

SUPPORTING JUSTIFICATION
NATIONAL HIGHWAY-RAIL CROSSING INVENTORY REPORTING
REQUIREMENTS; OMB No. 2130-0017

Summary of Submission

- This submission is a request for an extension without change (with changes in estimates) of the previous approval granted by the Office of Management and Budget (OMB) on **November 6, 2019**, which expires on **November 30, 2022**.
- The Federal Railroad Administration (FRA) published the required 60-day Federal Register Notice on July 5, 2022. See 87 FR 39894. FRA received no comments in response to this Notice.
- Overall, the adjustments increased the burden by 370 hours and increased responses by 37,466 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.
- There are no program changes at this time.

1. Circumstances that make collection of the information necessary.

Background

On October 18, 2012, FRA published a notice of proposed rulemaking (NPRM) as a first step towards the agency's promulgation of Crossing Inventory regulations per the Congressional mandate contained in Section 204(a) of the Rail Safety Improvement Act of 2008 (RSIA) (codified at 49 U.S.C. 20160).¹ After careful consideration of comments received in response to the NPRM and testimony received at a February 19, 2013 public hearing, FRA published a final rule on January 6, 2015, requiring railroads that operate one or more trains through highway-rail or pathway crossings to submit initial reports to the Crossing Inventory, including current information about warning devices and signs for previously unreported and new highway-rail and pathway crossings through which they operate. The final rule also requires railroads to periodically update the data in the Crossing Inventory, including the prompt reporting of a crossing sale, crossing closure, or changes in certain crossing characteristics.²

¹ 77 FR 64077.

² 80 FR 746.

The Association of American Railroads (AAR) filed a petition for reconsideration (Petition) of the final rule. In its Petition, AAR asked FRA: (1) for additional time to comply with the final rule; and (2) to reconsider the rule's requirement that railroads, in certain instances, submit data to the Crossing Inventory that State agencies have historically submitted voluntarily. Specifically, AAR asked FRA to amend 49 CFR §§ 234.405 and 234.407 to address that issue and issues associated with the assignment of inventory numbers to certain crossings located in private companies', ports', and docks' areas; to amend those same sections, and § 234.409, to remove the requirement that railroads operating trains through highway-rail or pathway crossings, that are not the "primary operating railroad" for those crossings, ensure information the relevant primary operating railroad provides to the Crossing Inventory is submitted and updated; and to revise the Inventory Guide³ to disallow States from reporting crossing closures to the Crossing Inventory.

The amended rule responded to the AAR petition for reconsideration of FRA's January 6, 2015, final rule addressing U.S. Department of Transportation (DOT) National Highway-Rail Crossing Inventory (Crossing Inventory or Inventory) Reporting Requirements.

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

All 50 states, the District of Columbia, and 667 railroads use the FRA F 6180.71 U.S. DOT Crossing Inventory Form (Inventory Form), to provide new crossing information or to update data in the Inventory. Without updating, the Inventory's value would rapidly decline. From calendar years 2019 to 2021, respondents submitted 275,703 crossing information updates. An average of 338 updates per year use the Inventory Form as the method of updating.

FRA maintains two types of data files: the Inventory Data File and the Accident Data File. The Inventory Data File (National File) is a record of grade crossing location, physical, and operational characteristics, which provides information for the administration and statistical analysis of highway-rail crossings. This information is reported to FRA on the U.S. DOT Crossing Inventory Form. Each State and railroad are responsible for maintaining its respective inventory file and the National File. For the files to serve as an effective database, the States and railroads must update them on a regular basis. Also, States may maintain only the National File in lieu of maintaining their own State Inventory File. Almost all States regularly get a copy of their data from FRA, or they download the data from the FRA Office of Safety Website for their own use.

The Accident Data File contains the records of all train-related accidents, injuries, and fatalities at highway-rail crossings. By law, FRA requires the reporting of all train-related accidents and incidents. FRA further requires that the DOT Crossing Inventory

³ Federal Railroad Administration, Office of Railroad Safety, "Guide for Preparing U.S. DOT Crossing Inventory Forms" (initially published January 6, 2015).

