



Federal Register

**Tuesday,
May 27, 2003**

Part XV

**Department of
Transportation**

Semiannual Regulatory Agenda

DEPARTMENT OF TRANSPORTATION (DOT)

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 agenda provides the public with information about the Department of Transportation's regulatory activity. 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 Neil R. Eisner, Assistant General Counsel for Regulation and Enforcement, Department of Transportation, 400 7th Street SW., 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). There should be no more regulations than necessary and those that are issued should be simpler, more comprehensible, and less burdensome. Regulations 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 help the Department achieve these goals and in accordance with Executive Order 12866 "Regulatory Planning and Review" (58 FR 51735; October 4, 1993) and the Department's Regulatory Policies and Procedures (44 FR 11034; February 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 Department's last agenda was published in the **Federal Register** on December 9, 2002 (67 FR 74799). The next one is scheduled for publication in the **Federal Register** in fall 2003.

Under the Homeland Security Act of 2002, the United States Coast Guard (USCG) and the Transportation Security Administration (TSA), and their regulatory authority, have been

transferred to the new Department of Homeland Security (DHS). See DHS agency code 1625 for USCG and 1652 for TSA.

The Department has created an Internet site that provides general information about its rulemaking responsibilities and activities. This information includes a status report on all significant DOT rulemakings that is updated monthly. The web address for this site is <http://regs.dot.gov>.

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, 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

The format for this agenda is required by a spring 2003 memorandum from the Office of Management and Budget.

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

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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."

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.

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 (Section 610 Review) appears at the end of the title for these reviews. Please see Appendix D for the Department's section 610 review plans.

Federalism

Executive Order 13132 requires us to develop an accountable process to ensure "meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications." "Policies that have federalism implications" are defined in the Executive order to include regulations that have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, we encourage State and local governments 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.

Issued in Washington, DC, on March 25, 2003.

Norman Y. Mineta,

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 Agenda, are available through our Internet-accessible docket at <http://dms.dot.gov>. See Appendix C for more information.

Federal Highway Administration (FHWA)

(Name of contact person), Federal Highway Administration, 400 7th Street SW., Washington, DC 20590.

Federal Motor Carrier Safety Administration (FMCSA)

(Name of contact person), Federal Motor Carrier Safety Administration, 400 7th Street SW., Washington, DC 20590.

Federal Railroad Administration (FRA)

(Name of contact person), Federal Railroad Administration, 400 7th Street SW., Washington, DC 20590.

National Highway Traffic Safety Administration (NHTSA)

(Name of contact person), National Highway Traffic Safety Administration, 400 7th Street SW., Washington, DC 20590.

Federal Transit Administration (FTA)

(Name of contact person), Federal Transit Administration, 400 7th Street SW., Washington, DC 20590.

Saint Lawrence Seaway Development Corporation (SLSDC)

(Name of contact person), Saint Lawrence Seaway Development Corporation, 400 7th Street SW., Room 5424, Washington, DC 20590.

Research and Special Programs Administration (RSPA)

(Name of contact person), Research and Special Programs Administration,

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400 7th Street SW., Washington, DC 20590.

Maritime Administration (MARAD)

Joel C. Richard, Secretary, Maritime Administration, 400 7th Street SW., Room 7210, Washington, DC 20590, (202) 366-5746.

Bureau of Transportation Statistics (BTS)

(Name of contact person), Bureau of Transportation Statistics, 400 7th Street SW., Room 3103, Washington, DC 20590.

Federal Aviation Administration (FAA)

The FAA has a mailing list system for notices and advance notices of proposed rulemaking (NPRMs and ANPRMs). Persons interested in obtaining future copies of all of those documents to be issued by the FAA or only of those concerning certain parts of the Federal Aviation Regulations should request a copy of Advisory Circular No. 11-2, which describes the application procedure, by calling (202) 267-3484 or by writing to: Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue SW., Washington, DC 20591.

Office of the Secretary (OST)

To obtain a copy of a specific regulatory document or to receive future copies of the Department's regulatory agenda write to: Assistant General Counsel for Regulation and Enforcement, C-50, Office of the General Counsel, Department of Transportation, Washington, DC 20590, (202) 366-4723.

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 - Donald Byrne, Office of Chief Counsel, Regulations and Enforcement Division, 800 Independence Avenue SW., Room 915A, Washington, DC 20591; telephone: (202) 267-3073.

FHWA — Julie Downey, Office of Chief Counsel, 400 7th Street SW., Room 4223, Washington, DC 20590; telephone: (202) 366-0761.

FMCSA - Suzanne O'Malley, Office of Chief Counsel, 400 7th Street SW., Room 8201, Washington, DC 20590; telephone: (202) 366-1367.

FRA — Ivornette N. Lynch, Office of Chief Counsel, 400 7th Street SW., Mail Stop 10, Washington, DC 20590; telephone: (202) 493-6030.

NHTSA - Steve Wood, Office of Chief Counsel, 400 7th Street SW., Room 5219, Washington, DC 20590; telephone: (202) 366-2992.

FTA - Richard Wong, Office of Chief Counsel, 400 7th Street SW., Room 9316, Washington, DC 20590; telephone: (202) 366-4011.

SLSDC - Marc Owen, General Counsel's Office, 400 7th Street SW., Room 5424, Washington, DC 20590; telephone: (202) 366-6823.

RSPA — Nancy Machado, Office of Chief Counsel, 400 7th Street SW., Room 8405, Washington, DC 20590; telephone: (202) 366-4400.

MARAD — Christine Gurland, Office of Chief Counsel, Maritime Administration, 400 7th Street SW., Room 7221, Washington, DC 20590; telephone: (202) 366-5181.

BTS — Robert Monniere SW., Room 3105, Washington, DC 20590; telephone: (202) 366-5498.

OST - Neil Eisner, Office of Regulation and Enforcement, 400 7th Street SW., Room 10424, Washington, DC 20590; telephone: (202) 366-4723.

Appendix C - Public Rulemaking Dockets

The public may review or submit comments to the dockets for all of DOT via the Internet at the following address: <http://dms.dot.gov>. Examples of documents that may be in the dockets are proposed rules, public comments received, supporting analyses, studies, and reports.

The public also may review regulatory dockets at, or deliver comments on proposed rulemakings to, the Dockets Office at 400 7th Street SW., Room PL 401, 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 E.O. 12866 ("Regulatory Planning and Review") and section 610 of the Regulatory Flexibility Act to conduct such reviews. This will include the use of plain language techniques in new rules and to consider rewriting existing rules when we have the opportunity and resources permit. The Department is currently conducting a number of reviews of existing rules and is engaged in rulemaking actions resulting from these reviews.

Section 610 Review Plan

Section 610 requires that we conduct reviews of rules that (1) have been published within the last ten 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. To better comply with section 610, the Department has updated its regulatory review plan published on June 29, 1981, to accomplish a more systematic review of all of its regulations. The Office of the Secretary and each of the Department's Operating Administrations (except for FMCSA) have a 10-year review plan. These reviews are in accordance with section 610 of the Regulatory Flexibility Act.

Other Review Plans

All elements of the Department, except for the FMCSA and Federal Aviation Administration (FAA), have also elected to use this 10-year plan process to comply with the review requirements of the Department's Regulatory Policies and Procedures, and Executive Order 12866. FAA is using a different approach; FMCSA is reconsidering its past approach. The approaches of both are described in Part II to this Appendix.

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

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Unified 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 (1998) began in the fall of 1998 and ends in the fall of 1999; Year 2 (1999) begins in the fall of 1999 and ends in the fall of 2000; 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 can 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 list 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.

FAA

The Federal Aviation Administration, in addition to reviewing its rules in accordance with the schedule below, has established a process by which the public is asked for its comments on which rules need review the most. Any

information that the FAA receives in connection with its annual section 610 analyses would, of course, also be reviewed in the spirit of E.O. 12866. In addition, in response to a recommendation of the White House Commission on Aviation Safety and Security, the FAA has completed a review of all its existing regulations to identify those in need of rewriting as performance-based or plain language regulations. The agency also reviewed ongoing regulatory projects and proposals to identify additional candidates for revision. In all, the agency reviewed 68 parts of the CFR, containing 3,884 sections, appendices, and Special Federal Aviation Regulations. In addition to using plain language in its current and future regulations, the FAA intends to revise those regulations identified in its study when it has the opportunity and resources to do so.

FMCSA

Due to a lack of resources that would be needed to conduct a zero-based review of its regulations, the FMCSA has decided to revisit its method of review. FMCSA now anticipates that its review process will be identified in the fall 2003 agenda.

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. Also, a Governmentwide list of section 610 reviews can be located in an index at the end of the Agenda. For further information on the pending reviews, see the Agenda entries.

**OFFICE OF THE SECRETARY
SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	14 CFR parts 200 through 212	1998	1999
2	14 CFR parts 213 through 232	1999	2000
3	14 CFR parts 234 through 254	2000	2001
4	14 CFR parts 255 through 298 and part 40	2001	2002
5	14 CFR parts 300 through 373	2002	2003
6	14 CFR parts 374 through 398	2003	2004
7	14 CFR part 399 and 49 CFR parts 1 through 11	2004	2005
8	49 CFR parts 17 through 28	2005	2006
9	49 CFR parts 29 through 39 and parts 41 through 89	2006	
10	49 CFR parts 91 through 99, 48 CFR parts 1201 through 1253, and new parts and subparts	2007	2008

Year 4 (Fall 2001) List of rules analyzed and a summary

14 CFR part 255 — Carrier-owned computer reservation systems

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- Section 610: SEIOSNOSE. The rule has a significant economic impact on a substantial number of small entities. The Department is conducting a comprehensive review to determine whether these rules should be readopted. The Department is also looking at ways to lessen impacts on small entities.
- Plain language: Where confusing or wordy language is identified, we will make revisions.
- General: Comments will be requested from the affected industry to assess the economic impact of any proposed changes.
- 14 CFR part 256 — Display of joint operations in carrier-owned computer reservation systems
- Section 610: SEIOSNOSE. The rule has a significant economic impact on a substantial number of small entities. The Department's review of part 255 may have a potential impact on this regulation. If so, we will solicit comments on how to lessen the impact on small entities.
- Plain language: Where confusing or wordy language is identified, we will make revisions.
- 14 CFR part 257 — Disclosure of code-sharing arrangements and long-term wet leases
- Section 610: No SEIOSNOSE. The rule does not have a significant economic impact on a substantial number of small entities.
- Plain language: Where confusing or wordy language is identified, we will make revisions.
- General: This section was revised in 1999. If additional updates become desirable, changes will be proposed.
- 14 CFR part 258 — Disclosure of change-of-gauge services
- Section 610: No SEIOSNOSE. The rule does not have a significant economic impact on a substantial number of small entities.
- Plain language: Where confusing or wordy language is identified, we will make revisions.
- General: This section was revised in 1999. If additional updates become desirable, changes will be proposed.
- 14 CFR part 271 — Guidelines for subsidizing air carriers providing essential air transportation
- Section 610: SEIOSNOSE. The rule has a significant economic impact on a substantial number of small entities.
- Plain language: Where confusing or wordy language is identified, we will make revisions.
- General: This rule was revised in 1995. If additional updates become desirable, changes will be proposed.
- 14 CFR part 272 — Essential air service to the Freely Associated States
- Section 610: No SEIOSNOSE. The rule does not currently have a significant economic impact on a substantial number of small entities.
- Plain language: As indicated below, should the rule later become effective, where confusing or wordy language is identified, we would make revisions.
- General: This program governed by this rule was terminated on October 1, 1998. By its terms, the provisions of this rule are not currently effective. However, the rule specifically states that Congress could reestablish the program. Because of these circumstances, we recommend that the rule be deleted at this time.
- 49 CFR part 40 — Procedures for transportation workplace drug testing programs
- Section 610: No SEIOSNOSE. A final rule was published in 2000, as a result of a 610 Review. The rule certified that the rule did not have a significant economic impact on a substantial number of small entities.
- Plain language: The 2000 final rule was written using the plain language technique. If confusing or wordy language is further identified, we will make revisions.
- General: If additional updates become desirable, changes will be proposed.
- 14 CFR part 291 — Cargo operations in interstate air transportation
- Section 610: SEIOSNOSE. This rule has a significant economic impact on a substantial number of small entities.
- Plain language: Where confusing or wordy language is identified, we will make revisions.
- General: This rule was revised in 1995. If additional updates become desirable, changes will be proposed.
- 14 CFR part 292 — International cargo transportation
- Section 610: No SEIOSNOSE. This rule does not have a significant economic impact on a substantial number of small entities.
- Plain language: Where confusing or wordy language is identified, we will make revisions.
- General: This rule was revised in 1995. If additional updates become desirable, changes will be proposed.
- 14 CFR part 293 — International passenger transportation
- Section 610: No SEIOSNOSE. This rule does not have a significant economic impact on a substantial number of small entities.
- Plain language: Where confusing or wordy language is identified, we will make revisions.
- General: This rule was revised in 1999. If additional updates become desirable, changes will be proposed.
- 14 CFR part 294 — Canadian charter air taxi operators
- Section 610: No SEIOSNOSE. This rule does not have a significant economic impact on a substantial number of small entities.
- Plain language: Where confusing or wordy language is identified, we will make revisions.
- General: This rule was revised in 1995. If additional updates become desirable, changes will be proposed.
- 14 CFR part 296 — Indirect air transportation of property
- Section 610: No SEIOSNOSE. This rule does not have a significant economic impact on a substantial number of small entities.
- Plain language: Where confusing or wordy language is identified, we will make revisions.
- General: This rule was revised in 1995. If additional updates become desirable, changes will be proposed.
- 14 CFR part 297 — Foreign air freight forwarders and foreign cooperative shippers associations

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- Section 610: No SEIOSNOSE. This rule does not have a significant economic impact on a substantial number of small entities.
 - Plain language: Where confusing or wordy language is identified, we will make revisions.
 - General: This rule was revised in 1995. If additional updates become desirable, changes will be proposed.
- 14 CFR part 298 — Exemptions for air taxi and commuter air carrier operations
- Section 610: SEIOSNOSE. This rule has a significant economic impact on a substantial number of small entities.
 - Plain language: Where confusing or wordy language is identified, we will make revisions.
 - General: This rule was revised in 1995. If additional updates become desirable, changes will be proposed.

