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Comments received after the comment closing date will be included in the docket and will be considered to the extent practicable.

### Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. 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 [www.dot.gov/privacy](http://www.dot.gov/privacy).

### Background

The Secretary of Transportation (Secretary) is authorized under the provisions of 49 U.S.C. 31502 to prescribe requirements for, among other things, safety of operations of equipment of motor carriers that operate CMVs in interstate commerce. Under 49 U.S.C. 31136, the Secretary also has authority to prescribe regulations to ensure that CMVs are maintained, equipped, loaded, and operated safely. Under 49 U.S.C. 31142 the Secretary must establish standards for annual or more frequent inspections of CMVs. The Secretary's authority to establish improved standards or methods to ensure brakes and brake systems of CMVs are inspected by appropriate employees and maintained properly is provided under 49 U.S.C. 31137(g).

Motor carriers must maintain, or require maintenance of, records documenting the inspection, repair and maintenance activities performed on their owned and leased vehicles. There are no prescribed forms. Electronic recordkeeping is allowed (see 49 CFR 390.31(d)). Documents requiring a signature must be capable of replication (e.g., photocopy, facsimile, etc.) in such form that will provide an opportunity for signature verification upon demand. Also, if electronic recordkeeping is used, all of the relevant data on the original documents must be included in the electronic transmission for the records to be valid.

The motor carrier industry has never questioned the need to keep CMV maintenance records. In fact, most motor carriers would keep some records without any regulatory requirements to do so. Records of inspection, repair, and maintenance; roadside inspection reports; driver vehicle inspection reports; the documentation of periodic inspections; the evidence of the qualifications of individuals performing

periodic inspections; and the evidence of brake inspectors' qualifications contain the minimum amount of information necessary to document that a motor carrier has established a system of inspection, repair, and maintenance for its equipment which meets the standards in 49 CFR part 396.

FMCSA and its representatives use these records to verify motor carriers' compliance with the inspection, repair, and maintenance standards in part 396. This ICR supports DOT's strategic goal of safety. The ICR also ensures that motor carriers have adequate records to document the inspection, repair, and maintenance of their CMVs, and to ensure that adequate measures are taken to keep their CMVs in safe and proper operating condition at all times. Compliance with the inspection, repair, and maintenance regulations helps to reduce the likelihood of accidents attributable, in whole or in part, to the mechanical condition of the CMV.

This ICR submittal includes updated data regarding the number of motor carriers subject to the Federal Motor Carrier Safety Regulations, vehicle counts, inspections, and other underlying data used to estimate the total burden hours. In addition, this revision eliminates the requirement that drivers of passenger-carrying CMVs operating in interstate commerce submit, and motor carriers retain, Driver-Vehicle Inspection Reports (DVRs) when the driver has neither found nor been made aware of any vehicle defects or deficiencies (no-defect DVRs).

If the recordkeeping were required to be completed less frequently, it would greatly hinder the ability of FMCSA and State officials and representatives to ascertain that CMVs are satisfactorily maintained. The timely documentation of CMV inspection, repair, and maintenance enables FMCSA and State officials to evaluate the present state of a motor carrier's CMV maintenance program and to check the current level of regulatory compliance at any point in a carrier's maintenance schedule or program.

FMCSA has identified periodic inspection standards of 22 States, the District of Columbia, the Alabama Liquefied Petroleum Gas Board, 10 Canadian Provinces, and one Canadian Territory that are comparable to, or as effective as, the Federal periodic inspection requirements. FMCSA does not require Federal periodic inspections and the related recordkeeping for motor carriers that comply with these equivalent periodic inspection programs. FMCSA is not aware of any other duplicative standards or

recordkeeping requirements that apply to motor carriers.

FMCSA does not employ this collection of information for statistical use.

*Title:* Inspection, Repair and Maintenance.

*OMB Control Number:* 2126-0003.

*Type of Request:* Revision of a currently approved information collection.

*Respondents:* Motor carriers and CMV drivers.

*Estimated Number of Respondents:* 757,652 motor carriers and 5,646,722 drivers.

*Estimated Time per Response:* Varies according to the requirements for specific records.

*Expiration Date:* December 31, 2023.

*Frequency of Response:* Varies according to requirements for specific records.

*Estimated Total Annual Burden:* 19,103,153 hours [14,602,802 hours for inspection, repair, and maintenance + 3,516,342 hours for driver inspection reports + 161,528 hours for disposition of roadside inspection reports + 777,864 hours for periodic inspections + 23,571 hours for records of inspector qualifications + 21,046 hours for records of brake inspector qualifications].