Number be placed on the Accident Report. This Crossing Inventory Number is assigned by the railroads by placing the Number on a completed U.S. DOT Crossing Inventory Form for that specific crossing. This information is then entered into the National File.

Routinely, the Accident Data File is integrated together with the Inventory Data File, and the information from the combination is used by the Federal Government, States, and railroads for a variety of purposes. These include developing Federal crossing safety improvement programs; funding crossing safety improvements; funding studies related to railroad safety programs; assessing the effectiveness of warning devices; analyzing needed crossing safety improvements along high-speed rail corridors; determining accident costs; and fostering public awareness, driver training, and other safety program and research opportunities. This information is published annually in the “Railroad Safety Statistics” (formerly “Highway-Rail Crossing Accident/Incident and Inventory Bulletin”), which is distributed to all States, railroads, and interested researchers.

This combined data is also used for the DOT Accident Prediction Formula and Resource Allocation Procedure. This information is available on FRA’s website under the name WBAPS (Web Based Accident Predication System). These computer models require data and information from both the National File and the Accident Data File. The calculations and printouts prioritize crossings based on an accident prediction value to assist State program managers in optimizing the selection of crossing safety improvement projects, i.e., identifying crossings with the highest risk for having an accident.

The Inventory database is also used for program assessment, management, research, and historical analysis by many public and private entities. Requests for data have originated from States, local governments, railroads, railroad industry suppliers, safety advocates, interest groups, news media, lawyers, research organizations, Federal agencies, and Congressional offices. The most common request is for the crossing inventory and accident data history. Such requests can be fulfilled by obtaining the information from the FRA Safety Data website.

3. Extent of automated information collection.

Background

In August 1972, U.S. DOT submitted a Report to Congress titled, “*Railroad-Highway Safety Part II: Recommendations for Resolving the Problem.*”

The original inventory was compiled between 1973 and 1975. An “Inventory Procedures Manual” was issued in 1974 and an “Update Manual” was issued in January 1976. These manuals described the original Inventory Form and established procedures and

responsibilities for States, the District of Columbia and railroads when processing this Form. Following a series of workshops sponsored by AAR in 1979, a “Supplement” to the “Update Manual” was issued in July 1980. This publication provided procedures for other methods of submitting updates using the most current technology at the time. The “Mass Update (fill-in-the-blanks lists)” method of updating the file by using computer-generated lists for updating one or more specific data elements and a “Magnetic Tape” format for submitting large numbers of updates became an option for submitting updates. These procedures were promulgated as alternatives to the preparation and submission of individual Inventory Forms for crossings where changes needed to be reported. The “Supplement” also allowed for some variations in submission procedures and responsibilities to accommodate existing railroad-State relationships.

In 1991, nearly 40% of the changes received were in the “Mass Update (fill-in-the-blanks)” format and 50% were on Magnetic Tape. These changes not only reduced the time required to prepare and submit changes by using the hardcopy Inventory Form, but it also allowed FRA to obtain more current information by increasing the overall amount of updating.

Revising and improving the updating process further, FRA developed a process system and computer program in 1991 designated as “GX32” (“GX” for Grade Xing or Grade Crossing and “32” for a Windows 32-bit operating system) which allows States and railroads to generate updates on an IBM compatible personal computer, similar to using income tax software, and submit them on magnetic diskettes or via the Internet or email. This computer program (widely available since 1992) was FRA’s move forward into eGovernment Information Technology for the highway-rail crossing inventory updating system. FRA provided this program at no cost to States and railroads for use in accessing and maintaining their crossing inventory records. The program utilized a facsimile of the Inventory Form which was displayed on a monitor screen and permitted data elements to be entered in the same manner as on the paper version. With this system, both the Federal Government and State/railroad respondents benefitted from a reduction in paper forms. When requested, the user received a computer program package, including a file of all crossings, which could be used for updating the user’s crossing records. Thus, in addition to reducing the need for large numbers of paper updates, the use of this computer program made updating simple and easy.