Year 3 (2000) List of rules continuing to be analyzed

14 CFR part 240 — Inspection of accounts and property

Year 5 (Fall 2002) 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 — Review of practice in proceedings
- 14 CFR part 303 — Review of air carrier agreements
- 14 CFR part 313 — Implementation of the Energy Policy and Conservation Act
- 14 CFR part 314 — Employee protection program
- 14 CFR part 323 — Termination, 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

Year 3 (Fall 2000) List of Rules analyzed and a summary of the results

- 14 CFR part 234 — Airline service quality performance reports
- Section 610: No SEIOSNOSE. The rule does not have a significant economic impact on a substantial number of small entities.
 - Plain language: Where confusing or wordy language is identified, we will make revisions.
 - General: This section was revised in 2001. If additional updates become desirable, changes will be proposed.
- 14 CFR part 241 — Uniform system of accounts and reports for large certified air carriers
- Section 610: SEIOSNOSE. The rule may have an economic impact on a substantial number of small air carriers.
 - Plain language: Where confusing or wordy language is identified, we will make revisions.
 - General: This section was revised in 2002. If additional updates become desirable, changes will be proposed.
- 14 CFR part 243 — Passenger manifest information
- Section 610: No SEIOSNOSE. The rule applies to a substantial number of small entities but does not have an economic impact.
 - Plain language: Where confusing or wordy language is identified, we will make revisions.
 - General: This section was revised in 1998. If additional updates become desirable, changes will be proposed.
- 14 CFR part 247 — Direct airport-to-airport mileage records
- Section 610: No SEIOSNOSE. The rule does not have a significant economic impact on a substantial number of small entities.
 - Plain language: Where confusing or wordy language is identified, we will make revisions.
 - General: This section was revised in 1995. If additional updates become desirable, changes will be proposed.
- 14 CFR part 248 — Submission of audit reports
- Section 610: No SEIOSNOSE. The rule does not have a significant economic impact on a substantial number of small entities.
 - Plain language: Where confusing or wordy language is identified, we will make revisions.
 - General: This section was revised in 1995. If additional updates become desirable, changes will be proposed.
- 14 CFR part 249 — Preservation of air carrier records
- Section 610: No SEIOSNOSE. The rule does not have a significant economic impact on a substantial number of small entities.
 - Plain language: Where confusing or wordy language is identified, we will make revisions.
 - General: This section was revised in 1995. If additional updates become desirable, changes will be proposed.
- 14 CFR part 250 — Oversales
- Section 610: No SEIOSNOSE. The rule does not have a significant economic impact on a substantial number of small entities.
 - Plain language: Where confusing or wordy language is identified, we will make revisions.
 - General: This section was revised in 2000. If additional updates become desirable, changes will be proposed.
- 14 CFR part 252 — Smoking aboard aircraft
- Section 610: No SEIOSNOSE. The rule does not have a significant economic impact on a substantial number of small entities.
 - Plain language: Where confusing or wordy language is identified, we will make revisions.
 - General: This section was revised in 2000. If additional updates become desirable, changes will be proposed.
- 14 CFR part 253 — Notice of terms of contract of carriage
- Section 610: No SEIOSNOSE. The rule does not have a significant economic impact on a substantial number of small entities.

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- Plain language: Where confusing or wordy language is identified, we will make revisions.
 - General: This section was revised in 1998. If additional updates become desirable, changes will be proposed.
- 14 CFR part 254 — Domestic baggage liability
- Section 610: No SEIOSNOSE. The rule does not have a significant economic impact on a substantial number of small entities.
 - Plain language: Where confusing or wordy language is identified, we will make revisions.
 - General: This section was revised in 1999. If additional updates become desirable, changes will be proposed.

OST Note:

The preceding items were scheduled for review in year-3. However, because

of limited resources, the agency did not complete the analysis as scheduled.

FEDERAL AVIATION ADMINISTRATION
SECTION 610 REVIEW PLAN

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	14 CFR parts 1 through 21	1998	1999
2	14 CFR parts 23 through 34	1999	2000
3	14 CFR parts 35 through 49	2000	2001
4 *	14 CFR parts 61 through 77	2001	2002
5	14 CFR parts 91 through 105	2002	2003
6	14 CFR parts 107 through 133	2003	2004
7	14 CFR parts 135 through 147	2004	2005
8	14 CFR parts 150 through 169	2005	2006
9	14 CFR parts 170 through 198	2006	2007
10	14 CFR parts 400 through 415	2007	2008

* FAA will also review all other rules dealing with alcohol and drugs

Year 4 (Fall 2001) List of Rules analyzed and a summary of the results

- 14 CFR 61 — Certification: pilots, flight instructors and ground instructions
- Section 610; No SEIOSNOSE. This rule applies to a significant number of small entities, but amendments over the past decade do not have a substantial economic impact. Accordingly, a periodic review was not required.
 - Plain Language: To the extent that the FAA’s plain language study identified a need for revisions in this part, revisions will be made when the FAA has the opportunity and resources to do so.
- 14 CFR 63 — Certification: flight crewmembers other than pilots
- Section 610; No SEIOSNOSE. This rule applies to a significant number of small entities, but amendments over the past decade do not have a substantial economic impact. Accordingly, a periodic review was not required.
 - Plain Language: To the extent that the FAA’s plain language study identified a need for revisions in this part, revisions will be made when the FAA has the opportunity and resources to do so.
- 14 CFR 65 — Certification: airmen other than flight crewmembers
- Section 610; No SEIOSNOSE. This rule applies to a significant number of small entities, but amendments over the past decade do not have a substantial economic impact. Accordingly, a periodic review was not required.
 - Plain Language: To the extent that the FAA’s plain language study identified a need for revisions in this part, revisions will be made when the FAA has the opportunity and resources to do so.
- 14 CFR 67 — Medical standards and certification
- Section 610; No SEIOSNOSE. This rule applies to a significant number of small entities, but amendments over the past decade do not have a substantial economic impact. Accordingly, a periodic review was not required.
 - Plain Language: To the extent that the FAA’s plain language study identified a need for revisions in this part, revisions will be made when the FAA has the opportunity and resources to do so.
- 14 CFR 70 — Designation of class A, class B, class C, class D, and class E airspace areas; airway routes and reporting points
- Section 610; No SEIOSNOSE. This rule applies to a significant number of small entities, but amendments over the past decade do not have a substantial economic impact. Accordingly, a periodic review was not required.
 - Plain Language: To the extent that the FAA’s plain language study identified a need for revisions in this part, revisions will be made when the FAA has the opportunity and resources to do so.
- 14 CFR 73 — Special use airspace
- Section 610; No SEIOSNOSE. This rule applies to a significant number of small entities, but amendments over the past decade do not have a substantial economic impact. Accordingly, a periodic review was not required.
 - Plain Language: To the extent that the FAA’s plain language study identified a need for revisions in this part, revisions will be made when the FAA has the opportunity and resources to do so.
- 14 CFR part 77 — Objects affecting navigable airspace
- Section 610; FAA will conduct a formal 610 review during the following 12 months.

DOT

- Plain Language: To the extent that the FAA’s plain language study identified a need for revisions in this part, revisions will be made when the FAA has the opportunity and resources to do so.

Year 5 (Fall 2002) List of rules that will be analyzed during the next year

- 14 CFR part 35 — Airworthiness standards: propellers
- 14 CFR part 36 — Noise standards: aircraft type and airworthiness
- 14 CFR part 39 — Airworthiness directives
- 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

FAA Note:

The preceding parts for analysis were erroneously listed in the Fall 2001 Regulatory Agenda in the list of completed analyses and identified for review in the following year. While the

FAA’s 10-year plan called for completion of these analyses before the Fall 2002, lack of available resources prevented this. In addition, the 10-year plan calls for analysis of 14 CFR parts 91-105 in this coming year; resources

are not available, however, to analyze these parts. Should resources become available during the year, the FAA will announce its intention to analyze some or all of these parts in the Federal Register.

**FEDERAL HIGHWAY ADMINISTRATION
SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	None	1998	1999
2	None	1999	2000
3	23 CFR parts 450, 657 and 771	2000	2001
4	23 CFR parts 1-260	2001	2002
5	23 CFR parts 420, 460-480	2002	2003
6	23 CFR part 500	2003	2004
7	23 CFR parts 600-656, 658-669	2004	2005
8	23 CFR parts 710-924	2005	2006
9	23 CFR parts 1200-1252	2006	2007
10	New parts and subparts	2007	2008

Year 4 (Fall 2001) List of rules analyzed and a summary of the results

- 23 CFR part 1 — General management and administration
 - Section 610: No SEIOSNOSE. This section applies primarily to State transportation agencies that are not small entities.
 - Plain language: FHWA’s plain language review of these rules indicates no need for substantial revision.
- 23 CFR part 140 — Payment procedures
 - Section 610: No SEIOSNOSE. These rules apply primarily to State transportation agencies that are not small entities.
 - Plain language: FHWA’s plain language review of these rules indicates no need for substantial revision.
- 23 CFR part 172 — Administration of engineering and design related service contracts
 - Section 610: No SEIOSNOSE. These rules apply primarily to State transportation agencies that are not small entities.
 - Plain language: The FHWA recently issued a final rule updating the regulation to comply with new law and used plain language techniques to update the rule.
- 23 CFR part 180 — Credit assistance for surface transportation projects
 - Section 610: No SEIOSNOSE. This rule implements a Federal credit assistance program for surface transportation projects. There will be a substantial economic impact on the projects funded. Applicants are usually States and large public or quasi-public entities.
 - Plain language: FHWA’s plain language review of these rules indicates no need for substantial revision. The regulation is written clearly.
- 23 CFR part 190 — Incentive procedures for controlling outdoor advertising on the interstate system
 - Section 610: No SEIOSNOSE. These rules apply primarily to State transportation agencies that are not small entities.
 - Plain language: FHWA’s plain language review of these rules indicates no need for substantial revision.
- 23 CFR part 192 — Drug offenders driver’s license suspension
 - Section 610: No SEIOSNOSE. This regulation applies primarily to State transportation agencies not to small entities.
 - Plain language: FHWA’s plain language review of these rules indicates no need for substantial revision as the rule is clearly written.
- 23 CFR part 200 — Title VI program and related statutes-implementation and review procedures
 - Section 610: No SEIOSNOSE. These rules provide requirements and guidelines to State highway agencies to implement the Title VI Program requirement and do not impact small entities.
 - Plain language: FHWA’s plain language review of these rules indicates no need for substantial revision; however, if it is necessary for the FHWA to update these rules, plain language techniques will be used.
- 23 CFR part 230 — External equal employment opportunity programs

DOT

- Section 610: No SEIOSNOSE. This regulation applies to the State transportation agencies, not to small entities.
 - Plain language: FHWA’s plain language review of these rules indicates no need for substantial revision.
- 23 CFR part 260 — Education and training programs
- Section 610: No SEIOSNOSE. This regulation establishes authority for Fellowship and Scholarship programs and the funding to conduct the program. It does not impact on small entities.
 - Plain language: FHWA’s plain language review of these rules indicates no need for substantial revision.

