

1111FEDERAL RAILROAD ADMINISTRATION
Emergency Notification System Standards
(Title 49 Code of Federal Regulations (CFR) Part 234)
SUPPORTING JUSTIFICATION
OMB Control No. 2130-0591

Summary of Submission

- This submission is a request for an extension without change (with changes in estimates) of the last three-year approval granted by the Office of Management and Budget (OMB) on November 30, 2022, with an expiration date on November 30, 2025.
- The Federal Railroad Administration (hereafter “FRA” or the “Agency”) published a required 60-day Notice in the Federal Register on August 8, 2025. See 90 FR 38582. FRA received no comments in response to this Notice.
- Overall, adjusted estimates increased annual estimated burden by 8,735 hours and responses by 23,206.
- The answer to question number 12 itemizes all information collection requirements.

1. Circumstances that make collection of the information necessary.

Section 205 of the Rail Safety Improvement Act of 2008 (RSIA)¹ mandates that the Secretary of Transportation (Secretary) require railroad carriers (railroads) to take a series of specified actions related to setting up and using systems by which the public can notify the railroad by toll-free telephone number of unsafe conditions at its highway-rail and pathway grade crossings. Such systems are commonly known as Emergency Notification Systems (ENS).

The Secretary has delegated the responsibility to carry out both section 205 of the RSIA and 49 U.S.C. 20103 to the Administrator of FRA. Under section 205 of the RSIA, FRA is to require each railroad to “establish and maintain a toll-free telephone service for rights-of-way over which it dispatches trains, to directly receive calls reporting” unsafe conditions at grade crossings or other safety-related information involving grade crossings. Reportable unsafe conditions include: (1) malfunctions of warning signals, crossing gates, and other devices intended to promote safety at the grade crossing; (2) disabled vehicles or other obstructions blocking railroad tracks at the grade crossing; and (3) obstructions to the view of a pedestrian or a vehicle operator for a reasonable distance in either direction of a train’s approach to the grade crossing.

On June 12, 2012, FRA issued a final rule² requiring railroads to implement an ENS,

¹ Public Law 110-432 (Oct. 16, 2008).

² 77 FR 35164 (June 12, 2012).

through which they receive reports of unsafe conditions at crossings. On March 15, 2013, FRA published amendments to the final rule in response to a petition for reconsideration.³ The amendments generally clarified or reduced requirements contained in the final rule or allowed for greater flexibility in complying with the final rule.

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

The collection of information set forth under 49 CFR part 234, subpart E is used by FRA to ensure that the congressional mandate to require railroads to establish and maintain a toll-free telephone service to report unsafe conditions at highway-rail and pathway grade crossings is carried out. The requirements are intended to provide an effective means of communicating information about situations at crossings that could endanger the safety of the public and railroad employees, as well as specify what actions the railroad carrier must take upon receipt of such calls.

FRA also uses the information collected to ensure that ENS signs are posted at highway-rail and pathway grade crossings and that they have the necessary information so that unsafe conditions can be reported.

This information is used by railroads to investigate and respond to unsafe conditions and thereby reduce the risk of accidents/incidents and corresponding casualties and property damage at such crossings. In addition, law enforcement authorities use the information to direct vehicular traffic or carry out other activities to maintain safety at the highway-rail grade crossing or pathway grade crossing.

The details of each paperwork requirement are covered under question 12 of this document.

3. Extent of automated information collection.

FRA strongly encourages the use of advanced information technology, wherever possible, to reduce burden on respondents. Specifically, under §§ 234.313 and 234.315, records can be kept in electronic form if railroads choose to do so. For this information collection, about 66 percent of responses are completed electronically.

4. Efforts to identify duplication.

The information collected to FRA's knowledge is not duplicated anywhere.

5. Efforts to minimize the burden on small businesses.

Federal agencies may adopt their own size standards for small entities in consultation with SBA and in conjunction with public comment. Under that authority, FRA has

³ 78 FR 16414 (Mar. 15, 2013).

published a proposed statement of agency policy that formally establishes “small entities” or “small businesses” as railroads, contractors, and hazardous materials shippers that meet the revenue requirements of a Class III railroad as set forth in 49 CFR § 1201.1-1, which is \$20 million or less in inflation-adjusted annual revenues,⁴ and commuter railroads or small governmental jurisdictions that serve populations of 50,000 or less.⁵

This regulation does not significantly impact small businesses. For instance, the cost of a single toll-free telephone number is minimal. Also, small railroads typically have a small number of crossings. Therefore, very few calls may come in over the course of a year, with a very small amount of time per year to answer the calls. In addition, the recordkeeping requirement is minimal, not only because a small railroad is likely to receive only a few calls per year, but also because it would only take one sheet of paper with approximately 9 lines of typed or written text for each call received.

