

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

Summary

- This submission is a request for a revision of the last three-year approval granted by the Office of Management and Budget (OMB) on July 25, 2022, which expires October 31, 2025.
- The Federal Railroad Administration (hereafter “FRA” or “the Agency”) published the required 60-day Federal Register notice on November 14, 2022. See 87 FR 68226. FRA received one comment in response to this Notice. See question number 8 for response to comment.
- Overall, the adjustments decreased the burden by 63 hours and responses remained the same at 4,567,826, 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 adjustments.

1. Circumstances that make collection of the information necessary.

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

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

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

On November 15, 2021, President Joseph R. Biden signed into law the Infrastructure Investment and Jobs Act (IIJA). Section 22414 of the IIJA establishes the same reporting requirement as FRA's existing regulations, using the same FRA form number (Form FRA F 6180.152) and content requirements, but modifies the statutory reporting cadence to quarterly rather than biannual. On July 25, 2022, OMB approved FRA's extension request in which FRA modified Form FRA F 6180.152 to align with the statutory quarterly framework. FRA now requires each subject railroad to submit Form FRA F 6180.152 on a quarterly basis.

As part of this ICR revision request, FRA will continue to collect this information on a quarterly basis using Form FRA F 6180.152. Additionally, FRA is hereby proposing to standardize the reporting process required by 49 CFR 236.1023(e)(1), (h), and (f) by creating the Errors and Malfunctions Notification Form (Form FRA F 6180.179). This proposed Form, FRA F 6180.179, will be in an Excel format and will make it easier for the entities to notify FRA of each applicable failure, malfunction, or defective condition, and for FRA to synthesize and act on the reported failure. The Errors and Malfunctions Notification Form would not change the requirements that each railroad or PTC supplier and vendor currently must follow to notify FRA of each reportable failure, malfunction, or defective condition.³ The proposed Form FRA F 6180.179 would be submitted to FRAPart2361023Notification@dot.gov within the same 15-day deadline required under 49 CFR 236.1023(f)(1).

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

FRA's regulations require that railroads or PTC vendors and suppliers notify FRA of certain PTC system errors and malfunctions.⁴ For example, railroads must maintain a database of all safety-relevant hazards identified in their PTC Safety Plans (PTCSP) and those that had not previously been identified in their PTCSPs.⁵ If the frequency of a safety-relevant hazard exceeds the thresholds in a railroad's PTCSP, or such hazard has not been previously identified in a railroad's risk analysis, then the railroad must notify FRA of the failure, malfunction, or defective condition that decreased or eliminated the safety functionality of the railroad's PTC system.⁶ In addition, FRA's regulations require PTC vendors and suppliers to notify FRA of any safety-relevant failure, defective condition, or previously unidentified hazard discovered by the vendor or supplier and the identify of each affected and notified railroad.⁷

Currently, each railroad or PTC vendor and supplier that must submit notifications of such a failure, malfunction, or defective condition does so by emailing the information to an

³ See, e.g., 49 CFR 236.1023(e), (h), and (f).

⁴ See 49 CFR 236.1023.

⁵ 49 CFR 236.1023(e).

⁶ 49 CFR 236.1023(e)(1).

⁷ 49 CFR 236.1023(h)(2).

FRA inbox (FRAPart2361023Notification@dot.gov). The information is currently sent in different formats by each railroad or PTC supplier and vendor because there is currently no standardized form. The new standardized form, Form FRA F 6180.179, Errors, and Malfunctions Notification Form, offers drop-down menus that would allow railroads or PTC suppliers and vendors to select an answer from an established list, instead of creating each answer from scratch. The proposed Errors and Malfunctions Notification Form would not change the requirements that each railroad or PTC supplier and vendor currently must follow to notify FRA of each reportable failure, malfunction, or defective condition.⁸

As noted in response to question 1, FRA continues to require each subject railroad to submit Form FRA F 6180.152 on a quarterly basis. The information collected is used by FRA to ensure new or novel signal and train control technologies meet proposed performance standards and work as intended in the US rail environment.

3. Extent of automated information collection.

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

FRA developed a standardized, Excel-based Errors and Malfunctions Notification Form FRA F 6180.179, that railroads and PTC vendors and suppliers will utilize to satisfy the reporting requirements. Form FRA F 6180.152 is also an Excel-based form. To date, FRA's PTC expert estimates that 100 percent of required documents have been submitted electronically to the agency.

4. Efforts to identify duplication.

The information collection requirements to our knowledge are not duplicated elsewhere. Similar data are not available from any other source.

5. Efforts to minimize the burden on small businesses.

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

⁸ See, e.g., 49 CFR 236.1023(e), (h), and (f).

request are individual railroads mandated to provide this information under 49 U.S.C. § 20157. While some of those railroads are smaller, short-line railroads that may qualify as small businesses, most are larger freight or passenger railroads that do not qualify as small businesses. Therefore, the burden on small businesses affected by the proposed Errors and Malfunctions Notification Form (Form FRA F 6180.179) should be negligible.

6. Impact of less frequent collection of information.

This information collection activity is essential to effectuate FRA oversight of railroads' operation of PTC technology under 49 U.S.C. § 20157. By statute, railroads have the burden of collecting, cataloging, and presenting this information in Form FRA F 6180.152.⁹ By regulation, each railroad or PTC supplier or vendor must notify FRA of each applicable failure, malfunction, or defective condition and proposed form FRA F 6180.179 does not change this regulatory requirement, but rather standardizes the reporting. This data enables FRA to actively oversee the performance and reliability of PTC systems. The collection of information serves to meet the congressional mandate in 49 U.S.C. § 20157 and advance the goal of enhancing rail safety nationwide.

7. Special circumstances.

There are no special circumstances.

8. Compliance with 5 CFR 1320.8.

As required by the Paperwork Reduction Act of 1995 (PRA) and 5 CFR § 1320, FRA published a notice in the *Federal Register* on November 14, 2022, soliciting comments.¹⁰ FRA received one comment in response to this notice.

On January 13, 2023, the Association of American Railroads (AAR) submitted a spreadsheet containing suggestions for changes to the proposed collection. AAR's suggestions fell into three categories: (1) changes to the data validation and listed options, (2) options to fill in a cell with a blank, "N/A," or "Other" if there was not a valid option in the proposed list, and (3) general changes to the form's instructions to improve clarity. For data validation and listed options, AAR asked that the software version numbers allow for free text, so versions such as "6.3.24.2" be allowed rather than just numbers with a single decimal point, such as 6.3. The restrictions on the cell were removed to allow for free text entry. AAR additionally asked that, for "Type of Reportable Issue," a listed option be changed to "Previously Unidentified Hazard" from the incorrectly listed prior two options that stated "Previously" and "Unidentified Hazard." In the dropdown list, the two original line items were combined into "Previously Unidentified Hazard" to correct for the typographical error.

9

10

AAR asked for the option to fill in many cells with “N/A,” a blank, or provide an “Other” option to record additional entries outside of the original list. Doing so would allow for cases where an entity might not know the information requested but could provide an answer to the form rather than leaving it blank. For example, Suppliers or Vendors do not often know confidential information about the railroad, such as mile posts or track segment designations, and this option would allow them to submit without knowing milepost or track segment associated with the failure. The following sections now allow for “N/A” or “Other” options: “Affected Railroad, Supplier or Vendor,” “Track Segment,” and “Nature of Failure.”

Several of the form instructions were clarified or elaborated on as requested by AAR. The revisions did not require changing the context of a cell, but rather allowed for multiple cases and a better understanding of what FRA is asking for within the form. The following sections were updated: “Submission Instructions,” “Additional Affected Railroad(s), Supplier(s), or Vendor(s).” As the “Submission Instructions” were updated, FRA elected not to revise the instructions next to the cells themselves as the revisions that were made were sufficient.

Finally, AAR made two suggestions that FRA did not act on. First, AAR recommended removing the “Estimated Date to Correct Failure” field. FRA believes this is required per regulatory compliance, so this field has not been removed. Second, AAR noted that the proposed form cells need to “grow” as text is entered. FRA conducted testing on several noted cells, such as the “Synopsis” field, and confirmed that the field did expand as the user entered more text.

Consultations with representatives of the affected population:

As a part of FRA’s oversight and enforcement, individuals from the railroad industry are generally in direct contact with FRA’s inspectors at the time of site inspections and can provide any comments or concerns to them.

