$616,000	<p>This section sets forth PTC Safety Plan (PTCSP) content requirements and what each railroad must do to receive a PTC System Certification. Each PTCSP must address railroad-specific implementation issues associated with the PTC system identified by the submitted Type Approval. Each PTCSP must include a risk assessment. FRA uses this information as a basis to confirm compliance with the appropriate performance standard.</p> <p>FRA estimates that it will take approximately 8,000 hours to complete each PTCSP.</p>
(g) – A PTCSP for a PTC system replacing an existing certified PTC system	38 railroads	0.3 PTCSPs	3,200 hours	1,067 hours	\$82,159	<p>If a PTCSP applies to a system designed to replace an existing certified PTC system, the PTCSP will be approved provided that the PTCSP establishes with a high degree of confidence that the new system will provide a level of safety not less than the level of safety provided by the system to be replaced.</p>

						FRA estimates that it will take approximately 3,200 hours to complete each PTCSP.
(h) – A quantitative risk assessment if FRA requires one to be submitted	38 railroads	0.3 assessments	800 hours	267 hours	\$20,559	<p>When reviewing the issue of the potential data errors, the PTCSP must include a careful identification of each of the risks and a discussion of each applicable mitigation.</p> <p>FRA estimates that it will take approximately 800 hours to complete each non-quantitative risk assessment. The annual burden is divided amongst the one submission every three years.</p>
236.1017(a) – An independent third-party assessment, if FRA requires one to be conducted and submitted	38 railroads	0.3 assessments	1,600 hours	533 hours	\$63,960	<p>The PTCSP must be supported by an independent third-party assessment when the Associate Administrator concludes that it is necessary based upon the criteria set forth in § 236.913, with the exception that consideration of the methodology used in the risk assessment (§ 236.913(g)(2)(vii)) shall apply only to the extent that a comparative risk assessment was required.</p> <p>FRA estimates that it will take approximately 1,600 hours to complete each third-party assessment. The annual burden is divided amongst the one submission every three years.</p>
(b) – A railroad’s written request to confirm whether a specific entity qualifies as an independent third party	38 railroads	0.3 written requests	8 hours	3 hours	\$231	<p>If a PTC system is to undergo an independent assessment in accordance with this section, the host railroad may submit to the Associate Administrator a written request that FRA confirm whether a particular entity would be considered an independent third party pursuant to this section.</p> <p>FRA estimates that it will take approximately eight (8) hours to complete each written request. The annual burden is divided amongst the one</p>

						submission every three years.
(c) – Further information provided to FRA upon request	38 railroads	0.3 sets of additional information	20 hours	7 hours	\$539	FRA estimates that it will request further information to make a determination or provide its determination in writing under the above requirement. It is estimated that it will take the industry approximately 20 hours to complete each additional information document. The annual burden is divided amongst the one submission every three years.
(d) – A request not to provide certain documents otherwise required under Appendix F for an independent, third-party assessment	38 railroads	0.3 requests	20 hours	7 hours	\$539	The independent third-party assessment must, at a minimum, consist of the activities and result in the production of documentation meeting the requirements of Appendix F to this part, unless excepted by this part or by FRA order or waiver. FRA estimates that it will take approximately 20 hours to complete each waiver request. The annual burden is divided amongst the one submission every three years.
(e) – A request for FRA to accept information certified by a foreign regulatory entity for purposes of 49 CFR 236.1017 and/or 236.1009(i)	38 railroads	0.3 requests	32 hours	11 hours	\$847	Information provided that has been certified under the auspices of a foreign railroad regulatory entity recognized by the Associate Administrator may, at the Associate Administrator’s discretion, be accepted as having been independently verified. FRA estimates that it will take approximately 32 hours to complete each request. The annual burden is divided amongst the one submission every three years.

