

DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration**

[Docket No. FRA–2023–0002–N–09]

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of information collection; request for comment.

SUMMARY: Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA seeks approval of the Information Collection Request (ICR) abstracted below. Before submitting this ICR to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities identified in the ICR.

DATES: Interested persons are invited to submit comments on or before June 20, 2023.

ADDRESSES: Written comments and recommendations for the proposed ICR should be submitted on *regulations.gov* to the docket, Docket No. FRA–2023–0002. All comments received will be posted without change to the docket, including any personal information provided. Please refer to the assigned OMB control number (2130–0500) in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT: Ms. Arlette Mussington, Information Collection Clearance Officer, at email: *arlette.mussington@dot.gov* or telephone: (571) 609–1285 or Ms. Joanne Swafford, Information Collection Clearance Officer, at email: *joanne.swafford@dot.gov* or telephone: (757) 897–9908.

SUPPLEMENTARY INFORMATION: The PRA, 44 U.S.C. 3501–3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days' notice to the public to allow comment on information collection activities before seeking OMB approval of the activities. See 44 U.S.C. 3506, 3507; 5 CFR 1320.8 through

1320.12. Specifically, FRA invites interested parties to comment on the following ICR regarding: (1) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (2) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways for FRA to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology. See 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1).

This ICR responds to the information collection mandate in Section 22421(b) of the Infrastructure Investment and Jobs Act (IIJA) and also provides routine updates to 49 CFR part 225's overall information collection request renewal.

FRA believes that soliciting public comment may reduce the administrative and paperwork burdens associated with the collection of information that Federal statutes and regulations mandate. In summary, FRA reasons that comments received will advance three objectives: (1) reduce reporting burdens; (2) organize information collection requirements in a "user-friendly" format to improve the use of such information; and (3) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

The summary below describes the ICR that FRA will submit for OMB clearance as the PRA requires:

Title: Accident/Incident Reporting and Recordkeeping.

OMB Control Number: 2130–0500.

Abstract: The railroad accident/incident reporting regulations in 49 CFR part 225 require railroads to submit reports summarizing collisions, derailments, and certain other accidents/incidents involving damages above a periodically revised dollar threshold, as well as certain injuries to passengers, employees, and other persons on railroad property. As the reporting requirements and the information needed regarding each category of accident/incident are

unique, a different form is used for each category.

In response to the mandate in IIJA Section 22421,¹ FRA intends to utilize Form FRA F 6180.54 Special Study Blocks 49a and 49b to collect the following information for a projected five-year period: (1) the length of the involved trains, in feet, and (2) the number of crew members who were aboard a controlling locomotive involved in an accident at the time of such accident. This modification produces a minimal additional burden with respect to what is already being reported, as FRA estimates that the utilization of the Special Study Blocks will require an additional 2 minutes to complete, for a total average burden time of approximately 2 hours and 2 minutes per form, adding an additional 57 hours to the overall collection request.

In this 60-day notice, FRA has made multiple adjustments to its estimated paperwork burden for the entire part 225 collection request, resulting in a reduction of 5,563 hours, from 35,846 hours in the current inventory, to 30,283 hours in the requested inventory. The primary reason for the reduction in the estimated paperwork burden is the expected decrease in the number of submissions. Specifically, under § 225.19(d), FRA expects submissions will decrease significantly from 11,636 hours to 7,040 hours due to a reduction in the number of injuries reported in the last two years. There is no change in the method of collection; this is a routine update for this 3-year ICR renewal period.

Type of Request: Revision of a currently approved collection.

Affected Public: Businesses.

Form(s): FRA F 6180.54; .55; .55a; .56; .57; .78; .81; .97; .98; .107; .150.

Respondent Universe: 784 railroads.

Frequency of Submission: On occasion.

Reporting Burden:

¹ Specifically, IIJA section 22421(b) requires FRA to update Special Study Block 49 on Form FRA F 6180.54, for a period of five years, to collect information on: (1) the number of cars and length of trains involved in an accident/incident; and (2) the number of crew members who were aboard a controlling locomotive involved in an accident at the time of such accident. Railroads are already required to report the number of cars in the consist of a train involved in an accident on Form FRA F 6180.54, Field 35.

