

federal laws or regulations that specifically address the length of time a train may occupy a highway-rail grade crossing. The user would be notified that the information submitted will not be forwarded to a railroad, State, or local agency, and is only being used for data collection purposes to determine

the locations, times, and impacts of blocked crossings. The questions asked on each form will be identical for all three methods of collection.

Type of Request: Approval of a new collection of information.

Affected Public: Public individuals and law enforcement personnel.

Form(s): FRA F 6180.XXX.

Respondent Universe: General public and national law enforcement personnel.

Frequency of Submission: On occasion; one-time.

Reporting Burden:

Form	Total estimated annual responses	Average time per response	Total annual burden hours
General Public via the unrestricted form on the FRA website.	335 responses	15 minutes	84 hours.
General Public via the FRA Crossing Locator Phone Application.	50 responses	15 minutes	13 hours.
Law Enforcement Personnel via the limited access form on the FRA website.	100 responses	15 minutes	25 hours.
Total	485 responses	15 minutes	122 hours.

Total Estimated Annual Responses: 485.

Total Estimated Annual Burden: 122 hours.

Under 44 U.S.C. 3507(a) and 5 CFR 1320.5(b) and 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Brett A. Jortland,

Acting Chief Counsel.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2019–0004–N–6]

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

ACTION: Notice of information collection; request for comment.

SUMMARY: Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA seeks approval of the Information Collection Requests (ICRs) abstracted below. Before submitting these ICRs to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities identified below.

DATES: Interested persons are invited to submit comments on or before August 13, 2019.

ADDRESSES: Submit written comments on the ICRs activities by mail to either: Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, Federal Railroad Administration, 1200 New Jersey Avenue SE, Washington, DC 20590; or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, Federal Railroad Administration, 1200 New Jersey Avenue SE, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, “Comments on OMB Control Number 2130–XXXX,” (the relevant OMB control number for each ICR is listed below) and should also include the title of the ICR. Alternatively, comments may be faxed to 202–493–6216 or 202–493–6497, or emailed to Mr. Brogan at *robert.brogan@dot.gov*, or Ms. Toone at *kim.toone@dot.gov*. Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, Federal Railroad Administration, 1200 New Jersey Avenue SE, Washington, DC 20590 (telephone: 202–493–6292) or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, Federal Railroad Administration, 1200 New Jersey Avenue SE, Washington, DC 20590 (telephone: 202–493–6132).

SUPPLEMENTARY INFORMATION: The PRA, 44 U.S.C. 3501–3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days’ notice to the public to allow comment on information collection activities before seeking OMB approval of the activities. See 44 U.S.C. 3506, 3507; 5 CFR 1320.8 through 1320.12. Specifically, FRA invites interested parties to comment on the following ICRs regarding: (1) Whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (2) the accuracy of FRA’s estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways for FRA to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology. See 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1).

FRA believes that soliciting public comment may reduce the administrative and paperwork burdens associated with the collection of information that Federal regulations mandate. In summary, FRA reasons that comments received will advance three objectives: (1) Reduce reporting burdens; (2) organize information collection requirements in a “user-friendly” format to improve the use of such information; and (3) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

The summaries below describe the ICRs that FRA will submit for OMB clearance as the PRA requires:

Title: U.S. DOT Crossing Inventory.

OMB Control Number: 2130-0017.

Abstract: On January 6, 2015, FRA published in the **Federal Register** a final rule that requires railroads that operate one or more trains through highway-rail or pathway crossings to submit information to the U.S. DOT National Highway-Rail Crossing Inventory about

the crossings through which they operate.¹ See 80 FR 746. These amendments, mandated by section 204 of the Rail Safety Improvement Act of 2008, require railroads to submit information about previously unreported and new highway-rail and pathway crossings to the U.S. DOT National Highway-Rail Crossing Inventory and to periodically update existing crossing data.

Type of Request: Extension with change (revised estimates) of a current information collection.

Affected Public: Businesses (railroads), States, and the District of Columbia (DC).

Form(s): FRA F 6180.71.

Respondent Universe: 692 railroads, 50 States and DC.

Frequency of Submission: On occasion/monthly.