9. Payments or gifts to respondents.

There are no monetary payments provided or gifts made to respondents associated with the information collection requirements contained in this regulation.

10. Assurance of confidentiality.

FRA fully complies with all laws pertaining to confidentiality, including the Privacy Act of 1974.

11. Justification for any questions of a sensitive nature.

There are no questions, information, or data of a sensitive nature that would normally be considered private contained in this information collection.

12. Estimate of burden hours for information collected.

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

| CFR Section/Subject | Respondent Universe | Total annual responses (A) | Average time per response (B) | Total annual burden hours (C = A * B) | Total cost equivalent in USD (D = C * wage rates) | PRA Analyses and Estimates |
|--|---------------------|----------------------------|-------------------------------|---------------------------------------|---|--|
| 235.6(c)—Expedited application for approval of certain changes described in this section | 42 railroads | 10 expedited applications | 5.00 hours | 50.00 hours | \$3,850.00 | <p>Modification of a signal system consisting of the installation, relocation, or removal of one or more signals, interlocked switches, derails, movable-point frogs, or electric locks in an existing system directly associated with the implementation of PTC pursuant to Subpart I of Part 236, if the modification does not include the discontinuance or decrease of limits of a signal or train control system.</p> <p>FRA estimates, after careful review, that it will take approximately 5 hours to complete each expedited application.</p> |
| —Copy of expedited application to labor union | 42 railroads | 10 copies | 30.00 minutes | 5.00 hours | \$385.00 | <p>FRA estimates that one (1) copy of each of the 10 expedited application requests (with the necessary notice and profile plan) will be provided to the Headquarters of the Railroad Signalmen’s Union or BRS (Brotherhood of Railroad Signalmen).</p> <p>FRA estimates, after careful review, this it will take approximately 30 minutes to provide a copy of the plan to the employee representatives.</p> |
| —Railroad letter rescinding its request for expedited application of certain signal system | 42 railroads | 1 letter | 6.00 hours | 6.00 hours | \$462.00 | FRA estimates that approximately 1 letter rescinding a request for expedited application of certain signal |

| | | | | | | |
|--|---------------|---------------------------|---------------|--------------|-------------|---|
| changes | | | | | | <p>system changes will be made by railroads and sent to FRA.</p> <p>FRA estimates, after careful review, that it will take approximately 6 hours for each letter.</p> |
| —Revised application for certain signal system changes | 42 railroads | 1 application | 5.00 hours | 5.00 hours | \$385.00 | FRA estimates that approximately 1 revised application for approval of certain signal system changes that include the required notice, profile plan, and statement will be sent to FRA under §§ 235.5 and 235.9–235.20. |
| —Copy of railroad revised application to labor union | 42 railroads | 1 copy | 30.00 minutes | 0.50 hours | \$38.50 | <p>FRA estimates that 1 copy of the revised application request (with the necessary notice and profile plan) will be provided to the Headquarters of the Railroad Signalmen’s Union or Brotherhood of Railroad Signalmen.</p> <p>FRA estimates, after careful review, that it will take approximately 30 minutes for each revised plan to be sent to the employee representative.</p> |
| 236.1—Railroad maintained signal plans at all interlockings, automatic signal locations, and controlled points, and updates to ensure accuracy | 700 railroads | 25 plan changes | 15.00 minutes | 6.25 hours | \$481.25 | <p>As required for maintenance, plans shall be kept at all interlockings, automatic signals and controlled points. Plans shall be legible and correct.</p> <p>FRA estimates, after careful review, that it will take approximately 15 min for each signal plan.</p> |
| 236.15—Designation of automatic block, traffic control, train stop, train control, cab signal, and PTC territory in timetable instructions | 700 railroads | 10 timetable instructions | 30.00 minutes | 5.00 hours | \$385.00 | <p>Automatic block, traffic control, train stop, train control, cab signal, and PTC territory shall be designated in timetable instructions.</p> <p>FRA estimates, after careful review, that it will take 30 minutes for each timetable instruction.</p> |
| 236.18—Software management control plan – New railroads | 2 railroads | 2 plans | 160.00 hours | 320.00 hours | \$24,640.00 | FRA estimates that the Class II railroads and Class III railroads have prepared and adopted a software management control plan. Therefore, only new or existing Class II and Class III railroads that become |

| | | | | | | |
|--|---------------|----------------------------|----------------|----------------|--------------|--|
| | | | | | | <p>subject to this requirement would be affected.</p> <p>FRA estimates, after careful review, that it will take approximately 160 hours to develop each software management control plan.</p> |
| 236.23(e)—The names, indications, and aspects of roadway and cab signals shall be defined in the carrier’s Operating Rule Book or Special Instructions. Modifications shall be filed with FRA within 30 days after such modifications become effective | 700 railroads | 2 modifications | 1.00 hour | 2.00 hours | \$154.00 | <p>The names, indications, and aspects of roadway and cab signals shall be defined in the carrier's Operating Rule Book or Special Instructions. Modifications shall be filed with the FRA within thirty days after such modifications become effective.</p> <p>FRA estimates, after careful review, that it will take approximately 1 hour for each modification.</p> |
| 236.587(d)—Certification and departure test results | 742 railroads | 4,562,500 train departures | 5.00 seconds | 6,336.81 hours | \$487,934.00 | <p>Whoever performs the departure test shall certify in writing that such test was properly performed. The certification and the test results shall be posted in the cab of the locomotive and a copy of the certification and test results left at the test location for filing in the office of the supervisory official having jurisdiction.</p> <p>FRA estimates, after careful review, that it will take approximately 5 seconds to certify each train departure.</p> |
| 236.905(a)—Railroad Safety Program Plan (RSPP)—New railroads | 2 railroads | 2 RSPPs | 40.00 hours | 80.00 hours | \$6,160.00 | <p>The RSPP must establish the minimum Product Safety Plan (PSP) requirements that will govern the development and implementation of all products subject to this subpart, consistent with the provisions contained in § 236.907.</p> <p>FRA estimates, after careful review, that it will take approximately 40 hours to develop and implement each RSPP.</p> |
| 236.913(a)—Filing and approval of a joint Product Safety Plan (PSP) | 742 railroads | 1 joint plan | 2,000.00 hours | 2,000.00 hours | \$240,000.00 | <p>A PSP must be prepared for each product covered by this subpart. A joint PSP must be prepared when:</p> <p>(1) The territory on which a product covered by this</p> |

| | | | | | | |
|--|---------------|--------------------------------|-------------|-------------|------------|--|
| | | | | | | subpart is normally subject to joint operations or is operated upon by more than one railroad; and (2) The PSP involves a change in method of operation. FRA estimates, after careful review, that it will take approximately 2000 hours for each joint plan. |
| —(c)(1) Informational filing/petition for special approval | 742 railroads | 0.5 filings/approval petitions | 50.00 hours | 25.00 hours | \$1,925.00 | Not less than 180 days prior to planned use of the product in revenue service as described in the PSP or PSP amendment, the railroad shall submit an informational filing to the Associate Administrator for Safety, FRA. FRA estimates, after careful review, that it will take approximately 50 hours for each informational filing. |
| —(c)(2) Response to FRA’s request for further data after informational filing | 742 railroads | 0.25 data calls/documents | 5.00 hours | 1.25 hour | \$96.00 | FRA estimates that it will request further information in approximately 0.25 instances under the above requirement. FRA estimates, after careful review, that it will take approximately 5 hours to respond to each request for further information. |
| —(d)(1)(ii) Response to FRA’s request for further information within 15 days after receipt of the Notice of Product Development (NOPD) | 742 railroads | 0.25 data calls/documents | 1.00 hour | 0.25 hours | \$19.25 | Within 15 days of receipt of the Notice of Product Development, the Associate Administrator for Safety either acknowledges receipt, or acknowledges and requests more information. FRA estimates, after careful review, that it will take approximately 1 hour to send each document to FRA. |
| —(d)(1)(iii) Technical consultation by FRA with the railroad on the design and planned development of the product | 742 railroads | 0.25 technical consultations | 5.00 hours | 1.25 hour | \$96.25 | If FRA concludes the Notice of Product Development contains sufficient information, the Associate Administrator for Safety determines the extent and nature of the assessment and review necessary for final product approval. FRA may convene a technical consultation as necessary to discuss issues related to the design and planned development of the product. |

