

**1 FEDERAL RAILROAD ADMINISTRATION
POSITIVE TRAIN CONTROL AND OTHER SIGNAL SYSTEMS
(Title 49 Code of Federal Regulations Parts 235 and 236)
SUPPORTING JUSTIFICATION
RIN 2130-AC95; OMB Control No. 2130-0553**

Summary

- This submission is a revision to the last approved submission pertaining to Title 49 Code of Federal Regulation Parts 235 and 236 (Positive Train Control and Other Signal Systems), that was approved by the Office of Management and Budget (OMB) on March 14, 2024, which expires March 31, 2027.
- The Federal Railroad Administration (hereafter “FRA” or “the Agency”) is publishing a Notice of Proposed Rulemaking (NPRM) revising Part 236 titled Positive Train Control Systems in the Federal Register on October 28, 2024. See 89 FR 85462. FRA plans to respond to any comments received in response to the NPRM in the final rule.
- The total number of burden hours previously approved by OMB for this collection is 51,931, and the total number of responses previously approved is 4,567,826.
- The total number of burden hours requested is 53,310 hours and the total number of responses requested is 4,567,839.
- Program change increased the burden by 1,395 hours and 16 responses.
- FRA made adjustments that decreased the burden by 16 hours and 3 responses.
- The answer to question 12 itemizes all information collection requirements.
- The answer to question 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

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. Additionally, in March 2024, FRA standardized 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).

In this NPRM FRA is proposing to amend three sections, 49 CFR 236.1006, 236.1021, and 236.1029, of FRA's existing PTC regulations pursuant to its specific authority under 49 CFR 1.89 and 49 U.S.C. 20157(g), and its general authority under 49 U.S.C. 20103 to prescribe regulations and issue orders for every area of railroad safety governing PTC systems. Since December 31, 2020, by law, PTC systems have generally governed rail operations on PTC-mandated main lines, which encompass nearly 59,000 route miles today. Through FRA's oversight and continued engagement with the industry, FRA has found that its existing PTC regulations do not provide sufficient flexibility to railroads to continue operating following certain initialization failures or in cases where a PTC system needs to be temporarily disabled to facilitate repair, maintenance, infrastructure upgrades, or capital projects.

This NPRM proposes to establish parameters and operating restrictions under which railroads may continue to operate safely in certain necessary scenarios when PTC technology is not governing rail operations temporarily. Overall, the proposed amendments would benefit the railroad industry, the public, and FRA by facilitating repairs, maintenance, upgrades, and capital improvements; expanding certain railroad filing requirements; reducing unnecessary costs; and enabling the safe, reliable, and efficient movement of people and goods, while preserving rail safety.

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

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).

FRA's regulations require that railroads or PTC vendors and suppliers notify FRA of certain PTC system errors and malfunctions.³ 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.⁴ 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.⁵ 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.⁶

The information collected quarterly on FRA F 6180.152 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. Form FRA F 6180.179, Errors, and Malfunctions Notification Form, makes it easier for entities to notify FRA of each applicable failure, malfunction, or defective condition, and for FRA to synthesize and act on the reported failure. Form FRA F 6180.179 is submitted to FRAPart2361023Notification@dot.gov within the same 15-day deadline required under 49 CFR 236.1023(f)(1). The Errors and Malfunctions Notification Form does 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.⁷

In the 2024 PTC NPRM, FRA is proposing to improve existing 49 CFR 236.1021(m), which railroads currently utilize to request and obtain FRA's approval to disable their PTC systems temporarily when necessary to facilitate repair, maintenance, infrastructure upgrades, and capital projects. This NPRM proposes to add paragraph (m)(4) to existing § 236.1021 to focus on this specific type of request for amendment (RFA) to PTC systems (*i.e.*, where a temporary PTC system outage is proposed), as it is different from the other types of RFAs that railroads submit pursuant to § 236.1021 and requires additional FRA oversight. FRA proposes to require railroads to provide additional, essential information in an RFA that seeks to temporarily disable a PTC system, to enable FRA to evaluate more fully the scope, circumstances, and necessity of a proposed temporary outage and properly determine whether granting the request is in the public interest and consistent with railroad safety.