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The Agency will summarize or include your comments in the request for OMB's clearance of this ICR.

Issued under the authority of 49 CFR 1.87.

**Thomas P. Keane,**

*Associate Administrator, Office of Research and Registration.*

[FR Doc. 2023-20641 Filed 9-22-23; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2023-0002-N-15]

### 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) summarized 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 November 24, 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 (2130–0010) in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice, made available to the public, 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).

FRA believes that soliciting public comment may reduce the administrative and paperwork burdens associated with the collection of information that Federal regulations mandate. In summary, 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:* Track Safety Standards.

*OMB Control Number:* 2130–0010.

*Abstract:* The Track Safety Standards regulations under 49 CFR part 213 prescribe minimum safety requirements for railroad track that is part of the general railroad system of transportation. FRA uses this information collection to ensure and enhance rail safety by monitoring complete compliance with all regulatory requirements. While the requirements prescribed in this part generally apply to specific track conditions existing in isolation, a combination of track conditions, none of which individually amounts to a deviation from the requirements in this part, may require remedial action to provide safe operations over that track. Qualified

persons inspect track and take action to allow safe passage of trains and ensure compliance with the prescribed standards.

In 2020, FRA published a final rule<sup>1</sup> revising the minimum safety requirements for railroad track. The changes allowed inspection of rail using continuous rail testing; the use of flange-bearing frogs in crossing diamonds; relaxed the guard check gage limits on heavy-point frogs used in Class 5 track; removed an inspection-method exception for high density commuter lines; and other miscellaneous revisions.

In addition, in 2011, FRA promulgated a rule<sup>2</sup> mandating specific requirements for effective concrete cross ties, for rail fastening systems connected to concrete cross ties, and for automated inspections of track constructed with concrete cross ties. These requirements supplement visual inspections by Class I and Class II railroads, intercity passenger railroads, and commuter railroads.<sup>3</sup>

In this 60-day notice, FRA made multiple adjustments to its estimated paperwork burden, resulting in an increase of 278 hours, from 234,016 hours in the current inventory to 234,294 hours in the requested inventory. This increase is the result of FRA combining the annual burden hours with OMB Control Number 2130–0592, which covers concrete cross ties, as detailed below:

- Under § 213.234(e), FRA added 31.25 hours.
- Under § 213.234(g), FRA added 60.00 hours.
- Under § 213.234(h)(3), FRA added 187.50 hours.

*Type of Request:* Extension without change (with changes in estimates) of a currently approved collection.

*Affected Public:* Businesses.

*Form(s):* N/A.

*Respondent Universe:* 784.

*Frequency of Submission:* On occasion.

*Reporting Burden:*

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) <sup>4</sup>
213.4(f)—Excepted track—Notification to FRA about removal of excepted track.	784 railroads .....	15 notices .....	10 minutes .....	2.50	\$214.83
213.5(c)—Responsibility for compliance—Notification of assignment to FRA.	784 railroads .....	15 notices .....	1 hour .....	15.00	1,288.95

<sup>1</sup> 85 FR 63362.

<sup>2</sup> 76 FR 18073.

<sup>3</sup> To more effectively manage FRA’s ICRs, the concrete cross tie ICR, OMB Control No. 2130–0592, has been combined with that of track safety

standards, OMB Control No. 2130–0010 in this renewal cycle.