Year 5 (Fall 2002) List of rules to be analyzed during the next year

- 23 CFR part 420 — Planning and research program administration
- 23 CFR part 460 — Public road mileage for apportionment of highway safety funds
- 23 CFR part 470 — Highway systems
- 23 CFR part 476 — Interstate highway system

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 1 of

title 23 of the USC. Section 145 of title 23 expressly provides that chapter 1 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 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.

**NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR parts 501 through 526 and 571.213	1998	1999
2	49 CFR parts 571.131 and 571.220 through 571.222	1999	2000
3	49 CFR parts 591 through 594	2000	2001
4	49 CFR parts 571.101 through 571.110 and 571.135	2001	2002
5	49 CFR parts 529 through 579, except part 571	2002	2003
6	49 CFR parts 571.111 through 571.129 and parts 580 through 590	2003	2004
7	49 CFR part 571.201 through 571.212	2004	2005
8	49 CFR parts 571.214 through 571.219	2005	2006
9	49 CFR parts 571.223 through 571.304, part 500 and new parts and subparts under 49 CFR	2006	2007
10	23 CFR parts 1200s and 1300s and new parts and subparts under 23 CFR	2007	2008

Year 4 (Fall 2001) List of rules analyzed and a summary of the results

- 49 CFR parts 571.101 — Standard No. 101; Controls and displays
 - Section 610: No SEIOSNOSE. The economic impact on small entities of these rules will not be significant. Accordingly, a periodic review was not required.
 - Plain Language: NHTSA’s plain language review of these rules indicates no need for substantial revision.
- 49 CFR parts 571.102 — Standard No. 102; Transmission shift lever sequence starter interlock, and transmission braking effect
- Section 610: No SEIOSNOSE. The economic impact on small entities of these rules will not be significant. Accordingly, a periodic review was not required.
 - Plain Language: NHTSA’s plain language review of these rules indicates no need for substantial revision.
- 49 CFR parts 571.103 — Standard No. 103; Windshield defrosting and defogging systems
- Section 610: No SEIOSNOSE. The economic impact on small entities of these rules will not be significant. Accordingly, a periodic review was not required.
 - Plain Language: NHTSA’s plain language review of these rules indicates no need for substantial revision.
- 49 CFR parts 571.104 — Standard No. 104; Windshield wiping and washing systems
- Section 610: No SEIOSNOSE. The economic impact on small entities of these rules will not be significant. Accordingly, a periodic review was not required.
 - Plain Language: NHTSA’s plain language review of these rules indicates no need for substantial revision.
- 49 CFR parts 571.105 — Standard No. 105; Hydraulic and electric brake systems
- Section 610: No SEIOSNOSE. The economic impact on small entities of these rules will not be significant. Accordingly, a periodic review was not required.
 - Plain Language: NHTSA’s plain language review of these rules indicates no need for substantial revision.
- 49 CFR parts 571.106 — Standard No. 106; Brake hoses
- Section 610: No SEIOSNOSE. The economic impact on small entities of these rules will not be significant. Accordingly, a periodic review was not required.

DOT

- Plain Language: NHTSA's plain language review of these rules indicates no need for substantial revision.
49 CFR parts 571.107 — Standard No. 107; [Reserved]
- 49 CFR parts 571.108 — Standard No. 108; lamps, reflective devices, and associated equipment
- Section 610: No SEIOSNOSE. The economic impact on small entities of these rules will not be significant. Accordingly, a periodic review was not required.
- Plain Language: NHTSA's plain language review of these rules indicates no need for substantial revision.
49 CFR parts 571.109 — Standard No. 109; New pneumatic tires
- Section 610: No SEIOSNOSE. The economic impact on small entities of these rules will not be significant. Accordingly, a periodic review was not required.
- Plain Language: NHTSA's plain language review of these rules indicates no need for substantial revision.
49 CFR parts 571.110 — Standard No. 110; Tire selection and rims
- Section 610: No SEIOSNOSE. The economic impact on small entities of these rules will not be significant. Accordingly, a periodic review was not required.
- Plain Language: NHTSA's plain language review of these rules indicates no need for substantial revision.
49 CFR parts 571.135 — Standard No. 135; Passenger car brake systems
- Section 610: No SEIOSNOSE. The economic impact on small entities of these rules will not be significant. Accordingly, a periodic review was not required.
- Plain Language: NHTSA's plain language review of these rules indicates no need for substantial revision.

Year 5 (Fall 2002) 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 535 — 3-year carryforward and carryback of credits for light trucks
- 49 CFR part 537 — Automotive fuel economy reports
- 49 CFR part 538 — Manufacturing incentives for alternative fuel vehicles
- 49 CFR part 541 — Federal motor vehicle theft prevention standard
- 49 CFR part 542 — Procedures for selecting 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 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 defect investigation
- 49 CFR part 555 — Temporary exemption from motor vehicle safety and bumper standards
- 49 CFR part 556 — Exemption for inconsequential defect or non-compliance
- 49 CFR part 557 — Petitions for hearing on notification and remedy of defects
- 49 CFR part 564 — Replacement light source information
- 49 CFR part 565 — Vehicle identification number requirements
- 49 CFR part 566 — Manufacturer identification
- 49 CFR part 567 — Certification
- 49 CFR part 568 — 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 reports
- 49 CFR part 574 — Tire identification and recordkeeping
- 49 CFR part 575 — Consumer information regulations
- 49 CFR part 576 — Record retention
- 49 CFR part 577 — Defect and noncompliance notification
- 49 CFR part 578 — Civil penalties
- 49 CFR part 579 — Defect and noncompliance responsibility

**FEDERAL RAILROAD ADMINISTRATION
SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR parts 200 through 201	1998	1999
2	49 CFR parts 207, 209, 211, 215, and 256	1999	2000
3	49 CFR parts 210, 212, 214, and 217	2000	2001
4	49 CFR part 219	2001	2002
5	49 CFR parts 218 and 221	2002	2003
6	49 CFR parts 216 and 228 through 229	2003	2004
7	49 CFR parts 223 and 233	2004	2005

DOT

FEDERAL RAILROAD ADMINISTRATION (Continued)
SECTION 610 AND OTHER REVIEWS

Year	Regulations To Be Reviewed	Analysis Year	Review Year
8	49 CFR parts 225, 231, and 234	2005	2006
9	49 CFR parts 235 through 236, 250, 260, and 266	2006	2007
10	49 CFR parts 213, 220, 230, 232, 239, 240, and 265	2007	2008

Year 4 (Fall 2001) List of rules analyzed and a summary of the results

49 CFR part 219 — Control of alcohol and drug regulations

- Section 610: No SEIOSNOSE. These are minimum Federal standards for control of alcohol and drug use. To FRA's knowledge, the control of alcohol and drug use regulation has not imposed any significant burden on any small railroad. The smallest railroads are exempt from many of the rule's provisions.
- Plain Language: FRA's plain language review of this rule indicates no need for substantial revision.
- General: Having minimum Federal standards for control of alcohol and drug use will provide safety and security not only for railroad employees but also for the general public.

49 CFR part 214 — Railroad workplace safety regulations

- Section 610: In the Fall 2001 Regulatory Agenda, FRA determined that subpart B of 49 CFR part 214 has a SEIOSNOSE. Therefore, FRA solicits comments regarding how this regulation can be amended to reduce its impact on small entities.

49 CFR part 215 — Railroad freight car safety standards

- Section 610: In the Fall 2000 Regulatory Agenda, FRA determined that 49 CFR part 215 has a SEIOSNOSE. Therefore, FRA solicits comments regarding how this regulation can be amended to reduce its impact on small entities.

Year 5 (Fall 2002) List of rules that will be analyzed during the next year

49 CFR part 218 — Railroad operating practice regulations

49 CFR part 221 — Rear end marking device regulations

FEDERAL TRANSIT ADMINISTRATION
SECTION 610 AND OTHER REVIEWS

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	None	1998	1999
2	None	1999	2000
3	None	2000	2001
4	49 CFR part 661	2001	2002
5	49 CFR part 665	2002	2003

Year 4 (Fall 2001) List of rules analyzed and a summary of the results

49 CFR part 661 — Buy America requirements-Surface Transportation Assistance Act of 1982, as amended

- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain language: FTA's plain language review indicates no need for substantial revision.
- General: Part 661 contains provisions to mitigate the burden on small entities by providing a process for affected small entities to request waivers from some provisions.

49 CFR part 665 — Bus testing

- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant. FTA plans to issue a final rule.
- Plain language: FTA's plain language review indicates no need for substantial revision.
- General: Part 665 provides for bus testing procedures.

MARITIME ADMINISTRATION
SECTION 610 AND OTHER REVIEWS

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	46 CFR parts 201 through 207	1998	1999
2	46 CFR parts 221 through 232	1999	2000
3	46 CFR parts 249 through 295	2000	2001
4	46 CFR part 298	2001	2002
5	46 CFR parts 307 through 310	2002	2003
6	46 CFR parts 315 through 399	2003	2004
7	46 CFR parts 340 and 347	2004	2005
8	46 CFR parts 349 through 380	2005	2006

DOT

MARITIME ADMINISTRATION (Continued)
SECTION 610 AND OTHER REVIEWS

Year	Regulations To Be Reviewed	Analysis Year	Review Year
9	46 CFR parts 381 through 387	2006	2007
10	46 CFR parts 390 through 391	2007	2008

Year 4 (Fall 2001) List of Rules analyzed and a summary of the results

46 CFR part 298 — Obligation Guarantees

- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: These regulations were rewritten in plain language in 2000.
- General: In 2000, MARAD amended part 298 by simplifying existing administrative practices governing ship financing guarantees. The revisions simplify the process for applicants. MARAD will continue to review these regulations and make additional changes when appropriate.

Year 5 (Fall 2002) List of Rules that will be analyzed during the next year

46 CFR part 307 — Establishment of mandatory position reporting system for vessels

46 CFR part 308 — War risk insurance

46 CFR part 309 — Values for war risk insurance

46 CFR part 310 — Merchant marine training

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
SECTION 610 AND OTHER REVIEWS

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR sections 171.15, 171.16 (incident reports)	1998	1999
2	49 CFR parts 106 and 107 (hazardous materials safety procedures), 171 (general hazmat requirements), 190 (pipeline safety procedures), and 195 (hazardous liquid pipeline corrosion control)	1999	2000
3	49 CFR parts 174, 177 (rail and highway carriage), 191 (gas pipeline transportation reports), and 192 (gas pipeline corrosion control)	2000	2001
4	49 CFR parts 176 (vessel carriage) and 199 (pipeline employee drug and alcohol testing)	2001	2002
5	49 CFR parts 172, 173, 174, 175, 176, 177, and 178 (Applicable to those sections of the above parts that pertain to radioactive material, only)	2002	2003
6	49 CFR parts 172, 173, 174, 176, and 178 (explosives), and 193 (liquefied natural gas facilities), and parts 172, 173, 178, and 180 (cylinders)	2003	2004
7	49 CFR 173 (shipper requirements) and 194 (onshore oil pipeline response plans)	2004	2005
8	49 CFR parts 178 (non-bulk packaging) and 195 (hazardous liquid pipeline transportation)	2005	2006
9	49 CFR parts 178 through 180 (bulk packaging) and 198 (State pipeline safety grants)	2006	2007
10	49 CFR parts 172 (communications, emergency response, training and hazmat table) and 175 (air carriage)	2007	2008

Year 4 (Fall 2001) List of Rules analyzed and a summary of the results

49 CFR part 176 — Carriage by vessel

- Section 610: No SEIOSNOSE. The requirements apply to ocean-going vessels and to coastal and inland water transportation. Most operators of ocean-going vessels are not small entities. Further, the requirements are consistent with international standards applicable to vessel transportation and, therefore, impose few additional costs of doing business on ocean-going vessels. Vessels operating in domestic transportation are also permitted to utilize international standards in place of these requirements; domestic vessel operators incur only minimal costs incurred as a result of normal business practices. Finally, the requirements have little or no impact on entry to or exit from the industry.
- Plain language: As resources permit, RSPA will rewrite regulations using plain language techniques.