| | | | | | | |
|--|---------------|-----------------------|--------------|--------------|------------|--|
| | | | | | | FRA estimates, after careful review, that it will take approximately 1 hour for each technical consultation. |
| —(d)(1)(v) Railroad petition to FRA for final approval of NOPD | 742 railroads | 0.25 petitions | 1.00 hour | 0.25 hours | \$19.25 | <p>Within 30 days of receipt of the petition for final approval, the Associate Administrator for Safety either acknowledges receipt or acknowledges receipt and requests more information.</p> <p>FRA estimates, after careful review, that it will take approximately 1 hour for each petition.</p> |
| —(d)(2)(ii) Response to FRA’s request for additional information associated with a petition for approval of PSP or PSP amendment | 742 railroads | 1 request | 50.00 hours | 50.00 hours | \$3,850.00 | <p>Within 60 days of receipt of the petition for approval, FRA either acknowledges receipt, or acknowledges receipt and requests more information.</p> <p>FRA estimates, after careful review, that it will take approximately 50 hours for each additional information request.</p> |
| —(e) Comments to FRA on railroad informational filing or special approval petition | 742 railroads | 0.5 comments/letters | 10.00 hours | 5.00 hours | \$385.00 | <p>Interested parties may submit to FRA information and views pertinent to FRA’s consideration of an informational filing or petition for approval.</p> <p>FRA estimates, after careful review, that it will take approximately 10 hours for each comment letter submission.</p> |
| —(h)(3)(i) Railroad amendment to PSP | 742 railroads | 2 amendments | 20.00 hours | 40.00 hours | \$3,080.00 | <p>A railroad may submit an amendment to a PSP at any time in the same manner as the initial PSP.</p> <p>FRA estimates, after careful review, it will take approximately 20 hours for each amended PSP submission.</p> |
| —(j) Railroad field testing/information filing document | 742 railroads | 1 field test/document | 100.00 hours | 100.00 hours | \$7,700.00 | <p>Field testing of a product may be conducted prior to approval of a PSP by the submission of an informational filing by a railroad. The FRA will arrange to monitor the tests based on the information provided in the filing.</p> |

| | | | | | | |
|--|-----------------------|-----------------------|--------------|----------------|--------------|--|
| | | | | | | FRA estimates, after careful review, that it will take approximately 100 hours for each field test informational filing. |
| 236.917(a)—Railroad retention of records: results of tests and inspections specified in the PSP | 13 railroads with PSP | 13 PSP safety results | 160.00 hours | 2,080.00 hours | \$160,160.00 | A railroad must maintain at a designated office on the railroad: (i) For the life cycle of the product, adequate documentation to demonstrate that the PSP meets the safety requirements of the railroad’s RSPP and applicable standards in this subpart, including the risk assessment; (ii) An Operations and Maintenance Manual, pursuant to § 236.919; and (iii) Training records pursuant to § 236.923(b). Results of inspections and tests specified in the PSP must be recorded as prescribed in § 236.110. Contractors of the railroad must maintain at a designated office training records pursuant to § 236.923(b). FRA estimates, after careful review, that it will take approximately 160 hours to document each PSP safety result. |
| —(b) Railroad report that frequency of safety-relevant hazards exceeds threshold set forth in PSP | 13 railroads | 1 report | 40.00 hours | 40.00 hours | \$3,080.00 | After the product is placed in service, the railroad must maintain a database of all safety-relevant hazards as set forth in the PSP and those that had not been previously identified in the PSP. FRA estimates, after careful review, that it will take approximately 40 hours for each report. |
| —(b)(3) Railroad final report to FRA on the results of the analysis and countermeasures taken to reduce the frequency of safety-relevant hazards | 13 railroads | 1 report | 10.00 hours | 10.00 hours | \$770.00 | A railroad must provide a final report to the FRA Director, Office of Safety Assurance and Compliance, on the results of the analysis and countermeasures taken to reduce the frequency of the safety-relevant hazard(s) below the threshold set forth in the PSP when the problem is resolved. FRA estimates, after careful review, that it will take approximately 10 hours for each report. |
| 236.919(a)—Railroad Operations and | 13 | 1 | 40.00 | 40.00 | \$3,080.00 | A railroad must catalog and maintain all documents as |

| | | | | | | |
|--|--------------|---------------|-------------|-------------|------------|---|
| Maintenance Manual (OMM) | railroads | OMM update | hours | hours | | <p>specified in the PSP for the installation, maintenance, repair, modification, inspection, and testing of the product and have them in one Operations and Maintenance Manual, readily available to persons required to perform such tasks and for inspection by FRA and FRA certified state inspectors.</p> <p>FRA estimates, after careful review, it will take approximately 40 hours to catalog and maintain each OMM update.</p> |
| —(b) Plans for proper maintenance, repair, inspection, and testing of safety-critical products | 13 railroads | 1 plan update | 40.00 hours | 40.00 hours | \$3,080.00 | <p>Plans required for proper maintenance, repair, inspection, and testing of safety-critical products must be adequate in detail and must be made available for inspection by FRA and FRA certified state inspectors where such products are deployed or maintained. They must identify all software versions, revisions, and revision dates. Plans must be legible and correct.</p> <p>FRA estimates, after careful review, that it will take approximately 40 hours for each plan update.</p> |
| —(c) Documented hardware, software, and firmware revisions in OMM | 13 railroads | 1 revision | 40.00 hours | 40.00 hours | \$3,080.00 | <p>Hardware, software, and firmware revisions must be documented in the Operations and Maintenance Manual according to the railroad’s configuration management control plan and any additional configuration/revision control measures specified in the PSP.</p> <p>FRA estimates, after careful review, that it will take approximately 40 hours to document each software revision.</p> |
| 236.921 and 923(a)—Railroad Training and Qualification Program | 13 railroads | 1 program | 40.00 hours | 40.00 hours | \$3,080.00 | <p>Employers must establish and implement training and qualification programs for products subject to this subpart. These programs must meet the minimum requirements set forth in the PSP and in §§ 236.923 through 236.929 as appropriate, for the following personnel: (1) through (4) of this section.</p> |

| | | | | | | |
|---|---|-----------------------|---------------|-------------|------------|---|
| | | | | | | FRA estimates, after careful review, that it will take approximately 40 hours to develop and implement each qualification program. |
| 236.923(b)—Training records retained in a designated location and available to FRA upon request | 13 railroads | 350 records | 10.00 minutes | 58.33 hours | \$4,491.00 | Employers shall retain records which designate persons who are qualified under this section until new designations are recorded or for at least one year after such persons leave applicable service. These records shall be kept in a designated location and be available for inspection and replication by FRA and FRA-certified State inspectors. FRA estimates, after careful review, that it will take approximately 10 minutes to retain each record. |
| 236.1001(b)—A railroad’s additional or more stringent rules than prescribed under 49 CFR part 236, subpart I | 38 railroads | 1 rule or instruction | 40.00 hours | 40.00 hours | \$4,800.00 | Each railroad may prescribe additional or more stringent rules, and other special instructions, that are not inconsistent with this subpart. FRA estimates, after careful review, that it will take approximately 40 hours to develop each additional rule. |
| 236.1005(b)(4)(i)–(ii)—A railroad’s submission of estimated traffic projections for the next 5 years, to support a request, in a PTCIP or an RFA, not to implement a PTC system based on reductions in rail traffic | The estimated paperwork burden for this requirement is included under § 236.1009(a) and § 236.1021. | | | | | |
| 236.1005(b)(4)(iii)—A railroad’s request for a de minimis exception, in a PTCIP or an RFA, based on a minimal quantity of PIH materials traffic | 7 Class I railroads | 1 exception request | 40.00 hours | 40.00 hours | \$3,080.00 | A railroad may request review of the requirement to install a PTC system on a track segment where a PTC system is otherwise required by this section, but has not yet been installed, based upon the presence of a minimal quantity of PIH materials traffic. FRA estimates, after careful review, that it will take approximately 40 hours for each exception request. |

