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## **DEPARTMENT OF TRANSPORTATION**

### **Office of the Secretary**

**14 CFR Chs. I-III**

**23 CFR Chs. I-III**

**33 CFR Chs. I and IV**

**46 CFR Chs. I-III**

**48 CFR Ch. 12**

**49 CFR Subtitle A, Chs. I-VI, and Chs. X-XII**

**OST Docket 99-5129**

### **Department Regulatory Agenda; Semiannual Summary**

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** The Regulatory Agenda is a semiannual summary of all current and projected rulemakings, reviews of existing regulations, and completed actions of the Department. The intent of the Agenda is to provide the public with information about the

Department of Transportation's regulatory activity planned for the next 12 months. It is expected that this information will enable the public to be more aware of and allow it to more effectively participate in the Department's regulatory activity. The public is also invited to submit comments on any aspect of this Agenda.

## **FOR FURTHER INFORMATION CONTACT:**

### *General*

You should direct all comments and inquiries on the Agenda in general to Kathryn Sinniger, Assistant General Counsel for Regulation and Enforcement, Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590; (202) 366-4723.

### *Specific*

You should direct all comments and inquiries on particular items in the Agenda to the individual listed for the regulation or the general rulemaking contact person for the operating administration in appendix B. Individuals who use a telecommunications device for the deaf (TDD) may call (202) 755-7687.

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## **SUPPLEMENTARY INFORMATION:**

### **Background**

Improvement of our regulations is a prime goal of the Department of Transportation (Department or DOT). Our regulations should be clear, simple, timely, fair, reasonable, and necessary. They should not be issued without appropriate involvement of the public; once issued, they should be periodically reviewed and revised, as needed, to assure that they continue to meet the needs for which they originally were designed. To view additional information about the Department of Transportation's regulatory activities online, go to <http://www.dot.gov/regulations>. Among other things, this website provides a report, updated monthly, on the status of the DOT significant rulemakings listed in the semiannual regulatory agenda.

To help the Department achieve these goals and in accordance with Executive Order (EO) 12866, "Regulatory Planning and Review," (58 FR 51735; Oct. 4, 1993) and the Department's Regulatory Policies and Procedures (44 FR 11034; Feb. 26, 1979), the Department prepares a semiannual regulatory agenda. It summarizes all current and projected rulemaking, reviews of existing regulations, and completed actions of the Department. These are matters on which action has begun or is projected during the

succeeding 12 months or such longer period as may be anticipated or for which action has been completed since the last Agenda.

The Agendas are based on reports submitted by the offices initiating the rulemaking and are reviewed by the Department Regulations Council.

The Internet is the basic means for disseminating the Unified Agenda. The complete Unified Agenda is available online at [www.reginfo.gov](http://www.reginfo.gov), in a format that offers users a greatly enhanced ability to obtain information from the Agenda database.

Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), DOT's printed Agenda entries include only:

1. The agency's Agenda preamble;
2. Rules that are in the agency's regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and
3. Any rules that the agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's Agenda requirements. These elements are: Sequence Number; Title; Section 610 Review, if applicable; Legal Authority; Abstract; Timetable; Regulatory Flexibility Analysis Required; Agency Contact; and Regulation Identifier Number (RIN). Additional information (for detailed list see section heading "Explanation

of Information on the Agenda”) on these entries is available in the Unified Agenda published on the Internet.

### **Significant/Priority Rulemakings**

The Agenda covers all rules and regulations of the Department. We have classified rules as a DOT agency priority in the Agenda if they are, essentially, very costly, beneficial, controversial, or of substantial public interest under our Regulatory Policies and Procedures. All DOT agency priority rulemaking documents are subject to review by the Secretary of Transportation. If the Office of Management and Budget (OMB) decides a rule is subject to its review under Executive Order 12866, we have classified it as significant in the Agenda.

### **Explanation of Information on the Agenda**

An Office of Management and Budget memorandum, dated August 7, 2013, requires the format for this Agenda.

First, the Agenda is divided by initiating offices. Then, the Agenda is divided into five categories: (1) Prerule stage, (2) proposed rule stage, (3) final rule stage, (4) long-term actions, and (5) completed actions. For each entry, the Agenda provides the following information: (1) its “significance”; (2) a short, descriptive title; (3) its legal basis; (4) the related regulatory citation in the Code of Federal Regulations; (5) any legal deadline and, if so, for what action (e.g., NPRM, final rule); (6) an abstract; (7) a timetable, including the earliest expected date for a decision on whether to take the action; (8) whether the rulemaking will affect small entities and/or levels of Government and, if so, which categories; (9) whether a Regulatory Flexibility Act (RFA) analysis is required (for rules

that would have a significant economic impact on a substantial number of small entities); (10) a listing of any analyses an office will prepare or has prepared for the action (with minor exceptions, DOT requires an economic analysis for all its rulemakings); (11) an agency contact office or official who can provide further information; (12) a Regulation Identifier Number (RIN) assigned to identify an individual rulemaking in the Agenda and facilitate tracing further action on the issue; (13) whether the action is subject to the Unfunded Mandates Reform Act; (14) whether the action is subject to the Energy Act; and (15) whether the action is major under the congressional review provisions of the Small Business Regulatory Enforcement Fairness Act. If there is information that does not fit in the other categories, it will be included under a separate heading entitled "Additional Information." One such example of this is the letters "SB," "IC," "SLT." These refer to information used as part of our required reports on Retrospective Review of DOT rulemakings. A "Y" or an "N," for yes and no, respectively, follow the letters to indicate whether or not a particular rulemaking would have effects on: small businesses (SB); information collections (IC); or State, local, or tribal (SLT) governments.

For nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements (such as the Federal Aviation Administration's Airspace Rules), to keep those requirements operationally current, we only include the general category of the regulations, the identity of a contact office or official, and an indication of the expected number of regulations; we do not list individual regulations.

In the "Timetable" column, we use abbreviations to indicate the particular documents being considered. ANPRM stands for Advance Notice of Proposed Rulemaking, SNPRM for Supplemental Notice of Proposed Rulemaking, and NPRM for Notice of Proposed Rulemaking. Listing a future date in this column does not mean we have made a decision to issue a document; it is the earliest date on which we expect to make a

decision on whether to issue it. In addition, these dates are based on current schedules. Information received subsequent to the issuance of this Agenda could result in a decision not to take regulatory action or in changes to proposed publication dates. For example, the need for further evaluation could result in a later publication date; evidence of a greater need for the regulation could result in an earlier publication date.

Finally, a dot (●) preceding an entry indicates that the entry appears in the Agenda for the first time.

## **Request for Comments**

### *General*

Our agenda is intended primarily for the use of the public. Since its inception, we have made modifications and refinements that we believe provide the public with more helpful information, as well as make the Agenda easier to use. We would like you, the public, to make suggestions or comments on how the Agenda could be further improved.

### *Reviews*

We also seek your suggestions on which of our existing regulations you believe need to be reviewed to determine whether they should be revised or revoked. We particularly draw your attention to the Department's review plan in appendix D. In response to Executive Order 13563 "Retrospective Review and Analysis of Existing Rules," we have prepared a retrospective review plan providing more detail on the process we use to conduct reviews of existing rules, including changes in response to Executive Order 13563. We provided the public opportunities to comment at [www.regulations.gov](http://www.regulations.gov) and

Idea Scale on both our process and any existing DOT rules the public thought needed review. The plan and the results of our review can be found at <http://www.dot.gov/regulations> and <http://www.dot.gov/mission/open/open-government>.

### *Regulatory Flexibility Act*

The Department is especially interested in obtaining information on requirements that have a “significant economic impact on a substantial number of small entities” and, therefore, must be reviewed under the Regulatory Flexibility Act. If you have any suggested regulations, please submit them to us, along with your explanation of why they should be reviewed.

In accordance with the Regulatory Flexibility Act, comments are specifically invited on regulations that we have targeted for review under section 610 of the Act. The phrase (sec. 610 Review) appears at the end of the title for these reviews. Please see appendix D for the Department’s section 610 review plans.

### *Consultation with State, Local, and Tribal Governments*

Executive Orders 13132 and 13175 require us to develop an accountable process to ensure “meaningful and timely input” by State, local, and tribal officials in the development of regulatory policies that have federalism or tribal implications. These policies are defined in the Executive Orders to include regulations that have “substantial direct effects” on States or Indian tribes, on the relationship between the Federal Government and them, or on the distribution of power and responsibilities between the Federal Government and various levels of Government or Indian tribes. Therefore, we



encourage State and local Governments or Indian tribes to provide us with information about how the Department's rulemakings impact them.

## **Purpose**

The Department is publishing this regulatory Agenda in the **Federal Register** to share with interested members of the public the Department's preliminary expectations regarding its future regulatory actions. This should enable the public to be more aware of the Department's regulatory activity and should result in more effective public participation. This publication in the **Federal Register** does not impose any binding obligation on the Department or any of the offices within the Department with regard to any specific item on the Agenda. Regulatory action, in addition to the items listed, is not precluded.