Year 5 (Fall 2002) List of rules that will be analyzed during the next year (Note: Those sections of the following parts that pertain to radioactive materials, only.)

49 CFR part 172 — Hazardous materials table, special provisions, hazardous materials communications, emergency response information, and training requirements

49 CFR part 173 — Shippers—general requirements for shipments and packagings

49 CFR part 174 — Carriage by rail

49 CFR part 175 — Carriage by aircraft

49 CFR part 176 — Carriage by vessel

49 CFR part 177 — Carriage by public highway

49 CFR part 178 — Specifications for packagings

DOT

BUREAU OF TRANSPORTATION STATISTICS
SECTION 610 AND OTHER REVIEWS

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	14 CFR part 241, Form 41	1998	1999
2	14 CFR part 241, Schedule T-100, and part 217	1999	2000
3	14 CFR part 298, 49 CFR 1420	2000	2001
4	14 CFR part 241, section 19-7	2001	2002
5	14 CFR part 291	2002	2003
6	14 CFR part 234	2003	2004
7	14 CFR part 249	2004	2005
8	14 CFR part 248	2005	2006
9	14 CFR part 250	2006	2007
10	14 CFR part 374a, ICAO	2007	2008

Year 4 (Fall 2001) List of Rules analyzed and a summary of the results

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

- Section 610: No SEIOSNOSE. This data collection applies only to large entities.
- General: This rule is being reviewed as part of an overall aviation data requirements review and modernization program, which will also take into account the plain language initiative.

Year 5 (Fall 2002) List of Rules that will be analyzed during the next year

14 CFR part 291 — Cargo operations in interstate air transportation

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	1998	1999

Office of the Secretary—Prerule Stage

Sequence Number	Title	Regulation Identification Number
1864	Mentor/Protege Program	2105-AD20
1865	+Review of Data Filed by Certificated or Commuter Air Carriers To Support Continuing Fitness Determinations	2105-AD25

+ DOT-designated significant regulation

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1866	+Aviation Data Requirements Review and Modernization Program	2105-AC71
1867	Nondiscrimination on the Basis of Disability in Air Travel	2105-AC97
1868	Drug and Alcohol Management Information System Reporting	2105-AD14
1869	Procedures for Compensation of Air Carriers	2105-AD27
1870	Transportation Acquisition Regulation	2105-AD28

+ DOT-designated significant regulation

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1871	Use of Direct Final Rulemaking	2105-AC11
1872	Overbooking of Flights: Elimination of Airport Notice Signs	2105-AC45
1873	Fees and Charges for Special Services: Reinvention	2105-AC47
1874	+Computer Reservations System Regulations Comprehensive Review	2105-AC65

DOT

Office of the Secretary—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1875	+Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations	2105-AC83
1876	+Americans With Disabilities Act Accessibility Standards	2105-AC86
1877	Participation by Minority Business Enterprises (DBE) in Department of Transportation Financial Assistance Programs: Threshold Requirements and Other Technical Revisions	2105-AC89
1878	Participation by Disadvantaged Business Enterprises in Department of Transportation Programs	2105-AC91
1879	Nondiscrimination in Federally Assisted Programs	2105-AC96
1880	Over-the-Road Buses: Extension of Due Date for Information Collection	2105-AC98
1881	Standard Time Zone Boundary in the State of North Dakota: Morton County	2105-AD03
1882	Reporting Requirement for Air Carriers Regarding Disability-Related Complaints	2105-AD04
1883	Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefitting From Federal Financial Assistance; Transportation Services for Individuals With Disabilities (ADA)	2105-AD05
1884	Standard Time Zone Boundary in the State of North Dakota: Proposed Relocation of Sioux County	2105-AD17
1885	Maintenance of and Access to Records Pertaining to Individuals	2105-AD18
1886	Disadvantaged Business Enterprises (DBE) Airport Concessionaires Size Standards	2105-AD21
1887	Maintenance of and Access to Records About Individuals	2105-AD22
1888	Privacy Act of 1974	2105-AD23
1889	+Extension of Computer Reservation Systems (CRS) Regulations	2105-AD24
1890	Procedures for Transportation Workplace Drug and Alcohol Testing Programs	2105-AD26

+ DOT-designated significant regulation

Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1891	Policy Statement on Airline Preemption	2105-AA46
1892	+Accessibility of Passenger Vessels to Individuals With Disabilities	2105-AB87
1893	Use of Oxygen by Air Carrier Passengers	2105-AC29
1894	+Domestic Passenger Manifest Information	2105-AC62
1895	Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace Grants	2105-AD01
1896	Governmentwide Debarment and Suspension (Nonprocurement)/Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)	2105-AD07

+ DOT-designated significant regulation

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identification Number
1897	Direct Flights	2105-AA73
1898	+Statement of Enforcement Policy on Rebating	2105-AB39
1899	Electronic Filing Option in DOT Proceedings	2105-AC79
1900	Nondiscrimination in Air Travel; Boarding Where Level-Entry Is Unavailable	2105-AC81
1901	Participation by Disadvantaged Business Enterprises (DBE) in Department of Transportation Programs: Memorandum of Understanding With Small Business Administration; Uniform Forms and Other Revisions	2105-AC88
1902	Board for Correction of Military Records of the Coast Guard	2105-AD19

+ DOT-designated significant regulation

Transportation Security Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
1903	+Imposition and Collection of Passenger Civil Aviation Security Service Fees	2110-AA01

DOT

Transportation Security Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
1904	+Aviation Security Infrastructure Fees	2110-AA02
1905	+Civil Aviation Security Rules	2110-AA03
1906	+Security Programs for Aircraft Weighing 12,500 Pounds or More	2110-AA04
1907	+Private Charter Security Rules	2110-AA05
1908	Protection of Sensitive Security Information in Information Circulars for Nonaviation Modes of Transportation	2110-AA07
1909	+Fingerprint-Based Criminal History Records Checks: Escorted Access	2110-AA08
1910	Investigative and Enforcement Procedures	2110-AA09
1911	+Protection of Sensitive Security Information for All Modes of Transportation	2110-AA10
1912	+Security Threat Assessments for Federal Aviation Administration Certificate Holders and Applicants	2110-AA14

+ DOT-designated significant regulation

U.S. Coast Guard—Completed Actions

Sequence Number	Title	Regulation Identification Number
1913	Safety and Security Zone Regulations	2115-AA97
1914	Special Anchorage Areas/Anchorage Grounds Regulations	2115-AA98
1915	+Discharge-Removal Equipment for Vessels Carrying Oil (CGD 90-068)	2115-AD66
1916	Claims Procedures Under the Oil Pollution Act of 1990 (CGD 91-035)	2115-AD90
1917	Reporting Marine Casualties (USCG-2000-6927)	2115-AD98
1918	+Escort Vessels for Certain Tankers (CGD 91-202)	2115-AE10
1919	State Access to the Oil Spill Liability Trust Fund (CGD 92-014)	2115-AE19
1920	Handling of Explosives or Other Dangerous Cargoes Within or Contiguous to Waterfront Facilities (USCG-1998-4302)	2115-AE22
1921	Regatta and Marine Parade Regulations	2115-AE46
1922	Drawbridge Regulations	2115-AE47
1923	+Escort Vessels in Certain U.S. Waters (CGD 91-202a)	2115-AE56
1924	Regulated Navigation Areas	2115-AE84
1925	+Marine Transportation-Related Facility Response Plans for Hazardous Substances (USCG-1999-5705)	2115-AE87
1926	+Tank Vessel Response Plans for Hazardous Substances (USCG-1998-4354)	2115-AE88
1927	Numbering of Undocumented Barges (USCG-1998-3798)	2115-AF13
1928	Licensing and Manning for Officers of Towing Vessels (USCG 1999-6224)	2115-AF23
1929	+Implementation of the 1995 Amendments to the International Convention on Standards of Training, Certification, and Watchkeeping for Seafarers, 1978 (STCW) (CGD 95-062)	2115-AF26
1930	Limited Service Domestic Voyage Load Lines for River Barges on Lake Michigan (USCG-1998-4623)	2115-AF38
1931	Outer Continental Shelf Activities (USCG-1998-3868)	2115-AF39
1932	Fire-Suppression Systems and Voyage Planning for Towing Vessels (USCG 2000-6931)	2115-AF53
1933	Rules of Practice, Procedure, and Evidence for Administrative Proceedings of the Coast Guard (USCG 1998-3472)	2115-AF59
1934	+Salvage and Marine Firefighting Requirements; Vessel Response Plans for Oil (USCG-1998-3417)	2115-AF60
1935	Deepwater Ports (USCG-1998-3884)	2115-AF63
1936	Commercial Diving Operations (USCG-1998-3786)	2115-AF64
1937	+Improvements to Maritime Safety in Puget Sound-Area Waters (USCG-1998-4501)	2115-AF68
1938	Vessel Traffic Service Lower Mississippi River (USCG-1998-4399)	2115-AF75
1939	Anchorage Ground; Safety Zone; Speed Limit; Tongass Narrows and Ketchikan, AK (CGD17-99-002)	2115-AF81
1940	Training and Qualifications for Personnel on Passenger Ships (USCG 1999-5610)	2115-AF83
1941	Alternate Hull Examination Program for Certain Passenger Vessels, and Underwater Surveys for Passenger, Nautical School, and Sailing School Vessels (USCG-2000-6858)	2115-AF95
1942	Cargo Securing on Vessels Operating in U.S. Waters (USCG-2000-7080)	2115-AF97
1943	Allowing Alternative Source to Incandescent Lights, and Establishing Standards for New Lights, in Private Aids to Navigation (USCG-2000-7466)	2115-AF98
1944	Wearing of Personal Flotation Devices (PFDs) by Certain Children Aboard Recreational Vessels (USCG-2000-8589)	2115-AG04
1945	+Vessel and Facility Response Plans for Oil: 2003 Removal Equipment Requirements and Alternative Technology Revisions (USCG-2001-8661)	2115-AG05
1946	+Post Casualty Drug and Alcohol Testing (USCG-2001-8773)	2115-AG07
1947	+Vessel Documentation: Lease Financing for Vessels Engaged in the Coastwise Trade (USCG-2001-8825)	2115-AG08

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U.S. Coast Guard—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
1948	Electronic Chart Display and Information System (ECDIS) (USCG-2001-8826)	2115-AG09
1949	Territorial Seas, Navigable Waters, and Jurisdiction (USCG-2001-9044)	2115-AG13
1950	Federal Requirements for Propeller Injury Avoidance Measures (USCG 2001-10163)	2115-AG18
1951	+Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (USCG-2001-10486)	2115-AG21
1952	Safety Zones for Outer Continental Shelf Facilities in the Gulf of Mexico (CGD08-01-025)	2115-AG22
1953	Update of Rules on Aids to Navigation Affecting Buoys, Sound Signals, International Rules at Sea, Communica- tions Procedures, and Large Navigational Buoys (USCG-2001-10714)	2115-AG25
1954	Marine Events: Permit Procedures (USCG-2001-10713)	2115-AG26
1955	Drawbridge Operations Regulations; Revisions (USCG-2001-10881)	2115-AG27
1956	+Alternate Tonnage Convention: Small Passenger Vessels	2115-AG29
1957	Rates for Pilotage on the Great Lakes (USCG-2002-11288)	2115-AG30
1958	Safety Zone for Outer Continental Shelf Facility in the Gulf of Mexico (CGD08-01-043)	2115-AG31
1959	Wearing of Personal Flotation Devices by Persons Operating or Riding on Personal Watercraft or Being Towed Behind Recreational Vessels (USCG-2002-11421)	2115-AG32
1960	Notifications of Arrival and Departure in Ports or Places in the United States (USCG-2001-11865)	2115-AG35
1961	+Automatic Identification System Carriage Requirement (USCG-2002-11721)	2115-AG36
1962	Port Security Plans	2115-AG37
1963	Facility Security Plan	2115-AG38
1964	Passenger Facility Security Plan	2115-AG39
1965	Maritime Security: Passenger Vessel Security	2115-AG40
1966	+Vessel Security Plans	2115-AG41
1967	Identification Credentials for Maritime Security	2115-AG42
1968	Great Lakes Maritime Academy — Eligibility of Certain Graduates for Unrestricted Third-Mate Licenses (USCG- 2002-13213)	2115-AG43
1969	Traffic Separation Schemes: In the Strait Of Juan De Fuca and Its Approaches; In Puget Sound and Its Ap- proaches; In Haro Strait, Boundary Pass, and in the Strait of Georgia (USCG-2002-12702)	2115-AG45
1970	Temporary Requirements for Notification of Arrival in U.S. Ports (USCG-2001-10689)	2115-AG47
1971	Protection for Whistleblowers in Coast Guard (USCG-2002-13016)	2115-AG49
1972	+Penalties for Non-Submission of Ballast Water Management Reports (USCG-2002-13147)	2115-AG50
1973	+Mandatory Ballast Water Management Program for U.S. Waters (USCG-2003-14273)	2115-AG52
1974	Country of Origin Codes and Revision of Regulations on Hull Identification Numbers (USCG-2003-14272)	2115-AG53
1975	Safety Zone for Outer Continental Shelf Facility in the Gulf of Mexico in Viasca Knoll 915 (CGD08-02-045)	2115-AG54
1976	+Vessel Documentation: Lease Financing for Vessels Engaged in the Coastwise Trade; Second Rulemaking (USCG-2003-14472)	2115-AG55