| | | | | | | |
|---|---|---|---------------|-------------------|--------------|---|
| —(b)(5) A railroad’s request to remove a line from its PTCIP based on the sale of the line to another railroad and any related request for FRA review from the acquiring railroad | The burden for this requirement is included under §236.1009(a) and §236.1021. | | | | | |
| —(g)(1)(i) A railroad’s request to temporarily reroute trains not equipped with a PTC system onto PTC-equipped tracks and vice versa during certain emergencies | 38 railroads | 45 routing extension requests | 8.00 hours | 360.00 hours | \$27,720.00 | A train equipped with a PTC system as required by this subpart may be temporarily rerouted onto a track not equipped with a PTC system and a train not equipped with a PTC system may be temporarily rerouted onto a track equipped with a PTC system as required by this subpart. FRA estimates, after careful review, that it will take approximately 8 hours for each routing extension request. |
| —(g)(1)(ii) A railroad’s written or telephonic notice to the applicable FRA Regional Administrator of the conditions necessitating emergency rerouting and other required information under 236.1005(i) | 38 railroads | 45 written or telephonic notices | 2.00 hours | 90.00 hours | \$6,930.00 | The railroad provides written or telephonic notification to the applicable SMT of the information listed in paragraph (i) within one business day of the beginning of the rerouting made in accordance with this paragraph; and (iii) the conditions under paragraph (j) of this section are followed. FRA estimates, after careful review, that it will take approximately 2 hours for each written or telephonic notification. |
| —(g)(2) A railroad’s temporary rerouting request due to planned maintenance not exceeding 30 days | 38 railroads | 720 requests | 8.00 hours | 5,760.00 hours | \$443,520.00 | A railroad may submit a temporary rerouting request in the event planned maintenance that would prevent usage of the regularly used track if: (i) the maintenance period does not to exceed 30 days; (ii) a request is filed with the applicable Regional Administrator in accordance with paragraph (i) of this section no less than 10 days prior to the planned rerouting; and (iii) the conditions contained in paragraph (j) of this section are followed. FRA estimates, after careful review, that it will take approximately 8 hours for each request. |

| | | | | | | |
|--|---------------------|---------------------|--------------------|-----------------------|--------------------|---|
| <p>—(h)(1) A response to any request for additional information from the FRA Regional Administrator or Associate Administrator, prior to commencing rerouting due to planned maintenance</p> | <p>38 railroads</p> | <p>10 requests</p> | <p>2.00 hours</p> | <p>20.00 hours</p> | <p>\$1,540.00</p> | <p>For the purposes of paragraph (g)(2) of this section, the rerouting request shall be self-executing unless the applicable SMT responds with a notice disapproving of the rerouting or providing instructions to allow rerouting. Such instructions may include providing additional information to the SMT or Associate Administrator prior to the commencement of rerouting. Once the SMT responds with a notice under this paragraph, no rerouting may occur until the SMT or Associate Administrator provides his or her approval.</p> <p>FRA estimates, after careful review, that it will take approximately 2 hours to respond to each request for additional information.</p> |
| <p>—(h)(2) A railroad’s request to temporarily reroute trains due to planned maintenance exceeding 30 days</p> | <p>38 railroads</p> | <p>160 requests</p> | <p>8.00 hours</p> | <p>1,280.00 hours</p> | <p>\$98,560.00</p> | <p>In the event the temporary rerouting described in paragraph (g)(2) of this section is to exceed 30 consecutive calendar days: (i) The railroad shall provide a request in accordance with paragraphs (i) and (j) of this section with the Associate Administrator no less than 10 business days prior to the planned rerouting; and (ii) The rerouting shall not commence until receipt of approval from the Associate Administrator.</p> <p>FRA estimates, after careful review, that it will take approximately 8 hours for each request exceeding 30 days.</p> |
| <p>236.1006(b)(4)(iii)(B)—A progress report due by December 31, 2020, and by December 31, 2022, from any Class II or III railroad utilizing a temporary exception under this section</p> | <p>38 railroads</p> | <p>5 reports</p> | <p>16.00 hours</p> | <p>80.00 hours</p> | <p>\$6,160.00</p> | <p>To the extent any movement exceeds 20 miles in length, such movement is not permitted without the controlling locomotive being equipped with an onboard PTC system after December 31, 2023, and each applicable Class II or III railroad shall report to FRA its progress in equipping each necessary locomotive with an onboard PTC apparatus to facilitate continuation of the movement. The progress</p> |

| | | | | | | |
|---|--|--------------------|----------------|----------------|--------------|---|
| | | | | | | reports shall be filed not later than December 31, 2020, and, if all necessary locomotives are not yet equipped, on December 31, 2022. FRA estimates, after careful review, that it will take approximately 16 hours to gather the necessary information and complete each report. |
| —(b)(5)(vii) A railroad’s request to utilize different yard movement procedures, as part of a freight yard movements exception— | The burden for this requirement is included under §236.1015 and §236.1021. | | | | | |
| 236.1007(b)(1)—For any high-speed service over 90 miles per hour (mph), a railroad’s PTC Safety Plan (PTCSP) must additionally establish that the PTC system was designed and will be operated to meet the fail-safe operation criteria in Appendix C | The burden for this requirement is included under §236.1015 and §236.1021. | | | | | |
| —(c) An HSR-125 document accompanying a host railroad’s PTCSP, for operations over 125 mph | 38 railroads | 1 HSR-125 document | 3,200.00 hours | 3,200.00 hours | \$384,000.00 | In addition to the requirements of paragraphs (a) and (b) of this section, a host railroad that conducts a freight or passenger operation at more than 125 miles per hour shall have an approved PTCSP accompanied by a document (“HSR-125”) establishing that the system complies with (1) through (2) of this section. FRA estimates, after careful review, that it will take approximately 3,200 hours for each HSR-125 document. |
| —(c)(1) A railroad’s request for approval to use foreign service data, prior to submission of a PTCSP | 38 railroads | 0.33 request | 8,000.00 hours | 2,640.00 hours | \$203,280.00 | FRA estimates that approximately one request every three years to use foreign service data before submittal of the PTCSP will be made under the above requirement. FRA estimates, after careful review, that it will take approximately 8000 hours for each use of foreign service data request. |
| —(d) A railroad’s request in a PTCSP that | 38 | 1 | 1,000.00 | 1,000.00 | \$120,000.00 | In addition to the requirements of paragraphs (a) |

| | | | | | | |
|---|---------------|---------------|--------------|--------------|-------------|--|
| FRA excuse compliance with one or more of this section's requirements | railroads | request | hours | hours | | through (c) of this section, a host railroad that conducts a freight or passenger operation at more than 150 miles per hour, which is governed by a Rule of Particular Applicability, shall have an approved PTCSP accompanied by an HSR-125 developed as part of an overall system safety plan approved by the Associate Administrator. FRA estimates, after careful review, that it will take approximately 1000 hours for each request. |
| 236.1009(a)(2)—A PTCIP if a railroad becomes a host railroad of a main line requiring the implementation of a PTC system, including the information under 49 U.S.C. 20157(a)(2) and 49 CFR 236.1011 | 264 railroads | 1 PTCIP | 535.00 hours | 535.00 hours | \$64,200.00 | After April 16, 2010, a host railroad shall file: (i) a PTCIP if it becomes a host railroad of a main line track segment for which it required to implement and operate a PTC system in accordance with § 236.1005(b); or (ii) a request for amendment (“RFA”) of its current and approved PTCIP in accordance with § 236.1021 if it intends to: (A) initiate a new category of service (i.e., passenger or freight); or (B) add, subtract, or otherwise materially modify one or more lines of railroad for which installation of a PTC system is required. FRA estimates, after careful review, that it will take approximately 535 hours to file each PTCIP. |
| —(a)(3) Any new PTCIPs jointly filed by a host railroad and a tenant railroad | 264 railroads | 1 joint PTCIP | 267.00 hours | 267.00 hours | \$32,040.00 | The host and tenant railroad(s) shall jointly file PTCIP that addresses shared track: (i) if the host railroad is required to install and operate a PTC system on a segment of its track; and (ii) if the tenant railroad that shares the same track segment would have been required to install a PTC system if the host railroad had not otherwise been required to do so. FRA estimates, after careful review, that it will take approximately hours for each jointly filed PTCIP. |