In addition, FRA is proposing to reintroduce a limited, more stringent version of a flexibility, regarding PTC system initialization failures that expired on December 31,

³ See 49 CFR 236.1023.

⁴ 49 CFR 236.1023(e).

⁵ 49 CFR 236.1023(e)(1).

⁶ 49 CFR 236.1023(h)(2).

⁷ See, *e.g.*, 49 CFR 236.1023(e), (h), and (f).

2022.⁸ The expired regulatory provision previously permitted any train, including individual trains, to keep operating subject to certain restrictions, if the train failed to initialize for any reason prior to the train’s departure from its initial terminal.

FRA’s intention in the NPRM, by proposing to reintroduce a more limited version of this flexibility, is to address system-level outages or failures that result in multiple trains’ PTC system failings to initialize, impacting the trains of the host railroad and often most, if not all, its tenant railroads. Currently, if a PTC system fails to initialize, trains are generally prohibited from operating, which has resulted in situations where passengers could be stranded, and vital freight shipments halted.

3. Extent of automated information collection.

FRA strongly encourages 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 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.

The proposed rule would directly apply to all 37 host railroads subject to 49 U.S.C. 20157—including 7 Class I railroads, 24 intercity passenger railroads or commuter railroads, and 6 Class II or III, short line, or terminal railroads. FRA understands that only 5 of the current PTC-mandated host railroads are small entities. FRA estimates that the annualized cost to each host railroad would be approximately \$4,556, discounted at 2 percent. FRA estimates that the annualized benefit for each host railroad would be \$251,341, discounted

⁸See 49 CFR 236.1029(g)(2).

at 2 percent. Therefore, the cost per railroad is small considering the benefits that would accrue.

6. Impact of less frequent collection of information.

The information collected under the proposed revised requirement under § 236.1021(m) (4)—*Discontinuances, material modifications, and amendments*—will ensure that FRA is provided with the additional, essential information needed when reviewing RFAs that propose to temporarily disable a PTC system. This will enable FRA to evaluate more fully the scope, circumstances, and necessity of a proposed temporary outage and properly determine whether granting the request is in the public interest and consistent with railroad safety.

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. 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.

FRA published a NPRM in the Federal Register on October 28, 2024,¹⁰ titled Positive Train Control Systems soliciting comments on the proposed rule and its accompanying information collection requirements. FRA will respond to any comments received concerning the proposed rule and its associated collection of information at the final rule stage.

Consultations with representatives of the affected population:

FRA regularly engages with host railroads, tenant railroads, PTC system vendors and suppliers, industry associations, and labor organizations, as part of FRA's oversight of railroads' operation of PTC systems on the mandated main lines under 49 U.S.C. 20157

⁹

¹⁰FR 89 85462

and the other lines where railroads are voluntarily implementing PTC technology.

From November 2023 to February 2024, FRA met with the following four industry associations and their member railroads to discuss the objectives of this NPRM and solicit their feedback: the American Public Transportation Association (APTA), the American Short Line and Regional Railroad Association (ASLRRA), the Association of American Railroads (AAR), and the Commuter Rail Coalition (CRC). Representatives from 35 Class I railroads, commuter and passenger railroads, and short line and regional railroads, attended one or more of the AAR, APTA,¹¹ ASLRRA, and CRC meetings. For the same purpose, FRA also met with ten labor organizations in February 2024.

In general, the four industry associations and 35 railroads strongly supported the three objectives of this NPRM. The labor organizations FRA met with supported FRA's objective of enabling operations while maintaining rail safety, but they expressed concern that regulatory flexibility might have the unintended consequence of degrading safety or delaying repairs to PTC technology. Accordingly, FRA drafted its proposed requirements and restrictions in 49 CFR 236.1006(b)(6), 236.1021(m)(4), and 236.1029(g) with all feedback in mind and to prioritize rail safety, while also facilitating repairs, maintenance, and infrastructure upgrades, and enabling the safe, reliable, and efficient movement of passengers, commuters, and freight.