+ DOT-designated significant regulation

Federal Aviation Administration—Prerule Stage

Sequence Number	Title	Regulation Identification Number
1977	Issuance of Standard Airworthiness Certificates for Aircraft Manufactured From Spare and Surplus Parts	2120-AH90

Federal Aviation Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1978	+National Air Tour Safety Standards	2120-AF07
1979	+False and Misleading Statements Regarding Aircraft Parts	2120-AG08
1980	+Noise Limitations for Aircraft Operations in the Vicinity of Grand Canyon National Park	2120-AG34
1981	+Licensing and Safety Requirements for Launch	2120-AG37
1982	+Child Restraint Systems	2120-AG43
1983	Revision of Air Carrier Crewmember and Training Regulations	2120-AG57
1984	+Training in the Recognition of Hazardous Material	2120-AG75
1985	+Air Tour Operations in State of Hawaii	2120-AH02
1986	Safe, Efficient Use and Preservation of the Navigable Airspace	2120-AH31

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Federal Aviation Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1987	Design Standards for Fuselage Doors on Transport Category Airplanes	2120-AH34
1988	Noise Stringency Increase for Single-Engine Propeller-Driven Small Airplanes	2120-AH44
1989	Airworthiness Standards for Classes B and F Cargo Compartment for Transport Category Airplanes	2120-AH47
1990	Area Navigation (RNAV) and Miscellaneous Amendments	2120-AH77
1991	Establishment of Organization Designation Authorization Procedures	2120-AH79
1992	Refusal To Take a DOT-Required Drug or Alcohol Test	2120-AH82
1993	Performance and Handling Qualities Requirements for Rotorcraft	2120-AH87

+ DOT-designated significant regulation

Federal Aviation Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1994	Objects Affecting Navigable Airspace	2120-AA09
1995	Miscellaneous Amendments	2120-AA50
1996	IFR Altitudes; Miscellaneous Amendments	2120-AA63
1997	Airworthiness Directives	2120-AA64
1998	Standard Instrument Approach Procedures; Miscellaneous Amendments	2120-AA65
1999	Airspace Actions	2120-AA66
2000	+Improved Water Survival Equipment	2120-AC72
2001	+Retrofit of Improved Seats in Air Carrier Transport Category Airplanes	2120-AC84
2002	Type Certificates for Some Surplus Aircraft of the Armed Forces	2120-AE41
2003	+Aging Aircraft Safety	2120-AE42
2004	Air Traffic Control Radar Beacon System and Mode S Transponder Requirements in the National Airspace System	2120-AE81
2005	+Corrosion Control Program	2120-AE92
2006	Revised Precision Approach Landing Systems Policy	2120-AG16
2007	+Revisions to Digital Flight Data Recorder Regulations for B-737 Airplanes and for Part 125 Operators	2120-AG87
2008	+Improved Flammability Standards for Thermal/Acoustic Insulation Materials Used in Transport Category Airplanes	2120-AG91
2009	Fire Protection of Electrical System Components on Transport Category Airplanes	2120-AG92
2010	+Certification Procedures for Products and Parts (Section 610 Review)	2120-AG93
2011	+Certification of Airports	2120-AG96
2012	Special Flight Rules in the Vicinity of Grand Canyon National Park	2120-AG97
2013	+Fractional Ownership	2120-AH06
2014	Noise Certification Regulations for Helicopters	2120-AH10
2015	Antidrug and Alcohol Misuse Prevention Programs for Personnel Engaged in Specified Aviation Activities	2120-AH14
2016	+Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft	2120-AH19
2017	Public Address System	2120-AH30
2018	Material Strength Properties and Design Values	2120-AH36
2019	Revisions to Various Powerplant Installation Requirements for Transport Category Airplanes	2120-AH37
2020	Lower Deck Service Compartments on Transport Category Airplanes	2120-AH38
2021	Miscellaneous Flight Requirements	2120-AH39
2022	Trim Systems and Protective Breathing Equipment	2120-AH40
2023	Harmonization of Noise Certification Standards for Propeller-Driven Small Airplanes	2120-AH42
2024	+Revisions to Passenger Facility Charge Rule for Compensation to Air Carriers	2120-AH43
2025	Digital Flight Data Recorder Resolutions Requirements	2120-AH46
2026	Procedures for Reimbursement of Airports, On-Airport Parking Lots, and Vendors of On-Airfield Direct Services to Air Carriers for Security Mandates	2120-AH60
2027	Powerplant Controls on Transport Category Airplanes, General	2120-AH65
2028	+Reduced Vertical Separation Minimum in Domestic United States Airspace	2120-AH68
2029	Reports by Carriers on Incidents Involving Animals During Air Transport	2120-AH69
2030	+Security Considerations for the Flightdeck on Foreign-Operated Transport Category Airplanes	2120-AH70
2031	+Picture Identification Requirements	2120-AH76
2032	Flight Visibility; Vision Enhancing Equipment	2120-AH78
2033	+Prohibition of Construction or Alteration in the Vicinity of the Private Residence of the President of the United States	2120-AH83
2034	+Ineligibility for an Airman Certificate Based on Security Grounds	2120-AH84
2035	Flightdeck Security on Foreign-Operated Airplanes	2120-AH86

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Federal Aviation Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2036	Digital Flight Data Recorder Requirements — Exception and Appendix Updates	2120-AH89
2037	Special Flight Rules in the Vicinity of Los Angeles International Airport	2120-AH92
2038	+Flightdeck Security on Large Cargo Airplanes	2120-AH96

+ DOT-designated significant regulation

Federal Aviation Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2039	+Drug Enforcement Assistance	2120-AD16
2040	Civil Penalty Assessment Procedures	2120-AE84
2041	+Revision of Emergency Evacuation Demonstration Procedures To Improve Participant Safety	2120-AF21
2042	+Flight Crewmember Duty Period Limitations, Flight Time Limitations, and Rest Requirements	2120-AF63
2043	Miscellaneous Cabin Safety Changes	2120-AF77
2044	+Flight Simulation Device Qualification	2120-AH07
2045	Electrical Installation, Nickel Cadmium Battery Installation, and Nickel Cadmium Battery Storage	2120-AH27
2046	Design and Installation of Electronic Equipment on Transport Category Airplanes	2120-AH28
2047	Electrical Cables	2120-AH29
2048	+Transponder Continuous Operation	2120-AH67
2049	+Revisions to Cockpit Voice Recorder and Digital Flight Data Recorder Regulations	2120-AH88

+ DOT-designated significant regulation

Federal Aviation Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2050	+Fuel System Vent Fire Protection	2120-AA49
2051	1-G Stalling Speed as a Basis for Aircraft Parts	2120-AD40
2052	+Revision of Part 108, Aircraft Operator Security	2120-AD45
2053	+Revision of Part 107, Airport Security	2120-AD46
2054	+Revised Access to Type III Exits	2120-AF01
2055	+Overflights of Units of the National Park System	2120-AF46
2056	Bird Strike	2120-AF80
2057	+Security Programs of Foreign Air Carriers and Foreign Operators of U.S.-Registered Air Carriers Engaged in Common Carriage	2120-AG13
2058	+Prohibition of the Transportation of Devices Designed as Chemical Generators as Cargo in Aircraft	2120-AG35
2059	+Revised Standards for Cargo or Baggage Compartments in Transport Category Airplanes	2120-AG42
2060	+Screening of Checked Baggage on Flights Within the United States	2120-AG51
2061	+Policy Regarding Airport Rates and Charges	2120-AG58
2062	+Certification of Screening Companies	2120-AG84
2063	+Traffic Alert and Collision Avoidance Systems	2120-AG90
2064	Refusal To Submit to an Authorized Drug Test	2120-AH23
2065	Revision to Airspeed Indicating System Requirements for Transport Category Airplanes	2120-AH26
2066	Design Requirements for Pressurization and Pneumatic Systems Installed on Transport Category Airplanes	2120-AH33
2067	Reverse Thrust and Propeller Pitch Settings Below the Flight Regime	2120-AH35
2068	Modification of the Dimensions of the Grand Canyon National Park Special Flight Rules Area and Flight-Free Zones	2120-AH48
2069	+Criminal History Background Checks	2120-AH53
2070	Flight Restrictions in the Vicinity of Niagara Falls	2120-AH57
2071	+Screeners, Qualifications, Training, and Testing	2120-AH59
2072	+Enhanced Security Procedures for Operations at Certain Airports in the Washington, DC Metropolitan Area Special Flight Rules Area	2120-AH62
2073	+Security Programs for Charter Operations Using Aircraft 12,500 Pounds and Over	2120-AH66
2074	Revised Checked Pitching Maneuver for Transport Airplanes	2120-AH71
2075	Revised Requirements for Gust and Continuous Turbulence Design Loads	2120-AH73

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Federal Aviation Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
2076	Harmonization of Airworthiness Standards Flight Rules, Static Lateral-Directional Stability, and Speed Increase and Recovery Characteristics	2120-AH74
2077	Aircraft Registration Requirements; Clarification of "Court of Competent Jurisdiction"	2120-AH75
2078	Airworthiness Standards; Fire Protection	2120-AH80
2079	Service Difficulty Reports	2120-AH91
2080	Special Operating Rules for the Conduct of Instrument Flight Rules Area Navigation Operations in Alaska	2120-AH93
2081	Extension of SFAR 73-Robinson R-22/R-44 Special Training and Experience Requirements	2120-AH94
2082	Modifications of the Dimensions of the Grand Canyon National Park Rules Areas and Free Flight Zone	2120-AH95

+ DOT-designated significant regulation

Federal Highway Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2083	Advanced Construction of Federal Aid Projects	2125-AD59
2084	Work Zone Mobility and Safety	2125-AE29
2085	Revisions to Highway Bridge Replacement and Rehabilitation Program	2125-AE75
2086	+National Bridge Inspection Standards	2125-AE86
2087	Uniform Relocation Assistance and Real Property Acquisition for Federal Assisted Program	2125-AE97

+ DOT-designated significant regulation

Federal Highway Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2088	Federal-Aid Highway Systems	2125-AD74
2089	Railroad Highway Projects	2125-AD86
2090	+Federal Lands Highway Program; Management Systems Pertaining to the National Park Service, Including the Park Roads and Parkways Program	2125-AE52
2091	+Federal Lands Highway Program; Management Systems Pertaining to the Bureau of Indian Affairs, Including the Indian Reservations Road Program	2125-AE53
2092	+Federal Lands Highway Program; Management Systems Pertaining to the Fish and Wildlife Service, Including the Refuge Roads Program	2125-AE54
2093	+Federal Lands Highway Program; Management Systems Pertaining to the Forest Service, Including the Forest Highways Program	2125-AE55
2094	Indian Reservation Road Bridge Program	2125-AE57
2095	Standards for Dedicated Short-Range Communications (DSRC) Applications for Use by Commercial Vehicles in Intelligent Transportation Systems Projects	2125-AE63
2096	Commercial Vehicle Width Exclusive Devices	2125-AE90
2097	Manual on Uniform Traffic Control Devices	2125-AE93
2098	+Designation of Dromedary-Equipped Truck Tractor-Semitrailers as Specialized Equipment	2125-AE94

+ DOT-designated significant regulation

Federal Highway Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2099	Revision of the Manual on Uniform Traffic Control Devices; Traffic Control Devices on Federal-Aid and Other Streets and Highways; Standards	2125-AE78
2100	+Design-Build Contracting	2125-AE79
2101	Discretionary Bridge Candidate Rating Factor	2125-AE88
2102	Debt Financing	2125-AE91
2103	+Statewide Transportation Planning; Metropolitan Transportation Planning	2125-AE95