The “GX32” software was a self-contained package allowing users to retrieve and update records, to print records and summary reports, and to produce an “upload file” with current updated information for submittal to the National File. Each “GX32” package contained a custom database that included the user’s crossings and reference files. By 1998, 51% of the updates were submitted on either a “GX32” formatted diskette or by another type of electronic magnetic disc format, and by 2006, the percentage increased to 58%, not including an additional 37% that was updated electronically by the FRA data processing contractor using the “Special Mass Update” process from information received from the States and railroads.

In 2015, FRA developed the Grade Crossing Inventory System (GCIS) and replaced GX32 software. GCIS is a web-based application allowing railroad, State, and transit users the ability to directly submit crossing records through two methods: (1) a web user interface to include the ability to upload multiple records using an FRA preapproved Excel template; and (2) a web Application Programming Interface (API). The data received are stored within a SQL Server database that has been redesigned and contains new schemas. The current regulations require Class I railroads to submit updates electronically via the GCIS, while non-Class I railroads may use the GCIS or submit updates on paper. Currently, over 99% of the updates are provided electronically through the GCIS.

4. Efforts to identify duplication.

Only FRA maintains a nationwide inventory of highway-rail crossings, containing a record of every crossing that was ever placed in the File and every update for a specific crossing that was ever submitted. Some States and railroads had their own crossing inventory prior to the establishment of the National File in 1975. Others maintain a file of state-wide inventory. Still others completely depend on FRA for a copy of their State Inventory. Most of the State and railroad inventory systems are patterned after the National Inventory using the same Form and format for collecting this important information. Consequently, both the national and State/railroad files can move from one computer to another using the computer diskette, Excel, or other electronic format as the transfer medium. These data in their entirety are not available from any other source.

FRA is not aware of any relevant Federal rules – and associated information collections – that may duplicate, overlap or conflict with the final rule.

5. Efforts to minimize the burden on small businesses.

Background

To ensure the impact of this rulemaking on small entities was properly considered, FRA developed the 2015 final rule and its amendments consistent with Executive Order 13272 (“Proper Consideration of Small Entities in Agency Rulemaking”) and DOT’s procedures and policies to promote compliance with the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*).

Under the Regulatory Flexibility Act, an agency is also required to review regulations to assess their impact on small entities. Although a substantial number of small railroads are affected by the final rule, none of these entities are significantly impacted. While it did not change the overall impact on small railroads, the amendments to this final rule provided some relief to small entities by granting them additional time to comply with the

changed requirements. Further, FRA has not received any comments stating that small businesses have been negatively impacted by the 2015 final rule. Therefore, FRA remains confident that its previous certification for the final rule remains valid.

6. Impact of less frequent collection of information.

Failure to collect this information or to collect it less frequently would seriously jeopardize FRA's safety program because the agency would not have the necessary information to monitor the nation's most heavily traveled, dangerous, and high-risk highway-rail grade crossings. As a result, FRA and railroad stakeholders, as well as affected States, would not be able to devise and implement appropriate safety improvement programs (e.g., installation of flashing lights and gates, etc.) for these sites. The likely consequence would be an increase in the number and severity of highway-rail accidents/incidents, and a corresponding increase in the number of casualties and fatalities. With updated data, FRA can verify that the information is accurate and reliable and can help ensure that States and railroads establish suitable safety measures and improvement programs at highway-rail grade crossings where the need is most pressing.

7. Special circumstances.

There is no special circumstance -- not applicable.

8. Compliance with 5 CFR 1320.8.

In accordance with the requirements of the 1995 Paperwork Reduction Act (PRA) and 5 CFR 1320 (OMB's Implementing Guidance), FRA published the required 60-day **Federal Register** Notice on **July 5, 2022**.⁴ FRA received no comments in response to this notice.

FRA leads a quarterly Inventory Workgroup with participants from State departments of transportation, railroads, FRA staff, and FRA's inventory contractor. The working group discusses topics, challenges, and issues related to maintaining the crossing inventory. These discussions also provide other feedback to FRA on ways to improve the inventory website and GCIS, and to revise guidance documents for greater clarity.

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.

⁴ 87 FR 39894.

10. Assurance of confidentiality.

The information collected is not of a confidential nature, and FRA pledges no confidentiality. It is publicly available on FRA's Office of Railroad Safety Website, [<https://railroads.dot.gov/safety-data>].