Reporting Burden:

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden hour dollar cost equivalent ²
234.403(a), (b), (c), (e)(3)—Submission of data to the U.S. DOT Highway-Rail Crossing Inventory: Completion of inventory form.	51 States/DC & 692 railroads.	1,495 forms	30 minutes	748 hours	\$55,352
—Mass update lists of designated data submitted by railroads/states.	51 States/DC & 692 railroads.	1,081 lists	30 minutes	541	40,034
—Excel lists of submitted data	51 States/DC & 692 railroads.	750 lists	15 minutes	188	13,912
—Changes/corrections to Crossing Inventory data submitted via GX 32 computer program.	51 States/DC & 692 railroads.	134,719 records	3 minutes	6,736	498,464
—Written requests by states/railroads for FRA Crossing Inventory Guide.	51 States/DC & 692 railroads.	5 requests	15 minutes	1 hour	74
(d)—Reporting Crossing Inventory data by state agencies on behalf of railroads: Written notices to FRA.	51 States/DC & 692 railroads.	15 notices	30 minutes	8	592
(e)(1)—Consolidated reporting by parent corporation on behalf of its subsidiary railroads: Written notice to FRA.	692 railroads	250 notices	30 minutes	125	9,625
(e)(2)—Immediate notification to FRA by parent corporation of any changes in the list of subsidiary railroads for which it reports.	692 railroads	75 notices	30 minutes	38	2,926
234.405(a)(1)—Initial submission of previously unreported highway-rail and pathway crossings through which they operate by primary operating railroads: Providing assigned crossing inventory number to each railroad that operates one or more trains through crossing.	692 railroads	5,300 provided assigned inventory numbers.	5 minutes	442	34,034
—Primary operating railroad providing assigned inventory number to other (2) railroads operating through crossing.	692 railroads	10,600 assigned numbers.	5 minutes	883	67,991
(a)(3)—Completed inventory forms for each previously unreported crossing.	692 railroads	5,300 forms	20 minutes	1,767	136,059
(c)—Duty of all operating railroads: Notification to FRA of previously unreported crossing through which it operates.	692 railroads	450 notices/notifications.	20 minutes	150	11,550
(d)—Incomplete submission by state agency: Written certification by primary operating railroad that state has not provided requested crossing information.	692 railroads	35 certification statements.	2 minutes	1 hour	77
—Copies of written certification statements to other operating railroads and responsible state agency.	692 railroads	105 mailed certification copies.	2 minutes	4	308
234.407(a)—Submission of initial data to the Crossing Inventory for new Crossings: Providing assigned inventory numbers for new highway-rail and pathway crossings through which they operate by primary operating railroads to each railroad that operates one or more trains through the crossing.	692 railroads	50 assigned inventory numbers.	5 minutes	4	308

¹ This final rule was subsequently amended on June 10, 2016, in response to a petition for

reconsideration submitted by the Association of American Railroads. See 81 FR 37521.

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden hour dollar cost equivalent ²
(a)(3)—Completed inventory forms for each new highway-rail & pathway crossing provided each operating railroad operating trains through crossing.	692 railroads	50 forms	5 minutes	4	308
(b) Each operating railroad must submit accurate inventory forms or electronic equivalent to the FRA crossing inventory for new highway-rail & pathway crossings operating on separate tracks.	692 railroads	50 inventory forms ..	1.5	75	5,775
234.409(a)—Submission of periodic updates to the Crossing Inventory by primary operating railroad.	692 railroads	80,775 crossing invent. updates.	2.5minutes	3,366	259,182
234.411(a)—Crossing sale: Submission of Crossing Inventory form by any operating railroad that sells all or part of highway-rail and pathway crossing.	692 railroads	400 updated crossing inventory forms.	2	800	61,600
—Notification/report by railroad to primary operating railroad of sale of all or part of a highway-rail or pathway on or after June 10, 2016.	692 railroads	400 notices/reports	15 minutes	100	7,700
(b)—Crossing closure: Submission of Crossing Inventory form by primary operating railroad that closes highway-rail and pathway crossing.	692 railroads	85 crossing inventory forms (closures).	5 minutes	7	539
(c)—Primary operating RR submission of inventory form for any surface/warning device changes at crossing.	692 railroads	400 forms	30 minutes	200	15,400
234.413(a & b)—Recordkeeping—RR Duplicate copy of each inventory form submitted in hard copy to the Crossing Inventory.	692 railroads	5,901 duplicate copies.	1 minute	98	7,546
—Copy of electronic confirmation received from FRA after electronic submission of crossing data to Crossing Inventory.	692 railroads	80,775 copies	1 minute	1,346	103,642
—List of locations where a copy of any record required by this Subpart may be accessed and copied.	692 railroads	692 lists	5 minutes	58	4,466

Total Estimated Annual Responses: 329,758.

Total Estimated Annual Burden: 17,690 hours.