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.

¹¹ In addition to FRA's meeting with APTA, FRA met with the following two user groups in February 2024, as coordinated through APTA: the Enhanced Automatic Train Control (E-ATC) User Group and the Interoperable Electronic Train Management System (I-ETMS) User Group.

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 Train Control, and Crossings Division.

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates) ¹²	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	\$4,456.50	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. FRA estimates, after careful review, that it will take approximately 5 hours to complete each expedited application.

¹² The dollar equivalent cost is derived from the 2023 Surface Transportation Board Full Year Wage A&B data series using the employee group 200 (Professional & Administrative) hourly wage rate of \$50.93 and group 100 (Executives, Officials, & Staff Assistants) hourly wage rate of \$67.69. The total burden wage rate (Straight time plus 75%) used in the table is \$89.13 ($\$50.93 \times 1.75 = \89.13), and \$118.46 ($\$67.69 \times 1.75 = \118.46).

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—Copy of expedited application to labor union	42 railroads	10 copies	30.00 minutes	5.00 hours	\$445.65	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). FRA estimates, after careful review, this it will take approximately 30 minutes to provide a copy of the plan to the employee representatives.
—Railroad letter rescinding its request for expedited application of certain signal system changes	42 railroads	1 letter	6.00 hours	6.00 hours	\$534.78	FRA estimates that approximately 1 letter rescinding a request for expedited application of certain signal system changes will be made by railroads and sent to FRA. FRA estimates, after careful review, that it will take approximately 6 hours for each letter.
—Revised application for certain signal system changes	42 railroads	1 application	5.00 hours	5.00 hours	\$445.65	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	\$44.57	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. FRA estimates, after careful review, that it will take approximately 30 minutes for each revised plan to be sent to the employee representative.
236.1—Railroad maintained	700	25	15.00	6.30	\$561.52	As required for maintenance, plans shall be kept

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signal plans at all interlockings, automatic signal locations, and controlled points, and updates to ensure accuracy	railroads	plan changes	minutes	hours		at all interlockings, automatic signals and controlled points. Plans shall be legible and correct. FRA estimates, after careful review, that it will take approximately 15 min for each signal plan.
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	\$445.65	Automatic block, traffic control, train stop, train control, cab signal, and PTC territory shall be designated in timetable instructions. FRA estimates, after careful review, that it will take 30 minutes for each timetable instruction.
236.18—Software management control plan – New railroads	2 railroads	2 plans	160.00 hours	320.00 hours	\$28,521.60	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 subject to this requirement would be affected. FRA estimates, after careful review, that it will take approximately 160 hours to develop each software management control plan.
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	700 railroads	2 modifications	1.00 hour	2.00 hours	\$178.26	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. FRA estimates, after careful review, that it will take approximately 1 hour for each

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modifications become effective						modification.
236.587(d)—Certification and departure test results	742 railroads	4,562,500 train departures	5.00 seconds	6,336.81 hours	\$564,799.88	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. FRA estimates, after careful review, that it will take approximately 5 seconds to certify each train departure.
236.905(a)—Railroad Safety Program Plan (RSPP)—New railroads	2 railroads	2 RSPPs	40.00 hours	80.00 hours	\$7,130.40	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. FRA estimates, after careful review, that it will take approximately 40 hours to develop and implement each RSPP.
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	\$236,920.00	A PSP must be prepared for each product covered by this subpart. A joint PSP must be prepared when: (1) The territory on which a product covered by this 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.