6. Impact of less frequent collection of information.

Without this collection of information or if it was collected less frequently, public safety at highway-rail and pathway grade crossings throughout the country would likely be considerably more dangerous. For instance, without this information collection:

- dispatching railroads may not establish and maintain a toll-free telephone service by which the railroad can directly receive calls from the public and others reporting unsafe conditions with respect to highway-rail and pathway grade crossings through which the railroad dispatches trains;
- dispatching railroads that are not the maintaining railroad may be unable to immediately contact the railroad that has maintenance responsibility for the warning system and inform it of a reported malfunction of the grade crossing warning system;
- maintaining railroads may be unable to promptly investigate unsafe conditions reported to the dispatching railroad and take remedial actions, where necessary;
- FRA may not know if railroads have engaged a third-party service to directly receive reports of unsafe conditions; and
- FRA may not have essential records to track and verify compliance with the various requirements of this rule.

In sum, without this information collection, it would be difficult for FRA to monitor compliance with part 234, subpart E.

7. Special circumstances.

⁴ The Class III railroad revenue threshold is \$40.4 million or less, for 2020. (The Class II railroad threshold is between \$40.4 and \$900 million; and the Class I railroad threshold is \$900 million or more.) See Surface Transportation Board (STB), available at [Surface Transportation Board](#).

⁵ 68 FR 24891 (May 9, 2003) (codified at appendix C to 49 CFR part 209).

All other information collection requirements are in compliance with this section.

8. Compliance with 5 CFR § 1320.8.

As required by the Paperwork Reduction Act of 1995 (PRA) and 5 CFR part 1320, FRA published a notice in the Federal Register on August 8, 2025,⁶ soliciting comments from the public, railroads, and other interested parties. FRA received no comments in response to this notice.

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 the site inspection and can provide any comments or concerns to them.

9. Payments or gifts to respondents.

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

10. Assurance of confidentiality.

The information collected is not of a confidential nature, and FRA pledges no confidentiality.

11. Justification for any questions of a sensitive nature.

There are no questions or information of a sensitive nature, nor data that would normally be considered private matters contained in this rule.

⁶ 90 FR 38582.

12. Estimate of burden hours for information collected.

The estimates for the respondent universe, annual responses, and average time per response are based on the experience and expertise of FRA's Office of Railroad Safety.

CFR Section (49 CFR part 234, subpart E)	Respondent Universe	Total Annual Responses (A)	Average Time per Response (B)	Total Annual Burden Hours (C) = A * B	Wage Rate (D) ⁷	Total Cost Equivalent (E) = C * D	PRA Analyses and Estimates
234.303 Emergency notification systems for telephonic reporting of unsafe conditions at highway-rail and pathway grade crossings.							
—(a)(c)(d) and (e) Reportable calls from the public of unsafe conditions at highway-rail grade crossings and pathway grade crossings	607 railroads	66,000 calls	1 minute	1,100	\$47.20	\$51,920	Each railroad shall establish and maintain a toll-free telephone service by which the railroad can directly and promptly receive telephone calls from the public reporting specific information about any of the conditions listed in § 234.303(c) with respect to a highway-rail grade crossing and § 234.303(d) with respect to a pathway grade crossing through which the railroad dispatches a train, except as provided in § 234.303(b) and (e), and in § 234.306(a). The dispatching

⁷ For public respondents, FRA used an hourly rate of \$47.20 per hour for the value of the public's time, which includes an overhead cost of 31.1 percent. FRA obtained this data from the U.S. Department of Labor, Bureau of Labor Statistics employer costs for employee compensation wages for December 2024. Additionally, for railroad respondents, the dollar equivalent cost is derived from the STB's 2023 Full Year Wage A&B data series for railroad workers plus a 75-percent overhead charge. FRA calculates the average hourly wage rate for professional/administrative staff at \$89.13 per hour, for maintenance of way/structures employees at \$69.79 per hour, and for transportation employees (other than train and engine) at \$80.38 per hour.