## **DATED:**

**NAME: Anthony Foxx,**

*Secretary of Transportation.*

## **Appendix A—Instructions for Obtaining Copies of Regulatory Documents**

To obtain a copy of a specific regulatory document in the Agenda, you should communicate directly with the contact person listed with the regulation at the address below. We note that most, if not all, such documents, including the Semiannual Regulatory Agenda, are available through the Internet at <http://www.regulations.gov>. See appendix C for more information.

(Name of contact person), (Name of the DOT agency), 1200 New Jersey Avenue SE., Washington, DC 20590. (For the Federal Aviation Administration, substitute the following address: Office of Rulemaking, ARM-1, 800 Independence Avenue SW., Washington, DC 20591).

## **Appendix B—General Rulemaking Contact Persons**

The following is a list of persons who can be contacted within the Department for general information concerning the rulemaking process within the various operating administrations.

FAA—Mark Bury, Chief Counsel, International Law, Legislation and Regulations Division, 800 Independence Avenue SW., Room 915A, Washington, DC 20591; telephone (202) 267-3110.

FHWA—Jennifer Outhouse, Office of Chief Counsel, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366-0761.

FMCSA—Steven J. LaFreniere, Regulatory Ombudsman, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366-0596.

NHTSA—Steve Wood, Office of Chief Counsel, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366-2992.

FRA—Kathryn Shelton, Office of Chief Counsel, 1200 New Jersey Avenue SE., Room W31-214, Washington, DC 20590; telephone (202) 493-6063.

FTA—Richard Wong, Office of Chief Counsel, 1200 New Jersey Avenue SE., Room E56-308, Washington, DC 20590; telephone (202) 366-0675.

SLSDC—Carrie Mann Lavigne, Chief Counsel, 180 Andrews Street, Massena, NY 13662; telephone (315) 764-3200.

PHMSA—Patricia Burke, Office of Chief Counsel, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366-4400.

MARAD—Christine Gurland, Office of Chief Counsel, Maritime Administration, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366-5157.

RITA—Robert Monniere, Office of Chief Counsel, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366-5498.

OST—Kathryn Sinniger, Office of Regulation and Enforcement, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366-4723.

### **Appendix C—Public Rulemaking Dockets**

All comments via the Internet are submitted through the Federal Docket Management System (FDMS) at the following address: <http://www.regulations.gov>. The FDMS allows the public to search, view, download, and comment on all Federal agency rulemaking documents in one central online system. The above referenced Internet address also allows the public to sign up to receive notification when certain documents are placed in the dockets.

The public also may review regulatory dockets at, or deliver comments on proposed rulemakings to, the Dockets Office at 1200 New Jersey Avenue SE., Room W12-140, Washington, DC 20590, 1-800-647-5527. Working Hours: 9-5.

## **Appendix D—Review Plans for Section 610 and Other Requirements**

### **Part I – The Plan**

#### *General*

The Department of Transportation has long recognized the importance of regularly reviewing its existing regulations to determine whether they need to be revised or revoked. Our 1979 Regulatory Policies and Procedures require such reviews. We also have responsibilities under Executive Order 12866, “Regulatory Planning and Review,” and section 610 of the Regulatory Flexibility Act to conduct such reviews. This includes the use of plain language techniques in new rules and considering its use in existing rules when we have the opportunity and resources to permit its use. We are committed to continuing our reviews of existing rules and, if needed, will initiate rulemaking actions based on these reviews.

In accordance with Executive Order 13563, “Improving Regulation and Regulatory Review,” issued by the President on January 18, 2011, the Department has added other elements to its review plan. The Department has decided to improve its plan by adding special oversight processes within the Department; encouraging effective and timely reviews, including providing additional guidance on particular problems that warrant review; and expanding opportunities for public participation. These new actions are in addition to the other steps described in this appendix.

### *Section 610 Review Plan*

Section 610 requires that we conduct reviews of rules that: (1) Have been published within the last 10 years, and (2) have a “significant economic impact on a substantial number of small entities” (SEIOSNOSE). It also requires that we publish in the **Federal Register** each year a list of any such rules that we will review during the next year. The Office of the Secretary and each of the Department’s Operating Administrations have a 10-year review plan. These reviews comply with section 610 of the Regulatory Flexibility Act.

### *Changes to the Review Plan*

Some reviews may be conducted earlier than scheduled. For example, to the extent resources permit, the plain language reviews will be conducted more quickly. Other events, such as accidents, may result in the need to conduct earlier reviews of some rules. Other factors may also result in the need to make changes; for example, we may make changes in response to public comment on this plan or in response to a presidentially-mandated review. If there is any change to the review plan, we will note the change in the following Agenda. For any section 610 review, we will provide the required notice prior to the review.

## **Part II—The Review Process**

### *The Analysis*

Generally, the agencies have divided their rules into 10 different groups and plan to analyze one group each year. For purposes of these reviews, a year will coincide with

the fall-to-fall schedule for publication of the Agenda. Thus, Year 1 (2008) begins in the fall of 2008 and ends in the fall of 2009; Year 2 (2009) begins in the fall of 2009 and ends in the fall of 2010, and so on. We request public comment on the timing of the reviews. For example, is there a reason for scheduling an analysis and review for a particular rule earlier than we have? Any comments concerning the plan or particular analyses should be submitted to the regulatory contacts listed in Appendix B, General Rulemaking Contact Persons.

### *Section 610 Review*

The agency will analyze each of the rules in a given year's group to determine whether any rule has a SEIOSNOSE and, thus, requires review in accordance with section 610 of the Regulatory Flexibility Act. The level of analysis will, of course, depend on the nature of the rule and its applicability. Publication of agencies' section 610 analyses listed each fall in this Agenda provides the public with notice and an opportunity to comment consistent with the requirements of the Regulatory Flexibility Act. We request that public comments be submitted to us early in the analysis year concerning the small entity impact of the rules to help us in making our determinations.

In each fall Agenda, the agency will publish the results of the analyses it has completed during the previous year. For rules that had a negative finding on SEIOSNOSE, we will give a short explanation (e.g., "these rules only establish petition processes that have no cost impact" or "these rules do not apply to any small entities"). For parts, subparts, or other discrete sections of rules that do have a SEIOSNOSE, we will announce that we will be conducting a formal section 610 review during the following 12 months. At this stage, we will add an entry to the Agenda in the prerulemaking section describing the review in more detail. We also will seek public comment on how

best to lessen the impact of these rules and provide a name or docket to which public comments can be submitted. In some cases, the section 610 review may be part of another unrelated review of the rule. In such a case, we plan to clearly indicate which parts of the review are being conducted under section 610.

#### *Other Reviews*

The agency will also examine the specified rules to determine whether any other reasons exist for revising or revoking the rule or for rewriting the rule in plain language. In each fall Agenda, the agency will also publish information on the results of the examinations completed during the previous year.

#### **Part III—List of Pending Section 610 Reviews**

The Agenda identifies the pending DOT section 610 Reviews by inserting “(Section 610 Review),” after the title for the specific entry. For further information on the pending reviews, see the Agenda entries at [www.reginfo.gov](http://www.reginfo.gov). For example, to obtain a list of all entries that is in section 610 Reviews under the Regulatory Flexibility Act, a user would select the desired responses on the search screen (by selecting “advanced search”) and, in effect, generate the desired “index” of reviews.

#### **OFFICE OF THE SECRETARY**

#### **SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
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1	49 CFR parts 91 through 99 and 14 CFR parts 200 through 212	2008	2009
2	48 CFR parts 1201 through 1253 and new parts and subparts	2009	2010
3	14 CFR parts 213 through 232	2010	2011
4	14 CFR parts 234 through 254	2011	2012
5	14 CFR parts 255 through 298 and 49 CFR part 40	2012	2013
6	14 CFR parts 300 through 373	2013	2014
7	14 CFR parts 374 through 398	2014	2015
8	14 CFR part 399 and 49 CFR parts 1 through 11	2015	2016
9	49 CFR parts 17 through 28	2016	2017
10	49 CFR parts 29 through 39 and parts 41 through 89	2017	2018