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Federal Highway Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
2104	Truck Size and Weight; National Network; Virginia	2125-AE96

+ DOT-designated significant regulation

Federal Motor Carrier Safety Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2105	+Commercial Driver's License Standards; Biometric Identifier	2126-AA01
2106	Commercial Learner Permits	2126-AA03
2107	+Qualification of Drivers; Vision	2126-AA05
2108	+Federal Motor Carrier Safety Regulations; General Transportation of Hazardous Materials	2126-AA07
2109	+Minimum Training Requirements for Longer Combination Vehicle (LCV) Operators and LCV Driver-Instructor Requirements	2126-AA08
2110	+Minimum Training for Entry-Level Drivers of Commercial Motor Vehicle Operators	2126-AA09
2111	+Commercial Driver Physical Fitness as Part of the CDL Process	2126-AA10
2112	+Safety Performance History of New Drivers	2126-AA17
2113	+Unified Registration System	2126-AA22
2114	+Hours of Service of Drivers; Supporting Documents	2126-AA76
2115	Title VI Regulations for FMCSA Financial Assistance Recipients	2126-AA79
2116	Parts and Accessories Necessary for Safe Operation; Fuel Systems	2126-AA80

+ DOT-designated significant regulation

Federal Motor Carrier Safety Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2117	Parts and Accessories Necessary for Safe Operation; Sleeper Berths on Motor Coaches	2126-AA12
2118	+Railroad-Highway Grade Crossing Safety	2126-AA18
2119	Parts and Accessories Necessary for Safe Operation; Television Receivers and Data Display Units	2126-AA19
2120	+English Language Requirement; Qualifications of Drivers	2126-AA31
2121	+Transportation of Household Goods; Consumer Protection Regulations (Rulemaking Resulting From a Section 610 Review)	2126-AA32
2122	Out-of-Service Criteria	2126-AA36
2123	Federal Motor Carrier Safety Regulations; Waivers, Exemptions, and Pilot Programs; Rules and Procedures	2126-AA41
2124	+Federal Motor Carrier Safety Regulations; Safety Requirements for Operators of Small Passenger-Carrying Commercial Motor Vehicles Used in Interstate Commerce	2126-AA52
2125	+New Entrant Safety Assurance Process	2126-AA59
2126	+Limitations on Issuance of Commercial Driver's License With Hazardous Materials Endorsement	2126-AA70
2127	+Registration Enforcement	2126-AA78

+ DOT-designated significant regulation

Federal Motor Carrier Safety Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2128	Rules of Practice for Motor Carrier Proceedings; Investigations; Disqualifications and Penalties	2126-AA15
2129	General Jurisdiction Over Freight Forwarder Service	2126-AA25
2130	+Application by Certain Mexico-Domiciled Motor Carriers To Operate Beyond U.S. Municipalities and Commercial Zones on the U.S.-Mexico Border	2126-AA34
2131	+Safety Monitoring System and Compliance Initiative for Mexico-Domiciled Motor Carriers Operating in the United States	2126-AA35
2132	Safety Fitness Procedures	2126-AA37
2133	+General Requirements; Inspection, Repair, and Maintenance; Intermodal Container Chassis and Trailers	2126-AA38

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Federal Motor Carrier Safety Administration—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
2134	+Federal Motor Carrier Safety Regulations; Interstate School Bus Safety	2126-AA53
2135	Parts and Accessories Necessary for Safe Operation; General Amendments	2126-AA61
2136	+Certification of Safety Auditors, Safety Investigators, and Safety Inspectors	2126-AA64
2137	Posting of Employee Protections Information	2126-AA68
2138	+Certification of Compliance With Federal Motor Vehicle Safety Standards (FMVSS)	2126-AA69
2139	+Penalties, Inspection, and Decal Display Requirements for Mexico-Domiciled Motor Carriers	2126-AA72
2140	Safety Fitness Procedures; Safety Ratings	2126-AA77

+ DOT-designated significant regulation

Federal Motor Carrier Safety Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2141	+Hours of Service of Drivers; Driver Rest and Sleep for Safe Operations (Rulemaking Resulting From a Section 610 Review)	2126-AA23
2142	Electronic Filing of Surety Bonds, Trust Fund Agreements, Insurance Certificates; Cancellations	2126-AA24
2143	+Federal Motor Carrier Safety Regulations; Zero-Base Revision	2126-AA39
2144	+Post-Accident Controlled Substances and Alcohol Test Results; Reporting Requirements for the Fatality Analysis Reporting System	2126-AA50
2145	Rules of Practice for Administrative Proceedings	2126-AA63
2146	Security Requirements for Motor Carriers Transporting Hazardous Materials	2126-AA71
2147	Civil Penalties	2126-AA81

+ DOT-designated significant regulation

National Highway Traffic Safety Administration—Prerule Stage

Sequence Number	Title	Regulation Identification Number
2148	Door Latch Exemption for Vehicles Equipped With Wheelchair Lifts and Ramps	2127-AG16
2149	Review: Air Bag On-Off Switches	2127-AH12
2150	Improve Motorcycle Helmet Head Protection	2127-AI03

National Highway Traffic Safety Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2151	Seating Systems Performance	2127-AD08
2152	Certification Requirements of Multistage Vehicles	2127-AE27
2153	Convex Cross-View Mirrors	2127-AG41
2154	Upgrade Roof Crashworthiness	2127-AG51
2155	Upgrade Door Retention Performance	2127-AH34
2156	Administrative Rewrite of the Lighting Requirements Other Than Headlamps	2127-AH37
2157	Special Purpose Vehicles	2127-AH75
2158	Brake Hoses	2127-AH79
2159	Low-Speed Vehicle Performance Requirements	2127-AH80
2160	Headlamp Glare	2127-AH81
2161	Stowable or Fold-Away Child Restraint Anchorages	2127-AH85
2162	Motorcycle Headlamp System	2127-AH92
2163	Reorganize and Harmonize Controls and Displays	2127-AI09
2164	Seat Belt Emergency Locking Retractor	2127-AI38
2165	Idle Stop Technology Used in Some Hybrid Electric Vehicles	2127-AI43
2166	Procedures for Participating In and Receiving Data From the National Driver Registration Problem Driver Pointer System	2127-AI45

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National Highway Traffic Safety Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2167	Cargo Carrying Capacity	2127-AI50
2168	Horizontal Discharge Trailers	2127-AI56
2169	Heavier Hybrid III Type 6-Year-Old-Size Test Dummy	2127-AI58
2170	Allow Roll-Bar During Brake Testing	2127-AI63
2171	Child Restraint System Webbing Strength	2127-AI66
2172	Motorcycle Brake Controls	2127-AI67
2173	GM Petition on Amending FMVSS No. 301 and FMVSS Nos. 208, 212, 219, 303, and 305	2127-AI76
2174	Incorporation of EuroSID II Dummy into 49 CFR Part 572	2127-AI89
2175	+Rear Center Lap/Shoulder Belt Requirement — Standard 208	2127-AI91
2176	Vehicles Built in Two or More Stages — Standard 201 (Petitions for Reconsideration)	2127-AI93
2177	Part 571.3 Definitions, Designated Seating Position	2127-AI94
2178	CRS Registration Rulemaking, FMVSS No. 213 and Part 588	2127-AI95
2179	5th Percentile Dummy Belted Barrier Crash Test Requirements — Standard 208	2127-AI98
2180	Theft Data for Calendar Year 2001	2127-AJ00
2181	Insurer Reporting Requirements for October 2003	2127-AJ01
2182	Selection of Appendix A — Child Restraint Systems — Standard 208	2127-AJ03
2183	Buy America Requirements	2127-AJ06

+ DOT-designated significant regulation

National Highway Traffic Safety Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2184	+Crashworthiness Ratings	2127-AA03
2185	+Flammability of Interior Materials—School Buses	2127-AA44
2186	Upgrade Fuel Integrity Performance Requirements	2127-AF36
2187	Alternative Geometric Visibility Requirements for Lamps	2127-AF75
2188	Power-Operated Windows: Roof Panels	2127-AF83
2189	Dealer Notification of Defect or Noncompliance Determination	2127-AG27
2190	Seat Belt Positioning Devices	2127-AG49
2191	Glare Reduction From Daytime Running Lamps	2127-AG86
2192	Administrative Rewrite for Headlamp Requirements	2127-AG87
2193	Signal Lamps Used With Light-Emitting Diodes	2127-AG88
2194	Motorcycle-Mounted Reflex Reflector Height	2127-AG92
2195	+Allocation of Fuel Economy Credits	2127-AG97
2196	Incorporation of 1996 Revision of the American National Standards Institute (ANSI) Into Glazing Standard	2127-AH08
2197	+Upgrade of Head Restraints	2127-AH09
2198	Child Restraints for Older Children	2127-AH14
2199	Heavy Vehicle Antilock Brake System (ABS) Performance Requirement	2127-AH16
2200	Definition of Multifunctional School Activity Bus	2127-AH23
2201	Upper Interior Impact	2127-AH61
2202	Registered Importers of Vehicles Not Originally Manufactured To Conform With the Federal Motor Vehicle Safety Standards	2127-AH67
2203	Accelerator Control Systems	2127-AH71
2204	Vehicles With Raised Roofs	2127-AH74
2205	Clarify Test Procedures for Brake Fluids	2127-AH96
2206	Child Restraint Anchorage Systems — Part 2	2127-AH99
2207	Label Placement on Rear Impact Guards	2127-AI04
2208	Moving Barrier Tire Specification	2127-AI05
2209	+Confidential Business Information	2127-AI13
2210	Disposition of Replaced Tires	2127-AI29
2211	+Improve Tire Safety Information	2127-AI32
2212	Improving the Safety of Child Restraints	2127-AI34
2213	+Automotive Fuel Economy Manufacturing Incentive for Alternative Fuel Vehicles	2127-AI41
2214	+Operation of Motor Vehicles by Intoxicated Persons	2127-AI44
2215	Expanding the Auto Parts Marking Requirement	2127-AI46
2216	Parking Brakes for Non-School Bus Vehicles	2127-AI47

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National Highway Traffic Safety Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2217	Compliance for Multistage Manufacturers and Alterers	2127-AI49
2218	+Improved Tire Safety	2127-AI54
2219	Retroactive Certification (Policy Statement)	2127-AI59
2220	Record Retention of Retroactively Certified Vehicles	2127-AI60
2221	Importation of Commercial Motor Vehicles	2127-AI64
2222	+Advanced Air Bag Requirements	2127-AI71
2223	Theft Data for Calendar Year 2000	2127-AI75
2224	+Consumer Information Regulations; Federal Motor Vehicle Safety Standards; Rollover Resistance	2127-AI81
2225	FMVSS No. 208 Advanced Air Bag Petitions for Reconsideration (Part 2)	2127-AI82
2226	Warning Label and Additional Conspicuity Features for Low Speed Vehicles	2127-AI84
2227	List of Nonconforming Vehicles Eligible for Importation	2127-AI87
2228	Use of Seat-Mounted Child Restraints on School Bus Seats	2127-AI88
2229	+Tire Pressure Monitoring System; Petitions for Reconsideration	2127-AI90
2230	+Reporting of Information and Documents About Potential Defects	2127-AI92
2231	High-Theft Lines for Model Year 2004	2127-AI99
2232	Reimbursement Prior to Recall	2127-AJ05

+ DOT-designated significant regulation

National Highway Traffic Safety Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2233	Radiator Safety Cap	2127-AE59
2234	+Review: Side-Impact Protection	2127-AF54
2235	Power Window Safety Switches	2127-AG36
2236	Review: Redesigned Air Bags	2127-AH13
2237	+Frontal Offset Protection	2127-AH73
2238	Review: Antilock Brake Systems for Heavy Trucks	2127-AI14
2239	Review: Rear-Impact Guards for Truck Trailers	2127-AI15
2240	Adaptation of Instrumented Lower Legs for Hybrid III Male and Female Adult Dummies	2127-AI39
2241	Convex Mirrors for Commercial Trucks	2127-AI52
2242	Enhance Passenger-Side Mirror System	2127-AI53
2243	Daytime Running Lamps Intensity Reduction Phase II	2127-AI62
2244	+Event Data Recorders	2127-AI72
2245	+Federal Motor Vehicle Safety Standards; Child Restraint Systems	2127-AI83
2246	FMVSS No. 201 Upper Interior Impact Multi-Stage Vehicle Compliance	2127-AI86
2247	Federal Motor Vehicle Safety Standard No. 108, Lamps, Reflective Devices, and Associated Equipment	2127-AI97