							railroad shall either have a live person answer calls directly and promptly, or use an automated answering system or a third-party telephone service for the purpose of receiving reports pursuant to § 234.303, except as provided in § 234.303(b). Note: The burden for the railroads to keep a record of these telephonic reports is accounted for under § 234.313 Recordkeeping. The burden reflected for this requirement is for the public's time to make each call.
234.305 Remedial actions in response to reports of unsafe conditions at highway-rail and pathway grade crossings.							
<i>(a) General rule on response to credible report of warning system malfunction at a highway-rail grade crossing.</i>							
—(1) Dispatching responsibility and maintenance responsibility; dispatching railroad's prompt notification of malfunction to all trains authorized to operate through the highway-rail grade crossing	546 railroads	1,000 contacts	1 minute	16.67	\$89.13	\$1,485.80	If a railroad receives a credible report of a warning system malfunction at a highway-rail grade crossing pursuant to § 234.303(c)(1) and the railroad has maintenance responsibility for the warning system to which the report pertains, then it shall take the appropriate action required by part 243, subpart C.
—Contact law enforcement as required by part 243, subpart C	546 Railroads	1,000 contacts	1 minute	16.67	\$89.13	\$1485.80	
—(2) Dispatching responsibility but not maintenance responsibility; dispatching railroad's prompt notification of malfunction to	61 railroads	100 contacts	1 minute	1.67	\$80.38	\$133.97	If a railroad receives a credible report of a warning system malfunction at a highway-rail grade crossing pursuant to §

all trains authorized to operate through the highway-rail grade crossing							234.303(c)(1) and the railroad has dispatching responsibility for the crossing, but does not have maintenance responsibility for the warning system to which the report pertains, it shall promptly contact all trains that are authorized to operate through the highway-rail grade crossing in an effort to notify the train crews of the reported malfunction prior to each train's arrival at the crossing. After contacting the appropriate trains, the railroad shall <u>then promptly contact the maintaining railroad</u> and inform it of the reported malfunction. The maintaining railroad shall then take the appropriate action required by part 243, subpart C.
—(2) Dispatching railroad prompt report of malfunction to the railroad that has maintenance responsibility	61 railroads	100 contacts	1 minute	1.67	\$89.13	\$148.85	
—Contact law enforcement as required by part 243, subpart C	61 Railroads	100 Contacts	1 minute	1.67	\$89.13	\$148.85	
<i>(b) General rule on response to public report of warning system malfunction at a highway-rail grade crossing.</i>							
—(1) Railroad has maintenance responsibility for warning system; prompt contact by railroad to all trains that are authorized to operate through the highway-rail grade crossing	546 railroads	1,000 contacts	1 minute	16.67	\$80.38	\$1,339.67	If a railroad receives a public report of a warning system malfunction at a highway-rail grade crossing pursuant to § 234.303(c)(1) and the railroad has maintenance responsibility for the warning system to which the report pertains, the railroad shall promptly contact all trains that are authorized to operate
—Prompt notification to law enforcement agency with jurisdiction over the highway-rail grade crossing	546 railroads	1,000 contacts	1 minute	16.67	\$89.13	\$1,485.80	

							through the highway-rail grade crossing in an effort to notify the train crews of the reported malfunction prior to each train's arrival at the crossing. After contacting the appropriate trains, the railroad shall then promptly contact the law enforcement agency having jurisdiction over the highway-rail grade crossing and provide the necessary information for the law enforcement agency to direct traffic or carry out other activities to maintain safety at the highway-rail grade crossing.
—(2) Railroad does not have maintenance responsibility for warning system; prompt contact to all trains that are authorized to operate through the highway-rail grade crossing	61 railroads	100 contacts	1 minute	1.67	\$89.13	\$148.85	If a railroad receives a public report of a warning system malfunction at a highway-rail grade crossing warning system pursuant to § 234.303(c)(1) and the railroad does not have maintenance responsibility for the warning system at the highway-rail grade crossing, it shall promptly contact all trains that are authorized to operate through the highway-rail grade crossing to which the report pertains in an effort to notify the train crews of the reported malfunction prior to each train's arrival at the crossing. After contacting the appropriate trains, the railroad shall then promptly contact the law
—Contact law enforcement	61 railroads	100 contacts	1 minute	1.67	\$89.13	\$148.55	
—Contact the maintaining railroad	61 railroads	100 contacts	1 minute	1.67	\$89.13	\$148.55	