CFR section	Respondent universe	Total annual responses (A)	Average time per response (B)	Total annual burden hours (C = A * B)	Total cost equivalent in U.S. dollar (D = C * wage rates) ²
225.6(a)—Consolidated reporting—Request to FRA by parent corporation to treat its commonly controlled carriers as a single railroad carrier for purposes of this part.	784 railroads	0.33 requests	40.00 hours	13.20	\$1,028.41
—(b) Written agreement by parent corporation with FRA on specific subsidiaries included in its railroad system.	The burden for this requirement is included in § 225.6(a).				
—(c) Notification by parent corporation regarding any change in the subsidiaries making up its railroad system and amended written agreement with FRA.	The burden for this requirement is included in § 225.6(a).				
225.9—Telephonic reports of certain accidents/incidents and other events.	784 railroads	2,589.00 phone reports ..	15.00 minutes	647.25	50,427.25
225.11—Reporting of accidents/incidents—Form FRA F 6180.54 (IIJA created an additional burden of 2 minutes to what is already being reported.)	784 railroads	1,699.00 forms	2 hours + 2 minutes	3,454.63	269,150.22
225.12(a)—Rail equipment accident/incident reports alleging human factor as cause—Form FRA F 6180.81.	784 railroads	732.00 forms	15.00 minutes	183.00	14,257.53
—(b) Part I Form FRA F 6180.78 (Notices) ...	784 railroads	800 notices + 800 notice copies + 3,200 copies + 10 copies.	10 minutes + 3 minutes ..	333.83	26,008.70
—(c) Joint operations	784 railroads	73.00 reports	20.00 minutes	24.00	1,869.84
—(d) Late identification	784 railroads	20 attachments + 20 notices.	10.00 minutes	6.67	519.66
—(g) Employee statement supplementing railroad accident report (Part II Form FRA 6180.78).	Railroad employees	60.00 statements	1.50 hours	90.00	7,011.90
—(g)(3) Employee confidential letter	Railroad employees	5.00 letters	2.00 hours	10.00	779.10
225.13(A)—Late reports—RR discovery of improperly omitted report of accident/incident.	784 railroads	50.00 late reports	2.00 hours	100.00	7,791.00
—(B) RR late/amended report of accident/incident based on employee statement supplementing RR accident report.	784 railroads	20 amended reports + 30 copies.	1 hour + 3 minutes	21.50	1,675.07
225.18(a)—RR narrative report of possible alcohol/drug involvement in accident/incident.	784 railroads	12.00 reports	15.00 minutes	3.00	233.73
—(b) Reports required by § 219.209(b) appended to rail equipment accident/incident report.	784 railroads	5.00 reports	30.00 minutes	2.50	194.78
225.19(a)—Rail-highway grade crossing accident/incident report—Form FRA F 6180.57.	784 railroads	2,161.50 forms	2.00 hours	4,323.00	336,804.93
—(d) Death, injury, or occupational illness (Form FRA F 6180.55a).	784 railroads	7,040.00 forms	1.00 hour	7,040.00	548,486.40
225.21—Railroad injury and illness summary—Form FRA F 6180.55.	784 railroads	9,408.00 forms	10.00 minutes	1,568.00	122,162.88
225.21—Annual railroad report of employee hours and casualties, by state—Form FRA F 6180.56.	784 railroads	784.00 forms	15.00 minutes	196.00	15,270.36
225.21/25—Railroad employee injury and/or illness record—Form FRA F 6180.98.	784 railroads	4,000.00 forms	1.00 hour	4,000.00	311,640.00
—Copies of forms to employees	784 railroads	3.60 form copies	2.00 minutes	0.12	9.35
225.21—Initial rail equipment accident/incident record—Form FRA F 6180.97.	784 railroads	10,194.00 forms	30.00 minutes	5,097.00	397,107.27
—Completion of Form FRA F 6180.97 because of rail equipment involvement.	FRA anticipates zero railroad submissions during this 3-year ICR period.				
—Alternative record for illnesses claimed to be work related—Form FRA F 6180.107.	784 railroads	150.00 forms	75.00 minutes	187.50	14,608.13
—Highway User Statement—RR cover letter and Form FRA F 6180.150 sent out to potentially injured travelers involved in a highway-rail grade crossing accident/incident.	784 railroads	721.00 letters/forms	50.00 minutes	600.83	46,810.67
—Form FRA F 6180.150 completed by highway user and sent back to railroad.	117 injured individuals	117.00 forms	45.00 minutes	87.75	6,836.60
225.25(h)—Posting of monthly summary	784 railroads	9,408.00 lists	5.00 minutes	784.00	61,081.44
225.27(a)(1)—Retention of records	784 railroads	7,500.00 records	2.00 minutes	250.00	19,477.50
—Record of Form FRA F 6180.107s	The estimated paperwork burden for this requirement is included in 225.21 (Alternative record for illnesses claimed to be work related).				
—Record of Monthly Lists	784 railroads	9,408.00 records	2.00 minutes	313.60	24,432.58
(a)(2)—Record of Form FRA F 6180.97	784 railroads	10,194.00 records	2.00 minutes	339.80	26,473.82
—Record of employee human factor attachments.	784 railroads	1,464.00 records	2.00 minutes	48.80	3,802.01
225.33—Internal Control Plans—Amendments	784 railroads	10.00 amendments	6.00 hours	60.00	4,674.60