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
						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	\$2,228.25	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 50 hours for each informational filing.</p>
—(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	\$111.41	<p>FRA estimates that it will request further information in approximately 0.25 instances under the above requirement.</p> <p>FRA estimates, after careful review, that it will take approximately 5 hour to respond to each request for further information.</p>
—(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	\$22.28	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 1 hour to send each document to FRA.</p>

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—(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	\$111.41	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 1 hour for each technical consultation.</p>
—(d)(1)(v) Railroad petition to FRA for final approval of NOPD	742 railroads	0.25 petitions	1.00 hour	0.25 hours	\$22.28	<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	\$4,456.50	<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	\$445.65	<p>Interested parties may submit to FRA information and views pertinent to FRA’s consideration of an informational filing or</p>

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						petition for approval. FRA estimates, after careful review, that it will take approximately 10 hours for each comment letter submission.
—(h)(3)(i) Railroad amendment to PSP	742 railroads	2 amendments	20.00 hours	40.00 hours	\$3,565.20	A railroad may submit an amendment to a PSP at any time in the same manner as the initial PSP. FRA estimates, after careful review, it will take approximately 20 hours for each amended PSP submission.
—(j) Railroad field testing/information filing document	742 railroads	1 field test/document	100.00 hours	100.00 hours	\$8,913.00	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. 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	\$185,390.40	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

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						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	\$3,565.20	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	\$891.30	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 Maintenance Manual (OMM)	13 railroads	1 OMM update	40.00 hours	40.00 hours	\$3,565.20	A railroad must catalog and maintain all documents as 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

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
						and FRA certified state inspectors. FRA estimates, after careful review, it will take approximately 40 hours to catalog and maintain each OMM update.
—(b) Plans for proper maintenance, repair, inspection, and testing of safety-critical products	13 railroads	1 plan update	40.00 hours	40.00 hours	\$3,565.20	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. FRA estimates, after careful review, that it will take approximately 40 hours for each plan update.
—(c) Documented hardware, software, and firmware revisions in OMM	13 railroads	1 revision	40.00 hours	40.00 hours	\$3,565.20	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. FRA estimates, after careful review, that it will take approximately 40 hours to document each software revision.
236.921 and 923(a)—Railroad Training and Qualification Program	13 railroads	1 program	40.00 hours	40.00 hours	\$3,565.20	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

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						<p>PSP and in §§ 236.923 through 236.929 as appropriate, for the following personnel: (1) through (4) of this section.</p> <p>FRA estimates, after careful review, that it will take approximately 40 hours to develop and implement each qualification program.</p>
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	\$5,198.95	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 10 minutes to retain each record.</p>
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	\$4,738.40	<p>Each railroad may prescribe additional or more stringent rules, and other special instructions, that are not inconsistent with this subpart.</p> <p>FRA estimates, after careful review, that it will take approximately 40 hours to develop each additional rule.</p>

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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	\$3,565.20	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 estimated paperwork 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	38 railroads	45 routing extension requests	8.00 hours	360.00 hours	\$32,086.80	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

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
vice versa during certain emergencies						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 FRA 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	\$8,021.70	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	\$513,388.80	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.

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
—(h)(1) A response to any request for additional information from FRA, prior to commencing rerouting due to planned maintenance	38 railroads	10 responses	2.00 hours	20.00 hours	\$1,782.60	<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>
—(h)(2) A railroad's request to temporarily reroute trains due to planned maintenance exceeding 30 days	38 railroads	160 requests	8.00 hours	1,280.00 hours	\$114,086.40	<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>

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
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						This was a temporary regulatory provision which has now expired therefore the estimated paperwork burden is no longer applicable.
—(b)(5)(vii) A railroad’s request to utilize different yard movement procedures, as part of a freight yard movements exception—						The estimated paperwork burden for this requirement is included under §§ 236.1015 and 236.1021.
—(b)(6) Establishing a new exception to permit non-revenue passenger equipment to operate to maintenance facilities or yards, without being governed by PTC technology, under certain conditions (*New proposed provision*)						There is no paperwork burden requirement associated with this proposed provision.
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						The estimated paperwork burden for this requirement is included under §§ 236.1015 and 236.1021.