| | | | | | | |
|---|--|-----------------------------|----------------|----------------|--------------|---|
| —(b)(1) A host railroad’s submission, individually or jointly with a tenant railroad or PTC system supplier, of an unmodified Type Approval | 264 railroads | 1 documents | 8.00 hours | 8.00 hours | \$616.00 | An unmodified Type Approval previously issued by the Associate Administrator in accordance with § 236.1013 or § 236.1031(b) with its associated docket number. |
| —(b)(2) A host railroad’s submission of a PTCDP with the information required under 49 CFR 236.1013, requesting a Type Approval for a PTC system that either does not have a Type Approval or has a Type Approval that requires one or more variances | 264 railroads | 1 PTCDP | 2,000.00 hours | 2,000.00 hours | \$154,000.00 | A PTCDP requesting a Type Approval for: (i) a PTC system that does not have a Type Approval; or (ii) a PTC system with a previously issued Type Approval that requires one or more variances. FRA estimates, after careful review, that it will take approximately 2000 hours for each PTCDP submission. |
| —(d) A host railroad’s submission of a PTCSP | The burden for this requirement is included under §236.1015. | | | | | |
| —(e)(3) Any request for full or partial confidentiality of a PTCIP, Notice of Product Intent (NPI), PTCDP, or PTCSP | 38 railroads | 10 confidentiality requests | 8.00 hours | 80.00 hours | \$6,160.00 | Each filing referenced in this section may include a request for full or partial confidentiality in accordance with § 209.11 of this chapter. If confidentiality is requested as to a portion of any applicable document, then in addition to the filing requirements under § 209.11 of this chapter, the person filing the document shall also file a copy of the original un-redacted document, marked to indicate which portions are redacted in the document’s confidential version without obscuring the original document’s contents. FRA estimates, after careful review, that it will take approximately 8 hours for each request for confidentiality. |
| —(h) Any responses or documents submitted in connection with FRA’s use of its authority to monitor, test, and inspect processes, procedures, facilities, documents, records, design and testing materials, artifacts, training materials and programs, and any other information used in the design, development, | 38 railroads | 36 interviews and documents | 4.00 hours | 144.00 hours | \$11,088.00 | The Associate Administrator, or that person’s designated representatives, shall be afforded reasonable access to monitor, test, and inspect processes, procedures, facilities, documents, records, design and testing materials, artifacts, training materials and programs, and any other information used in the design, development, manufacture, test, |

| | | | | | | |
|---|---|---------------------------------|--------------|--------------|-------------|--|
| manufacture, test, implementation, and operation of the PTC system, including interviews with railroad personnel | | | | | | implementation, and operation of the system, as well as interview any personnel: (1) through (2) of this section. FRA estimates, after careful review, that it will take approximately 4 hours for each response or submitted documents. |
| —(j)(2)(iii) Any additional information provided in response to FRA’s consultations or inquiries about a PTCDP or PTCSP | 38 railroads | 1 set of additional information | 400.00 hours | 400.00 hours | \$30,800.00 | If FRA has not approved, approved with conditions, or denied the PTCDP or PTCSP within the 60-day or 180-day window, as applicable, FRA will provide the submitting party with a statement of reasons as to why the submission has not yet been acted upon and a projected deadline by which an approval or denial will be issued, and any further consultations or inquiries will be resolved. FRA estimates, after careful review, that it will take approximately 400 hours to respond to each request for additional information. |
| 236.1011(a)–(b)—PTCIP content requirements | The burden for this requirement is included under §236.1009(a) and (e) and §236.1021. | | | | | |
| —(e) Any public comment on PTCIPs, NPIs, PTCDPs, and PTCSPs | 38 railroads | 2 public comments | 8.00 hours | 16.00 hours | \$1,232.00 | Upon receipt of a PTCIP, NPI, PTCDP, or PTCSP, FRA posts on its public website notice of receipt and reference to the public docket in which a copy of the filing has been placed. FRA may consider any public comment on each document to the extent practicable within the time allowed by the law and without delaying implementation of PTC systems. FRA estimates, after careful review, that it will take approximately 8 hours to review each public comment. |
| 236.1013—PTCDP and NPI content requirements | The estimated paperwork burden for this requirement is included under § 236.1009(b), (c), and (e) and § 236.1021. | | | | | |

| | | | | | | |
|--|---------------|-----------------|----------------|----------------|-------------|---|
| 236.1015—Any new host railroad’s PTCSP meeting all content requirements under 49 CFR 236.1015 | 264 railroads | 1 PTCSP | 8,000.00 hours | 8,000.00 hours | \$616,000 | <p>This section sets forth PTC Safety Plan (PTCSP) content requirements and what each railroad must do to receive a PTC System Certification. Each PTCSP must address railroad-specific implementation issues associated with the PTC system identified by the submitted Type Approval. Each PTCSP must include a risk assessment. FRA uses this information as a basis to confirm compliance with the appropriate performance standard.</p> <p>FRA estimates, after careful review, that it will take approximately 8000 hours for each PTCSP.</p> |
| —(g) A PTCSP for a PTC system replacing an existing certified PTC system | 38 railroads | 0.33 PTCSP | 3,200.00 hours | 1,056.00 hours | \$81,312.00 | <p>If a PTCSP applies to a system designed to replace an existing certified PTC system, the PTCSP will be approved provided that the PTCSP establishes with a high degree of confidence that the new system will provide a level of safety not less than the level of safety provided by the system to be replaced.</p> <p>FRA estimates, after careful review, that it will take approximately 3,200 hours for each PTCSP.</p> |
| —(h) A quantitative risk assessment, if FRA requires one to be submitted | 38 railroads | 0.33 assessment | 800.00 hours | 264.00 hours | \$20,328.00 | <p>When reviewing the issue of the potential data errors, the PTCSP must include a careful identification of each of the risks and a discussion of each applicable mitigation.</p> <p>FRA estimates, after careful review, that it will take approximately 800 hours for each quantitative risk assessment.</p> |
| 236.1017(a)—An independent third-party assessment, if FRA requires one to be conducted and submitted | 38 railroads | 0.33 assessment | 1,600.00 hours | 528.00 hours | \$63,360.00 | <p>The PTCSP must be supported by an independent third-party assessment when the Associate Administrator concludes that it is necessary based upon the criteria set forth in § 236.913, with the exception that consideration of the methodology used in the risk assessment (§ 236.913(g)(2)(vii)) shall apply only to the extent that a comparative risk</p> |

| | | | | | | |
|--|--------------|------------------------------------|-------------|-------------|----------|--|
| | | | | | | assessment was required. FRA estimates, after careful review, that it will take approximately 533 hours for each assessment. |
| —(b) A railroad’s written request to confirm whether a specific entity qualifies as an independent third party | 38 railroads | 0.33 written request | 8.00 hours | 2.64 hours | \$203.00 | If a PTC system is to undergo an independent assessment in accordance with this section, the host railroad may submit to the Associate Administrator a written request that FRA confirm whether a particular entity would be considered an independent third party pursuant to this section. FRA estimates, after careful review, that it will take approximately 8 hours for each written request confirming an independent third party. |
| —Further information provided to FRA upon request | 38 railroads | 0.33 set of additional information | 20.00 hours | 6.60 hours | \$508.00 | The request should include supporting information identified in paragraph (c) of this section. FRA may request further information to make a determination or provide its determination in writing. FRA estimates, after careful review, that it will take approximately 20 hours to prepare documentation and respond to each request for additional information. |
| —(d) A request not to provide certain documents otherwise required under Appendix F for an independent, third-party assessment | 38 railroads | 0.33 request | 20.00 hours | 6.60 hours | \$508.00 | The independent third-party assessment must, at a minimum, consist of the activities and result in the production of documentation meeting the requirements of Appendix F to this part, unless excepted by this part or by FRA order or waiver. FRA estimates, after careful review, that it will take approximately 20 hours for each exception request. |
| —(e) A request for FRA to accept information certified by a foreign regulatory entity for purposes of 49 CFR 236.1017 and/or 236.1009(i) | 38 railroads | 0.33 request | 32.00 hours | 10.56 hours | \$813.00 | Information provided that has been certified under the auspices of a foreign railroad regulatory entity recognized by the Associate Administrator may, at the Associate Administrator’s discretion, be accepted as having been independently verified. |

