

(Catalog of Federal Domestic Assistance Number 59008)

**Francisco Sánchez, Jr.,**

*Associate Administrator, Office of Disaster Recovery & Resilience.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2007-28700]

#### Petition for Modification of Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on December 12, 2022, Kansas City Southern Railway Company (now known as CPKC),<sup>1</sup> on behalf of the Kansas City Southern Railway Company and Kansas City Southern de Mexico, petitioned the Federal Railroad Administration (FRA) for a modification of an existing waiver of compliance in Docket Number FRA-2007-28700. That waiver provides KCSR limited, conditional relief from certain provisions of the Federal railroad safety regulations contained at 49 CFR parts 215 (Railroad Freight Car Safety Standards) and 232 (Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices). Additionally, CPKC requested certification under section 416 of the Rail Safety Improvement Act of 2008 (RSIA), that brake inspections conducted in Mexico meet FRA requirements. FRA notes that CPKC's request under RSIA Section 416 will be handled separately from its waiver modification request and accordingly this notice only addresses CPKC's request to modify the existing waiver in Docket Number FRA-2007-28700.

Specifically, in its petition CPKC requests a modification of the existing relief in Docket Number FRA-2007-28700 involving 49 CFR 232.205, *Class I brake test-initial terminal inspection*, and certain provisions of 49 CFR part 215, regarding freight cars received in interchange from KCSM at the U.S./Mexico border crossing and international bridge in Laredo, Texas. CPKC requests that FRA permit the inspections and brake tests currently required to be conducted at the point of interchange between CPKC and KCSM

<sup>1</sup> On April 14, 2023, Kansas City Southern (KCS) merged with Canadian Pacific Railway forming CPKC. Accordingly, this notice refers to KCS as CPKC.

and at CPKC's Laredo Yard in Texas to be conducted in KCSM's Sanchez Yard in Mexico.

In support of its petition, CPKC states that the existing waiver has contributed to border security and that no incidents have been attributed to the relief in the past fourteen years. Additionally, CPKC proposes to implement new technology, Duo Technologies rip® Railcar Inspection (DTRI) that will (a) allow FRA to confirm remotely at the time a train arrives at the international bridge that the train has passed the Class I or Class III brake test in Sanchez Yard, and (b) allow CPKC qualified mechanical inspectors to use the DTRI data to confirm the "mechanical soundness" of any train interchanged from KCSM to CPKC. CPKC also explains that "[a]voiding stopping trains on the Bridge will also reduce the incidence of vandalism to brake systems that occurs when trains stop on the Bridge waiting to cross into the U.S."

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov).

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted at <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Communications received by August 7, 2023 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), the U.S. Department of Transportation (DOT) solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-

14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of [regulations.gov](https://www.regulations.gov).

Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety Chief Safety Officer.*

[FR Doc. 2023-12189 Filed 6-6-23; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2022-0077]

#### Agency Information Collection Activities; Notice and Request for Comment; Alcohol-Impaired Driving Segmentation Study

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Notice and request for comments on a request for approval of a new information collection.

**SUMMARY:** NHTSA invites public comments about our intention to request approval from the Office of Management and Budget (OMB) for a new information collection. Before a federal agency can collect certain information from the public, it must receive approval from OMB. Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections. This document describes a collection of information for which NHTSA intends to seek OMB approval on a segmentation study related to alcohol-impaired driving and riding (motorcycles). This study's objective is to better understand alcohol-consumption behaviors and how they relate to potential alcohol-impaired driving/riding. The results of this study will help NHTSA inform its consumer messages to reduce fatalities and injuries on US roadways.

**DATES:** Comments must be submitted on or before August 7, 2023.

**ADDRESSES:** You may submit comments identified by the Docket No. NHTSA-2022-0077 through any of the following methods:

- *Electronic submissions:* Go to the Federal eRulemaking Portal at <http://www.regulations.gov>

[www.regulations.gov](http://www.regulations.gov). Follow the online instructions for submitting comments.

- *Fax:* (202) 493-2251.

- *Mail or Hand Delivery:* Docket Management, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on federal holidays. To be sure someone is there to help you, please call (202) 366-9322 before coming.

*Instructions:* All submissions must include the agency name and docket number for this notice. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

*Privacy Act:* Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <https://www.transportation.gov/privacy>.

*Docket:* For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> or the street address listed above. Follow the online instructions for accessing the dockets via internet.