236.1019(b) – A request for a passenger terminal main line track exception (MTEA)	38 railroads	1 MTEA	160 hours	160 hours	\$12,320	FRA will consider an exception in the case of trackage used exclusively as yard or terminal tracks by or in support of regularly scheduled intercity or commuter passenger service where the MTEA describes in detail the physical boundaries of the trackage in question and its use and characteristics (including track and signal charts) as described by this section. FRA estimates that it will take approximately 160 hours to complete each MTEA.
(c)(1) – A request for a limited operations exception (based on restricted speed, temporal separation, or a risk mitigation plan)	38 railroads	1 request and/or plan	160 hours	160 hours	\$12,320	FRA will consider an exception in the case of a track segment used for limited operations (at speeds not exceeding those permitted under 236.0 of this part) and described by this section. FRA estimates that it will take approximately 160 hours to complete each request.
(c)(2) – A request for a limited operations exception for a non-Class I, freight railroad’s track	10 railroads	1 request	160 hours	160 hours	\$12,320	Passenger service is operated on a segment of track of a freight railroad that is not a Class I railroad on which less than 15 million gross tons of freight traffic is transported annually (and follows the conditions described in this section). FRA estimates that it will take approximately 160 hours to complete each request.
(c)(3) – A request for a limited operations exception for a Class I railroad’s track	7 railroads	1 request	160 hours	160 hours	\$12,320	Not more than four passenger trains per day are operated on a segment of track of a Class I freight railroad on which less than 15 million gross tons of freight traffic is transported annually. FRA estimates that it will take approximately 160 hours to complete each request.
(d) – A railroad’s collision hazard analysis	38 railroads	0.3 collision hazard	50 hours	17 hours	\$1,309	A limited operations exception under paragraph (c) is subject to FRA review and approval. FRA

in support of an MTEA, if FRA requires one to be conducted and submitted		analysis				<p>may require a collision hazard analysis to identify hazards and may require that specific mitigations be undertaken. Operations under any such exception shall be conducted subject to the terms and conditions of the approval. Any main line track exclusion is subject to periodic review.</p> <p>FRA estimates that each analysis will take approximately 50 hours to complete. The annual burden is divided amongst the one submission every three years.</p>
(e) – Any temporal separation procedures utilized under the 49 CFR 236.1019(c)(1)(ii) exception	The burdens are accounted for under 49 CFR 236.1019(c)(1).					
236.1021(a)–(d) – Any RFA to a railroad’s PTCIP or PTCDP	38 railroads	10 RFAs	160 hours	1,600 hours	\$123,200	<p>(a) No changes, as defined by this section, to a PTC system, PTCIP, PTCDP, or PTCSP, shall be made unless: (1) The railroad files a request for amendment (“RFA”) to the applicable PTCIP, PTCDP, or PTCSP with the Associate Administrator; and (2) The Associate Administrator approves the RFA: (b) through (d) of this section.</p> <p>FRA estimates that it will take approximately 160 hours to complete each RFA and send it to FRA.</p>
(e) – Any public comments, if an RFA includes a request for approval of a discontinuance or material modification of a signal or train control	5 interested parties	10 RFA public comments	16 hours	160 hours	\$12,320	If the RFA includes a request for approval of a discontinuance or material modification of a signal or train control system, FRA will publish a notice in the Federal Register of the application and will invite public comment in accordance with part 211 of this chapter.

system and a <i>Federal Register</i> notice is published						FRA estimates that each RFA comment will take approximately 16 hours to complete and send it to FRA.
(l) – Any jointly filed RFA to a PTCDP or PTCSP	The burdens are accounted for under 49 CFR 236.1021(a)–(d) and (m).					
(m) – Any RFA to a railroad’s PTCSP	38 railroads	15 RFAs	80 hours	1,200 hours	\$92,400	No changes, as specified under paragraphs (h) (3) or (4) of this section, may be made to an FRA-certified PTC system or an FRA-approved PTCSP unless the host railroad first complies with the following process: (1) through (2) of this section. FRA estimates that each list will be approximately 80 hours to gather the necessary information and complete each RFA.
236.1023(a) – A railroad’s PTC Product Vendor List, which must be continually updated	38 railroads	2 updated lists	8 hours	16 hours	\$1,232	Each railroad implementing a PTC system on its property shall establish and continually update a PTC Product Vendor List (PTCPVL) that includes all vendors and suppliers of each PTC system, subsystem, component, and associated product, and process in use system wide. The PTCPVL shall be made readily available to FRA upon request. FRA estimates that each list will be approximately eight (8) hours to gather the necessary information and complete each page of the list.
(b)(1) – All contractual arrangements between a railroad and its hardware and software suppliers or vendors for certain immediate notifications	The burdens are accounted for under 49 CFR 236.1015 and 236.1021.					