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
Appendix C						
—(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	\$379,072.00	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 requests	8,000.00 hours	2,640.00 hours	\$235,303.20	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 FRA excuse compliance with one or more of this section’s requirements	38 railroads	1 request	1,000.00 hours	1,000.00 hours	\$118,460.00	In addition to the requirements of paragraphs (a) 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

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						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	\$63,376.10	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 535 hours to file each PTCIP.</p>
—(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	\$31,628.82	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately hours for each jointly filed PTCIP.</p>

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
—(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 document	8.00 hours	8.00 hours	\$713.04	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	\$178,260.00	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 estimated paperwork 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	\$7,130.40	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.

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
						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, manufacture, test, implementation, and operation of the PTC system, including interviews with railroad personnel	38 railroads	36 interviews and documents	4.00 hours	144.00 hours	\$12,834.72	<p>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, implementation, and operation of the system, as well as interview any personnel: (1) through (2) of this section.</p> <p>FRA estimates, after careful review, that it will take approximately 4 hours for each response or submitted documents.</p>
—(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	\$35,652.00	<p>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.</p> <p>FRA estimates, after careful review, that it will</p>

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
						take approximately 400 hours to respond to each request for additional information.
236.1011(a)–(b)—PTCIP content requirements	The estimated paperwork 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	\$1,426.08	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	\$713,040	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. FRA estimates, after careful review, that it will

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						take approximately 8000 hours for each PTCSP.
—(g) A PTCSP for a PTC system replacing an existing certified PTC system	38 railroads	0.33 PTCSPs	3,200.00 hours	1,056.00 hours	\$94,121.28	<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 assessments	800.00 hours	264.00 hours	\$23,530.32	<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 assessments	1,600.00 hours	528.00 hours	\$62,546.88	<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 assessment was required.</p> <p>FRA estimates, after careful review, that it will take approximately 533 hours for each</p>

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						assessment.
—(b) A railroad’s written request to confirm whether a specific entity qualifies as an independent third party	38 railroads	0.33 written requests	8.00 hours	2.64 hours	\$235.30	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 8 hours for each written request confirming an independent third party.</p>
—Further information provided to FRA upon request	38 railroads	0.33 sets of additional information	20.00 hours	6.60 hours	\$588.26	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 20 hours to prepare documentation and respond to each request for additional information.</p>
—(d) A request not to provide certain documents otherwise required under Appendix F for an independent, third-party assessment	38 railroads	0.33 requests	20.00 hours	6.60 hours	\$588.26	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 20 hours for each exception request.</p>

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—(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 requests	32.00 hours	10.56 hours	\$941.21	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 32 hours to certify each request.</p>
236.1019(b)—A request for a passenger terminal main line track exception (MTEA)	38 railroads	1 MTEA	160.00 hours	160.00 hours	\$14,260.80	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 160 hours for each MTEA request.</p>

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—(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	\$14,260.80	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	\$14,260.80	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	\$14,260.80	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	38 railroads	0.33 collision hazard analyses	50.00 hours	16.50 hours	\$1,470.65	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

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
conducted and submitted						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 estimated paperwork burden for this requirement is included under § 236.1019(c)(1).					
236.1021(a)–(d)—An RFA to a railroad’s PTCIP or PTCDP	38 railroads	10 RFAs	160.00 hours	1,600.00 hours	\$142,608.00	(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	\$14,260.80	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

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
						take approximately 16 hours to prepare each RFA for public comments in the Federal Register.
—(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	\$106,956.00	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.
—(m)(4) Any RFA to a railroad’s PTC system that involves a proposed temporary PTC system outage (*New proposed provision*)	38 railroads	15 RFAs	90.00 hours	1,350.00 hours	\$159,921.00	A railroad must submit an RFA involving a proposed temporary outage of PTC technology to FRA for review and approval. FRA estimates, after careful review, that it will take a railroad 90 hours to complete each RFA.
—(m) A railroad’s revised RFA , if needed	38 railroads	1 revised RFA	45.00 hours	45.00 hours	\$5,330.70	A railroad is prohibited from making changes to its PTC system or disabling or discontinuing its PTC system, unless it first submits an RFA to FRA and obtains approval, and in some cases revisions are necessary. FRA estimates, after careful review, that it will take a railroad 45 hours to complete a revised RFA.