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) <sup>4</sup>
213.7(a)(b)—Designations: Names on list with written authorizations.	784 railroads .....	2,500 names .....	10 minutes .....	416.67	35,804.45
213.17(a)—Waivers .....	784 railroads .....	10 petitions .....	2 hours .....	20.00	1,718.60
213.57(e)—Curves; elevation and speed limitations—Request to FRA for vehicle type approval.	784 railroads .....	4 requests .....	8 hours .....	32.00	2,749.76
—(f) Written notification to FRA prior to implementation of higher curving speeds.	784 railroads .....	4 notifications .....	2 hours .....	8.00	687.44
—(g) Written consent of track owners obtained by railroad providing service over that track.	784 railroads .....	4 written consents .....	45 minutes .....	3.00	257.79
213.110(a)—Gage restraint measurement systems (GRMS)—Implementing GRMS—notices & reports.	784 railroads .....	1 notification .....	45 minutes .....	0.75	64.45
—(g) GRMS vehicle output reports .....	784 railroads .....	1 report .....	5 minutes .....	0.08	6.87
—(h) GRMS vehicle exception reports .....	784 railroads .....	1 report .....	5 minutes .....	0.08	6.87
—(j) GRMS/PTLF—procedures for data integrity	784 railroads .....	1 documented procedure.	1 hour .....	1.00	85.93
—(n) GRMS inspection records .....	784 railroads .....	2 records .....	30 minutes .....	1.00	85.93
213.118(a)–(c)—Continuous welded rail (CWR)—Revised plans w/procedures for CWR.	438 railroads .....	10 plans .....	4 hours .....	40.00	3,437.20
—(d) Notification to FRA and RR employees of CWR plan effective date.	438 railroads .....	750 notices .....	15 seconds .....	3.13	268.96
—(e) Written submissions after plan disapproval	438 railroads .....	5 written submissions ..	2 hours .....	10.00	859.30
—(e) Final FRA disapproval and plan amendment.	438 railroads .....	5 amended plans .....	1 hour .....	5.00	429.65
213.234(e)—Automated inspection of track constructed with concrete cross-ties—Exception reports listing all exception to § 213.109(d)(4) Added requirement and burden hours from 2130–0592.	30 railroads .....	125 reports .....	15 minutes .....	31.25	2,097.19
—(f) Automated inspection of track constructed with concrete cross-ties—Recordkeeping requirements.	30 railroads .....	2,000 records .....	30 minutes .....	1,000.00	85,930.00
—(g) Procedure for integrity of data—Track owners to institute procedures for maintaining the integrity of the data collected by the measurement system. Added requirement and burden hours from 2130–0592.	30 railroads .....	30 revised procedures	2 hours .....	60.00	7,404.60
—(h)(3) Training Track owners to provide annual training in handling rail seat deterioration exceptions to all persons designated as fully qualified under § 213.7 and whose territories are subject to the requirements of § 213.234—Recordkeeping. Added requirement and burden hours from 2130–0592.	30 railroads .....	2,250 records of trained employees.	5 minutes .....	187.50	12,583.13
213.237(b)(2)—Inspection of Rail—Detailed request to FRA to change designation of a rail inspection segment or establish a new segment.	65 railroads .....	4 requests .....	15 minutes .....	1.00	85.93
—(b)(3) Notification to FRA and all affected employees of designation's effective date after FRA's approval/conditional approval.	65 railroads .....	1 notice to FRA + 15 bulletins.	15 minutes .....	4.00	343.72
—(d) Notice to FRA that service failure rate target in paragraph (a) of this section is not achieved.	65 railroads .....	4 notices .....	15 minutes .....	1.00	85.93
—(d)—Explanation to FRA as to why performance target was not achieved and provision to FRA of remedial action plan.	65 railroads .....	4 letters of explanation/ plans.	15 minutes .....	1.00	85.93
213.238—Qualified operators—Written or electronic of qualification.	3 railroads + 5 testing entities.	250 records .....	5 minutes .....	20.83	1,789.92
213.240(b)—Continuous Rail Testing—Procedures for conducting continuous testing.	12 railroads .....	4 procedures .....	8 hours .....	32.00	2,749.76
—(c) Type of rail test (continuous or stop-and-verify)—Record.	12 railroads .....	25,000 documents/ records.	2 seconds .....	13.89	1,193.57
—(c)—Type of rail test (continuous or stop-and-verify)—Documented changes.	12 railroads .....	100 documents .....	1 minute .....	1.67	143.50
—(g) Annual reports to FRA .....	12 railroads .....	12 reports .....	4 hours .....	48.00	4,124.64
213.241—Inspection records .....	784 railroads .....	1,375,000 records .....	10 minutes .....	229,166.67	19,692,291.95
213.303(b)—Responsibility for compliance—Notification of assignment to FRA.	2 railroads .....	5 notices .....	30 minutes .....	2.50	214.83
213.305(c)(4)—Designation of qualified individuals; general qualifications—Written authorization for remedial actions.	2 railroads .....	20 written documents ...	30 minutes .....	10.00	859.30
—(e) Railroads produced designation record upon FRA request.	2 railroads .....	200 records .....	10 minutes .....	33.33	2,864.05
213.317(a)–(b)—Waivers .....	2 railroads .....	2 petitions .....	8 hours .....	16.00	1,374.88