<p>(b)(2)–(3) – A vendor’s or supplier’s notification, upon receipt of a report of any safety-critical failure of its product, to any railroads using the product</p>	<p>10 vendors or suppliers</p>	<p>10 notifications</p>	<p>8 hours</p>	<p>80 hours</p>	<p>\$6,160</p>	<p>The notification from a supplier to any railroad shall include explanation from the supplier of the reasons for such notification, the circumstances associated with the failure, and any recommended mitigation actions to be taken pending determination of the root cause and final corrective actions.</p> <p>FRA estimates that each request will take approximately 8 hours to complete.</p>
<p>(c)(1)–(2) – A railroad’s process and procedures for taking action upon being notified of a safety-critical failure or a safety-critical upgrade, patch, revision, repair, replacement, or modification, and a railroad’s configuration/revision control measures, set forth in its PTCSP</p>	<p>The burdens are accounted for under 49 CFR 236.1015 and 236.1021.</p>					
<p>(d) – A railroad’s submission, to the applicable vendor or supplier, of the railroad’s procedures for action upon notification of a safety-critical failure, upgrade, patch, or revision to the PTC system and actions to be taken until it is adjusted, repaired, or replaced</p>	<p>38 railroads</p>	<p>2.5 notifications</p>	<p>16 hours</p>	<p>40 hours</p>	<p>\$3,080</p>	<p>The railroad shall provide to the applicable vendor or supplier the railroad’s procedures for action upon notification of a safety critical failure, upgrade, patch, or revision for the PTC system, subsystem, component, product, or process, and actions to be taken until the faulty system, subsystem, or component has been adjusted, repaired, or replaced.</p> <p>FRA estimates that each procedure will take approximately 16 hours to gather the necessary information and complete each document.</p>

(e) – A railroad’s database of all safety-relevant hazards, which must be maintained after the PTC system is placed in service	38 railroads	38 database updates	16 hours	608 hours	\$46,816	After the product is placed in service, the railroad shall maintain a database of all safety-relevant hazards as set forth in the PTCSP and those that had not previously been identified in the PTCSP. FRA estimates that each update will take approximately 16 hours to complete.
(e)(1) – A railroad’s notification to the vendor or supplier and FRA if the frequency of a safety-relevant hazard exceeds the threshold set forth in the PTCDP and PTCSP, and about the failure, malfunction, or defective condition that decreased or eliminated the safety functionality	38 railroads	8 notifications	8 hours	64 hours	\$4,928	If the frequency of the safety-relevant hazard exceeds the thresholds set forth in the PTCSP, or has not been previously identified in the appropriate risk analysis, the railroad must: (1) Notify the applicable vendor or supplier and FRA of the failure, malfunction, or defect that decreased or eliminated the safety functionality; and (2) Keep the applicable vendor or supplier and FRA apprised on a continual basis of the status of any and all subsequent failures; and (3) Take prompt counter measures to reduce or eliminate the frequency of the safety-relevant hazards below the threshold identified in the PTCSP. FRA estimates that each notification will take approximately 8 hours to submit.
(e)(2) – Continual updates about any and all subsequent failures	38 railroads	1 update	8 hours	8 hours	\$616	Additionally, FRA estimates that it will take approximately 8 hours to complete each notification update and send it to FRA and the affected railroad.
(f) – Any notifications that must be submitted to FRA under 49 CFR 236.1023	The burdens are accounted for under 49 CFR 236.1023(e), (g), and (h).					
(g) – A railroad’s and vendor’s or supplier’s report, upon FRA request,	38 railroads	0.5 reports	40 hours	20 hours	\$1,540	Whenever any investigation of an accident or service difficulty report shows that a PTC system or product is unsafe because of a