11. Justification for any questions of a sensitive nature.

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

12. Estimate of burden hours for information collected.

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

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 is \$77.47 per hour (\$44.27 x 1.75). For purposes of this information collection request (ICR), FRA rounds this wage to \$77.

CFR Section	Respondent universe	Total annual responses (A)	Average time per response (B)	Total annual burden hours (C) = A * B	Total cost equivalent (D) = C * \$77	Section analyses and estimates
234.403(a-c) – Submission of data to the U.S. DOT Highway-Rail Crossing Inventory: Completion of inventory form	50 States/DC & 667 railroads	338 forms	30 minutes	169 hours	\$13,013	<p>Highway-rail, and pathway crossing data shall be submitted to the Crossing Inventory on the Inventory Form. Except as provided in paragraph (c) of this section, the Inventory Form may be submitted in hard copy or electronically.</p> <p>Based on its most current crossing inventory data over the last three years, FRA estimates that railroads will complete and submit approximately 338 paper forms annually under the above requirements. It is estimated that it will take approximately 30 minutes to complete and submit each form.</p>
- GCIS update of designated data submitted by railroads & states/DC	50 States/DC & 667 railroads	30,018 updates	3 minutes	1,501 hours	\$115,577	<p>Railroads and States may make web updates to the Grade Crossing Inventory System (GCIS) for each crossing record.</p> <p>Based on data from 2019-2021, an average of 30,018 records per year were received by FRA. It is estimated that each update takes three minutes to complete.</p>
- Excel lists of submitted data	50 States/DC & 667 railroads	836 lists	15 minutes	209 hours	\$16,093	<p>FRA estimates that some railroads will submit information to the Crossing Inventory by Excel Electronic format. Class I railroads will be required to use this method; other railroads have the option to use this method.</p> <p>Based on data from 2019-2021, an average of 122,827 records per year were received by FRA, though we do not know the number of submissions those records were contained in. In the last iteration of this document, each submission contained an average of 147 records. Assuming that is close to an accurate estimate for the current records, FRA will assume an average of 836 lists submitted annually in the 2019-2021 period. It is</p>

						estimated that each list takes 15 minutes to create.
-Changes/corrections to Crossing Inventory data submitted via API computer program	50 States/DC & 667 railroads	122,520 records	3 minutes	6,126 hours	\$471,702	For the 2019-2021 period, an average of 122,520 records were received by FRA annually through an Application Programming Interface (API). It is estimated that it will take approximately three minutes to upload each record.
- Written requests by States/DC & railroads for FRA Crossing Inventory Guide	50 States/DC & 667 railroads	5 requests	15 minutes	1 hour	\$77	FRA estimates that approximately five (5) States/railroads will make written requests to FRA for a copy of the Inventory Guide annually under the requirement in § 234.403(b) above. It is estimated that it will take approximately 15 minutes to complete each written request.
(d) – Reporting Crossing Inventory data by State agencies/DC on behalf of railroads: Written notices to FRA	50 States/DC & 667 railroads	1 notice	60 minutes	1 hour	\$77	<p>A State agency may submit crossing data to the Crossing Inventory on behalf of an operating railroad. The State agency and the operating railroad must provide written notice to the FRA Associate Administrator that the State agency has agreed to submit and update crossing data for all of the operating railroad’s highway-rail and pathway crossings within the State.</p> <p>Based on data from 2019-2021, FRA estimates that approximately 1 written notice will be provided to FRA by States/operating railroads that the State agency has agreed to submit and update crossing data for all of the operating railroad’s highway-rail and pathway crossings within the State under the requirement in (b) above. It is estimated that it will take approximately 60 minutes to complete each written notice.</p>
(e)(1) – Consolidated reporting by parent corporation on behalf of its subsidiary railroads: Written notice to FRA	667 railroads	15 notices	60 minutes	15 hours	\$1,155	To satisfy the reporting requirements of this section, a parent corporation may submit crossing data to the Crossing Inventory on behalf of one or more of its subsidiary railroads. The parent corporation must provide written notice to the FRA Associate Administrator that it has assumed reporting and updating responsibility for all of the