#### **Year 1 (fall 2008) List of rules with ongoing analysis**

49 CFR part 91—International Air Transportation Fair Competitive Practices

49 CFR part 92—Recovering Debts to the United States by Salary Offset

49 CFR part 98—Enforcement of Restrictions on Post-Employment Activities

49 CFR part 99—Employee Responsibilities and Conduct

14 CFR part 200—Definitions and Instructions

14 CFR part 201—Air Carrier Authority Under Subtitle VII of Title 49 of the United States  
Code [Amended]

14 CFR part 203—Waiver of Warsaw Convention Liability Limits and Defenses

14 CFR part 204—Data to Support Fitness Determinations

14 CFR part 205—Aircraft Accident Liability Insurance

14 CFR part 206—Certificates of Public Convenience and Necessity: Special  
Authorizations and Exemptions



14 CFR part 207—Charter Trips by U.S. Scheduled Air Carriers

14 CFR part 208—Charter Trips by U.S. Charter Air Carriers

14 CFR part 211—Applications for Permits to Foreign Air Carriers

14 CFR part 212—Charter Rules for U.S. and Foreign Direct Air Carriers

**Year 3 (fall 2010) List of rules with ongoing analysis**

14 CFR part 213—Terms, Conditions, and Limitations of Foreign Air Carrier Permits

14 CFR part 214—Terms, Conditions, and Limitations of Foreign Air Carrier Permits

Authorizing Charter Transportation Only

14 CFR part 215—Use and Change of Names of Air Carriers, Foreign Air Carriers, and  
Commuter Air Carriers

14 CFR part 216—Comingling of Blind Sector Traffic by Foreign Air Carriers

14 CFR part 217—Reporting Traffic Statistics by Foreign Air Carriers in Civilian  
Scheduled, Charter, and Nonscheduled Services

14 CFR part 218—Lease by Foreign Air Carrier or Other Foreign Person of Aircraft With  
Crew

14 CFR part 221—Tariffs

14 CFR part 222—Intermodal Cargo Services by Foreign Air Carriers

14 CFR part 223—Free and Reduced-Rate Transportation

14 CFR part 232—Transportation of Mail, Review of Orders of Postmaster General

**Year 4 (fall 2011) List of rules with ongoing analysis**

14 CFR part 240—Inspection of Accounts and Property

14 CFR part 241—Uniform System of Accounts and Reports for Large Certificated Air  
Carriers

14 CFR part 243—Passenger Manifest Information

14 CFR part 247—Direct Airport-to-Airport Mileage Records

14 CFR part 248—Submission of Audit Reports

14 CFR part 249—Preservation of Air Carrier Records

**Year 5 (fall 2012) List of rules with ongoing analysis**

14 CFR part 255—Airline Computer Reservations Systems

14 CFR part 256—[Reserved]

14 CFR part 271—Guidelines for Subsidizing Air Carriers Providing Essential Air Transportation

14 CFR part 272—Essential Air Service to the Freely Associated States

14 CFR part 291—Cargo Operations in Interstate Air Transportation

14 CFR part 292—International Cargo Transportation

14 CFR part 293—International Passenger Transportation

14 CFR part 294—Canadian Charter Air Taxi Operators

14 CFR part 296—Indirect Air Transportation of Property

14 CFR part 297—Foreign Air Freight Forwarders and Foreign Cooperative Shippers Associations

14 CFR part 298—Exemptions for Air Taxi and Commuter Air Carrier Operations

**Year 6 (2013) List of rules that will be analyzed during the next year**

14 CFR part 300—Rules of Conduct in Dot Proceedings Under This Chapter

14 CFR part 302—Rules of Practice in Proceedings

14 CFR part 303—Review of Air Carrier Agreements

14 CFR part 305—Rules of Practice in Informal Nonpublic Investigations

14 CFR part 313—Implementation of the Energy Policy and Conservation Act

14 CFR part 323—Terminations, Suspensions, and Reductions of Service

14 CFR part 325—Essential Air Service Procedures

14 CFR part 330—Procedures For Compensation of Air Carriers

14 CFR part 372—Overseas Military Personnel Charters

## Federal Aviation Administration

### Section 610 Review Plan

The FAA has elected to use the two-step, two-year process used by most DOT modes in past plans. As such, the FAA has divided its rules into 10 groups as displayed in the table below. During the first year (the “analysis year”), all rules published during the previous 10 years within a 10 percent block of the regulations will be analyzed to identify those with a SEIOSNOSE. During the second year (the “review year”), each rule identified in the analysis year as having a SEIONOSE will be reviewed in accordance with Section 610 (b) to determine if it should be continued without change or changed to minimize impact on small entities. Results of those reviews will be published in the DOT Semiannual Regulatory Agenda.

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	14 CFR parts 119 through 129 and parts 150 through 156	2008	2009
2	14 CFR parts 133 through 139 and parts 157 through 169	2009	2010
3	14 CFR parts 141 through 147 and parts 170 through 187	2010	2011
4	14 CFR parts 189 through 198 and parts 1 through 16	2011	2012
5	14 CFR parts 17 through 33	2012	2013

6	14 CFR parts 34 through 39 and parts 400 through 405	2013	2014
7	14 CFR parts 43 through 49 and parts 406 through 415	2014	2015
8	14 CFR parts 60 through 77	2015	2016
9	14 CFR parts 91 through 105	2016	2017
10	14 CFR parts 417 through 460	2017	2018

### **Year 6 (2013) List of rules analyzed and summary of results**

#### 14 CFR Part 34—Fuel Venting and Exhaust Emission Requirements for Turbine Engine Powered Airplanes

- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

#### 14 CFR Part 35—Airworthiness Standards: Propellers

- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

#### 14 CFR Part 36—Noise Standards: Aircraft Type and Airworthiness Certification

- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

#### 14 CFR Part 39—Airworthiness Directives

- Section 610: No amendments to the codified text of this part were promulgated during the period of review, thus there is no SEISNOSE.
- General: No changes are needed.

#### 14 CFR Part 400—Basis and Scope

- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

#### 14 CFR Part 401—Organization and Definitions

- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

#### 14 CFR Part 404—Regulations and Licensing Requirements

- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

14 CFR Part 405—Investigations and Enforcement

- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

**Year 7 (2014) List of rules that will be analyzed during the next year**

14 CFR part 43—Maintenance, Preventive Maintenance, Rebuilding, and Alteration

14 CFR part 45—Identification and Registration Marking

14 CFR part 47—Aircraft Registration

14 CFR part 49—Recording of Aircraft Titles and Security Documents

14 CFR part 406—Investigations, Enforcement, and Administrative Review

14 CFR part 413—License Application Procedures

14 CFR part 414—Safety Approvals

14 CFR part 415—Launch License

**FEDERAL HIGHWAY ADMINISTRATION**

**SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	None	2008	2009
2	23 CFR parts 1 to 260	2009	2010
3	23 CFR parts 420 to 470	2010	2011
4	23 CFR part 500	2011	2012

5	23 CFR parts 620 to 637	2012	2013
6	23 CFR parts 645 to 669	2013	2014
7	23 CFR parts 710 to 924	2014	2015
8	23 CFR parts 940 to 973	2015	2016
9	23 CFR parts 1200 to 1252	2016	2017
10	New parts and subparts	2017	2018

### **Federal-Aid Highway Program**

The FHWA has adopted regulations in title 23 of the CFR, chapter I, related to the Federal-Aid Highway Program. These regulations implement and carry out the provisions of Federal law relating to the administration of Federal aid for highways. The primary law authorizing Federal aid for highways is chapter I of title 23 of the U.S.C. section 145 of title 23 expressly provides for a federally assisted State program. For this reason, the regulations adopted by the FHWA in title 23 of the CFR primarily relate to the requirements that States must meet to receive Federal funds for the construction and other work related to highways. Because the regulations in title 23 primarily relate to States, which are not defined as small entities under the Regulatory Flexibility Act, the FHWA believes that its regulations in title 23 do not have a significant economic impact on a substantial number of small entities. The FHWA solicits public comment on this preliminary conclusion.



## **Year 5 (fall 2012) List of rules analyzed and a summary of results**

### 23 CFR part 620—Engineering

- Section 610: No SEIOSNOSE. No small entities are affected.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

### 23 CFR part 625—Design Standards for Highways

- Section 610: No SEIOSNOSE. No small entities are affected.
- General: These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision. The FHWA will update Section 625.4 (Standards, Policies, and Standard Specifications) to reflect the most current information.

### 23 CFR part 626—Pavement Policy

- Section 610: No SEIOSNOSE. No small entities are affected.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

### 23 CFR part 627—Value Engineering

- Section 610: No SEIOSNOSE. No small entities are affected.
- General: These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision. These regulations are being updated to incorporate changes made to this part by MAP-21.

### 23 CFR part 630—Preconstruction Procedures

- Section 610: No SEIOSNOSE. No small entities are affected.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

#### 23 CFR part 633—Required Contract Provisions

- Section 610: No SEIOSNOSE. No small entities are affected.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

#### 23 CFR part 635—Construction and Maintenance

- Section 610: No SEIOSNOSE. No small entities are affected.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

#### 23 CFR part 636—Design-Build Contracting

- Section 610: No SEIOSNOSE. No small entities are affected.
- General: These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision. These regulations are being updated at 23 CFR 636.209 to allow proposers to submit technical and price proposals based on their preapproved alternative technical concepts without submitting a base proposal to encourage a wider use of alternative technical concepts in design-build project delivery.