							enforcement agency having jurisdiction over the highway-rail grade crossing and provide the necessary information for the law enforcement agency to direct traffic or carry out other activities to maintain safety at the highway-rail grade crossing. The railroad shall then promptly contact the maintaining railroad and inform it of the reported malfunction.
<i>(c) General rule on response to public report of warning system failure at a pathway grade crossing.</i>							
—(1) Railroad has maintenance responsibility for warning system; prompt contact by railroad to all trains that are authorized to operate through pathway grade crossing	546 railroads	20 contacts	1 minute	0.33	\$89.13	\$29.41	If a railroad receives a report of a warning system failure at a pathway grade crossing pursuant to § 234.303(d)(1) and the railroad has maintenance responsibility for the warning system to which the report pertains, the railroad shall promptly contact all trains that are authorized to operate through the pathway grade crossing in an effort to notify the train crews of the reported malfunction prior to each train's arrival at the crossing. After contacting the appropriate trains, the railroad shall then promptly contact the law enforcement agency having jurisdiction over the pathway grade crossing and provide the necessary information for the law enforcement agency to
— Contact law enforcement	546 railroads	20 contacts	1 minute	0.20	\$89.13	\$29.41	

							direct traffic or carry out other activities to maintain safety at the pathway grade crossing. The railroad shall then promptly investigate the report, determine the nature of the failure, and without undue delay repair the active warning system if necessary.
—(2) Railroad does not have maintenance responsibility for warning system; prompt contact by railroad to all trains that are authorized to operate through pathway grade crossing	61 railroads	2 contacts	1 minute	0.03	\$89.13	\$2.67	If a railroad receives a report of a warning system failure at a pathway grade crossing pursuant to § 234.303(d)(1) and the railroad does not have maintenance responsibility for the warning system to which the report pertains, it shall promptly contact all trains that are authorized to operate through the pathway grade crossing to which the report pertains in an effort to notify the train crews of the reported failure prior to each train's arrival at the crossing. After contacting the appropriate trains, the railroad shall then promptly contact the law enforcement agency having jurisdiction over the pathway grade crossing and provide the necessary information for the law enforcement agency to direct traffic or carry out other activities to maintain safety at
—Contact law enforcement	61 railroads	2 contacts	1 minute	0.03	\$89.13	\$2.67	
—Contact maintaining railroad	61 railroads	2 contacts	1 minute	0.03	\$89.13	\$2.67	

							the pathway grade crossing. The railroad shall then promptly contact the maintaining railroad and inform it of the reported failure. The maintaining railroad shall then promptly investigate the report, determine the nature of the failure, and without undue delay repair the warning system if necessary.
<i>(d) General rule on response to report of a disabled vehicle or other obstruction blocking a railroad track at a highway-rail or pathway grade crossing.</i>							
—(1) Railroad has maintenance responsibility for the crossing; prompt contact by railroad to all trains that are authorized to operate through pathway grade crossing	546 railroads	7,500 contacts	1 minute	1.25	\$89.13	\$11,141.25	If a railroad receives a report of a disabled vehicle or other obstruction blocking a railroad track at a highway-rail or pathway grade crossing, pursuant to § 234.303(c)(2) or (d)(2), and the railroad has maintenance responsibility for the crossing to which the report pertains, the railroad shall promptly contact all trains that are authorized to operate through the crossing in an effort to notify the train crews of the reported obstruction prior to each train's arrival at the crossing. After contacting the appropriate trains, the railroad shall then promptly contact the law enforcement agency having jurisdiction over the crossing to provide it with the information necessary to assist in the removal of the reported track
— Contact law enforcement	546 railroads	750 contacts	1 minute	12.50	\$89.13	\$1,114.13	

							obstruction or to carry out other activities to maintain safety at the crossing. The railroad shall then promptly investigate the report, determine the nature of the obstruction, and without undue delay take the necessary action to have the obstruction removed.
—(2) Railroad does not have maintenance responsibility for crossing; prompt contact by railroad to all trains that are authorized to operate through pathway grade crossing	61 railroads	750 contacts	1 minute	12.50	\$80.38	\$1,114.13	If a railroad receives a report of a disabled vehicle or other obstruction blocking a railroad track at a highway-rail or pathway grade crossing, pursuant to § 234.303(c)(2) or (d)(2), but does not have maintenance responsibility for the crossing to which the report pertains, the railroad shall promptly contact all trains that are authorized to operate through the crossing to which the report pertains in an effort to notify the train crews of the reported obstruction prior to each train's arrival at the crossing. After contacting the appropriate trains, the railroad shall then promptly contact the law enforcement agency having jurisdiction over the crossing to provide it with the information necessary to assist in the removal of the reported track obstruction or to carry out other activities to maintain safety at
— Contact law enforcement	61 railroads	750 contacts	1 minute	12.50	\$89.13	\$1,114.13	
— Contact maintaining railroad	61 railroads	750 contacts	1 minute	12.50	\$89.13	\$1,114.13	