						<p>subsidiary railroad’s highway-rail and pathway crossings.</p> <p>Based on data from 2019-2021, FRA estimates an average of 15 written notices will be provided to FRA each year by parent corporations and subsidiary operating railroads under the above requirement. It is estimated that it will take approximately 60 minutes to complete each written notice.</p>
(e)(2) - Immediate notification to FRA by parent corporation of any changes in the list of subsidiary railroads for which it reports	667 railroads	5 notices	60 minutes	5 hours	\$385	<p>The parent corporation must provide immediate written notification to the FRA Associate Administrator of any change in the list of subsidiary operating railroads for which it has assumed reporting and updating responsibility.</p> <p>Based on data from 2019-2021, FRA estimates that approximately 5 immediate written notices will be provided to FRA each year by the parent corporations of any change in the list of subsidiary operating railroads under the above requirement. It is estimated that it will take approximately 60 minutes to complete each written notice.</p>
234.405(a)(1) – Initial submission of previously unreported highway-rail and pathway crossings through which they operate by primary operating railroads: Providing assigned crossing inventory number to each railroad that operates one or more trains through crossing	667 railroads	300 assigned inventory members	5 minutes	25 hours	\$1,925	<p>With the exception of highway-rail and pathway crossings located in a railroad yard, passenger station, or within a private company, port, or dock area, each primary operating railroad shall assign an Inventory Number to each previously unreported highway-rail and pathway crossing through which it operates.</p> <p>A primary operating railroad shall assign one or more Inventory Numbers to previously unreported highway-rail and pathway crossings through which it operates located in a railroad yard, passenger station, or within a private company, port, or dock area.</p>

						FRA estimates that more than 99 percent of all highway-rail and pathway crossings have been reported to FRA by primary operating railroads. Thus, it is estimated that approximately 300 crossings will be assigned Inventory Numbers under the above requirement. It is estimated that it will take approximately five minutes to assign each Inventory Number.
- Primary operating railroad providing assigned inventory number to other (2) railroads operating through crossing	667 railroads	200 provided assigned inventory numbers	5 minutes	17 hours	\$1,309	FRA estimates that primary operating railroads will provide approximately 200 assigned inventory numbers to approximately to railroads/States. It is estimated that it will take approximately five minutes to assign each Inventory Number.
234.405(b) - Submission of crossing data specified in the Inventory Guide to the Crossing Inventory	Duplicate estimate removed. The estimated paperwork burden for this requirement is included under § 234.403(a-c). Consequently, there is no additional burden associated with this requirement.					
(c) – Duty of all operating railroads: Notification to FRA of previously unreported crossing through which it operates	667 railroads	10 notices/ notifications	60 minutes	10 hours	\$770	Unless a written certification statement has been provided by the primary operating railroad in accordance with paragraph (d) of this section, each operating railroad, other than the primary operating railroad, that operates through a previously unreported highway-rail or pathway crossing (except a temporary crossing) for which a completed Inventory Form, or its electronic equivalent, has not been submitted to the Crossing Inventory in accordance with paragraph (a) of this section shall notify the FRA Associate Administrator in writing of this oversight. FRA estimates that railroads will submit approximately 10 written notifications under the above requirement. It is estimated that it will take approximately 60 minutes to complete each written notification.
(d) – Incomplete	667	70	2 minutes	2 hours	\$154	If a primary operating railroad requests State-

<p>submission by State agency/DC: Written certification by primary operating railroad that State/DC has not provided requested crossing information</p>	<p>railroads</p>	<p>certification statements</p>				<p>maintained crossing data from the appropriate State agency responsible for maintaining highway-rail and pathway crossing data, the primary operating railroad may send a copy of its written request for State-maintained crossing data to the FRA Associate Administrator and to each operating railroad that operates through the crossing. FRA will consider the written request to be an affirmative defense to potential liability for failure to timely submit an accurate Inventory Form, or its electronic equivalent, as required by paragraph (a)(3) of this section if the primary operating railroad:</p> <p>(1) Provides a copy of its written request for State-maintained crossing data to the FRA Associate Administrator and to each operating railroad that operates through the crossing; and</p> <p>(2) Submits the requested State-maintained crossing data to the Crossing Inventory within 60 days of receipt.</p> <p>FRA estimates that approximately 70 written request copies will be sent to the FRA Associate Administrator by the primary operating railroad under the above requirement. It is estimated that it will take approximately two minutes to complete each copy of the written request and electronically send it to FRA.</p>
<p>- Copies of written certification statements to other operating railroads and responsible State agency/DC</p>	<p>667 railroads</p>	<p>75 certification copies</p>	<p>2 minutes</p>	<p>3 hours</p>	<p>\$231</p>	<p>FRA estimates that approximately 75 written request copies will be electronically sent/e-mailed to each operating railroad that operates through the crossing under the above requirement. It is estimated that it will take approximately two minutes to electronically send/e-mail each written request copy.</p>

