

properly trained and fully aware of the rules and regulations governing safe operations. By identifying and addressing any potential training and compliance issues revealed by effective operational testing of longer trains, railroads can mitigate the potential risk of accidents and incidents. As new operations and technology are introduced, operational testing must be adjusted accordingly.

#### IV. Blocked Public Highway-Rail Grade Crossings

Blocked crossings occur when trains occupy highway-rail grade crossings and impede the flow of motor vehicle or pedestrian traffic over railroad tracks for extended periods of time. Blocked crossings pose numerous potential safety risks—frustrated individuals may be tempted to crawl, on, over, under, or between stopped railcars and blocked crossings can hinder emergency services' access to individuals in need of fire, police, or EMS assistance. Residents of communities through which railroads operate often rely on specific highway-rail grade crossings for daily commutes and other essential activities. Local knowledge of these crossings has developed over time, allowing community members to navigate through those crossings safely and efficiently. However, longer trains may, in certain instances, mean that trains are occupying these crossings for longer periods, potentially blocking access to homes, hospitals, schools, or businesses, and causing unexpected disruptions. Local emergency responders, such as police, fire, and ambulance services, can be severely impacted if emergency responders must find an alternate route when a train is blocking a crossing or if there is no alternative route.

Longer trains may also present challenges for pedestrians as the trains occupy pedestrian crossings for longer periods of time. Blocked crossings near schools are especially critical safety hazards due to the potential for children to cut through the idling trains.

Depending on the length of time that a crossing is blocked, the type of vehicles at a blocked crossing, and the configuration of the highway, motor vehicle drivers could be expected to take greater risks and commit dangerous maneuvers in an attempt to seek an alternate route. Motor vehicle drivers may also be more tempted to “outrun the train” by speeding to cross the tracks before the oncoming train reaches the crossing, particularly at locations that are frequently blocked by trains. Although trains of any length may block highway-rail grade crossings for a

variety of reasons, the operation of longer trains may, in certain instances, exacerbate the impact of blocked crossings on communities. Accordingly, FRA recommends that railroads identify geographic areas with highway-rail grade crossings that could be impacted by longer trains, and work with local communities and emergency responders to identify and implement methods of preventing, or at least mitigating, the impacts of such blockages. These actions could include: identifying alternative routes for critical emergency response needs, establishing and maintaining clear lines of communication between the railroad and local authorities, or developing protocols for resolving concerns surrounding emergency response and blocked crossings.

#### V. Recommended Actions

Due to the complexities involved in the operation of longer trains, and to ensure the safety of the Nation's railroads, their employees, and the general public, FRA recommends that freight railroads take the following actions:

1. Review ABTH rules, or supplements, to ensure those rules adequately address the complexities associated with the railroad's operation of longer trains.
2. Implement technologies, policies, procedures, and/or any necessary hardware enhancements to ensure two-way EOT devices maintain uninterrupted communications to and from the head-end and rear-end units. Develop, implement, and maintain clear policies, procedures, and rules that address instances of the loss of communications between EOT devices.
3. Adopt enhanced technologies and/or procedures for maintaining radio voice communications with a contingency plan if voice communications are lost between operating employees.
4. Identify changes to crew training, train handling procedures, train makeup, DPU requirements, limitations to length or tonnage, speed restrictions, track, mechanical, and brake inspection and maintenance requirements necessary to ensure safe operations of longer trains.
5. Review, and update as necessary, each railroad's current 49 CFR part 240 locomotive engineer certification program to ensure the program addresses all levels of operations, including the operation of longer trains.
6. Review and evaluate existing operational testing data as required by 49 CFR 217.9(e) relevant to the operation of longer trains. If longer train

operations are conducted, or if any potential training or compliance issues are identified, consider increasing the frequency of operational testing and/or modifying the types of operational testing performed to address those deficiencies.

7. Identify geographic areas that could be impacted by longer trains at highway-rail grade crossings, take action to minimize blocked crossings by considering train length when taking any action that causes any part of a train to occupy a crossing, and work with local communities and emergency responders to prevent or at least mitigate the impacts of blocked crossings should they occur.

8. Conduct post-accident simulator evaluations and assign accurate primary and contributing cause codes for reportable and accountable accidents and incidents. A detailed narrative is basic to an understanding of the factors leading to, and the consequences arising from, an accident.

FRA encourages freight railroads to take actions consistent with the preceding recommendations. FRA may modify this Safety Advisory 2023–03, issue additional safety advisories, or take other appropriate action necessary to ensure the highest level of safety on the Nation's railroads, including pursuing other corrective measures under its rail safety authority.

Issued in Washington, DC.

**Amitabha Bose,**  
Administrator.

[FR Doc. 2023–09239 Filed 5–1–23; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD–2023–0096]

#### Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: ATOTI (Sail); Invitation for Public Comments

**AGENCY:** Maritime Administration, DOT.  
**ACTION:** Notice.

**SUMMARY:** The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders

or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

**DATES:** Submit comments on or before June 1, 2023.

**ADDRESSES:** You may submit comments identified by DOT Docket Number MARAD-2023-0096 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2023-0096 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2023-0096, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

**Note:** If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

**Instructions:** All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at [www.regulations.gov](http://www.regulations.gov), including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

**FOR FURTHER INFORMATION CONTACT:**

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email [James.Mead@dot.gov](mailto:James.Mead@dot.gov).

**SUPPLEMENTARY INFORMATION:** As described in the application, the intended service of the vessel ATOTI is:—Intended Commercial Use of Vessel: "Passenger vessel."  
—Geographic Region Including Base of Operations: "Hawaii." (Base of Operations: Honolulu, HI)  
—Vessel Length and Type: 46.8' Sail

The complete application is available for review identified in the DOT docket as MARAD 2023-0096 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or

businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel's coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter's interest in the application, and address the eligibility criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

**Public Participation**

*How do I submit comments?*

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

*Where do I go to read public comments, and find supporting information?*

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2023-0096 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

*Will my comments be made available to the public?*

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

*May I submit comments confidentially?*

If you wish to submit comments under a claim of confidentiality, you should submit the information you claim to be confidential commercial information by email to [SmallVessels@dot.gov](mailto:SmallVessels@dot.gov). Include in the email subject heading "Contains Confidential Commercial Information" or "Contains CCI" and state in your submission, with specificity, the basis for any such confidential claim highlighting or denoting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

In the event MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

**Privacy Act**

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit <https://www.transportation.gov/privacy>.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

By Order of the Maritime Administrator.

**T. Mitchell Hudson, Jr.,**

*Secretary, Maritime Administration.*

[FR Doc. 2023-09281 Filed 5-1-23; 8:45 am]

**BILLING CODE 4910-81-P**

**DEPARTMENT OF TRANSPORTATION**

**Maritime Administration**

[Docket No. MARAD-2023-0097]

**Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: COOL BREEZE (Motor); Invitation for Public Comments**

**AGENCY:** Maritime Administration, DOT.  
**ACTION:** Notice.

**SUMMARY:** The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

**DATES:** Submit comments on or before June 1, 2023.

**ADDRESSES:** You may submit comments identified by DOT Docket Number MARAD-2023-0097 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search