



DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA-2023-0002-N-28]

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration (FRA), 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 Request (ICR) summarized below. Before submitting this ICR to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities identified in the ICR.

DATES: Interested persons are invited to submit comments on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: Written comments and recommendations for the proposed ICR should be submitted on [regulations.gov](https://www.regulations.gov) to the docket, Docket No. FRA-2023-0002. All comments received will be posted without change to the docket, including any personal information provided. Please refer to the assigned OMB control number (2130-0594) in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice, made available to the public, and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT: Ms. Arlette Mussington, Information Collection Clearance Officer, at email: arlette.mussington@dot.gov or telephone: (571) 609-1285 or Ms. Joanne Swafford, Information Collection Clearance Officer, at email:

joanne.swafford@dot.gov or telephone: (757) 897-9908.

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 ICR 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, 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 summary below describes the ICR that FRA will submit for OMB clearance as the PRA requires:

Title: Railroad Safety Appliance Standards.

OMB Control Number: 2130–0594.

Abstract: The information collection associated with 49 CFR part 231 is used by FRA to promote and enhance the safe placement and securement of safety appliances on

newly constructed rail vehicles. The regulation provides a process for railroads or car owners to submit requests for the approval of existing industry standards for safety appliance arrangements on newly constructed railroad cars, locomotives, tenders, or other rail vehicles in lieu of the specific arrangements in part 231.

In this 60-day notice, FRA made no adjustments to the previously approved burden hours and responses in the OMB, Office of Information and Regulatory Affairs (OIRA) inventory.¹

Type of Request: Extension without change of a currently approved collection.

Affected Public: Businesses.

Form(s): N/A.

Frequency of Submission: On occasion.

Reporting Burden:

CFR Section	Respondent universe	Total annual responses (A)	Average time per response (B)	Total annual burden hours (C=A*B)	Total cost equivalent in U.S. dollar (D=C* wage rates) ²
231.33(b)— Procedure for special approval of existing industry safety appliance standards—filing of petitions	AAR (industry rep.)	1 petition	16 hours	16.00 hours	\$1,374.88
—(b)(6) Affirmative statement by petitioner that a petition copy has been served on rep. of employees responsible for equipment’s operation/inspection /testing/maintenance	AAR (industry rep.)	1 affirmation statement	1 hour	1.00 hours	\$85.93

¹ Changes to the total cost equivalent in U.S. dollars, a category not included in the OIRA inventory, are due to updated statistics from the 2022 Surface Transportation Board (STB) Full Year Wage A&B data series.

²The dollar equivalent cost is derived from the 2022 STB Full Year Wage A&B data series using the employee group 200 (Professional & Administrative) hourly wage rate of \$49.10. The total burden wage rate (Straight time plus 75%) used in the table is \$85.93 (\$49.10 x 1.75 = \$85.93).

—(f)(3)(iii) Disposition of petitions: petition returned by FRA requesting additional information	AAR (industry rep.)	1 petition or additional document	2 hours	2.00 hours	\$171.86
231.35(a)— Procedure for modification of an approved industry safety appliance standard for new car construction—filing of petitions	AAR (industry rep.)	1 petition for modification	16 hours	16.00 hours	\$1,374.88
—(b)(3) Affirmative statement by petitioner that a petition copy has been served on rep. of employees responsible for equipment’s operation/inspection /testing/maintenance	AAR (industry rep.)	1 affirmation statement	1 hour	1.00 hour	\$85.93
—(e) FRA review of petition for modification; agency objection and AAR response	AAR (industry rep.)	1 additional comment	1 hour	1.00 hour	\$85.93
Total ³	765 railroads	6 responses	N/A	37 hours	\$3,179

Total Estimated Annual Responses: 6.

Total Estimated Annual Burden: 37 hours.

Total Estimated Annual Burden Hour Dollar Cost Equivalent: \$3,179.

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 that does not display a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Christopher S. Van Nostrand,

Acting Deputy Chief Counsel.

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³Totals may not add up due to rounding.