#### 23 CFR part 637—Construction Inspection and Approval

- Section 610: No SEIOSNOSE. No small entities are affected.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

#### **Year 6 (fall 2013) List of rules that will be analyzed during the next year**

23 CFR part 645—Utilities

23 CFR part 646—Railroads

23 CFR part 650—Bridges, structures, and hydraulics

23 CFR part 652—Pedestrian and bicycle accommodations and projects

23 CFR part 655—Traffic Operations

23 CFR part 656—Carpool and vanpool projects

23 CFR part 657—Certification of size and weight enforcement

23 CFR part 658—Truck size and weight, route designations—length, width, and weight limitations

23 CFR part 660—Special programs (Direct Federal)

23 CFR part 661—Indian Reservation Road Bridge Program

23 CFR part 667—[Reserved]

23 CFR part 668—Emergency relief program

23 CFR part 669—Enforcement of heavy vehicle use tax

#### **FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

#### **SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR part 372, subpart A	2008	2009

2	49 CFR part 386	2009	2010
3	49 CFR parts 325 and 390 (General)	2010	2011
4	49 CFR parts 390 (Small Passenger-Carrying Vehicles), 391 to 393 and 396 to 399	2011	2012
5	49 CFR part 387	2012	2013
6	49 CFR parts 356, 367, 369 to 371, 372 (subparts B and C)	2013	2014
7	49 CFR parts 373, 374, 376, and 379	2014	2015
8	49 CFR parts 360, 365, 366, and 368	2015	2016
9	49 CFR parts 377, 378	2016	2017
10	49 CFR part 395	2017	2018

### **Year 3 (Fall 2010) List of Rules with Ongoing Analysis**

49 CFR part 325—Compliance with Interstate Motor Carrier Noise Emission

49 CFR part 390—Federal Motor Carrier Safety Regulations, General

### **Year 4 (Fall 2011) List of Rules with Ongoing Analysis**

49 CFR part 390—Definition of Commercial Motor Vehicle (CMV) – Requirements for Operators of Small Passenger-Carrying CMVs.

- *This rule was moved up from Year 4 as a result of the Department's Retrospective Regulatory Review.*

49 CFR part 391—Driver Qualifications

49 CFR part 392—Driving of Commercial Motor Vehicles

49 CFR part 393—Parts and Accessories Necessary for Safe Operation

49 CFR part 396—Inspection, Repair and Maintenance of Commercial Motor Vehicles

49 CFR part 397—Transportation of Hazardous Materials; Driving and Parking Rules

49 CFR part 398—Transportation of Migrant Workers

49 CFR part 399—Employee Safety and Health Standards

**Year 5 (Fall 2012) List of Rule(s) With Ongoing Analysis**

49 CFR part 387—Minimum Levels of Financial Responsibility for Motor Carriers

**Year 6 (Fall 2013) List of Rule(s) that will be Analyzed this Year**

49 CFR part 356—Motor Carrier Routing Regulations

49 CFR part 367—Standards for Registration with States

49 CFR part 369—Reports of Motor Carriers

49 CFR part 370—Principles and Practices for the investigation and voluntary disposition  
of loss and damage claims and processing salvage

49 CFR part 371—Brokers of Property

49 CFR part 372 (subparts B and C)—Exemptions, Commercial Zones and Terminal  
Areas

**NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION**

**SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR parts 571.223 through 571.500, and parts 575 and 579	2008	2009
2	23 CFR parts 1200 through 1300	2009	2010
3	49 CFR parts 501 through 526 and 571.213	2010	2011

4	49 CFR parts 571.131, 571.217, 571.220, 571.221, and 571.222	2011	2012
5	49 CFR parts 571.101 through 571.110, and 571.135, 571.138, and 571.139	2012	2013
6	49 CFR parts 529 through 578, except parts 571 and 575	2013	2014
7	49 CFR parts 571.111 through 571.129 and parts 580 through 588	2014	2015
8	49 CFR parts 571.201 through 571.212	2015	2016
9	49 CFR parts 571.214 through 571.219, except 571.217	2016	2017
10	49 CFR parts 591 through 595 and new parts and subparts	2017	2018

#### **Year 5 (fall 2012) List of rules analyzed and a summary of the results**

##### **49 CFR part 571.101—Controls and Displays**

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

##### **49 CFR part 571.102—Transmission Shift Position Sequence, Starter Interlock, and Transmission Braking Effect**

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 571.103—Windshield Defrosting and Defogging Systems

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 571.104—Windshield Wiping and Washing Systems

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 571.105—Hydraulic and Electric Brake Systems

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 571.106—Brake Hoses

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 571.108—Lamps, Reflective Devices, and Associated Equipment

- Section 610: There is no SEIOSNOSE.

- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

#### 49 CFR part 571.109—New Pneumatic and Certain Specialty Tires

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

#### 49 CFR part 571.110—Tire Selection and Rims and Motor Home/Recreation Vehicle Trailer Load Carrying Capacity Information for Motor Vehicles with a GVWR of 4,536 Kilograms (10,000 Pounds) or Less

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

#### 49 CFR part 571.135—Light Vehicle Brake Systems

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

#### 49 CFR part 571.138—Tire Pressure Monitoring Systems

- Section 610: There is no SEIOSNOSE.



- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

#### 49 CFR part 571.139—New Pneumatic Radial Tires for Light Vehicles

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

### **Year 6 (fall 2013) List of rules that will be analyzed during the next year**

49 CFR part 529—Manufacturers of Multistage Automobiles

49 CFR part 531—Passenger Automobile Average Fuel Economy Standards

49 CFR part 533—Light Truck Fuel Economy Standards

49 CFR part 534—Rights and Responsibilities of Manufacturers in the Context of Changes in Corporate Relationships

49 CFR part 535—Medium- and Heavy-Duty Vehicle Fuel Efficiency Program

49 CFR part 536—Transfer and Trading of Fuel Economy Credits

49 CFR part 537—Automotive Fuel Economy Reports

49 CFR part 538—Manufacturing Incentives for Alternative Fuel Vehicles

49 CFR part 541—New Pneumatic and Certain Specialty Tires

49 CFR part 542—Procedures for Selecting Light Duty Truck Lines to be Covered by the Theft Prevention Standard

49 CFR part 543—Exemption from Vehicle Theft Prevention Standard

49 CFR part 544—Insurer Reporting Requirements

49 CFR part 545—Federal Motor Vehicle Theft Prevention Standard Phase-in and Small-Volume Line Reporting Requirements

49 CFR part 551—Procedural Rules

49 CFR part 552—Petitions for Rulemaking, Defect, and Noncompliance Orders

49 CFR part 553—Rulemaking Procedures

49 CFR part 554—Standards Enforcement and Defects Investigation

49 CFR part 555—Temporary Exemption from Motor Vehicle Safety and Bumper Standards

49 CFR part 556—Exemption for Inconsequential Defect or Noncompliance

49 CFR part 557—Petitions for Hearings on Notification and Remedy of Defects

49 CFR part 563—Event Data Recorders

49 CFR part 564—Replaceable Light Source and Sealed Beam Headlamp Information

49 CFR part 565—Vehicle Identification Number (VIN) Requirements

49 CFR part 566—Manufacturer Identification

49 CFR part 567—Certification

49 CFR part 568—Vehicles Manufactured in Two or More Stages-All Incomplete, Intermediate and Final-Stage Manufacturers of Vehicles Manufactured in Two or More Stages

49 CFR part 569—Regrooved Tires

49 CFR part 570—Vehicle In Use Inspection Standards

49 CFR part 572—Anthropomorphic Test Devices

49 CFR part 573—Defect and Noncompliance Responsibility and Reports

49 CFR part 574—Tire Identification and Recordkeeping

49 CFR part 576—Record Retention

49 CFR part 577—Defect and Noncompliance Notification

49 CFR part 578—Civil and Criminal Penalties

## **FEDERAL RAILROAD ADMINISTRATION**

## SECTION 610 AND OTHER REVIEWS

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR parts 200 and 201	2008	2009
2	49 CFR parts 207, 209, 211, 215, 238, and 256	2009	2010
3	49 CFR parts 210, 212, 214, 217, and 268	2010	2011
4	49 CFR part 219	2011	2012
5	49 CFR parts 218, 221, 241, and 244	2012	2013
6	49 CFR parts 216, 228, and 229	2013	2014
7	49 CFR parts 223 and 233	2014	2015
8	49 CFR parts 224, 225, 231, and 234	2015	2016
9	49 CFR parts 222, 227, 235, 236, 250, 260, and 266	2016	2017
10	49 CFR parts 213, 220, 230, 232, 239, 240, and 265	2017	2018

### Year 5 (Fall 2012) List of rules analyzed and a summary of results

#### 49 CFR part 218—Railroad Operating Practices

- Section 610: There is no SEIOSNOSE.
- General: The rule prescribes minimum requirements for railroad operating rules and practices. No changes are needed. FRA's plain language review of this rule indicates no need for substantial revision.

#### 49 CFR part 221—Rear End Marking Device – Passenger, Commuter, and Freight Trains

- Section 610: There is no SEIOSNOSE.
- General: Since the rule prescribes minimum requirements for railroads to equip the rear car of passenger, commuter and freight trains with highly visible markers it will

provide safety and security not only for railroad employees but also for the general public. No changes are needed. FRA's plain language review of this rule indicates no need for substantial revision.