Total Estimated Annual Burden Hour Dollar Cost Equivalent: \$1,337,464.

Title: Special Notice for Repairs.

OMB Control Number: 2130–0504.

Abstract: Under 49 CFR part 216, FRA and State inspectors may issue a Special Notice for Repairs to notify a railroad in writing of an unsafe condition involving a locomotive, car, or track. The railroad

must notify FRA in writing when the equipment is returned to service or the track is restored to a condition permitting operations at speeds authorized for a higher class, specifying the repairs completed. FRA and State inspectors use this information to remove from service freight cars, passenger cars, and locomotives until they can be restored to a serviceable condition. They also use this information to reduce the maximum

authorized speed on a section of track until repairs can be made.

Type of Request: Extension with change (revised estimates) of a current information collection.

Affected Public: Businesses (railroads).

Form(s): FRA F 6180.71.

Respondent Universe: 741 railroads.

Frequency of Submission: On occasion.

Reporting Burden:

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden hour dollar cost equivalent
216.13(b)—Special Notice for Repairs: Locomotive—RR reply to special notice for repair informing FRA Regional Administrator that affected locomotive is returned to service.	741 railroads	5 form replies	15 minutes	1 hour	\$77

² Based on Bureau of Labor Statistics (BLS) data, FRA is using an average hourly wage rate of 74 per hour for State employees to determine the dollar equivalent cost of estimated burden. Based on the

2017 American Association publication, Railroad Facts, FRA is using an average hourly wage rate of 77 per hour for professional/administrative to determine the same dollar equivalent costs. All

hourly wage rates included 75 percent overhead costs.

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden hour dollar cost equivalent
216.15(b)—Special Notice for Repairs: Track—RR reply to special notice for repair informing FRA Regional Administrator that affected track is restored to condition permitting operations at speeds authorized at higher speeds.	741 railroads	50 form replies	15 minutes	13	1,001
216.21(b)—Notice of track conditions: Letter from railroad to FRA regional track engineer that affected track has been repaired and is ready for re-inspection.	741 railroads	1 letter	60 minutes	1 hour	77
216.25—Issuance of review and emergency order: Petition for review of order or letter stating track has been repaired.	741 railroads	1 letter	60 minutes	1 hour	77

Total Estimated Annual Responses: 57.

Total Estimated Annual Burden: 16 hours.

Total Estimated Annual Burden Hour Dollar Cost Equivalent: \$1,232.

Title: Bridge Safety Standards.

OMB Control Number: 2130-0586.

Abstract: The Fixing America's Surface Transportation Act (FAST Act) (Pub. L. 114-94, Dec. 4, 2015), Section 11405, "Bridge Inspection Reports," provides a means for a State or a political subdivision of a State to obtain a public version of a bridge inspection report generated by a railroad for a bridge located within their respective jurisdiction. While the FAST Act specifies that requests for such reports are to be filed with the Secretary of Transportation, the responsibility for fulfilling these requests is delegated to FRA. See 49 CFR 1.89.

FRA's currently approved information collection accounts for the burden that will be incurred by States and political subdivisions of States requesting a public version of a bridge inspection report generated by a railroad for a bridge located within their respective jurisdiction. FRA developed a Form titled "Bridge Inspection Report Public Version Request Form" to facilitate such requests by States and their political subdivisions. FRA accounts for the burden that will be incurred by railroads to provide the public version

of a bridge inspection report upon agency request to FRA.

As background, FRA's final rule on bridge safety standards, 49 CFR part 237, normalized and established federal requirements for railroad bridges. See 75 FR 41281 (July 15, 2010). The final rule established minimum requirements to assure the structural integrity of railroad bridges and to protect the safe operation of trains over those bridges. The final rule required railroads/track owners to implement bridge management programs to prevent the deterioration of railroad bridges and to reduce the risk of human casualties, environmental damage, and disruption to the Nation's transportation system that would result from a catastrophic bridge failure. Bridge management programs were required to include annual inspection of bridges as well as special inspections, which must be conducted if natural or accidental events cause conditions that warrant such inspections. Lastly, the final rule required railroads/track owners to audit bridge management programs and bridge inspections and to keep records mandated under part 237.