condition at a highway-rail or pathway grade crossing							
—(h)(1) Maintaining railroad’s requirement to provide dispatching railroad sufficient contact information	61 railroads	12 contacts	1 minute	0.20	\$80.38	\$16.08	If the dispatching railroad is required under § 234.305 to contact the maintaining railroad, the maintaining railroad shall provide the dispatching railroad with sufficient contact information by which the dispatching railroad may timely contact the maintaining railroad upon receipt of a report.
—(h)(2) Exceptions for use of a third-party telephone service and answering machine by a maintaining railroad	The estimated paperwork burden for this requirement is covered under § 234.307.						
234.306 Multiple dispatching or maintaining railroads with respect to the same highway-rail or pathway grade crossing; appointment of responsible railroad.							
—(a) Duty of multiple dispatching railroads to appoint a primary dispatching railroad for the crossing	61 railroads	15 appointment discussions	1 hour	15	\$89.13	\$1,336.95	Section 234.306 requires that where multiple railroads dispatch trains through the same crossing, the railroads must appoint one of their number to be the primary dispatching railroad for the crossing and, as such, to receive reports of unsafe conditions pursuant to § 234.303.
—(b) Duty of multiple maintaining railroads to appoint a railroad responsible for the placement and maintenance of the ENS sign(s)	61 railroads	15 appointment discussions	1 hour	15	\$89.13	\$1,336.95	Where more than one railroad maintains the same crossing, the maintaining railroads for the crossing shall appoint one of the railroads to be responsible for the placement and maintenance of the ENS sign(s)

							at the crossing pursuant to §§ 234.309 and 234.311.
—(c) Duty of multiple maintaining railroads with respect to remedial action at the crossing	The estimated paperwork burden for this requirement is covered under § 234.305(a)(1), (b)(1), (c)(1), and (d)(1). The recordkeeping requirements are covered under § 234.313.						
234.307 Use of third-party telephone service by dispatching and maintaining railroads.							
—(b) General use of a third-party telephone service by a maintaining railroad	The estimated paperwork burden for this requirement is covered under § 234.307(d)(1).						
—(c) Duties of third-party telephone service in contacting dispatching and maintaining railroads	The estimated paperwork burden for this requirement is covered under § 234.303 or § 234.305.						
—(d)(1) Duties of railroad using third-party telephone service—Providing third-party telephone service with contact information	FRA anticipates zero submissions over the next three-year period.						
—(d)(2) Written notice to FRA of intent to use third-party service	FRA anticipates zero submissions over the next three-year period.						
—(d)(3) Duties of railroad using third-party telephone service—Informing FRA of any changes in use or discontinuance of third-party service	FRA anticipates zero submissions over the next three-year period.						
—(e) Third-party telephone service and railroad responsibilities	The estimated paperwork burden for recordkeeping is covered under § 234.313.						
234.309 ENS signs in general.							
—(a) Provision of telephone number to maintaining railroad that is to be displayed	61 railroads	12 contacts	10 minutes	2.00	\$89.13	\$178.26	If the dispatching railroad and the maintaining railroad(s) are not the same entity, the

on the ENS sign at the crossing							dispatching railroad for a highway-rail or pathway grade crossing shall provide to the maintaining railroad the telephone number that is to be displayed on the ENS sign at the crossing, not later than 180 calendar days before the date that implementation of an ENS is required.
234.311 ENS sign placement and maintenance.							
—(c) Repair or replacement of ENS sign	546 railroads	40,000 signs	15 minutes	10,000	\$69.79	\$69,790.00	If an ENS sign required by part 243, subpart C is discovered by the responsible railroad to be missing, damaged, or in any other way unusable to vehicular and pedestrian traffic, the responsible railroad shall repair or replace the sign no later than 30 calendar days from the time of detection.
234.313 Recordkeeping							
—(a) through (d) Recordkeeping, including electronic recordkeeping under § 234.315	607 railroads	66,000 records	10 minutes	11,000	\$89.13	\$980,430.00	Each railroad subject to part 234, subpart C shall keep records in accordance with § 234.313. Records may be kept either on paper forms provided by the railroad or by electronic means in a manner that conforms with § 234.315. Each railroad shall retain for at least one year (from the latest date of railroad activity in response to a report received

							under subpart C) all records referred to § 234.313(a) and (b). Records required to be kept under subpart C shall be made available to FRA as provided by 49 U.S.C. 20107. Note: The burden for § 234.315 electronic recordkeeping is included in this estimate for § 234.313.
Total ⁸	607 railroads	187,202 responses	N/A	22,385 hours	N/A	\$1,755,460.17	

⁸ Totals may not add up due to rounding.