about an investigation of an accident or service difficulty due to a manufacturing or design defect and their corrective actions						<p>manufacturing or design defect, the railroad and its vendor shall, upon request of the Associate Administrator, report to the Associate Administrator the results of its investigation and any action taken or proposed to correct that defect.</p> <p>FRA estimates that each report will take approximately 40 hours to complete and send to FRA.</p>
(h) – A PTC system vendor’s or supplier’s reports of any safety-relevant failures, defective conditions, previously unidentified hazards, recommended mitigation actions, and any affected railroads	10 vendors or suppliers	20 reports	8 hours	160 hours	\$12,320	<p>PTC system and product suppliers and vendors shall promptly report any safety relevant failures or defective conditions, previously unidentified hazards, and recommended mitigation actions in their PTC system, subsystem, or component to each railroad using the product.</p> <p>FRA estimates that it will take approximately 8 hours to complete each report.</p>
(k) – A report of a failure of a PTC system resulting in a more favorable aspect than intended or other condition hazardous to the movement of a train, including the reports required under part 233	The burdens are accounted for under 49 CFR 236.1023(e), (g), and (h) and 49 CFR part 233.					
236.1029(b)(4) – A report of an en route failure, other failure, or cut out to a designated railroad officer of the host railroad	150 host and tenant railroads	1,000 reports	30 minutes	500 hours	\$38,500	<p>Except as provided in paragraphs (c) and (g) of this section, where a controlling locomotive that is operating in, or is to be operated within, a PTC-equipped track segment experiences PTC system failure or the PTC system is otherwise cut out while en route (i.e., after the train has departed its initial terminal), the train may only continue in accordance as described under paragraphs (1) through (6) of this section.</p>

						FRA estimates that it will take approximately 30 minutes to submit each report under this requirement.
Form FRA F 6180.152 – 49 U.S.C. 20157(m) and 49 CFR 236.1029(h) – Quarterly Report of PTC System Performance	38 railroads	146 reports	32 hours	4,672 hours	\$359,744	<p>Each railroad shall provide FRA with a report of the number of PTC failures that occurred during the reporting period. The report shall identify failures by category, including but not limited to locomotive, wayside, communications, and back-office system failures. The report shall also include positive performance-related information, including about the technology’s positive impact on rail safety.</p> <p>Under the new statutory quarterly framework, FRA estimates that, on average, each report, covering a shorter period (three months), would take 32 hours to prepare. This estimate is based on the fact that under the quarterly framework, the reporting period would be half as long and, correspondingly, it would take approximately half as long (i.e., 24 hours) to compile the performance-related data for that period, plus an additional 8 hours to account for any additional administrative burdens in completing the form.</p>
236.1033 – Communications and security requirements	The burdens are accounted for under 49 CFR 236.1009 and 236.1015.					
236.1035(a)–(b) – A railroad’s request for authorization to field test an uncertified PTC system and any responses to FRA’s testing conditions	38 railroads	10 requests	40 hours	400 hours	\$30,800	Before any field testing of an uncertified PTC system, or a product of an uncertified PTC system, or any regression testing of a certified PTC system is conducted on the general rail system, the railroad requesting the testing must provide a complete description of the PTC system as described under paragraphs (1) through (7) of this section. Furthermore, FRA