The information collected is used by FRA to ensure that railroads/track owners meet Federal standards for bridge safety and comply with all the requirements of this regulation. In particular, the collection of information is used by FRA to confirm that railroads/track owners adopt and

implement bridge management programs to properly inspect, maintain, modify, and repair all bridges that carry trains for which they are responsible. Railroads/track owners must conduct annual inspections of railroad bridges. Further, railroads/track owners must incorporate provisions for internal audit into their bridge management program and must conduct internal audits of bridge inspection reports. The internal audit information is used by railroads/track owners to verify that the inspection provisions of the bridge management program are being followed and to continually evaluate the effectiveness of their bridge management program and bridge inspection activities. FRA uses this information to ensure that railroads/track owners implement a safe and effective bridge management program and bridge inspection regime.

Type of Request: Extension with change (revised estimates) of a current information collection.

Affected Public: Businesses (railroads) and States, DC, and political subdivisions).

Form(s): FRA F 6180.167.

Respondent Universe: 741 railroads/50 States and DC/200 political subdivisions.

Frequency of Submission: On occasion/monthly.

Reporting Burden:

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden hour dollar cost equivalent ³
FAST ACT SECTION 11405 REQUIREMENTS: —Form FRA F 6180.167	50 states and DC 200 state political subdivisions.	75 forms	5 minutes	6	\$402

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden hour dollar cost equivalent ³
—Railroad submission to FRA of bridge inspection report—public version.	741 railroads	75 reports	60 minutes	75	\$5,025
237.3—Notifications to FRA of assignment of bridge responsibility and signed statement by assignee concerning bridge responsibility.	741 railroads	15 notifications + 15 signed statements.	90 minutes + 30 minutes.	30	\$2,310
237.9—Waivers—petitions	741 railroads	2 petitions	4	8	\$616
237.57—Designation of qualified individuals.	741 railroads	200 recorded designations.	15 minutes	50	\$3,850
237.73—Issuance of instructions to railroad personnel by track owner.	741 railroads	100 issued written instructions.	2	200	\$15,400
237.109—Nationwide annual bridge inspections—reports/records:	741 railroads	15,450 insp. reports/records.	15 minutes	3,863	\$258,821
—Report of deficient condition on a bridge.	741 railroads	50 reports	30 minutes	25	\$1,675
237.155—Documents & records—Establishment of RR monitoring & info. technology security systems for electronic recordkeeping.	741 railroads	5 systems	80	400	\$30,800
—Employees trained in system	741 Railroads	100 employees	8	800	\$61,600

Total Estimated Annual Responses: 16,087.

Total Estimated Annual Burden: 5,457 hours.

Total Estimated Annual Burden Hour Dollar Cost Equivalent: \$380,499.

Under 44 U.S.C. 3507(a) and 5 CFR 1320.5(b) and 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Brett A. Jortland,

Acting Chief Counsel.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2006–25040]

Petition for Waiver of Compliance

Under part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by documents dated June 14, 2018, and April 17, 2019, the Capital Metropolitan Transportation Authority (CMTY) petitioned the Federal Railroad Administration (FRA) to modify

³ Based on the 2017 AAR publication Railroad Facts, FRA calculates the average hourly wage rate for professional/administrative staff at \$77 per hour and the average hourly wage rate of bridge workers at \$67 per hour to determine the dollar equivalent cost numbers. All hourly wage rates include 75 percent overhead costs.

conditions related to a waiver of compliance from certain provisions of the Federal railroad safety regulations. Specifically, CMTY requests to eliminate temporal separation requirements and the 60 miles-per-hour (MPH) speed restrictions imposed, most recently, in a decision letter dated April 20, 2015. FRA assigned the petition Docket Number FRA–2006–25040.

The CMTY commuter rail system, “Red Line,” connects downtown Austin, Texas, with Austin’s northern suburbs along 32 miles with 9 stations. Service began in 2010 with a fleet of six diesel multiple unit (DMU) rail vehicles designated “GTW Generation 1” (GTW G1) built by Stadler Rail. Since 2010, these rail vehicles have operated safely under the conditions of waivers.

In its petition, CMTY states that several technical and mechanical changes have been made to the GTW G1 vehicles. Furthermore, on January 22, 2019, changes to FRA’s Passenger Equipment Safety Standards, 49 CFR part 238, became effective. Together, the vehicle modification and updated regulation combine to make CMTY GTW G1 vehicles fully compliant with FRA crashworthiness standards, and more compliant with several items previously waived. As a result, CMTY asks FRA to remove the two waiver conditions requiring temporal separation and the 60 MPH speed restriction.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov and in person at the U.S. Department of Transportation’s (DOT) Docket Operations Facility, 1200

New Jersey Avenue SE, W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

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

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Website:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by July 29, 2019 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone can search the electronic form of any written communications