13. Estimate of total annual costs to respondents.

There are additional costs to respondents related to this collection of information besides those detailed in the answer to question number 12 above. One of the costs involves establishing a toll-free service to accept emergency calls at crossings. Class I railroads have established such service and thus will not incur any additional costs with this rule requirement. When considering Class II and III entities, additional phone lines are required. FRA estimates that a monthly toll-free service charge of \$35⁹ (or \$420 annually) will incur to maintain additional incoming telephone lines (in addition to their existing telephone service).

Railroads	Affected Railroads	Annual Toll Service Rate per Railroad	Percentage of Railroads Impacted	Annual Toll-Free Cost for Entire Railroad Category
Class II	9	\$420	100%	\$3,780
Class III ¹⁰	592	\$420	100%	\$248,640
	607			\$252,420

Another cost pertains to signs. As noted in the discussion of § 234.311(c), FRA estimates that 40,000 signs per year would need to be replaced annually.

Calculation = 40,000 signs x \$41 per sign x 10% replacement rate = \$164,000.

Total cost = \$252,420 + \$164,000 = \$416,420.

14. Estimate of Cost to Federal Government.

There is no additional cost to the Federal Government in connection with these information collection requirements. Railroad records are examined by FRA inspectors on a routine basis as part of their regular enforcement activities that monitor railroad compliance with Federal rail safety regulations.

15. Explanation of program changes and adjustments.

This is an extension without change (with changes in estimates) to a current collection of information.

With this submission, FRA made multiple adjustments that increased the previously approved burden hours from 13,649 to 22,385 hours and increased the number of responses from 163,996 to 187,202. These adjustments are summarized below:

⁹ This estimate is based on monthly charges advertised from the following providers: Vonage \$35, Open Phone \$35, 800.com \$45, and Ring Central \$35.

¹⁰ Class III railroad totals reflect only those with at least one at-grade crossing.

Under § 234.305, which contains requirements for railroads' response to credible reports of warning system malfunction at highway-rail grade crossings, FRA adjusted the burden estimates to reflect the number of responses and estimated average time because the number of closed crossings is no longer included.

Section 234.305(a)(2) contains requirements for railroads to contact law enforcement, which were not included in previous submissions of this ICR. Accordingly, FRA adjusted the burden estimates to include the number of hours and estimated average time required to report a warning, which increased the burden by 35 hours.

Under § 234.305(b) through (d), FRA made multiple burden adjustments to reflect the estimated annual responses more accurately from 607 railroads with open grade crossings. Specifically, a previous year analysis of the highway-rail grade crossing data indicated that approximately 90 percent of the 607 railroads responsible for ENS do not have maintenance responsibility. In addition, based on a previous extrapolation of a study/pilot program, FRA estimated an average of approximately 64,000 calls annually to the ENS concerning highway-rail grade crossings, and an average of 2,000 calls annually to the ENS concerning pathway crossings. Accordingly, FRA adjusted the paperwork requirements for remedial actions in response to reports of unsafe conditions at highway-rail and pathway grade crossings.

Under § 234.306, which establishes procedures for multiple dispatching or maintaining railroads with respect to the same highway-rail or pathway grade crossing and appointment of the responsible railroad, FRA made burden estimate adjustments to accurately reflect that appointment discussions have no timeline or end date. Consequently, these appointment discussions would only need to take place when a new appointment is made, or an appointment is changed.

Lastly, under § 234.311, which contains requirements for ENS sign placement and maintenance, FRA determined that the previous submission underestimated the annual responses for this paperwork requirement. Accordingly, FRA adjusted the burden estimates to accurately reflect the number of hours and estimated average time required for railroads to replace and repair ENS signs. FRA determined that there are approximately 200,000 highway-rail grade crossings, with two signs at each crossing, for an estimated total of 400,000 ENS signs. FRA estimates that approximately 10 percent of these signs (40,000) are being replaced annually, causing the burden estimate for this regulatory requirement to increase by 9,000 hours.

16. Publication of results of data collection.

FRA does not plan to publish the results of the data collection.

17. Approval for not displaying the expiration date for OMB approval.

FRA intends to display the expiration date.

18. Exception to certification statement.

No exceptions are taken at this time.