49 CFR part 241—United States Locational Requirement for Dispatching of United States Rail Operations

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FRA's plain language review of this rule indicates no need for substantial revision.

49 CFR part 244—Regulations on Safety Integration Plans Governing Railroad Consolidations, Mergers and Acquisitions of Control

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. FRA's plain language review of this rule indicates no need for substantial revision.

**Year 6 (Fall 2013) List of rule(s) that will be analyzed during next year**

49 CFR part 216—Special Notice and Emergency Order Procedures: Railroad Track, Locomotive, and Equipment

49 CFR part 228—Hours of Service of Railroad Employees; Recordkeeping and Reporting; Sleeping Quarters

49 CFR part 229—Railroad Locomotive Safety Standards

**FEDERAL TRANSIT ADMINISTRATION**

## SECTION 610 AND OTHER REVIEWS

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR parts 604, 605, and 633	2008	2009
2	49 CFR parts 661 and 665	2009	2010
3	49 CFR part 633	2010	2011
4	49 CFR parts 609 and 611	2011	2012
5	49 CFR parts 613 and 614	2012	2013
6	49 CFR part 622	2013	2014
7	49 CFR part 630	2014	2015
8	49 CFR part 639	2015	2016
9	49 CFR parts 659 and 663	2016	2017
10	49 CFR part 665	2017	2018

### Year 4 (fall 2011) List of rules analyzed and summary of results

#### 49 CFR part 609—Transportation for Elderly and Handicapped Persons

- Section 610: The agency has determined that the rule does not have a significant effect on a substantial number of small entities.
- General: This rule was promulgated to enact the statutory requirements of sections 49 U.S.C. 5307(d) and 5308(b) to establish requirements for determining the maximum fare that can assessed for the transportation of elderly persons and persons with disabilities during a public transportation's period of off-peak hours. Recently, Congress enacted the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21), Public Law 112-141, (2012). The underlying purpose for the rule was unchanged by Map-21; however, the reference to maximum fares in section 5308(b) was repealed long ago and

MAP-21 amended 49 U.S.C. section 5307. Therefore, in Fiscal Year 2014, FTA plans to issue a rulemaking to implement technical corrections to the authority and applicability sections of 49 CFR part 609.

#### 49 CFR part 611—Major Capital Investment Projects

- Section 610: The agency has determined that the rule does not have a significant effect on a substantial number of small entities. FTA recently revised the rule and evaluated the likely effects of the final rule on small entities and requested public comment during the rulemaking process. FTA determined that the rule does not have a significant economic impact on a substantial number of small entities because small entities do not generally undertake the development of major capital projects. There were no public comments submitted on this issue during the rulemaking process.
- General: FTA revised part 611 via a final rule in January 2013, in order to implement recent MAP-21 amendments to 49 U.S.C. section 5309(see 78 Fed. Reg. 1992). The “New Starts” and “Small Starts” programs authorized by section 5309 are FTA’s primary capital funding programs for new or extended transit systems. Part 611 of the Code of Federal Regulations outlines the process by which FTA rates and evaluates grants proposals for these programs. With the revised rule, FTA has significantly streamlined its evaluation process for both programs.

#### **Year 5 (fall 2012) List of rule(s) analyzed and summary of results**

##### 49 CFR part 613—Planning Assistance and Standards

- Section 610: The Agency has determined that the rule does not have a significant effect on a substantial number of small entities because it is only applicable to States and metropolitan planning organizations which are not included in the definition of small entity as set forth in 5 U.S.C. 601.

- General: The rule was promulgated to govern the development of metropolitan transportation plans and programs for urbanized areas, State transportation plans and programs, and the congestion management process. Recently, Congress amended the planning statutes when it enacted the Moving Ahead for Progress in the 21st Century Act (MAP-21), Public Law 112-141, (2012). In Fiscal Year 2014, FTA will undertake a joint notice of proposed rulemaking with FHWA in order to revise the regulations consistent with current statutory requirements. In doing so, FHWA and FTA will propose establishing a performance-based approach to transportation decisionmaking.

#### 49 CFR part 614—Transportation Infrastructure Management

- Section 610: The Agency has determined that the rule does not have a significant effect on a substantial number of small entities as it only cross-references 23 CFR part 500, a FHWA regulation which is applicable to States.
- General: No changes are needed at this time. However, FTA will continue to work with FHWA to assess whether or not technology will warrant revisions to the regulation.

#### **Year 6: List of rules that will be analyzed during the next year**

#### 49 CFR part 622—Environmental Impact and Related Procedures

### **MARITIME ADMINISTRATION**

#### **SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	46 CFR parts 201 through 205	2008	2009

2	46 CFR parts 221 through 232	2009	2010
3	46 CFR parts 249 through 296	2010	2011
4	46 CFR parts 221, 298, 308, and 309	2011	2012
5	46 CFR parts 307 through 309	2012	2013
6	46 CFR part 310	2013	2014
7	46 CFR parts 315 through 340	2014	2015
8	46 CFR parts 345 through 381	2015	2016
9	46 CFR parts 382 through 389	2016	2017
10	46 CFR parts 390 through 393	2017	2018

**Year 4 (fall 2011) List of rules with ongoing analysis**

46 CFR part 381—Cargo Preference—U.S.-Flag Vessels

46 CFR part 383—Cargo Preference—Compromise, Assessment, Mitigation, Settlement  
& Collection of Civil Penalties

46 CFR part 221—Foreign Transfer Regulations

46 CFR part 249—Approval of Underwriters for Marine Hull Insurance

46 CFR part 272—Requirements and Procedures for Conducting Condition Surveys and  
Administering Maintenance and Repair Subsidy

46 CFR part 287—Establishment of Construction Reserve Funds

46 CFR part 295—Maritime Security Program (MSP)

46 CFR part 296—Maritime Security Program (MSP)

**Year 5 (2012) List of rules with ongoing analysis**

46 CFR part 307—Mandatory Position Report System for Vessels

46 CFR part 308—War Risk Insurance

46 CFR part 309—War Risk Ship Valuation



**Year 6 (2013) List of rules that will be analyzed during the next year**

46 CFR part 310—Merchant Marine Training

**PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION (PHMSA)**

**SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR part 178	2008	2009
2	49 CFR parts 178 through 180	2009	2010
3	49 CFR parts 172 and 175	2010	2011
4	49 CFR part 171, sections 171.15 and 171.16	2011	2012
5	49 CFR parts 106, 107, 171, 190, and 195	2012	2013
6	49 CFR parts 174, 177, 191, and 192	2013	2014
7	49 CFR parts 176 and 199	2014	2015
8	49 CFR parts 172 through 178	2015	2016
9	49 CFR parts 172, 173, 174, 176, 177, and 193	2016	2017
10	49 CFR parts 173 and 194	2017	2018

**Year 5 (fall 2012) List of rules analyzed and a summary of results**

49 CFR part 106—Rulemaking Procedures;

49 CFR part 107—Hazardous Materials Program Procedures; and

49 CFR part 171—General Information, Regulations, and Definitions

- Section 610: There is no SEIOSNOSE. On May 9, 2013 (78 FR 27169) PHMSA published the intent to review and analyze regulations in its Unified Agenda and Regulatory Plan to identify requirements which may have a significant impact on a substantial number of small entities. Specifically, PHMSA provided an initial review and requested comments on the impact of the rules in 49 CFR parts 106, 107, and 171 on small businesses. In addition, PHMSA asked the following questions of small businesses:

1. How and to what degree these rules affect you;
2. Any complaints or comments you may have concerning the covered rules;
3. The complexity of the covered rules;
4. The extent to which the rules overlap, duplicate or conflict with other Federal rules, and to the extent feasible, with State and local Government rules; and
5. The extent of the economic impact on you and why you believe the economic impact is significant.”

Two comments were received in response to the notice (notice and comments are available for review at: <http://www.regulations.gov>; under Docket No. PHMSA-2013-0027). The comments did not directly relate to the rules under review or the impacts those rules on small businesses. Based on PHMSA’s initial review of these rules and evaluation of the comments received, the Agency has determined that the rules do not have a significant effect on a substantial number of small entities.

- General: No changes are needed. These regulations are cost effective and impose the least burden. PHMSA’s plain language review of this rule indicates no need for substantial revision.

49 CFR part 190—Pipeline Safety Programs and Rulemaking Procedures

- Section 610: There is no SEIOSNOSE. Based on regulated entities, PHMSA found that the majority of operators are not small businesses. Therefore, though some small entities may be affected the economic impact on small entities will not be significant.
- General: No changes are needed. These regulations are cost effective and impose the least burden. PHMSA's plain language review indicates no need for substantial revision.

#### 49 CFR part 195—Transportation of Hazardous Liquids by Pipeline

- Section 610: There is no SEIOSNOSE. Based on regulated entities, PHMSA found that the majority of operators are not small businesses. Therefore, though some small entities may be affected the economic impact on small entities will not be significant.
- General: No changes are needed. These regulations are cost effective and impose the least burden. PHMSA's plain language review indicates no need for substantial revision.