**FOR FURTHER INFORMATION CONTACT:** For additional information or access to background documents, contact Kil-Jae Hong, Marketing Specialist, Office of Communications and Consumer Information (NCO-0200), (202) 493-0524, National Highway Traffic Safety Administration, 1200 New Jersey Ave. SE, W52-232, Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:**

Under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), before an agency submits a proposed collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the

agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) how to enhance the quality, utility and clarity of the information to be collected; and (d) how to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. In compliance with these requirements, NHTSA asks for public comments on the following proposed collection of information for which the agency is seeking approval from OMB.

*Title:* Alcohol-Impaired Driving Segmentation Study.

*OMB Control Number:* New.

*Form Number(s):* N/A.

*Type of Request:* Comments on a new information collection.

*Type of Review Requested:* Regular.

*Requested Expiration Date of Approval:* Three (3) years from date of approval.

*Summary of the Collection of Information:*

NHTSA is seeking approval to conduct a nationwide alcohol-impaired driving segmentation study to learn about alcohol-consumption behaviors and how they relate to potential impaired driving. The one-time voluntary study will be used to obtain information to better understand attitudes and behaviors related to alcohol-impaired driving that will be used to enhance and refine communication strategy and tactics (*i.e.*, more effectively target and message at-risk drivers and motorcycle riders). The study will survey drivers and motorcycle riders ages 21- to 54-years-old because this age range represents the greatest number of alcohol-related driving/riding fatalities according to NHTSA's Fatality Analysis Reporting System (FARS).<sup>1</sup>

The research study will include two components, both being one-time collections. The first component will involve a series of online webcam interviews that will collect qualitative information that will serve as a cognitive test to improve the quantitative survey that will be administered in the second component. The quantitative survey will be administered online and by phone. After collecting the data, segmentation

<sup>1</sup> 2020 Alcohol Impaired Driving (Traffic Safety Facts. Report No. DOT HS 813 294).

analysis will be done to classify drivers and motorcycle riders according to segments based on common demographics, drinking behaviors, attitudes about drinking and driving/ motorcycle riding, and lifestyle characteristics.

*Description of the Need for the Information and Proposed Use of the Information:* This alcohol-impaired driving segmentation study will help NHTSA better understand its impaired driving campaign audience to communicate messages most effectively about being safe and decreasing impaired driving.

The National Highway Traffic Safety Administration (NHTSA), under the U.S. Department of Transportation (USDOT), was established to reduce the number of deaths, injuries and economic losses resulting from motor vehicle crashes on the nation's highways. In keeping with this mission and to fulfill a congressional mandate to improve highway traffic safety, NHTSA's Office of Communications and Consumer Information (OCCI) is dedicated to eliminating risky behaviors on our nation's roads through public awareness campaigns. One of the most significant NHTSA's OCCI seeks to address through these efforts is drunk driving.

Drunk driving is a significant cause of highway fatalities, injuries and economic losses. Alcohol-impaired driving fatalities totaled 11,654 in 2020, accounting for 30% of all motor-vehicle-crash fatalities.<sup>2</sup> On average, in 2020, there was an alcohol-impaired driving fatality every 45 minutes.<sup>3</sup> Among motorcycle riders, in particular, 27% of riders in fatal crashes were legally drunk—a rate exceeding that of passenger car drivers (23%) and the highest among all vehicle types measured.<sup>4</sup> Aside from the fatalities, alcohol-impaired driving crashes carried an economic cost of an estimated \$44 billion in 2010 (the most recent year for which cost data is available).<sup>5</sup>

In order for NHTSA's public awareness campaigns on drunk driving to be effective they must effectively "compete" for audience attention in the public domain among hundreds of other major marketers, including those in the alcoholic beverage industry that strategically target messages to

<sup>2</sup> 2020 Alcohol Impaired Driving (Traffic Safety Facts. Report No. DOT HS 813 294).

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*

<sup>5</sup> National Center for Statistics and Analysis. (2015, July). Overview: 2013 data. (Traffic Safety Facts. Report No. DOT HS 812 169). Washington, DC: National Highway Traffic Safety Administration.

particular groups of the public marketplace. In the consumer marketing context and environment, NHTSA must work to convince members of the driving/riding public not to operate vehicles when impaired by alcohol. Accordingly, NHTSA finds that it is necessary to conduct research, as authorized by the National Traffic Motor Vehicle Safety Act, to conduct research that will allow NHTSA to better tailor its communication strategies.