+ DOT-designated significant regulation

National Highway Traffic Safety Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2248	Procedures for Considering Environmental Impacts	2127-AB79
2249	+Platform Lift Systems	2127-AD50
2250	Review: Odometer Fraud	2127-AF53
2251	Review: American Automobile Labeling Act	2127-AG18
2252	Review: Heavy Truck Conspicuity	2127-AG19
2253	Hybrid III 95th Percentile Male	2127-AG79
2254	Review: Child Safety Seat Registration	2127-AG93
2255	Political Subdivision Participation in State Highway Safety Programs and State Highway Safety Agency	2127-AH00
2256	Placement of Wheelchair Restraints on Buses	2127-AH03
2257	Metric Conversion — Phase III	2127-AH27
2258	Use of Universal Child Seats in Aircraft	2127-AH56
2259	Exemption for Inconsequential Defect or Noncompliance	2127-AH58

DOT

National Highway Traffic Safety Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
2260	Compliance and Enforcement	2127-AH63
2261	Defect Reporting and Notification	2127-AH89
2262	Guidelines for States on Enforcement of Light Transmission	2127-AH97
2263	Hybrid III Type 6-Year-Old-Size Test Dummy	2127-AI00
2264	Fifth Percentile Female Test Dummy	2127-AI01
2265	Acceleration of Manufacturer Remedy Program	2127-AI27
2266	Seat Belt Fit	2127-AI36
2267	Voluntarily Installed Seat Belt Assembly Anchorages	2127-AI40
2268	Child Restraint Safety Rating	2127-AI65
2269	+Light Truck Average Fuel Economy Standards, Model Years 2005-2007	2127-AI70
2270	Exemption for Inconsequential Defect or Noncompliance	2127-AI78
2271	+FMVSS No. 208 Advanced Air Bag Petitions for Reconsideration (Part 1)	2127-AI85
2272	Delaying Effective Date of Standards 221	2127-AJ02
2273	Reporting of Information and Documents About Foreign Safety Recalls and Campaigns Related to Potential Defects	2127-AJ04

+ DOT-designated significant regulation

Federal Railroad Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2274	Blue Signal and Related Protections	2130-AA90
2275	Locomotive Crashworthiness	2130-AB23
2276	Locomotive Event Recorders	2130-AB34
2277	Reflectorization of Rail Freight Rolling Stock	2130-AB41
2278	Occupational Noise Exposure for Railroad Operating Employees	2130-AB56

Federal Railroad Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2279	+Whistle Bans at Highway-Rail Grade Crossings	2130-AA71
2280	+Standards for Development and Use of Processor-Based Signal and Train Control Systems	2130-AA94
2281	Small Railroads; Policy Statement on Enforcement Program	2130-AB15
2282	Roadway Maintenance Machines	2130-AB28
2283	Determination of Minimum Testing Rate for Random Drug and Alcohol Testing	2130-AB31
2284	+Application of Random Testing and Other Alcohol and Drug Regulations to Employees of Foreign Railroads	2130-AB39
2285	Retention of Current Monetary Threshold for Reporting Rail Equipment Accidents/Incidents During Calendar Year 2003 and Until Further Amended	2130-AB57
2286	Railroad Locomotive Safety Standards	2130-AB58

+ DOT-designated significant regulation

Federal Railroad Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2287	Crane Safety Standards	2130-AB27
2288	Revision to Railroad Safety Enforcement Procedures	2130-AB35
2289	Rules of Practice	2130-AB36
2290	+Minimum Standards for Temperature in the Locomotive Cab	2130-AB46

+ DOT-designated significant regulation

DOT

Federal Railroad Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2291	Local Rail Freight Assistance to States	2130-AA60
2292	+Regulations on Safety Integration Plans Governing Railroad Consolidations, Mergers, Acquisitions of Control, and Start-Up Operations	2130-AB24
2293	Annual Adjustment of Monetary Threshold for Reporting Rail Equipment Accidents/Incidents	2130-AB30
2294	+Locational Requirement for Dispatching of United States Rail Operations	2130-AB38
2295	Revision to the Accident/Incident Reporting Regulations and Guide	2130-AB51
2296	Automatic Train Control (ATC) and Advanced Civil Speed Enforcement System (ACSES); Northeast Corridor (NEC) Railroads	2130-AB55

+ DOT-designated significant regulation

Federal Transit Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2297	School Bus Operations	2132-AA67
2298	State Safety Oversight; Rail Fixed Guideway Systems	2132-AA69

Federal Transit Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2299	+Bus Testing	2132-AA30
2300	Buy America Requirements; Amendment to Certification Procedures	2132-AA62
2301	Buy America Requirements; Permanent Waiver for Microcomputers	2132-AA68
2302	+Statewide Transportation Planning; Metropolitan Transportation Planning	2132-AA75

+ DOT-designated significant regulation

Saint Lawrence Seaway Development Corporation—Completed Actions

Sequence Number	Title	Regulation Identification Number
2303	Seaway Regulations and Rules; Automatic Identification System	2135-AA15
2304	Seaway Regulations and Rules: Inflation Adjustment of Civil Monetary Penalty	2135-AA16
2305	Tariff of Tolls	2135-AA17

Research and Special Programs Administration—Prerule Stage

Sequence Number	Title	Regulation Identification Number
2306	+Hazardous Materials: Safety Requirements for External Product Piping on Cargo Tanks Transporting Flammable Liquids	2137-AD36

+ DOT-designated significant regulation

Research and Special Programs Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2307	Pipeline Safety: Gas Gathering Line Definition	2137-AB15
2308	Pipeline Safety: Periodic Underwater Inspections	2137-AC54

DOT

Research and Special Programs Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2309	Hazardous Materials: Revision of Requirements for Carriage by Aircraft	2137-AD18
2310	Hazardous Materials: Hazard Communication Requirements—Petitions for Rulemaking and Miscellaneous Amendments	2137-AD28
2311	+Hazardous Materials Safety: Transportation of Oxygen Cylinders and Oxygen Generators Aboard Aircraft	2137-AD33
2312	Pipeline Safety: Annual Update of Standards Incorporated by Reference	2137-AD68
2313	Hazardous Materials: Security Requirements for Motor Carriers Transporting Hazardous Materials	2137-AD70
2314	Pipeline Safety: National Pipeline Mapping System	2137-AD76
2315	Hazardous Materials Regulations: Aluminum Cylinders — Revised Requalification and Use Criteria for the DOT 3 AL Cylinder Made of Aluminum Alloy 6351-TG	2137-AD78
2316	Pipeline Safety: Liquefied Natural Gas Facilities; and Updating Safety Standards	2137-AD80

+ DOT-designated significant regulation

Research and Special Programs Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2317	Pipeline Safety: Passage of Internal Inspection Devices	2137-AB71
2318	+Pipeline Safety: Response Plans for Onshore Oil Pipelines	2137-AC30
2319	+Applicability of the Hazardous Materials Regulations to Loading, Unloading, and Storage	2137-AC68
2320	Pipeline Safety: Further Regulatory Review; Gas Pipeline Safety Standards	2137-AD01
2321	Pipeline Safety: Recommendations To Change Hazardous Liquid Pipeline Safety Standards	2137-AD10
2322	Hazardous Materials: Revisions to Incident Reporting Requirements and Detailed Hazardous Materials Incident Report DOT Form	2137-AD21
2323	Hazardous Materials: Air Carrier Emergency Telephone Number Requirements	2137-AD29
2324	Pipeline Safety: Periodic Updates to Pipeline Safety Requirements (1999)	2137-AD35
2325	Hazardous Materials: Adoption of Latest IAEA and Other Miscellaneous Revisions and Clarifications	2137-AD40
2326	Pipeline Safety: Producer-Operated Outer Continental Shelf Gas and Hazardous Liquid Pipelines That Cross Directly Into State Waters	2137-AD42
2327	Hazardous Materials: Miscellaneous Amendments for Unloading IM Portable Tanks on a Transport Vehicle — Petition for Rulemaking	2137-AD44
2328	Hazardous Materials: Transportation of Lithium Batteries	2137-AD48
2329	Hazardous Materials: Revision of the Requirements for Hazardous Waste Manifests	2137-AD50
2330	+Pipeline Safety: Pipeline Integrity Management in High-Consequence Areas (Gas Transmission Pipeline Operators)	2137-AD54
2331	Pipeline Safety: Hazardous Liquid Pipeline Operator Annual Reports	2137-AD59
2332	Hazardous Materials: Harmonization With the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization Technical Instructions	2137-AD66
2333	+Hazardous Materials: Security Requirements for Offerors and Transporters of Hazardous Materials	2137-AD67
2334	Hazardous Materials: Revision to Penalty Guidelines	2137-AD71
2335	Hazardous Materials: Miscellaneous Revisions to the Hazardous Materials Regulations	2137-AD73
2336	Pipeline Safety: Technical Revisions to Agency Procedures	2137-AD77
2337	+Hazardous Materials: Enhancing Security of Explosives Transportation	2137-AD79

+ DOT-designated significant regulation

Research and Special Programs Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2338	+Safeguarding Food From Contamination During Transportation	2137-AC00
2339	Hazardous Materials: Cargo Tank Rollover Requirements	2137-AD34

+ DOT-designated significant regulation

DOT

Research and Special Programs Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2340	Hazardous Materials: Retention of Shipping Papers	2137-AC64
2341	Hazardous Materials: Requirements for Cargo Tanks	2137-AC90
2342	Revisions; Definition of Administrator	2137-AD43
2343	Hazardous Materials: Reduction of Registration Fees	2137-AD53
2344	Hazardous Materials: Frangible Discs on Tank Cars	2137-AD57
2345	Hazardous Materials: Revision to Periodic Tire Check Requirement for Motor Carriers Transporting Hazardous Materials	2137-AD69
2346	Hazardous Materials: Transportation of Division 1.5 Explosives (Blasting Agents) and Ammonium Nitrate Mixtures in Bulk	2137-AD75

Maritime Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2347	+Cargo Preference Regulations—Carriage of Oceangoing Cargo Generated by Government Programs	2133-AB37
2348	Regulated Transactions Involving Documented Vessels and Other Maritime Interests: Inflation Adjustment of Civil Monetary Penalty	2133-AB48
2349	Application Fee for Administrative Waivers of the Coastwise Trade Laws	2133-AB50

+ DOT-designated significant regulation

Maritime Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2350	Administrative Waivers of the Coastwise Trade Laws for Eligible Vessels	2133-AB49

Maritime Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2351	Requirements To Document U.S.-Flag Fishing Industry Vessels of 100 Feet or Greater in Registered Length and To Hold Preferred Mortgage on Such Vessels	2133-AB46

Bureau of Transportation Statistics—Completed Actions

Sequence Number	Title	Regulation Identification Number
2352	Modernizing the Passenger Origin-Destination Survey	2139-AA01
2353	+Amendment to Part 234 To Collect Causal Information for Airline Delays and Cancellations	2139-AA09
2354	Reports of Motor Carriers — Correction of Obsolete References and Other Minor Editorial Corrections	2139-AA10

+ DOT-designated significant regulation

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

Prerule Stage

1864. • MENTOR/PROTEGE PROGRAM

Priority: Info./Admin./Other

Legal Authority: PL 95-507

CFR Citation: 13 CFR 124; 49 CFR 26

Legal Deadline: None

Abstract: This rulemaking would provide motivation and encouragement to firms to assist small businesses (SB), including HUBZone small businesses (HUBZone), small disadvantaged businesses (SDB), and small women-owned businesses (WOSB), in enhancing their business operations and increasing their capacities. This action would assist the Department of Transportation in meeting its mandated small business contracts and subcontract goals, foster the establishment of long-term business relationships between these entities and prime contractors, and increase the overall number of these entities that receive DOT contract and subcontract consideration and awards.

Timetable:

Action	Date
ANPRM	12/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal, State

Agency Contact: Ferguise Leon Mayronne, Senior Program Analyst, Department of Transportation, Office of the Secretary, Nassif Building, Room 9412, 400 7th Street, SW, Washington, DC 20590

Phone: 202 366-5341

Email: ferguise.mayronne@ost.dot.gov

RIN: 2105-AD20

1865. • +REVIEW OF DATA FILED BY CERTIFICATED OR COMMUTER AIR CARRIERS TO SUPPORT CONTINUING FITNESS DETERMINATIONS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 401, 411, 417

CFR Citation: 14 CFR 204.5

Legal Deadline: None

Abstract: In this ANPRM, the Department asks for comments on two issues relating to air carrier continuing fitness determinations raised by the Inspector General. The issues relate to

(1) public notice of determinations in relation to the reporting requirements of CFR part 204 applicable to certificated and commuter air carriers proposing to undergo a substantial change in operations, ownership, or management and (2) the criteria the Department typically uses to determine actual control of an air carrier when evaluating the citizenship of an air carrier during a continuing fitness review.