### **Year 6 (fall 2013) List of rules that will be analyzed during the next year**

49 CFR part 174—Carriage by Rail

49 CFR part 177—Carriage by Public Highway

49 CFR part 191—Transportation of Natural and Other Gas by Pipeline; Annual Reports, Incident Reports, and Safety Related Condition Reports

49 CFR part 192— Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards

### **RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION (RITA)**

### **SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	14 CFR part 241, form 41	2008	2009
2	14 CFR part 241, schedule T-100, and part 217	2009	2010
3	14 CFR part 298	2010	2011
4	14 CFR part 241, section 19-7	2011	2012
5	14 CFR part 291	2012	2013
6	14 CFR part 234	2013	2014
7	14 CFR part 249	2014	2015
8	14 CFR part 248	2015	2016
9	14 CFR part 250	2016	2017
10	14 CFR part 374a, ICAO	2017	2018

**Year 1 (fall 2008) List of rules with ongoing analysis**

14 CFR part 241—Uniform System of Accounts and Reports for Large Certificated Air Carriers, Form 41

**Year 3 (fall 2010) List of rules with ongoing analysis**

14 CFR part 298, subpart f—Exemptions for Air Taxi and Commuter Air Carrier Operations—Reporting Requirements

**Year 4 (fall 2011) List of rules with ongoing analysis**

14 CFR part 241, section 19-7—Passenger Origin-Destination Survey

**Year 5 (fall 2012) List of rules with ongoing analysis**

14 CFR part 291—Cargo Operations in Interstate Air Transportation

**Year 6 (fall 2013) List of rules that will be analyzed during the next year**

14 CFR Part 234—Airline Service Quality Performance Reports

**SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION**

**SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	33 CFR parts 401 through 403	2008	2009

**Year 1 (fall 2008) List of rules with ongoing analysis**

33 CFR part 401—Seaway Regulations and Rules

33 CFR part 402—Tariff of Tolls

33 CFR part 403—Rules of Procedure of the Joint Tolls Review Board

**Office of the Secretary—Proposed Rule Stage**

Sequence Number	Title	Regulation Identifier Number
358	+Enhancing Airline Passenger Protections III	2105-AE11

+ DOT-designated significant regulation

**Office of the Secretary—Completed Actions**

Sequence Number	Title	Regulation Identifier Number
359	+Use of the Seat-Strapping Method for Carrying a Wheelchair on an Aircraft	2105–AD87

+ DOT-designated significant regulation

#### Federal Aviation Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
360	+Operation and Certification of Small Unmanned Aircraft Systems (sUAS)	2120–AJ60
361	+Flight Crewmember Mentoring, Leadership, and Professional Development (HR 5900)	2120–AJ87
362	+Flight Simulation Training Device (FSTD) Qualification Standards for Extended Envelope and Adverse Weather Event Training	2120–AK08

+ DOT-designated significant regulation

#### Federal Aviation Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
363	+Safety Management Systems for Part 121 Certificate Holders <b>(Section 610 Review) (Reg Plan Seq No. 104)</b>	2120–AJ86

+ DOT-designated significant regulation

References in boldface appear in The Regulatory Plan in part II of this issue of the

**Federal Register.**

#### Federal Aviation Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
364	+Air Carrier Maintenance Training Program ( <b>Section 610 Review</b> )	2120–AJ79

+ DOT-designated significant regulation

#### Federal Aviation Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
365	+Pilot Certification and Qualification Requirements (Formerly First Officer Qualification Requirements) (HR 5900)	2120–AJ67

+ DOT-designated significant regulation

#### Federal Motor Carrier Safety Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
366	+Carrier Safety Fitness Determination ( <b>Reg Plan Seq No. 108</b> )	2126–AB11

367	+Commercial Driver's License Drug and Alcohol Clearinghouse (MAP-21) <b>(Reg Plan Seq No. 109)</b>	2126–AB18
368	+Electronic Logging Devices and Hours of Service Supporting Documents (MAP-21) <b>(Reg Plan Seq No. 110)</b>	2126–AB20
369	+Lease and Interchange of Vehicles; Motor Carriers of Passengers	2126–AB44
370	+Inspection, Repair, and Maintenance; Driver-Vehicle Inspection Report (RRR)	2126–AB46

+ DOT-designated significant regulation

References in boldface appear in The Regulatory Plan in part II of this issue of the **Federal Register**.

#### Federal Motor Carrier Safety Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
371	+Unified Registration System	2126–AA22

+ DOT-designated significant regulation

#### Federal Railroad Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
372	+Alcohol and Controlled Substance Testing for Maintenance-of-Way Employees	2130–AC10
373	+Risk Reduction Program	2130–AC11



374	+Passenger Equipment Safety Standards; Standards for Alternative Compliance and High-Speed Trainsets	2130–AC46
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+ DOT-designated significant regulation

#### Federal Railroad Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
375	+Training Standards for Railroad Employees	2130–AC06

+ DOT-designated significant regulation

#### Pipeline and Hazardous Materials Safety Administration—Proposed Rule

##### Stage

Sequence Number	Title	Regulation Identifier Number
376	+Pipeline Safety: Safety of On-Shore Liquid Hazardous Pipelines <b>(Reg Plan Seq No. 118)</b>	2137–AE66
377	Pipeline Safety: Issues related to the use of Plastic Pipe in Gas Pipeline Industry	2137–AE93
378	Pipeline Safety: Operator Qualification, Cost Recovery and other Pipeline Safety Proposed Changes (RRR)	2137–AE94

+ DOT-designated significant regulation

References in boldface appear in The Regulatory Plan in part II of this issue of the  
**Federal Register.**

## Pipeline and Hazardous Materials Safety Administration—Final Rule

### Stage

Sequence Number	Title	Regulation Identifier Number
379	+Hazardous Materials: Revisions to Requirements for the Transportation of Lithium Batteries	2137–AE44

+ DOT-designated significant regulation

## Maritime Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
380	+Regulations To Be Followed by All Departments, Agencies and Shippers Having Responsibility To Provide a Preference for U.S.-Flag Vessels in the Shipment of Cargoes on Ocean Vessels	2133–AB74

+ DOT-designated significant regulation

Department of Transportation (DOT)	Proposed Rule Stage
Office of the Secretary (OST)	

### 358. +ENHANCING AIRLINE PASSENGER PROTECTIONS III

**Legal Authority:** 49 USC 41712; 49 USC 40101;49 USC 41702

**Abstract:** This rulemaking would address the following issues: (1) whether the Department should require a marketing carrier to provide assistance to its code-share partner when a flight operated by the code-share partner experiences a lengthy tarmac

delay; (2) whether the Department should enhance disclosure requirements on code-share operations, including requiring on-time performance data, reporting of certain data code-share operations, and codifying the statutory amendment of 49 U.S.C. 41712(c) regarding website schedule disclosure of code-share operations; (3) whether the Department should expand the on-time performance “reporting carrier” pool to include smaller carriers; (4) whether the Department should require travel agents to adopt minimum customer service standards in relation to the sale of air transportation; (5) whether the Department should require ticket agents to disclose the carriers whose tickets they sell or do not sell and information regarding any incentive payments they receive in connection with the sale of air transportation; (6) whether the Department should require ticket agents to disclose any preferential display of individual fares or carriers in the ticket agent’s internet displays; (7) whether the Department should require additional or special disclosures regarding certain substantial fees, e.g., oversize or overweight baggage fees; (8) whether the Department should prohibit post-purchase price increase for all services and products not purchased with the ticket or whether it is sufficient to prohibit post-purchase prices increases for baggage charges that traditionally have been included in the ticket price; and (9) whether the Department should require that ancillary fees be displayed through all sale channels.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/13	

**Regulatory Flexibility Analysis Required:** Yes

**Agency Contact:** Blane A Workie, Attorney, Department of Transportation, Office of the Secretary, 1200 New Jersey Ave, SE, Washington, DC 20590

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**RIN:** 2105–AE11

Department of Transportation (DOT)	Completed Actions
Office of the Secretary (OST)	

**359. +USE OF THE SEAT–STRAPPING METHOD FOR CARRYING A WHEELCHAIR  
ON AN AIRCRAFT**

**Legal Authority:** 49 USC 41705

**Abstract:** This rulemaking would address whether carriers should be allowed to utilize the seat-strapping method to stow a passenger’s wheelchair in the aircraft cabin.