Specifically, NHTSA believes a segmentation analysis such as the one described above would be especially useful to NHTSA. More closely understanding and segmenting drunk drivers and motorcycle riders will enable more effective communications programs. Insights about drunk drivers' motorcycle riders' lifestyle characteristics, alcohol-consumption behaviors and attitudes towards drunk driving will provide useful, pragmatic information for NHTSA's continuing efforts to address the drunk driving/motorcycle riding issue responsible for so many deaths.

The segmentation profiles will be used by NHTSA's Office of Communications and Consumer Information (OCCI) to better target and reach intended audiences with communications messages and techniques that are relevant and meaningful to people within the target market.

*Affected Public:* Vehicle Drivers and Motorcycle Riders ages 21–54 (English and Spanish-speaking).

*Estimated Number of Respondents:* 5,400.

*Frequency:* One time.

*Estimated Total Annual Burden Hours:* 3,574.67.

*Estimated Total Annual Burden Cost:* \$119,250.99.

*Public Comments Invited:* You are asked to comment on any aspects of this information collection, including (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

*Authority:* The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; 49 CFR 1.49; and DOT Order 1351.29A.

Issued on June 1, 2023.

**Juliette Marie Vallese**,  
*Associate Administrator, Office of Communications and Consumer Information.*

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. DOT–OST–2022–0117]

#### Privacy Act of 1974; System of Records

**AGENCY:** Office of the Departmental Chief Information Officer, Office of the Secretary of Transportation, DOT.

**ACTION:** Notice of a new system of records.

**SUMMARY:** In accordance with the Privacy Act of 1974, the Department of Transportation (DOT), Federal Aviation Administration (FAA), proposes to establish a new system of records titled, “DOT/FAA 856 Airmen Medical Records.” 14 Code of Federal Regulations (CFR) 61.23 Medical Certificates: Requirement and Duration specify operations requiring medical certificates. Collectively, for the purposes of this system of records notice, individuals required to obtain medical certificates are referred to as applicants. This Notice covers records maintained for the required airmen medical certification process which is initiated by the airman medical certificate application. In addition to the initial medical records obtained at time of certification, FAA also maintains information on post-certification medical changes including failed drug and substance abuse testing results that could disqualify certificated airmen. Finally, this system of records supports regulatory enforcement activities and other legal actions, such as denial of medical certifications, so records including, but not limited to, pre-decisional notes in airmen medical files, are exempted from certain access and disclosure requirements of the Privacy Act of 1974.

**DATES:** Submit comments on or before July 7, 2023. The Department may publish an amended systems of records notice considering any comments received. This new system will be effective immediately upon publication. The routine uses will be effective July 7, 2023.

**ADDRESSES:** You may submit comments, identified by docket number 2022–0117 by any of the following methods:

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

- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Ave. SE, West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.

- *Hand Delivery or Courier:* West Building Ground Floor, Room W12–140, 1200 New Jersey Ave. SE, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal Holidays.

- *Fax:* (202) 493–2251.

*Instructions:* You must include the agency name and docket number DOT–OST–2022–0117. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

*Privacy Act:* Anyone is able to search the electronic form of all comments received in any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.).

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or to the street address listed above. Follow the online instructions for accessing the docket.

**FOR FURTHER INFORMATION CONTACT:** For questions, please contact: Karyn Gorman, Departmental Chief Privacy Officer, Privacy Office, Department of Transportation, Washington, DC 20590; [privacy@dot.gov](mailto:privacy@dot.gov); or 202–366–3140.

#### SUPPLEMENTARY INFORMATION:

##### Background

In accordance with the Privacy Act of 1974, 5 U.S.C. 552a, DOT/FAA proposes to issue a new system of records notice titled, DOT/FAA 856 “Airmen Medical Records” (hereafter referred to as “Notice”).

##### *Airmen Medical Certification Process*

Records maintained in this system of records were previously covered under DOT/FAA 847, Aviation Records on Individuals (75 FR 68849—November 9, 2010). To provide the public with greater transparency and accountability to its business processes and data collection, FAA created this new Notice to more precisely consolidate records with similar purpose, authorities, categories of individuals, sources of information, and retention timeframes. This system of records covers all facets of the medical clearance process for airmen and non-FAA Air Traffic Control Specialists (ATCSs) with privileges under specific certifications. This Notice solely covers airmen and non-