<p>234.407(a) – Submission of initial data to the Crossing Inventory for new Crossings: Providing assigned inventory numbers for new highway-rail and pathway crossings through which they operate by primary operating railroads to each railroad that operates one or more trains through the crossing</p>	<p>667 railroads</p>	<p>50 assigned inventory numbers</p>	<p>5 minutes</p>	<p>4 hours</p>	<p>\$308</p>	<p>With the exception of highway-rail and pathway crossings that are located in a railroad yard, a passenger station, or within a private company, port, or dock area, each primary operating railroad shall assign an Inventory Number to each new highway-rail and pathway crossing through which it operates.</p> <p>A primary operating railroad shall assign one or more Inventory Numbers to new highway-rail and pathway crossings through which it operates, which are located in a railroad yard, passenger station, or within a private company, port, or dock area.</p> <p>FRA estimates that approximately 50 Inventory Numbers will be assigned by primary operating railroads to each new highway-rail and pathway crossing through which it operates under the above requirement. It is estimated that it will take approximately five minutes to assign an Inventory Number.</p>
<p>(b) Each operating railroad must submit accurate inventory forms or electronic equivalent to the FRA crossing inventory for new highway-rail & pathway crossings operating on separate tracks</p>	<p>Duplicate estimate removed. The estimated paperwork burden for this requirement is included under § 234.407(a). Consequently, there is no additional burden associated with this requirement.</p>					
<p>234.409(a) – Submission of periodic updates to the Crossing Inventory by primary operating railroad</p>	<p>Duplicate estimate removed. The estimated paperwork burden for this requirement is included under § 234.403. Consequently, there is no additional burden associated with this requirement.</p>					
<p>234.411(a)-</p>	<p>667</p>	<p>400 notices/</p>	<p>15 minutes</p>	<p>100 hours</p>	<p>\$7,700</p>	<p>FRA estimates that there will be approximately</p>

Notification/report by railroad to primary operating railroad of sale of all or part of a highway-rail or pathway on or after June 10, 2016	railroads	reports				400 instances every year where an operating railroad transfers/sells all or part of a highway-rail or pathway crossing and completes an updated crossing form under the above requirement. It is estimated that it will take approximately 15 minutes to complete the report to the primary operating railroad.
(b) – Crossing closure: Submission of Crossing Inventory form by primary operating railroad that closes highway-rail and pathway crossing	Duplicate estimate removed. The estimated paperwork burden for this requirement is included under § 234.403. Consequently, there is no additional burden associated with this requirement.					
(c) – Primary operating RR submission of inventory form for change in crossing characteristics	667 railroads	1,200 forms	5 minutes	100 hours	\$7,700	The primary operating railroad shall submit an Inventory Form, or its electronic equivalent, that reflects up-to-date and accurate crossing data for the crossing (including the change in crossing surface or change in warning device) to the Crossing Inventory consistent with § 234.403 and the Inventory Guide. FRA estimates that there will be approximately 1,200 forms submitted annually. It is estimated that it will take approximately five minutes to complete each form.
234.413(a & b) – Recordkeeping – RR Duplicate copy of each inventory form submitted in hard copy to the Crossing Inventory	667 railroads	350 duplicate copies	1 minute	6 hours	\$462	Each railroad subject to this Subpart must keep records in accordance with this section. Records may be kept either on paper or by electronic means in a manner that conforms with § 234.415. FRA estimates that railroads will make approximate 350 copies per year under this requirement. It is estimated that it will take approximately one minute to make each copy.
- Copy of electronic confirmation received from FRA after electronic	667 railroads	265,365 copies	5 seconds	369 hours	\$28,413	FRA estimates that railroads will keep approximately 265,365 copies of FRA confirmation after electronic submission of