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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	\$1,426.08	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 8 hours to complete each updated list.</p>
—(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 estimated paperwork 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	\$7,130.40	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 8 hours for each vendor/supplier notification.</p>

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—(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 PTCSP	The estimated paperwork 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	\$3,565.20	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 16 hours for railroads to respond to each notification.</p>
—(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	\$54,191.04	<p>After the product is placed in service, the railroad shall maintain a database of all safety-relevant hazards as set forth in the PTCSP and those that had not previously been identified in the PTCSP.</p> <p>FRA estimates, after careful review, that it will</p>

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
						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 PTCSP, and about the failure, malfunction, or defective condition that decreased or eliminated the safety functionality—Form FRA F 6180.179—Errors and Malfunctions Notification	38 railroads	8 notifications	7.50 hours	60.00 hours	\$5,347.80	If the frequency of the safety-relevant hazard exceeds the thresholds set forth in the PTCSP, or has not been previously identified in the appropriate risk analysis, the railroad must: (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	\$713.04	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 estimated paperwork burden for this requirement is included under § 236.1023(e)(1), (g), and (h)(1)(2).					

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
—(g) A railroad’s 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	\$1,782.60	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 any affected railroads—Form FRA F 6180.179—Errors and Malfunctions Notification	10 vendors	20 reports	7.50 hours	150.00 hours	\$13,370	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 system, subsystem, or component to each railroad using the product. FRA estimates, after careful review, that it will take approximately 8 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,	The estimated paperwork burden for this requirement is included under § 236.1023 (e)(1), (g), and (h)(1)(2) and 49 CFR 233.7.					

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
including the reports required under part 233						
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	\$44,565	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.
—(g) Reintroducing a flexibility regarding initialization failures that previously expired in December 2022, and establishing operating restrictions under which railroads may continue to operate safely when a PTC system fails to initialize (*New proposed requirement*)	In this proposed provision, there is no paperwork requirement. However, under an existing regulation, FRA requires host railroads operating FRA-certified PTC systems to submit Quarterly Reports of PTC System Performance, using Form FRA F 6180.152, under 49 U.S.C. 20157(m) and 49 CFR 236.1029(h). These reports include information about railroads' initialization failures.					
—(h) Form FRA F 6180.152—Report of PTC System Performance	38 railroads	148 reports	32.00 hours	4,736.00 hours	\$422,119.68	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

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
						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 quarterly report.
236.1031(a)-(d) — A railroad's Request for Expedited Certification	FRA anticipates that there will be zero requests for expedited certification during this 3-year ICR.					
236.1033— Communications and security requirements	The estimated paperwork 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	\$35,652.00	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 estimated paperwork burden for this requirement is included under §§ 236.1009 and 236.1015.					

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
—(a)(3)–(4) Records retention	The estimated paperwork 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	\$71,304.00	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	\$23,768.30	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	\$114,086.40	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	38 railroads	2 OMM updates	10.00 hours	20.00 hours	\$1,782.60	The railroad shall catalog and maintain all documents as specified in the PTCDP and PTCSP for the installation, maintenance, repair,

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
(OMM), which must be maintained and available to FRA upon request						<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 10 hours to catalog and maintain each OMM update.</p>
—(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	\$89.13	<p>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.</p> <p>FRA estimates, after careful consideration, that it will take approximately 1 hour to document each new component.</p>
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	\$1,782.60	<p>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.</p> <p>FRA estimates, after careful review, that it will take approximately 10 hours for each training and qualification program.</p>

CFR Section/Subject	Respondent Universe	Total Annual Responses (A)	Average Time per Responses (B)	Total Annual Burden Hours (C = A * B)	Total Cost Equivalent in USD (D = C * Wage Rates)	PRA Analyses and Estimates
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	\$13,369.50	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 ¹³	742 railroads and 10 vendors	4,567,839 responses	N/A	53,310 hours	\$5,014,420	

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.