CFR section	Respondent universe	Total annual responses (A)	Average time per response (B)	Total annual burden hours (C = A * B)	Total cost equivalent in U.S. dollar (D = C * wage rates) ²
225.35—Access to records and reports	784 railroads	784.00 lists	20.00 minutes	261.33	20,360.22
225.37(a)—Optical media transfer of reports, updates, and amendments.	FRA anticipates zero submissions during this 3-year ICR period.				
(c)(2)—Electronic submission of reports, updates, and amendments.	784 railroads	4,704.00 submissions	3.00 minutes	235.20	18,324.43
Totals ³	784 railroads	85,570 responses	N/A	30,283	2,359,310

Total Estimated Annual Responses: 85,570.

Total Estimated Annual Burden: 30,283 hours.

Total Estimated Annual Burden Hour Dollar Cost Equivalent: 2,359,310.

FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information that does not display a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Brett A. Jortland,

Deputy Chief Counsel.

[FR Doc. 2023-08413 Filed 4-20-23; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. DOT-OST-2016-0023]

Extension of a Previously Approved Collection: Public Charters

AGENCY: Office of the Secretary, DOT.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Department of Transportation (DOT) invites the general public, industry and other governmental parties to comment on Public Charters. The pre-existing information collection request was previously approved by the Office of Management and Budget (OMB).

DATES: Written comments should be submitted by June 20, 2023.

ADDRESSES: You may submit comments [identified by Docket No. DOT-OST-2016-0023] through one of the following methods:

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

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

- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Ave. SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

FOR FURTHER INFORMATION CONTACT: Ms. Reather Flemmings (202-366-1865) and Mr. Brett Kruger (202-366-8025), Office of the Secretary, Office of International Aviation, U.S. Air Carrier Licensing/Special Authorities Division-X44, 1200 New Jersey Ave. SE, Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2106-0005.

Title: Public Charters, 14 CFR part 380.

Form Numbers: 4532, 4533, 4534, 4535.

Type of Review: Extension of a Previously Approved Collection: The current OMB inventory has not changed.

Abstract: 14 CFR part 380 establishes regulations embodying the Department's terms and conditions for Public Charter operators to conduct air transportation using direct air carriers. Public Charter operators arrange transportation for groups of people on chartered aircraft. This arrangement is often less expensive for the travelers than individually buying a ticket. Part 380 exempts charter operators from certain provisions of the U.S. code in order that they may provide this service. A primary goal of Part 380 is to seek protection for the consumer. Accordingly, the rule stipulates that the charter operator must file evidence (a prospectus—consisting of OST Forms 4532, 4533, 4534, 4535, and supporting financial documents) with the Department for each charter program certifying that it has entered into a binding contract with a direct air carrier to provide air transportation and that it

has also entered into agreements with Department-approved financial institutions for the protection of charter participants' funds. The prospectus must be accepted by the Department prior to the operator's advertising, selling or operating the charter. If the prospectus information were not collected it would be extremely difficult to assure compliance with agency rules and to assure that public security and other consumer protection requirements were in place for the traveling public. The information collected is available for public inspection (*unless the respondent specifically requests confidential treatment*). Part 380 does not provide any assurances of confidentiality.

Burden Statement: Completion of all forms in a prospectus can be accomplished in approximately two hours (30 minutes per form) for new filers and one hour for amendments (existing filings). The forms are simplified and request only basic information about the proposed programs and the private sector filer. The respondent can submit a filing to operate for up to one year and include as many flights as desired, in most cases. If an operator chooses to make changes to a previously approved charter operation, then the operator is required by regulations to file revisions to its original prospectus.

Respondents: Private Sector: Air carriers; tour operators; the general public (including groups and individuals, corporations and Universities or Colleges, etc.).

Number of Respondents: 245.

Number of Responses: 1,782.

Total Annual Burden: 891.

Frequency of Responses:

245 (respondents) × 4 = 980.

401 (amendments from the same respondents) × 2 = 802.

Total estimated responses: 980 + 802 = 1,782.

The frequency of response is dependent upon whether the operator is requesting a new program or amending an existing prospectus. Variations occur

² The dollar equivalent cost is derived from the 2021 Surface Transportation Board Full Year Wage A&B data series using the appropriate employee group hourly wage rate that includes a 75 percent overhead charge.

³ Totals may not add due to rounding.