| | | | | | | |
|--|--------------|-----------------------|--------------|--------------|-------------|--|
| | | | | | | FRA estimates, after careful review, that it will take approximately 32 hours to certify each request. |
| 236.1019(b)—A request for a passenger terminal main line track exception (MTEA) | 38 railroads | 1 MTEA | 160.00 hours | 160.00 hours | \$12,320.00 | FRA will consider an exception in the case of trackage used exclusively as yard or terminal tracks by or in support of regularly scheduled intercity or commuter passenger service where the MTEA describes in detail the physical boundaries of the trackage in question and its use and characteristics (including track and signal charts) as described by this section. FRA estimates, after careful review, that it will take approximately 160 hours for each MTEA request. |
| —(c)(1) A request for a limited operations exception (based on restricted speed, temporal separation, or a risk mitigation plan) | 38 railroads | 1 request and/or plan | 160.00 hours | 160.00 hours | \$12,320.00 | FRA will consider an exception in the case of a track segment used for limited operations (at speeds not exceeding those permitted under 236.0 of this part) and described by this section. FRA estimates, after careful review, that it will take approximately 160 hours for each exception request. |
| —(c)(2) A request for a limited operations exception for a non-Class I, freight railroad's track | 10 railroads | 1 request | 160.00 hours | 160.00 hours | \$12,320.00 | Passenger service is operated on a segment of track of a freight railroad that is not a Class I railroad on which less than 15 million gross tons of freight traffic is transported annually (and follows the conditions described in this section). FRA estimates, after careful review, that it will take approximately 160 hours for each non-Class I limited operations exception request. |
| —(c)(3) A request for a limited operations exception for a Class I railroad's track | 7 railroads | 1 request | 160.00 hours | 160.00 hours | \$12,320.00 | Not more than four passenger trains per day are operated on a segment of track of a Class I freight railroad on which less than 15 million gross tons of freight traffic is transported annually. |

| | | | | | | |
|---|---|--------------------------------|--------------|----------------|--------------|--|
| | | | | | | FRA estimates, after careful review, that it will take approximately 160 hours for each Class I limited operations exception request. |
| —(d) A railroad’s collision hazard analysis in support of an MTEA, if FRA requires one to be conducted and submitted | 38 railroads | 0.33 collision hazard analysis | 50.00 hours | 16.50 hours | \$1,271.00 | A limited operations exception under paragraph (c) is subject to FRA review and approval. FRA may require a collision hazard analysis to identify hazards and may require that specific mitigations be undertaken. Operations under any such exception shall be conducted subject to the terms and conditions of the approval. Any main line track exclusion is subject to periodic review. FRA estimates, after careful review, that it will take approximately 50 hours for each collision hazard analysis. |
| —(e) Any temporal separation procedures utilized under the 49 CFR 236.1019(c)(1)(ii) exception | The burden for this requirement is included under § 236.1019(c)(1). | | | | | |
| 236.1021(a)–(d)—Request for RFA to a railroad’s PTCIP or PTCDP | 38 railroads | 10 RFAs | 160.00 hours | 1,600.00 hours | \$123,200.00 | (a) No changes, as defined by this section, may be made to a PTCIP or PTCDP unless: (1) The railroad files a request for amendment (“RFA”) to the applicable PTCIP or PTCDP with the Associate Administrator; and (2) The Associate Administrator approves the RFA: (b) through (d) of this section. FRA estimates, after careful review, that it will take approximately 160 hours for each RFA. |
| —(e) Any public comments, if an RFA includes a request for approval of a discontinuance or material modification of a signal or train control system and a Federal Register notice is published | 5 Interested parties | 10 RFA public comments | 16.00 hours | 160.00 hours | \$12,320.00 | If the RFA includes a request for approval of a discontinuance or material modification of a signal or train control system, FRA will publish a notice in the Federal Register of the application and will invite public comment in accordance with part 211 of this |

| | | | | | | |
|--|--|---------------------|----------------|-------------------|-------------|--|
| | | | | | | chapter. FRA estimates, after careful review, that it will take approximately 16 hours to prepare each RFA for public comments in the <u>Federal Register</u> . |
| —(l) Any jointly filed RFA to a PTCDP or PTCSP | The burden for this requirement is included under §236.1021(a)—(d) and (m). | | | | | |
| —(m) Any RFA to a railroad’s PTCSP | 38 railroads | 15 RFAs | 80.00 hours | 1,200.00 hours | \$92,400.00 | No changes, as specified under paragraphs (h)(3) or (4) of this section, may be made to an FRA-certified PTC system or an FRA-approved PTCSP unless the host railroad first complies with the process outlined in (1) through (2) of this section. FRA estimates, after careful review, that it will take 80 hours to complete each RFA. |
| 236.1023(a)—A railroad’s PTC Product Vendor List, which must be continually updated | 38 railroads | 2 updated lists | 8.00 hours | 16.00 hours | \$1,232.00 | Each railroad implementing a PTC system on its property shall establish and continually update a PTC Product Vendor List (PTCPVL) that includes all vendors and suppliers of each PTC system, subsystem, component, and associated product, and process in use system wide. The PTCPVL shall be made readily available to FRA upon request. FRA estimates, after careful review, that it will take approximately 8 hours to complete each updated list. |
| —(b)(1) The railroad shall specify within its PTCSP all contractual arrangements between a railroad and its hardware and software suppliers or vendors for certain immediate notifications | The burden for this requirement is included under § 236.1015 and § 236.1021. | | | | | |
| —(b)(2)–(3) A vendor’s or supplier’s notification, upon receipt of a report of any safety-critical failure of its product, to any railroads using the product | 10 vendors or suppliers | 10 notifications | 8.00 hours | 80.00 hours | \$6,160.00 | The notification from a supplier to any railroad shall include explanation from the supplier of the reasons for such notification, the circumstances associated with the failure, and any recommended mitigation |

| | | | | | | |
|--|--|---------------------|-------------|--------------|-------------|--|
| | | | | | | actions to be taken pending determination of the root cause and final corrective actions. FRA estimates, after careful review, that it will take approximately 8 hours for each vendor/supplier notification. |
| —(c)(1)–(2) A railroad’s process and procedures for taking action upon being notified of a safety-critical failure or a safety-critical upgrade, patch, revision, repair, replacement, or modification, and a railroad’s configuration/revision control measures, set forth in its PTCSF | The burden for this requirement is included under § 236.1015 and § 236.1021. | | | | | |
| —(d) A railroad’s submission, to the applicable vendor or supplier, of the railroad’s procedures for action upon notification of a safety-critical failure, upgrade, patch, or revision to the PTC system and actions to be taken until it is adjusted, repaired, or replaced | 38 railroads | 2.50 notifications | 16.00 hours | 40.00 hours | \$3,080.00 | The railroad shall provide to the applicable vendor or supplier the railroad’s procedures for action upon notification of a safety critical failure, upgrade, patch, or revision for the PTC system, subsystem, component, product, or process, and actions to be taken until the faulty system, subsystem, or component has been adjusted, repaired, or replaced. FRA estimates, after careful review, that it will take approximately 16 hours for railroads to respond to each notification. |
| —(e) A railroad’s database of all safety-relevant hazards, which must be maintained after the PTC system is placed in service | 38 railroads | 38 database updates | 16.00 hours | 608.00 hours | \$46,816.00 | After the product is placed in service, the railroad shall maintain a database of all safety-relevant hazards as set forth in the PTCSF and those that had not previously been identified in the PTCSF. FRA estimates, after careful review, that it will take approximately 16 hours for each database update. |
| —(e)(1) A railroad’s notification to the vendor or supplier and FRA if the frequency of a safety-relevant hazard exceeds the threshold set forth in the PTCDP and PTCSF, and about | 38 railroads | 8 notifications | 7.50 hours | 60.00 hours | \$4,620.00 | If the frequency of the safety-relevant hazard exceeds the thresholds set forth in the PTCSF, or has not been previously identified in the appropriate risk analysis, the railroad must: |