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 information collection.

¹³Totals may not add up due to rounding.

Resources	Pay Grade	Annual-Average Wage Rate ¹⁴	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
FRA F 610.152 – shift from biannual to quarterly review					1000.00
Estimated Average Annual Cost to Government					1,770,408.00

Program change government costs.

The following table shows the estimated average annual cost to the Federal government for FRA to review and approve railroads' RFAs that involve temporary outages of PTC technology, under 49 CFR 236.1021(m)(4).

Resources	Pay Grade/ Location	Hourly Wage Rate ¹⁵	Number of Employees	Number of Hours per RFA	Estimated number of RFAs per Year	Total Wages (Wages * 1.75 of Overhead Cost)
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¹⁴ The annual average wage rates used in this table are derived from the 2023 Office of Personnel Management. 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.

¹⁵ The hourly wage rates used in this table are derived from the 2023 Office of Personnel Management wage rates were used. Wages were considered at the burdened wage rate by multiplying the actual wage rate by an overhead cost of 75 percent (or times 1.75). A median grade step of 5 was used for all localities.

Railroad Safety Specialist	GS-13 All locations	98.77	1	6	15	8,889
Railroad Safety Specialist	GS-14 All locations	116.71	1	3	15	5,252
Railroad Safety Specialist	GS-14 All locations	116.71	1	2	15	3,501
Railroad Safety Specialist Supervisor	GS-15 DC Metro	147.96	1	1	15	2,219
Railroad Safety Specialist Senior Executive	DC Metro	175.00	1	1	15	2,625
Attorney	GS-15 DC Metro		1	2	15	4,439
Estimated Average Annual Cost to Government				15	15	\$26,926

Total annual government cost = \$1,770,408.00 + RFA reporting requirement \$26,926 = \$1,797,334.

15. Explanation of program changes and adjustments.

Currently, the OMB inventory for this collection of information shows a total annual burden of 51,931 hours and 4,567,826 responses, while this updated submission reflects an estimate of a total burden of 53,310 hours and 4,567,839 responses. The tables below provide specific information on the review of any of the estimates that have changed.

Table for Program Change

CFR Section/Subject	Total Annual Responses			Total Annual Burden Hours			PRA Analyses and Estimates
	Previous Submission	Current Submission	Difference	Previous Submission	Current Submission	Difference	

236.1021(m)(4)—Any RFA to a railroad’s PTC system that involves a proposed temporary PTC system outage (*New proposed provision*)	0	15.00 RFAs 90.00 hours	15.00 RFAs	0	1,350.00 hours	1,350.00 hours	The increase in paperwork burden is due to a new proposed provision.
—(m) A railroad’s revised FRA, if needed	0	1.00 revised RFA 45.00 hours	1.00 revised RFA	0	45.00 hours	45.00 hours	The increase in paperwork burden is due to a new proposed provision.

Program changes above would increase the burden by 1,395 hours and by 16 responses from the last approved submission.

Table for Adjustments

CFR Section/Subject	Total Annual Responses			Total Annual Burden Hours			PRA Analyses and Estimates
	Previous Submission	Current Submission	Difference	Previous Submission	Current Submission	Difference	
236.1006(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	5.00 reports 16.00 hours	.00 reports 16.00 hours	-5.00 reports	80.00 hours	.00 hours	-80.00 hours	The paperwork requirement is no longer applicable.
—(h) Form FRA F 6180.152—Report of PTC System Performance	146.00 reports 32.00 hours	148.00 reports 32.00 hours	2.00 reports	4,672.00 hours	4,736.00 hours	64.00 hours	This is a correction. There are 37 railroad hosts that will submit 37 reports four times per year, resulting in 148 reports annually.

Adjustments above decreased the burden by 16 hours and decreased the number of responses by 3 from the last approved submission.

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.