						<p>may impose additional testing conditions for the safety of train operations.</p> <p>FRA estimates that each request will take approximately 40 hours to complete and send to FRA.</p>
236.1037(a)(1)–(2) – Records retention	The burdens are accounted for under 49 CFR 236.1009 and 236.1015.					
(a)(3)–(4) – Records retention	The burdens are accounted for under 49 CFR 236.1039 and 236.1043(b).					
(b) – Results of inspections and tests specified in a railroad’s PTCS and PTCDP	38 railroads	800 records	1 hour	800 hours	\$61,600	<p>Results of inspections and tests specified in the PTCS and PTCDP must be recorded pursuant to § 236.110.</p> <p>FRA estimates that it will take approximately one (1) hour to gather the necessary information and complete each record.</p>
(c) – A contractor’s records related to the testing, maintenance, or operation of a PTC system maintained at a designated office	20 contractors	1,600 records	10 minutes	267 hours	\$20,559	<p>Each contractor providing services relating to the testing, maintenance, or operation of a PTC system required to be installed under this subpart shall maintain at a designated office training records required under §236.1039(b).</p> <p>FRA estimates that will take approximately 10 minutes to gather the necessary information and complete each record.</p>
(d)(3) – A railroad’s final report of the results of the analysis and countermeasures taken to reduce the frequency of safety-related hazards below the threshold set forth in the PTCS	38 railroads	8 final reports	160 hours	1,280 hours	\$98,560	<p>The railroad shall provide a final report when the inconsistency is resolved to FRA, on the results of the analysis and countermeasures taken to reduce the frequency of the safety-relevant hazard(s) below the threshold set forth in the PTCS and PTCDP.</p> <p>FRA estimates that each final report will take approximately 160 hours to complete.</p>
236.1039(a)–(c), (e) – A	38 railroads	2 OMM	10 hours	20 hours	\$1,540	The railroad shall catalog and maintain all

railroad's PTC Operations and Maintenance Manual (OMM), which must be maintained and available to FRA upon request		updates				documents as specified in the PTCDP and PTCSP for the installation, maintenance, repair, modification, inspection, and testing of the PTC system and have them in one Operations and Maintenance Manual, readily available to persons required to perform such tasks and for inspection by FRA and FRA-certified State inspectors as described under paragraphs (b), (c), and (e) of this section. FRA estimates that it will take approximately 10 hours to complete each update.
(d) – A railroad's identification of a PTC system's safety-critical components, including spare equipment	38 railroads	1 identified new component	1 hour	1 hour	\$77	Safety-critical components, including spare equipment, must be positively identified, handled, replaced, and repaired in accordance with the procedures specified in the PTCDP and PTCSP. FRA estimates that each submission will take approximately one (1) hour to complete.
236.1041(a)–(b) and 236.1043(a) – A railroad's PTC Training and Qualification Program (<i>i.e.</i> , a written plan)	38 railroads	2 programs	10 hours	20 hours	\$1,540	Employers shall establish and implement training and qualification programs for PTC systems subject to this subpart. These programs must meet the minimum requirements set forth in the PTCDP and PTCSP in §§ 236.1039 through 236.1045, as appropriate. FRA estimates that it will take approximately 10 hours to develop each training program.
236.1043(b) – Training records retained in a designated location and available to FRA upon request	150 host and tenant railroads	150 PTC training record databases	1 hour	150 hours	\$11,550	Employers must retain records which designate persons who are qualified under this section until new designations are recorded or for at least one year after such persons leave applicable service. These records shall be kept in a designated location and be available for inspection and replication by FRA and FRA-

						certified State inspectors. FRA estimates that it will take approximately one (1) hour to properly retain each record under this requirement.
Total	N/A	4,567,826 responses	N/A	51,993 hours	\$4,329,155	

13. Estimate of total annual costs to respondents.

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

14. Estimate of Cost to Federal Government.

In terms of governmental costs associated with the expanded reporting requirement, including the increase from biannual to quarterly reporting, FRA expects it will cost approximately \$10,000, over the ten-year period, to review the additional data railroads will submit in their Quarterly Reports of PTC System Performance (Form FRA F 6180.152).