| | | | | | | |
|--|---|--------------|-------------|--------------|------------|--|
| the failure, malfunction, or defective condition that decreased or eliminated the safety functionality—Form FRA F 6180.179—Errors and Malfunctions Notification (Revised requirement) | | | | | | (1) Notify the applicable vendor or supplier and FRA of the failure, malfunction, or defect that decreased or eliminated the safety functionality; and (2) Keep the applicable vendor or supplier and FRA apprised on a continual basis of the status of any and all subsequent failures; and (3) Take prompt counter measures to reduce or eliminate the frequency of the safety-relevant hazards below the threshold identified in the PTCSP. FRA estimates, after careful review, that it will take approximately 7.50 hours for each notification. |
| —(e)(2) Continual updates about any and all subsequent failures | 38 railroads | 1 update | 8.00 hours | 8.00 hours | \$616.00 | The railroad must keep the applicable vendor or supplier and FRA apprised on a continual basis of the status of any and all subsequent failures. FRA estimates, after careful review, that it will take approximately 8 hours for each update. |
| —(f) Any notifications that must be submitted to FRA under 49 CFR 236.1023 | The burden for this requirement is included under § 236.1023(e)(1), (g), and (h)(1)(2). | | | | | |
| —(g) A railroads and vendor’s or supplier’s report, upon FRA request, about an investigation of an accident or service difficulty due to a manufacturing or design defect and their corrective actions | 38 railroads | 0.50 reports | 40.00 hours | 20.00 hours | \$1,540.00 | Whenever any investigation of an accident or service difficulty report shows that a PTC system or product is unsafe because of a manufacturing or design defect, the railroad and its vendor shall, upon request of the Associate Administrator, report to the Associate Administrator the results of its investigation and any action taken or proposed to correct that defect. FRA estimates, after careful review, that it will take approximately 40 hours for each report. |
| —(h) A PTC system vendor’s or supplier’s reports of any safety-relevant failures, defective conditions, previously unidentified hazards, recommended mitigation actions, and | 10 vendors | 20 reports | 7.50 hours | 150.00 hours | \$11,550 | PTC system and product suppliers and vendors shall promptly report any safety relevant failures or defective conditions, previously unidentified hazards, and recommended mitigation actions in their PTC |

| | | | | | | |
|--|--|---------------|---------------|----------------|--------------|---|
| any affected railroads—Form FRA F 6180.179—Errors and Malfunctions Notification (Revised requirement) | | | | | | system, subsystem, or component to each railroad using the product. FRA estimates, after careful review, that it will take approximately 7.5 hours for each report. |
| —(k) A report of a failure of a PTC system resulting in a more favorable aspect than intended or other condition hazardous to the movement of a train, including the reports required under part 233 | The burden for this requirement is included under § 236.1023 (e)(1), (g), and (h)(1)(2) and 49 CFR § 233.7 | | | | | |
| 236.1029(b)(4)—A report of an en route failure, other failure, or cut out to a designated railroad officer of the host railroad | 150 host and tenant railroads | 1,000 reports | 30.00 minutes | 500.00 hours | \$38,500 | Except as provided in paragraphs (c) and (g) of this section, where a controlling locomotive that is operating in, or is to be operated within, a PTC-equipped track segment experiences PTC system failure or the PTC system is otherwise cut out while en route (i.e., after the train has departed its initial terminal), the train may only continue in accordance as described under paragraphs (1) through (6) of this section. FRA estimates, after careful review, that it will take approximately 30 minutes for each report. |
| —(h) Form FRA F 6180.152—Biannual Report of PTC System Performance | 38 railroads | 146 reports | 32.00 hours | 4,672.00 hours | \$359,744.00 | Each railroad shall provide FRA with a report of the number of PTC failures that occurred during the reporting period. The report shall identify failures by category, including but not limited to locomotive, wayside, communications, and back-office system failures. The report shall also include positive performance-related information, including about the technology’s positive impact on rail safety. FRA estimates, after careful review, that it will take approximately 32 hours for each bi-annual report. |
| 236.1031(a)–(d) — A railroad's Request for | FRA anticipates that there will be zero requests for expedited certification during this 3-year ICR. | | | | | |

| | | | | | | |
|--|---|------------------|------------------|-----------------|-------------|--|
| Expedited Certification | | | | | | |
| 236.1033—Communications and security requirements | The burden for this requirement is included under § 236.1009 and § 236.1015. | | | | | |
| 236.1035(a)–(b)—A railroad’s request for authorization to field test an uncertified PTC system and any responses to FRA’s testing conditions | 38 railroads | 10 requests | 40.00 hours | 400.00 hours | \$30,800.00 | Before any field testing of an uncertified PTC system, or a product of an uncertified PTC system, or any regression testing of a certified PTC system is conducted on the general rail system, the railroad requesting the testing must provide a complete description of the PTC system as described under paragraphs (1) through (7) of this section. Furthermore, FRA may impose additional testing conditions for the safety of train operations. FRA estimates, after careful review, that it will take approximately 40 hours for each request to field test uncertified PTC systems. |
| 236.1037(a)(1)–(2)—Records retention | The burden for this requirement is included under § 236.1009 and § 236.1015. | | | | | |
| —(a)(3)–(4) Records retention | The burden for this requirement is included under § 236.1039 and § 236.1043(b). | | | | | |
| —(b) Results of inspections and tests specified in a railroad’s PTCSP and PTCDP | 38 railroads | 800 records | 1.00 hour | 800.00 hours | \$61,600.00 | Results of inspections and tests specified in the PTCSP and PTCDP must be recorded pursuant to § 236.110. FRA estimates, after careful review, that it will take approximately 1 hour to record each inspection and test result. |
| —(c) A contractor’s records related to the testing, maintenance, or operation of a PTC system maintained at a designated office | 20 contractors | 1,600 records | 10.00 minutes | 266.67 hours | \$20,534.00 | Each contractor providing services relating to the testing, maintenance, or operation of a PTC system required to be installed under this subpart shall |

| | | | | | | |
|---|--------------|----------------------------|--------------|----------------|-------------|--|
| | | | | | | maintain at a designated office training records required under §236.1039(b). FRA estimates, after careful review, that it will take approximately 10 minutes to maintain each training records. |
| —(d)(3) A railroad’s final report of the results of the analysis and countermeasures taken to reduce the frequency of safety-related hazards below the threshold set forth in the PTCSP | 38 railroads | 8 final reports | 160.00 hours | 1,280.00 hours | \$98,560.00 | The railroad shall provide a final report when the inconsistency is resolved to FRA, on the results of the analysis and countermeasures taken to reduce the frequency of the safety-relevant hazard(s) below the threshold set forth in the PTCSP and PTCDP. FRA estimates, after careful review, that it will take approximately 160 hours for each final report. |
| 236.1039(a)–(c), (e)—A railroad’s PTC Operations and Maintenance Manual (OMM), which must be maintained and available to FRA upon request | 38 railroads | 2 OMM updates | 10.00 hours | 20.00 hours | \$1,540.00 | The railroad shall catalog and maintain all documents as specified in the PTCDP and PTCSP for the installation, maintenance, repair, modification, inspection, and testing of the PTC system and have them in one Operations and Maintenance Manual, readily available to persons required to perform such tasks and for inspection by FRA and FRA-certified State inspectors as described under paragraphs (b), (c), and (e) of this section. FRA estimates, after careful review, that it will take approximately 10 hours to catalog and maintain each OMM update. |
| —(d) A railroad’s identification of a PTC system’s safety-critical components, including spare equipment | 38 railroads | 1 identified new component | 1.00 hour | 1.00 hour | \$77.00 | Safety-critical components, including spare equipment, must be positively identified, handled, replaced, and repaired in accordance with the procedures specified in the PTCDP and PTCSP. FRA estimates, after careful consideration, that it will take approximately 1 hour to document each new component. |

| | | | | | | |
|--|-------------------------------------|----------------------------|-------------|---------------------|--------------------|---|
| 236.1041(a)–(b) and 236.1043(a)—A railroad’s PTC Training and Qualification Program (i.e., a written plan) | 38 railroads | 2 programs | 10.00 hours | 20.00 hours | \$1,540.00 | Employers shall establish and implement training and qualification programs for PTC systems subject to this subpart. These programs must meet the minimum requirements set forth in the PTCDP and PTCSP in §§ 236.1039 through 236.1045, as appropriate. FRA estimates, after careful review, that it will take approximately 10 hours for each training and qualification program. |
| 236.1043(b)—Training records retained in a designated location and available to FRA upon request | 150 host and tenant railroads | 150 PTC training records | 1.00 hour | 150.00 hours | \$1,550.00 | Employers must retain records which designate persons who are qualified under this section until new designations are recorded or for at least one year after such persons leave applicable service. These records shall be kept in a designated location and be available for inspection and replication by FRA and FRA-certified State inspectors. FRA estimates, after careful review, that it will take approximately 1 hour to document and maintain each record. |
| Total | 742 railroads and 10 vendors | 4,567,826 responses | N/A | 51,930 hours | \$4,324,155 | |

13. Estimate of total annual costs to respondents.

There will be no additional cost burden to respondents beyond the burden listed in FRA’s answer to question number 12 and those customary and usual expenses associated with normal daily business operations.