**Timetable:**

Action	Date	FR Cite
NPRM	06/03/11	76 FR 32107
NPRM Comment Period End	08/02/11	
Final Rule	11/12/13	78 FR 67918
Final Action Effective	01/13/14	

**Regulatory Flexibility Analysis Required:** Yes

**Agency Contact:** Blane A Workie, Attorney, Department of Transportation, Office of the Secretary, 1200 New Jersey Ave, SE, Washington, DC 20590

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**RIN:** 2105–AD87

**BILLING CODE** 4910–9X–S

<b>Department of Transportation (DOT)</b>	<b>Proposed Rule Stage</b>
<b>Federal Aviation Administration (FAA)</b>	

**360. +OPERATION AND CERTIFICATION OF SMALL UNMANNED AIRCRAFT SYSTEMS (SUAS)**

**Legal Authority:** 49 USC 44701; PL 112–95

**Abstract:** This rulemaking would adopt specific rules for the operation of small unmanned aircraft systems (sUAS) in the national airspace system. These changes would address the classification of small unmanned aircraft, certification of their pilots and visual observers, registration, approval of operations, and operational limits in order to increase the safety and efficiency of the national airspace system. The rulemaking would result in regular collection of safety data from the user community and aid the FAA in assessing effectiveness of regulations to expand sUAS access to the national airspace system.

**Timetable:**

<b>Action</b>	<b>Date</b>	<b>FR Cite</b>
NPRM	05/00/14	

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 2120–AJ60

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**361. +FLIGHT CREWMEMBER MENTORING, LEADERSHIP, AND PROFESSIONAL DEVELOPMENT (HR 5900)**

**Legal Authority:** 49 USC 44701(a)(5); PL 111–216, sec 206

**Abstract:** This rulemaking would amend the regulations for air carrier training programs under part 121. The action is necessary to ensure that air carriers establish or modify training programs that address mentoring, leadership, and professional development of flight crewmembers in part 121 operations. The amendments are intended to contribute significantly to airline safety by reducing aviation accidents and respond to the mandate in Public Law 111-216.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/13	

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 2120-AJ87

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### **362. +FLIGHT SIMULATION TRAINING DEVICE (FSTD) QUALIFICATION STANDARDS FOR EXTENDED ENVELOPE AND ADVERSE WEATHER EVENT TRAINING**

**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701; PL 111-216

**Abstract:** This rulemaking would amend evaluation qualifications for simulators to ensure the simulators are technically capable of performing new flight training tasks as identified in the Airline Safety and Federal Aviation Administration Extension Act of 2010 (PL 111-216) and that are included in a separate rulemaking (2120-AJ00). By ensuring the simulators provide an accurate and realistic simulation, this rulemaking would allow for training on the following tasks: (1) full/aerodynamic stall, and (2) upset recognition and recovery, as identified in PL 111-216. Furthermore, this rulemaking would improve the

minimum FSTD evaluation requirements for gusting crosswinds (takeoff/landing), engine and airframe icing, and bounced landing recovery methods in response to NTSB and Aviation Rulemaking Committee recommendations. The intended effect is to ensure an adequate level of simulator fidelity.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/14	

**Regulatory Flexibility Analysis Required:** Yes

**Agency Contact:** Larry McDonald, Department of Transportation, Federal Aviation Administration, PO Box 20636, Atlanta, GA 30320

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**RIN:** 2120-AK08

Department of Transportation (DOT)	Final Rule Stage
Federal Aviation Administration (FAA)	

**363. +SAFETY MANAGEMENT SYSTEMS FOR PART 121 CERTIFICATE HOLDERS  
(SECTION 610 REVIEW)**

**Regulatory Plan:** This entry is Seq. No. 104 in part II of this issue of the **Federal Register**.

**RIN:** 2120-AJ86

Department of Transportation (DOT)	Long-Term Actions
Federal Aviation Administration (FAA)	

**364. +AIR CARRIER MAINTENANCE TRAINING PROGRAM (SECTION 610 REVIEW)**

**Legal Authority:** 49 USC 44101; 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44701; 49 USC 44702; 49 USC 44705; 49 USC 44709 to 47111; 49 USC 44713; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46105

**Abstract:** This rulemaking would require FAA approval of maintenance training programs of air carriers that operate aircraft type certificated for a passenger seating configuration of 10 seats or more (excluding any pilot seat). The intent of this rulemaking is to reduce the number of accidents and incidents caused by human error, improper maintenance, inspection, or repair practices.

**Timetable:**

Action	Date	FR Cite
Undetermined	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

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**RIN:** 2120–AJ79

Department of Transportation (DOT)	Completed Actions
Federal Aviation Administration (FAA)	

**365. +PILOT CERTIFICATION AND QUALIFICATION REQUIREMENTS (FORMERLY FIRST OFFICER QUALIFICATION REQUIREMENTS) (HR 5900)**

**Legal Authority:** 49 USC 106(g); 49 USC 35301 to 45302; 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44101; 49 USC 44701(a)(5); 49 USC 44701 to 44703; 49



USC 44705; 49 USC 44707; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716; 49 USC 44722; 49 USC 45102 to 45103; 49 USC 46105; 49 USC 44717; PL 111–216

**Abstract:** This rulemaking would amend the eligibility and qualification requirements for pilots engaged in part 121 air carrier operations. Additionally, it would modify the requirements for an airline transport pilot certificate. These actions are necessary because recent airline accidents and incidents have brought considerable attention to the experience level and training of air carrier flight crews. This rulemaking is a result of requirements in PL 111-216.

**Timetable:**

Action	Date	FR Cite
ANPRM	02/08/10	75 FR 6164
ANPRM Comment Period End	04/09/10	
NPRM	02/29/12	77 FR 12374
NPRM Comment Period End	04/30/12	
Final Rule	07/15/13	78 FR 42324
Final Rule Effective	07/15/13	
Correction	07/25/13	78 FR 44873
Correction	07/26/13	78 FR 45055

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 2120–AJ67

**BILLING CODE** 4910–13–S

<b>Department of Transportation (DOT)</b>	<b>Proposed Rule Stage</b>
<b>Federal Motor Carrier Safety Administration (FMCSA)</b>	

#### **366. +CARRIER SAFETY FITNESS DETERMINATION**

**Regulatory Plan:** This entry is Seq. No. 108 in part II of this issue of the **Federal Register**.

**RIN:** 2126–AB11

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#### **367. +COMMERCIAL DRIVER'S LICENSE DRUG AND ALCOHOL CLEARINGHOUSE (MAP–21)**

**Regulatory Plan:** This entry is Seq. No. 109 in part II of this issue of the **Federal Register**.

**RIN:** 2126–AB18

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#### **368. +ELECTRONIC LOGGING DEVICES AND HOURS OF SERVICE SUPPORTING DOCUMENTS (MAP–21)**

**Regulatory Plan:** This entry is Seq. No. 110 in part II of this issue of the **Federal Register**.

**RIN:** 2126–AB20

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#### **369. +LEASE AND INTERCHANGE OF VEHICLES; MOTOR CARRIERS OF PASSENGERS**

**Legal Authority:** 49 USC 31502; 49 USC 13301; 49 USC 31136

**Abstract:** The rulemaking would adopt regulations governing the lease and interchange of passenger vehicles to: (1) identify the motor carrier operating a bus or motorcoach and responsible for compliance with the Federal Motor Carrier Safety Regulations; (2) ensure

that a lessor surrenders control of the vehicle for the full term of the lease or temporary exchange of vehicles and drivers; and (3) require motor carriers subject to a prohibition on operating in interstate commerce to notify FMCSA in writing before leasing or otherwise transferring control of their vehicles to other carriers.. This action is necessary to ensure that unsafe passenger carriers cannot evade FMCSA oversight and enforcement by operating under the authority of another carrier that exercises no actual control over those operations. This action will ensure that FMCSA, the National Transportation Safety Board (NTSB), and our State partners are able to identify motor carriers transporting passengers in interstate commerce and correctly assign responsibility for regulatory violations during inspections, compliance investigations, and crash studies. It also provides the general public with the means to identify the responsible motor carrier at the time of transportation. While detailed lease and interchange regulations for cargo-carrying vehicles have been in effect since 1950, this rulemaking for passenger-carrying CMVs would focus entirely on operational safety.

**Timetable:**

Action	Date	FR Cite
NPRM	09/20/13	78 FR 57822
NPRM Comment Period End	11/19/13	

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 2126–AB44

**370. +INSPECTION, REPAIR, AND MAINTENANCE; DRIVER-VEHICLE INSPECTION REPORT (RRR)**

**Legal Authority:** 49 USC 31502(b)

**Abstract:** This rulemaking would rescind the requirement that commercial motor vehicle (CMV) drivers operating in interstate commerce submit, and motor carriers retain, driver-vehicle inspection reports when the driver has neither found nor been made aware of any vehicle defects or deficiencies. Specifically, this rulemaking would remove a significant information collection burden without adversely impacting safety. This rulemaking responds in part to the President's January 2012 Regulatory Review and Reform initiative.

**Timetable:**

Action	Date	FR Cite
NPRM	08/07/13	78 FR 48125
NPRM Comment Period End	10/00/14	

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 2126-AB46

Department of Transportation (DOT)	Completed Actions
Federal Motor Carrier Safety Administration (FMCSA)	

**371. +UNIFIED REGISTRATION SYSTEM**

**Legal Authority:** PL 104–88; 109 Stat. 803, 888 (1995); 49 USC 13908; PL 109–159, sec 4304

**Abstract:** This rule would establish a new Unified Registration System (URS) to replace four legacy systems in support of FMCSA’s safety and commercial oversight responsibilities. It would require all entities subject to FMCSA jurisdiction to comply with a new URS registration and biennial update requirement, disclose the cumulative registration information collected by URS, and provide a cross-reference to all regulatory requirements necessary to obtain permanent registration. It implements statutory provisions in the ICC Termination Act and SAFTEA-LU. URS would serve as a clearinghouse and depository of information on, and identification of, motor carriers, brokers, freight forwarders, and others required to register with the Department of Transportation.