submission of crossing data to Crossing Inventory						crossing data to the Crossing Inventory under this requirement. It is estimated that it will take approximately five seconds to make/keep each copy.
- List of locations where a copy of any record required by this Subpart may be accessed and copied	Duplicate estimate removed. The estimated paperwork burden for these requirements is included under § 234.413(a) and § 234.413(b). Consequently, there is no additional burden associated with these requirements.					
Total	50 States/DC & 667 railroads	421,758 responses	N/A	8,663 hours	\$667,051	

13. Estimate of total annual costs to respondents.

There are no additional costs to respondents for this ICR.

14. Estimate of Cost to Federal Government.

The table below displays the annual cost to the Federal government related to this ICR.

COST TO GOVERNMENT:

Data Processing Contractor	\$ 250,000
<u>Government salaries⁵</u>	<u>111,093</u>
TOTAL Cost to Government	\$ 361,093

15. Explanation of program changes and adjustments.

This is an extension without change (with changes in estimates) to a current collection of information.

The current OMB inventory for this information collection shows a total burden of 8,293 hours and 384,292 responses, while the requesting inventory estimates a total burden of 8,663 hours and 421,758 responses. Overall, the burden for this submission has decreased by 370 hours and increased by 37,466 responses. There is no change in the method of the collection. The decrease in burden is solely the result of adjustments.

FRA determined some of the estimates were being accounted for in multiple areas of the ICR. The table below provides specific information on any burden estimates that have changed from the previous submission.

⁵ FRA estimates approximately 2 General Schedule-14 DC employees will spend approximately 40% of their time each working on duties related to this ICR. FRA calculates a salary of \$111,093 to represent these employees (\$138,866 x 2 employees x 40%).

CFR Section	Total Annual Responses			Total Annual Burden Hours			PRA Estimates and Analyses
	Previous Submission	Current Submission	Difference	Previous Submission	Current Submission	Difference	
234.403(a-c) – Submission of data to the U.S. DOT Highway-Rail Crossing Inventory: Completion of inventory form	1,495 forms (30 minutes)	338 forms (30 minutes)	-1,157 forms	748 hours	169 hours	-579 hours	The reduction is due to an adjustment in the annual responses. FRA anticipates that 338 responses will be received annually for this ICR.
- GCIS update of designated data submitted by railroads/States	67 lists (1,081 updates) (30 minutes)	30,018 updates (3 minutes)	28,937 updates	34 hours	1,501 hours	1,467 hours	This adjustment is due to an increase in the number of responses based on FRA data. FRA originally provided estimates based on the number of lists but has now corrected this estimate to reflect the number of updates. FRA also adjusts the response time to reflect a decrease in the time per response based on its internal data.
- Excel lists of submitted data	750 lists (110,238 updates) (15 minutes)	836 lists (15 minutes)	86 lists (-109,402 updates)	188 hours	209 hours	21 hours	This adjustment is due to an increase in the number of responses based on FRA data. FRA originally provided estimates based on the number of updates but has now corrected this estimate to reflect the number of lists that are collected under this requirement.
-Changes/corrections to Crossing Inventory data submitted via API computer program	134,719 records (3 minutes)	122,520 records (3 minutes)	-12,199 records	6,736 hours	6,126 hours	-610 hours	This adjustment is due to a decrease in the number of annual responses based on FRA data.
- Written requests by States/railroads for FRA Crossing Inventory Guide	5 requests (15 minutes)	5 requests (15 minutes)	0 requests	1 hour	1 hour	0 hours	No change.
(d) – Reporting Crossing Inventory data by State agencies on behalf of railroads:	15 notices (30 minutes)	1 notice (60 minutes)	-14 notices	8 hours	1 hour	-7 hours	This adjustment is due to a decrease in the number of annual responses based on FRA data.