14. Estimate of Cost to Federal Government.

In terms of governmental costs associated with the expanded reporting requirement, including the increase from biannual to quarterly reporting, FRA expects it will cost approximately \$10,000, over the ten-year period, to review the additional data railroads will submit in their Quarterly Reports of PTC System Performance (Form FRA F 6180.152). Regarding Form FRA F 6180.179, there are no new costs associated with the use of this form to fulfill this reporting requirements in 49 CFR 236.1023(e)(1), (h), and (f). The new Form FRA F 6180.179 will make the reporting requirement much easier to process and will take less time to complete.

To calculate the government administrative cost, the 2023 Office of Personnel Management wage rates were used. The average wage, step 5, was used as a midpoint. Wages were considered at the burdened wage rate by multiplying the actual wage rate by an overhead cost of 75 percent. The following table shows the estimated average annual cost to the Federal government to review all the required documents and conduct the external audits associated with this rule.

| Resources | Pay Grade | Annual-Average Wage Rate | Number of Employees | Percent Share of Time Use | Total Wages (Wages * 1.75 of Overhead Cost) |
|--------------------------------------|-----------|--------------------------|---------------------|---------------------------|---|
| Division Staff Director | GS-15 | 176,458.00 | 1 | 25 | 77,200.00 |
| Deputy Staff Director | GS-14 | 150,015.00 | 1 | 10 | 26,253.00 |
| PTC Senior Test and Plan Monitors | GS-14 | 150,015.00 | 1 | 85 | 223,147.00 |
| PTC Regional Specialists | GS-13 | 121,473.00 | 7 | 85 | 1,264,838.00 |
| PTC Safety Specialist at Headquarter | GS-12 | 106,759.00 | 1 | 25 | 46,707.00 |

| | | | | | |
|---|-------|------------|---|----|---------------------|
| Electronic Engineer | GS-14 | 150,015.00 | 2 | 25 | 131,263.00 |
| Estimated Average Annual Cost to Government | | | | | 1,769,408.00 |

Total annual government cost = \$1,769,408.00 + \$1,000 (shift from biannual to quarterly on Form FRA F 610.152) = \$1,770,408.

15. Explanation of program changes and adjustments.

This is a revision to a current information collection (ICR). Currently, the OMB inventory for this collection of information shows a total burden of 51,993 hours and 4,567,826 responses, while the requesting inventory reflects an estimate of a total burden of 51,931 hours and 4,567,826 responses. Overall, the adjustments for this submission have decreased the burden by 62 hours.

The tables below provide specific information on the review of any of the estimates that have changed.

| CFR Section/Subject | Total Annual Responses | | | Total Annual Burden Hours | | | PRA Analyses and Estimates |
|--|---|---|---|---------------------------|--------------------|--------------|-----------------------------|
| | Previous Submission | Current Submission | Difference | Previous Submission | Current Submission | Difference | |
| 236.587(d)— Certification and departure test results | 4,562,500.00 train departures 5.00 seconds | 4,562,500.00 train departures 5.00 seconds | 0.00 train departures 0.00 seconds | 6,337.00 hours | 6,336.81 hours | -0.19 hours | Adjustment due to rounding. |
| —(c)(2) Response to FRA’s request for further data after informational filing | 0.25 data calls/documents 5.00 hours | 0.25 data calls/documents 5.00 hours | 0.00 data calls/documents 0.00 hours | 1.00 hour | 1.25 hour | 0.25 hour | Adjustment due to rounding. |
| 236.923(b)— Training records retained in a designated location and available to FRA upon request | 350.00 records 10.00 minutes | 350.00 records 10.00 minutes | 0.00 records 0.00 minutes | 58.00 hours | 58.33 hours | 0.33 hours | Adjustment due to rounding. |
| —(c)(1) A railroad’s request for approval to use foreign service data, prior to | 0.33 request 8,000.00 hours | 0.33 request 8,000.00 hours | 0.00 request 0.00 hours | 2,667.00 hours | 2,640.00 hours | -27.00 hours | Adjustment due to rounding. |

| | | | | | | | |
|---|---|---|---|-------------------|-------------------|-----------------|-----------------------------|
| submission of a PTCSP | | | | | | | |
| —(g) A PTCSP for a PTC system replacing an existing certified PTC system | 0.33 PTCSP 3,200.00 hours | 0.33 PTCSP 3,200.00 hours | 0.00 PTCSP 0.00 hours | 1,067.00 hours | 1,056.00 hours | -11.00 hours | Adjustment due to rounding. |
| —(h) A quantitative risk assessment, if FRA requires one to be submitted | 0.33 assessment 800.00 hours | 0.33 assessment 800.00 hours | 0.00 assessment 0.00 hours | 267.00 hours | 264.00 hours | -3.00 hours | Adjustment due to rounding. |
| 236.1017(a)—An independent third-party assessment, if FRA requires one to be conducted and submitted | 0.33 assessment 1,600.00 hours | 0.33 assessment 1,600.00 hours | 0.00 assessment 0.00 hours | 533.00 hours | 528.00 hours | -5.00 hours | Adjustment due to rounding. |
| —(b) A railroad’s written request to confirm whether a specific entity qualifies as an independent third party | 0.33 written request 8.00 hours | 0.33 written request 8.00 hours | 0.00 written request 0.00 hours | 3.00 hours | 2.64 hours | -0.36 hours | Adjustment due to rounding. |
| —Further information provided to FRA upon request | 0.33 set of additional information 20.00 hours | 0.33 set of additional information 20.00 hours | 0.00 set of additional information 0.00 hours | 7.00 hours | 6.60 hours | -0.40 hours | Adjustment due to rounding. |
| —(d) A request not to provide certain documents otherwise required under Appendix F for an independent, third-party | 0.33 request 20.00 hours | 0.33 request 20.00 hours | 0.00 request 0.00 hours | 7.00 hours | 6.60 hours | -0.40 hours | Adjustment due to rounding. |

| | | | | | | | |
|--|---|---|--|-------------|-------------|-------------|---|
| assessment | | | | | | | |
| —(e) A request for FRA to accept information certified by a foreign regulatory entity for purposes of 49 CFR 236.1017 and/or 236.1009(i) | 0.33 request 32.00 hours | 0.33 request 32.00 hours | 0.00 request 0.00 hours | 11.00 hours | 10.56 hours | -0.44 hours | Adjustment due to rounding. |
| —(d) A railroad's collision hazard analysis in support of an MTEA, if FRA requires one to be conducted and submitted | 0.33 collision hazard analysis 50.00 hours | 0.33 collision hazard analysis 50.00 hours | 0.00 collision hazard analysis 0.00 hours | 17.00 hours | 16.50 hours | -0.50 hours | Adjustment due to rounding. |
| —(e)(1) A railroad's notification to the vendor or supplier and FRA if the frequency of a safety-relevant hazard exceeds the threshold set forth in the PTCDP and PTCSP, and about the failure, malfunction, or defective condition that decreased or eliminated the safety functionality —Form FRA F 6180.179—Errors | 8.00 notifications 8.00 hours | 8.00 notifications 7.50 hours | 0.00 notifications -0.50 hours | 64.00 hours | 60.00 hours | -4.00 hours | The reduction in burden hours is a result of the use of the new standardized Form 6180.179. The use of the standardized form reduces the burden hours for this notification from 8 hours to 7.50 hours. |

| | | | | | | | |
|--|-----------------------------|-----------------------------|---------------------------------------|---------------------|---------------------|---------------------|---|
| and Malfunctions Notification (Revised requirement) | | | | | | | |
| —(h) A PTC system vendor’s or supplier’s reports of any safety-relevant failures, defective conditions, previously unidentified hazards, recommended mitigation actions, and any affected railroads—Form FRA F 6180.179—Errors and Malfunctions Notification (Revised requirement) | 20.00 reports 8.00 hours | 20.00 reports 7.50 hours | 0.00 reports -0.50 hours | 160.00 hours | 150.00 hours | -10.00 hours | The reduction in burden hours is a result of the use of the new standardized Form 6180.179. The use of the standardized form reduces the burden hours for this notification from 8 hours to 7.50 hours. |
| Total | 4,567,826 responses | 4,567,826 responses | -0.00 responses -1.00 hour | 51,993 hours | 51,931 hours | -62.00 hours | |

16. Publication of results of data collection.

FRA does not plan to tabulate or publish the responses.

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.