**Timetable:**

Action	Date	FR Cite
ANPRM	08/26/96	61 FR 43816
ANPRM Comment Period End	10/25/96	
NPRM	05/19/05	70 FR 28990
NPRM Comment Period End	08/17/05	
Supplemental NPRM	10/26/11	76 FR 66506
Comment Period End	12/27/11	
Final Rule	08/23/13	78 FR 52608
Final Rule Effective	10/23/15	

**Regulatory Flexibility Analysis Required:** Yes

**Agency Contact:** Genevieve Sapir, Management Analyst, Department of Transportation, Federal Motor Carrier Safety Administration, Office of Policy (MC–CCR), 1200 New Jersey Avenue, SE, Washington, DC 20590

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**RIN:** 2126–AA22

**BILLING CODE 4910–EX–S**

<b>Department of Transportation (DOT)</b>	<b>Proposed Rule Stage</b>
<b>Federal Railroad Administration (FRA)</b>	

**372. +ALCOHOL AND CONTROLLED SUBSTANCE TESTING FOR MAINTENANCE–  
OF–WAY EMPLOYEES**

**Legal Authority:** PL 220–432, Div A, 122 Stat 4848 et seq; Rail Safety Improvement Act of 2008; sec 412 (uncodified)

**Abstract:** This rulemaking would revise the Federal Railroad Administration’s (FRA) alcohol and drug regulations to cover all employees of railroads, railroad contractors, and subcontractors who perform maintenance-of-way activities. FRA's alcohol and drug regulations (49 CFR part 219) contain certain prohibitions on the use and possession of alcohol and drugs. The regulations also contain requirements for post-accident toxicological (PAT) testing, random testing, reasonable cause testing, reasonable suspicion testing, co-worker and voluntary referral policies, pre-employment drug testing, and reporting. Currently, the regulations only apply to covered employees (defined as employees assigned to perform covered service subject to the Hours of Service Act, 49 CFR chapter 211). In response to a statutory mandate, the proposed rulemaking would expand coverage of part 219 to employees who perform maintenance-of-way (MOW) activities. This rulemaking would also make other miscellaneous updates to 14 CFR part 219.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/14	

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 2130-AC10

### **373. +RISK REDUCTION PROGRAM**

**Legal Authority:** PL 110-432, Div A, 122 Stat 4848 et seq; Rail Safety Improvement Act of 2008; sec 103, 49 USC 20156 "Railroad Safety Risk Reduction Program"

**Abstract:** This rulemaking would consider appropriate contents for Risk Reduction Programs and how they should be implemented and reviewed by FRA.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/08/10	75 FR 76345
ANPRM Comment Period End	02/07/11	
NPRM	04/00/14	

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 2130-AC11

**374. • +PASSENGER EQUIPMENT SAFETY STANDARDS; STANDARDS FOR  
ALTERNATIVE COMPLIANCE AND HIGH-SPEED TRAINSETS**

**Legal Authority:** 49 USC 20103

**Abstract:** This rulemaking would amend 49 CFR part 238 to update existing safety standards for passenger rail equipment. Specifically, the proposed rulemaking would add standards for alternative compliance with requirements for Tier I passenger equipment, increase the maximum authorized speed for Tier II passenger equipment, and add requirements for a new Tier III category of passenger equipment.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/14	

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 2130-AC46

Department of Transportation (DOT)	Final Rule Stage
Federal Railroad Administration (FRA)	

**375. +TRAINING STANDARDS FOR RAILROAD EMPLOYEES**

**Legal Authority:** PL 110 thru 432, Div A, 122 Stat 4848 et seq; Railroad Safety Improvement Act of 2008; sec 401 (49 USC 20162)

**Abstract:** This rulemaking would (1) establish minimum training standards for each class or craft of safety-related employee and equivalent railroad contractor and subcontractor employee by requiring railroads, contractors, and subcontractors to qualify and document



the proficiency of such employees on their knowledge and ability to comply with Federal railroad safety laws and regulations and railroad rules and procedures intended to implement those laws and regulations, etc.; (2) require submission of the training and qualification programs for FRA approval; and (3) establish a minimum training curriculum and ongoing training criteria, testing, and skills evaluation measures.

**Timetable:**

Action	Date	FR Cite
NPRM	02/07/12	77 FR 6412
NPRM Comment Period End	04/09/12	
Final Rule	04/00/14	

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 2130-AC06

**BILLING CODE 4910-06-S**

Department of Transportation (DOT)	Proposed Rule Stage
Pipeline and Hazardous Materials Safety Administration (PHMSA)	

**376. +PIPELINE SAFETY: SAFETY OF ON-SHORE LIQUID HAZARDOUS PIPELINES**

**Regulatory Plan:** This entry is Seq. No. 118 in part II of this issue of the **Federal Register**.

**RIN:** 2137-AE66

### **377. PIPELINE SAFETY: ISSUES RELATED TO THE USE OF PLASTIC PIPE IN GAS PIPELINE INDUSTRY**

**Legal Authority:** 49 USC 60101 et seq

**Abstract:** This rulemaking would address a number of issues related to the use of plastic pipe in the gas pipeline industry. These issues include composite pipe petitions, plastic issues on gas lines, authorized use of PA12 at higher pressures, 50 year markings, increasing design factor from 0.32 to 0.40 for polyethylene pipe, characterization of “plastic pipe” to “non-metallic pipe,” leak repair revisions, incorporation by reference certain ANSI standards and enhanced tracking and traceability of lines.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/14	

**Regulatory Flexibility Analysis Required:** Yes

**Agency Contact:** Cameron H Satterthwaite, Transportation Regulations Specialist,  
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**RIN:** 2137–AE93

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### **378. PIPELINE SAFETY: OPERATOR QUALIFICATION, COST RECOVERY AND OTHER PIPELINE SAFETY PROPOSED CHANGES (RRR)**

**Legal Authority:** 49 USC 60101 et seq

**Abstract:** This rulemaking would address miscellaneous issues that have been raised because of the reauthorization of the pipeline safety program in 2012 and petitions for rulemaking from many affected stakeholders. Some of the issues that this rulemaking

would address include: renewal process for special permits, cost recovery for design reviews, and incident reporting.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/13	

**Regulatory Flexibility Analysis Required:** Yes

**Agency Contact:** John A Gale, Transportation Regulations Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Avenue, SE, Washington, DC 20590

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**RIN:** 2137-AE94

Department of Transportation (DOT)	Final Rule Stage
Pipeline and Hazardous Materials Safety Administration (PHMSA)	

**379. +HAZARDOUS MATERIALS: REVISIONS TO REQUIREMENTS FOR THE  
TRANSPORTATION OF LITHIUM BATTERIES**

**Legal Authority:** 49 USC 5101 et seq

**Abstract:** This rulemaking would amend the Hazardous Materials Regulations to comprehensively address the safe transportation of lithium cells and batteries. The intent of the rulemaking is to strengthen the current regulatory framework by imposing more effective safeguards, including design testing to address risks related to internal short circuits, and enhanced packaging, hazard communication, and operational measures for various types and sizes of lithium batteries in specific transportation contexts. The

rulemaking would respond to several recommendations issued by the National Transportation Safety Board.

**Timetable:**

Action	Date	FR Cite
NPRM	01/11/10	75 FR 1302
NPRM Comment Period End	03/12/10	
Notice	04/11/12	77 FR 21714
Comment Period End	05/11/12	
NPRM; Request for Additional Comments	01/07/13	78 FR 1119
Comment Period End	03/08/13	
Final Rule	12/00/13	

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 2137–AE44

**BILLING CODE 4910–60–S**

Department of Transportation (DOT)	Long-Term Actions
Maritime Administration (MARAD)	

**380. +REGULATIONS TO BE FOLLOWED BY ALL DEPARTMENTS, AGENCIES AND SHIPPERS HAVING RESPONSIBILITY TO PROVIDE A PREFERENCE FOR U.S.– FLAG VESSELS IN THE SHIPMENT OF CARGOES ON OCEAN VESSELS**

**Legal Authority:** 49 CFR 1.66; 46 app USC 1101; 46 app USC 1241; 46 USC 2302 (e)(1); PL 91–469

**Abstract:** This rulemaking would update and clarify the Cargo Preference rules that have not been revised substantially since 1971.

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined	To Be	Determined

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 2133–AB74

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**BILLING CODE 4910–81–S**

**[FR Doc. 2013-29637 Filed 01/06/2014 at 8:45 am; Publication Date: 01/07/2014]**