To calculate the government administrative cost, the 2022 Office of Personnel Management wage rates were used. The average wage, step 5, was used as a midpoint. Wages were considered at the burdened wage rate by multiplying the actual wage rate by an overhead cost of 75 percent. The follow table shows the estimated average annual cost to the Federal government to review all the required documents and conduct the external audits associated with this rule.

Resources	Pay Grade	Annual-Average Wage Rate	Number of Employees	Percent Share of Time Use	Total Wages (Wages * 1.75 of Overhead Cost)
Division Staff Director	GS-15	\$168,282	1	25%	\$42,071
Deputy Staff Director	GS-14	\$143,064	1	10%	\$14,306
PTC Senior Test and Plan Monitors	GS-14	\$143,064	1	85%	\$121,604
Electronic Engineer	GS-14	\$143,064	2	25%	\$71,532
PTC Regional Specialists	GS-13	\$117,505	7	85%	\$699,155
PTC Safety Specialist at Headquarter	GS-12	\$101,813	1	25%	\$25,453
Estimated Average Annual Cost to Government					\$974,121

Total annual government cost = \$974,121 + \$1,000 (shift from biannual to quarterly on Form FRA F 610.152) = \$975,121.

15. Explanation of program changes and adjustments.

This submission is a revision to a current collection of information. The current inventory exhibits a total burden of 50,969 hours and 4,567,897 responses, while the total burden in this notice is 51,993 hours and 4,567,826 responses. In summary, FRA made two changes to the PRA table—*i.e.*, revising one line item (Form FRA F 6180.152) due to a program change and removing one line item (Form FRA F 6180.177) as it is no longer required by law and the burden associated with this requirement has been completed.

Section 22414 of the infrastructure legislation establishes the same reporting requirement as FRA’s existing regulations (49 CFR § 236.1029(h), using the same FRA form number (Form FRA F 6180.152) and content requirements. However, the statutory reporting requirement is quarterly, not biannual like FRA’s regulations. Under the currently approved biannual framework, FRA estimated that each performance report (Form FRA F 6180.152), covering a six-month period, would take 48 hours to prepare. Under the new statutory quarterly framework, FRA estimates that, on average, each report, covering a shorter period (three months), would take 32 hours to prepare. This estimate is based on the fact that under the quarterly framework, the reporting period would be half as long and, correspondingly, it would take approximately half as long (*i.e.*, 24 hours) to compile the performance-related data for that period, plus an additional 8 hours to account for any additional administrative burdens in completing the form. Railroads will collect, analyze, and report 365 days' worth of data about their PTC systems' performance under either reporting framework (biannual or quarterly), and FRA estimates that shifting the frequency from biannual (under the existing regulation) to quarterly (under the recent legislation) would result in an increase of 73 reports per year and a burden increase of 1,168 hours total.

Program Change Due to New Statute

CFR Section/Subject	Total Annual Responses			Total Annual Burden Hours		
	Current submission (Average time per response)	Requesting submission (Average time per response)	Difference	Current submission	Requesting submission	Difference
Form FRA F 6180.152 – 49 U.S.C. 20157(m) and 49 CFR 236.1029(h) – Quarterly Report of PTC System Performance	73 reports (48 hours)	146 reports (32 hours)	73 reports	3,504 hours	4,672 hours	1,168 hours

In addition, FRA notes that the Statutory Notification of PTC System Failures (Form FRA F 6180.177) expired by law on December 31, 2021, so FRA removed that form from this information collection request. That adjustment resulted in a decrease of 144 reports per

year and a burden decrease of 144 hours.

Adjustments

CFR Section/Subject	Total Annual Responses			Total Annual Burden Hours		
	Current submission (Average time per response)	Requesting submission (Average time per response)	Difference	Current submission	Requesting submission	Difference
Form FRA F 6180.177 – Statutory Notification of PTC System Failures (Under 49 U.S.C. 20157(j) (4))	144 forms/reports (1 hour)	0	-144 reports	144 hours	0	-144 hours

16. Publication of results of data collection.

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

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.