Written notices to FRA							FRA also adjusts the time per response based on its internal data.
(e)(1) – Consolidated reporting by parent corporation on behalf of its subsidiary railroads: Written notice to FRA	250 notices (30 minutes)	15 notices (60 minutes)	-235 notices	125 hours	15 hours	-110 hours	This adjustment is due to a decrease in the number of annual responses based on FRA data. FRA also adjusts the time per response based on its internal data.
(e)(2) - Immediate notification to FRA by parent corporation of any changes in the list of subsidiary railroads for which it reports	75 notices (30 minutes)	5 notices (60 minutes)	-70 notices	38 hours	5 hours	-33 hours	This adjustment is due to a decrease in the number of annual responses based on FRA data. FRA also adjusts the time per response based on its internal data.
234.405(a)(1) – Initial submission of previously unreported highway-rail and pathway crossings through which they operate by primary operating railroads: Providing assigned crossing inventory number to each railroad that operates one or more trains through crossing	300 assigned inventory members (5 minutes)	300 assigned inventory members (5 minutes)	0 assigned inventory members	25 hours	25 hours	0 hours	No change.
- Primary operating railroad providing assigned inventory number to other (2) railroads operating through crossing	200 provided assigned inventory numbers (5 minutes)	200 provided assigned inventory numbers (5 minutes)	0 provided assigned inventory numbers	17 hours	17 hours	0 hours	No change.
(c) – Duty of all operating railroads: Notification to FRA of previously unreported crossing through which it operates	200 notices/notifications (20 minutes)	10 notices/notifications (60 minutes)	-190 notices/notifications	67 hours	10 hours	-57 hours	This adjustment is due to a decrease in the number of annual responses based on FRA data. FRA also adjusts the time per response based on its internal data.

(d) – Incomplete submission by State agency: Written certification by primary operating railroad that State has not provided requested crossing information	70 written requests (2 minutes)	70 written requests (2 minutes)	0 written requests	2 hours	2 hours	0 hours	No change.
- Copies of written certification statements to other operating railroads and responsible State agency	75 written requests certification statements (2 minutes)	75 written requests certification statements (2 minutes)	0 written requests certification statements	3 hours	3 hours	0 hours	No change.
234.407(a) – Submission of initial data to the Crossing Inventory for new Crossings: Providing assigned inventory numbers for new highway-rail and pathway crossings through which they operate by primary operating railroads to each railroad that operates one or more trains through the crossing	50 assigned inventory numbers (5 minutes)	50 assigned inventory numbers (5 minutes)	0 assigned inventory numbers	4 hours	4 hours	0 hours	No change.
(b) Each operating railroad must submit accurate inventory forms or electronic equivalent to the FRA crossing inventory for new highway-rail & pathway crossings operating on separate tracks	50 forms (5 minutes)	0 forms (5 minutes)	-50 forms	4 hours	0 hours	-4 hours	The burden for this requirement is already included under that of § 234.407(a). Consequently, there is no additional burden associated with this requirement.
234.411(a)- Notification/report by railroad to primary operating railroad of sale of all or part of a highway-rail or pathway on or after June 10, 2016	400 notices/reports (15 minutes)	400 notices/reports (15 minutes)	0 notices/reports	100 hours	100 hours	0 hours	No change.

(c) – Primary operating RR submission of inventory form for change in crossing characteristics	0 forms (0 minutes)	1,200 forms (5 minutes)	1,200 forms	0 hours	100 hours	100 hours	This adjustment is due to an increase in the number of annual responses based on FRA data. FRA also adjusts the time per response based on its internal data.
234.413(a & b) – Recordkeeping – RR Duplicate copy of each inventory form submitted in hard copy to the Crossing Inventory	350 duplicate copies (1 minute)	350 duplicate copies (1 minute)	0 duplicate copies	6 hours	6 hours	0 hours	No change.
- Copy of electronic confirmation received from FRA after electronic submission of crossing data to Crossing Inventory	134,719 copies (5 seconds)	265,365 copies (5 seconds)	130,646 copies	187 hours	369 hours	182 hours	This adjustment is due to an increase in the number of annual responses based on FRA data.
Total	384,292 responses	421,758 responses	37,466 responses	8,293 hours	8,663 hours	370 hours	

16. Publication of results of data collection.

FRA has no plans 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.