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) <sup>4</sup>
213.329(e)—Curves, elevation, and speed limitations—FRA approval of qualified vehicle types based on results of testing.	2 railroads .....	2.00 cover letters + 2.00 technical reports + 2.00 diagrams.	30.00 minutes + 16.00 hours + 15.00 minutes.	33.50	2,878.66
—(f) Written notification to FRA 30 days prior to implementation of higher curving speeds.	2 railroads .....	2 notices .....	2 hours .....	4.00	343.72
—(g) Written consent of other affected track owners by railroad.	2 railroads .....	2 written consents .....	45 minutes .....	1.50	128.90
213.333(d)—Automated vehicle-based inspection systems—Track Geometry Measurement System (TGMS) output/exception reports.	7 railroads .....	7 reports .....	1 hour .....	7.00	601.51
213.341(b)—(d)—Initial inspection of new rail & welds—Inspection records.	2 railroads .....	800 records .....	2 minutes .....	26.67	2,291.75
213.343(a)—(e)—CWR—Procedures for installations and adjustments of CWR.	2 railroads .....	2 plans .....	4 hours .....	8.00	687.44
—(h) Recordkeeping requirements .....	2 railroads .....	8,000 records .....	2 minutes .....	266.67	22,914.95
213.345(a)—(c)—Vehicle qualification testing—Vehicle qualification program for all vehicle types operating at track Class 6 speeds or above.	2 railroads .....	2 program plans .....	120 hours .....	240.00	20,623.20
—(d) Previously qualified vehicle types qualification programs.	2 railroads .....	2 program plans .....	8 hours .....	16.00	1,374.88
—(h) Written consent of other affected track owners by railroad.	4 railroads .....	4 written consents .....	30 minutes .....	2.00	246.82
213.369(d)—Inspection Records—Record of inspection of track.	2 railroads .....	15,000 record sets .....	10 minutes .....	2,500.00	214,825.00
<b>Total</b> <sup>5</sup> .....	784 railroads .....	1,432,181 responses ...	N/A .....	234,294	20,131,107

Total Estimated Annual Responses: 1,432,181.

Total Estimated Annual Burden: 234,294.

Total Estimated Annual Burden Hour Dollar Cost Equivalent: \$20,131,107.

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.

**Christopher S. Van Nostrand,**

Acting Deputy Chief Counsel.

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<sup>4</sup> The dollar equivalent cost is derived from the 2022 Surface Transportation Board Full Year Wage A&B data series using the employee groups 100 (Executives, Officials, and Office Staff Assistants) \$70.52, 200 (Professional and Administrative) \$49.10, and 400 (Maintenance of Equipment & Stores) \$38.35. The total burden wage rate (Straight time plus 75%) used in the table is \$85.93 (\$49.10 × 1.75 = \$85.93) except for the following: § 213.234(g) and § 213.345(h) which uses an hourly wage rate of \$123.41 (70.52 × 1.75 = \$123.41) and § 213.234(h)(3) which uses an hourly wage rate of \$67.11 (\$38.35 × 1.75 = \$67.11).

<sup>5</sup> Totals may not add up due to rounding.

**DEPARTMENT OF TRANSPORTATION**

**Federal Transit Administration**

[Docket No.: FTA–2023–0006]

**Notice of Availability of Programmatic Assessment of Greenhouse Gas Emissions From Transit Projects; Request for Comments**

**AGENCY:** Federal Transit Administration (FTA), Department of Transportation (DOT).

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Federal Transit Administration (FTA) announces the availability of and requests comments on a Programmatic Assessment of Greenhouse Gas Emissions from Transit Projects.

**DATES:** Comments must be received by November 24, 2023. Late filed comments will be considered to the extent practicable.

**ADDRESSES:** The Programmatic Assessment is available through <https://www.regulations.gov> under docket number FTA–2023–0006.

You may submit comments to Docket No. FTA–2023–0006 by any of the following methods:

*Federal eRulemaking Portal:* Go to <https://www.regulations.gov> and follow the online instructions for submitting comments.

*Mail:* Docket Management Facility: U.S. Department of Transportation, 1200

New Jersey Avenue 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 Avenue SE, Washington, DC, between 8:30 a.m. and 4:30 p.m. e.t., Monday through Friday, except Federal holidays.

*Fax:* (202) 493–2251.

*Instructions:* You must include the agency name (Federal Transit Administration) and the Docket Number of this notice at the beginning of your comments. Note that all comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** Megan Blum, Office of Environmental Programs, (202) 366–0463, [Megan.Blum@dot.gov](mailto:Megan.Blum@dot.gov), or Alexandra Brun, Office of Environmental Programs, (202) 366–7469, [Alexandra.Brun@dot.gov](mailto:Alexandra.Brun@dot.gov); Mark Montgomery, Office of Chief Counsel, (202) 366–1017, [Mark.Montgomery@dot.gov](mailto:Mark.Montgomery@dot.gov). Office hours are from 9:00 a.m. to 5:00 p.m. ET, Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**Background**

The National Environmental Policy Act (NEPA) requires Federal agencies to disclose and analyze the environmental effects of their proposed actions. In January 2023, the Council on