Timetable:

Action	Date
ANPRM	06/00/03

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Colleen Hanley, Attorney Advisor, Department of Transportation, Office of the Secretary, Room 10118, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2509

Fax: 202 366-9188

Email: colleen.hanley@ost.dot.gov

RIN: 2105-AD25

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

Proposed Rule Stage

1866. +AVIATION DATA REQUIREMENTS REVIEW AND MODERNIZATION PROGRAM

Priority: Other Significant

Legal Authority: 49 USC 40101; 49 USC 41101; 49 USC 41708; 49 USC 41709; 49 USC 41301; 49 USC 41501; 49 USC 41701

CFR Citation: 14 CFR 241; 14 CFR 250; 14 CFR 298; 14 CFR 374a; 14 CFR 234

Legal Deadline: None

Abstract: The Department is undertaking an aviation data requirements review and modernization program. The review is designed to harmonize the Department's aviation data systems with current regulatory and statutory needs; improve the quality of the Department's aviation data bases; and eliminate obsolete data reporting and processing systems. The ANPRM was the first step in an outreach program to review aviation data collected by the Department and

the measures that should be taken to modernize and improve aviation data reporting and processing systems. The Department solicited public comments from aviation data users on the nature, scope, source, and means for collecting, processing, and distributing airline traffic, fare, and financial data. Specifically, the Department invited comments to determine whether existing aviation data should be amended, supplemented, or replaced; whether selected forms and reports should be retained, modified, or eliminated; whether the Department should require all aviation data to be filed electronically; and how the aviation data system should be reengineered to enhance efficiency and to reduce costs for both the Department and airline industry. The Department has reviewed the comments and reply comments and is in the process of redefining the data elements and restructuring the data reporting requirements to be included in an

NPRM. This action is significant due to substantial public and industry interest.

Timetable:

Action	Date
ANPRM	07/15/98 63 FR 38128
ANPRM Comment Period End	09/14/98
Reply Comment Period End	10/13/98
NPRM	08/00/03

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Undetermined

Agency Contact: Todd Homan, Industry Economist, Department of Transportation, Office of the Secretary, X-55, 400 Seventh Street SW., Washington, DC 20590

DOT—OST

Proposed Rule Stage

Phone: 202 366-9605

RIN: 2105-AC71

1867. NONDISCRIMINATION ON THE BASIS OF DISABILITY IN AIR TRAVEL**Priority:** Substantive, Nonsignificant**Legal Authority:** 14 USC 41702; 14 USC 41705; 14 USC 41712**CFR Citation:** 14 CFR 382**Legal Deadline:** None

Abstract: This proposed rule would add coverage under the Air Carrier Access Act to foreign air carriers and comprehensively revise and update 14 CFR part 382. It would also clarify new provisions in such areas as movable aisle armrests, preboarding announcements, and accessibility of carrier web sites.

Timetable:

Action	Date
NPRM	08/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4723

TDD Phone: 202 755-7687

Email: bob.ashby@ost.dot.gov

RIN: 2105-AC97

1868. DRUG AND ALCOHOL MANAGEMENT INFORMATION SYSTEM REPORTING**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 102, 301, 322, 5331, 20140, 31306, 45101**CFR Citation:** 49 CFR 40**Legal Deadline:** None

Abstract: This rule proposes to revise the management information system forms by standardizing the information collected and to reduce the amount of data reported by transportation employers. Annual drug and alcohol program data is currently submitted by the Federal Motor Carrier Safety Administration, Federal Aviation Administration, Federal Transit Administration, Federal Railroad Administration, Research and Special Programs Administration, and United States Coast Guard.

Timetable:

Action	Date
NPRM	08/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** State, Local

Agency Contact: Jim L. Swart, Drug and Alcohol Policy Advisor, Department of Transportation, Office of the Secretary, Room 10403, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-6369
Fax: 202 366-3897
Email: jim.swart@ost.dot.gov

RIN: 2105-AD14

1869. ● PROCEDURES FOR COMPENSATION OF AIR CARRIERS**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 107-42; PL 107-71, sec 124(d)**CFR Citation:** 14 CFR 330**Legal Deadline:** None

Abstract: This rule would adjust the amount of compensation available to two classes of carriers under the Air Transportation Safety and System Stabilization Act. The effect of the change would be to permit increased

compensation for some small air carriers.

Timetable:

Action	Date
NPRM	06/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Steven Hatley, Department of Transportation, Office of the Secretary, 6402, 400 7th Street, SW, Washington, DC 20590
Phone: 202 366-1213

Related RIN: Related To 2105-AD06

RIN: 2105-AD27

1870. ● TRANSPORTATION ACQUISITION REGULATION**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301**CFR Citation:** 12 CFR 1201 to 1253**Legal Deadline:** None

Abstract: The Department is updating 48 CFR chapter 12 to be in consonance with changes to the Federal Acquisition Regulation (48 CFR chapter 1).

Timetable:

Action	Date
NPRM	10/00/03

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None

Agency Contact: Elaine Wheeler, Senior Procurement Analyst, Department of Transportation, Office of the Secretary, Room 9401, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4272
Fax: 202 366-7510
Email: elaine.wheeler@ost.dot.gov

RIN: 2105-AD28

Department of Transportation (DOT)

Office of the Secretary (OST)

Final Rule Stage

1871. USE OF DIRECT FINAL RULEMAKING**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 1657**CFR Citation:** 49 CFR 5.21; 49 CFR 5.35**Legal Deadline:** None

Abstract: The Department is considering a new rulemaking

procedure to expedite the processing of noncontroversial changes to its regulations. Rules that the Secretary judges to be unlikely to result in public comment would be published as direct final rules. Such direct final rules

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would advise the public that no adverse comment is anticipated and that, unless written adverse comment or notice of intent to submit such comment is received within a specified number of days, the rule will become effective 60 days from the date of publication in the Federal Register.

Timetable:

Action	Date
NPRM	08/04/95 60 FR 39919
NPRM Comment Period End	10/03/95
Final Action	08/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Neil Eisner, Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, Room 10424 Nassif Building, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4723

Fax: 202 366-9313

RIN: 2105-AC11**1872. OVERBOOKING OF FLIGHTS: ELIMINATION OF AIRPORT NOTICE SIGNS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 401; 49 USC 411; 49 USC 413; 49 USC 417**CFR Citation:** 14 CFR 250**Legal Deadline:** None

Abstract: Due to significant growth of electronic ticketing in the period since this proposal was issued, the Department cannot rely to the same extent on advance distribution of the Oversales ticket notice. Consequently, we are not prepared to eliminate the requirement for an Oversales airport sign without further review of the matter. Accordingly, the proposal will be withdrawn. This action would eliminate a consumer notice about airline overbooking of flights that is required to appear on signs at airports, city ticket offices, and travel agencies. However, that information would be available to consumers because it must accompany every ticket.

Timetable:

Action	Date
NPRM	06/03/96 61 FR 27818

Action	Date
NPRM Comment Period End	07/18/96
To Be Withdrawn	12/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: Other rulemakings: RIN 2105-AA88, Simplified Airline Counter-Sign Notices. RIN 2105-AC36, Ticketless Travel: Passenger Notices, Statement of Compliance Policy published 4/22/97, 62 FR 19473.

Agency Contact: Tim Kelly, Aviation Consumer Protection Division, Office of the General Counsel, Department of Transportation, Office of the Secretary, C-75, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5952

RIN: 2105-AC45**1873. FEES AND CHARGES FOR SPECIAL SERVICES: REINVENTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 40101; 49 USC 46101; 31 USC 9701**CFR Citation:** 14 CFR 389**Legal Deadline:** None

Abstract: This action would remove or update obsolete provisions and organizational references, and adjust the fee schedule for certain special services related to aviation economic proceedings that the Department makes available to the public. The regulation has not been comprehensively updated since 1985 and the revisions will take the form of a complete reissuance of part 389.

Timetable:

Action	Date
NPRM	01/21/99 64 FR 3229
NPRM Comment Period End	03/22/99
Final Action	08/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal

Agency Contact: John Miller, Analyst, Planning and Special Projects Office, Department of Transportation, Office of the Secretary, X-60, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4868

RIN: 2105-AC47**1874. +COMPUTER RESERVATIONS SYSTEM REGULATIONS COMPREHENSIVE REVIEW****Priority:** Other Significant**Legal Authority:** 49 USC 41712; 49 USC 40101(a); 49 USC 40113(a); 49 USC 40105**CFR Citation:** 14 CFR 255; 14 CFR 399**Legal Deadline:** Final, Statutory, December 31, 1997.

Abstract: The Department regulates computer reservations systems owned by airlines or airline affiliates that are used by travel agencies. The current rules are designed to prevent the systems from unreasonably prejudicing the competitive position of other airlines and to ensure that travel agencies can provide accurate and unbiased information to the public. The Department is reexamining its rules to see whether they should be readopted and, if so, whether they should be changed in response to greater use of the Internet in airline reservations and ticketing and changes in the industry. The Department is also reviewing its policies on the requirements for advertising fares by airline travel agencies that charge fees for brokering airline tickets. As part of this action, we will be looking at ways to lessen impacts on small entities.

Statement of Need: The Department's existing rules require the Department to reexamine whether the rules are necessary and effective. In addition, two developments since the Department's last review of rules necessitate a reexamination. Those developments are the growing role of the Internet in airline distribution and the decline in airline control of the systems. A number of airlines obtain a large share of their bookings from their own Web sites, online travel agencies account for a significant share of all airline bookings, and the two largest systems operating in the United States are not owned by any airline.

Summary of Legal Basis: The Department has the authority under 49 U.S.C. 41712 to prohibit unfair and deceptive practices and unfair methods of competition in the sale of air transportation by airlines and ticket agents. The Department accordingly may prohibit conduct by airlines and

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ticket agents that is likely to cause deception or violate the antitrust laws or antitrust principles. The original CRS rules were affirmed in *United Air Lines v. CAB*, 766 F.2d 1107 (7th Cir. 1985).

Alternatives: The Department will consider alternatives ranging from allowing some or all of the rules to expire at their sunset date to readopting the rules with some additional provisions. The Department has issued two advance notices of proposed rulemaking asking for comment on whether the rules remain necessary in light of the developments in airline distribution and the systems' declining airline control and on whether rules are necessary for governing the sale of airline services through the Internet. The rules can be phased out or eliminated, along with comment on whether the rules should be strengthened in several respects raised by the comments on the advance notices of proposed rulemaking.

Anticipated Cost and Benefits: The Department will include a preliminary regulatory evaluation in its notice of proposed rulemaking.

Risks: The Department found in its last overall review of the rules that the systems had the ability and potential incentives to engage in conduct that could prejudice airline competition and cause consumers and their travel agents to receive misleading and inaccurate information on airline services. Systems could also engage in practices that would deny airlines and travel agencies a reasonable opportunity to use alternative electronic services that would provide information and booking capabilities. The rules may also impose costs on the systems and airlines. The Department will ask for comment on whether the risks still exist and, if so, whether the costs imposed by the rules outweigh the benefits provided by the rules.

Timetable:

Action	Date
ANPRM	09/10/97 62 FR 47606
Notice Extending Comment Period	10/30/97 62 FR 58700
Request for Comments	11/07/97 62 FR 60195
ANPRM Comment Period End	11/10/97
Extended Comment Period End	12/09/97

Action	Date
Notice Extending Reply Comment Period	01/23/98 63 FR 3491
Extended Comment Period End	02/03/98
SANPRM	07/24/00 65 FR 45551
SANPRM Comment Period End	09/22/00
SANPRM Reply Comment Period End	10/23/00
NPRM	11/15/02 67 FR 69366
NPRM Extension of Comment Period	12/09/02 67 FR 72869
NPRM Notice of Petition Response Date	01/09/03
NPRM Comment Period End	01/14/03
NPRM Reply Comment Period End	02/13/03
Extended Comment Period End	03/16/03
Extended Reply Comment Period End	05/15/03
Final Action	01/00/04

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** The extensions for the existing rule are under RINs 2105-AC75 and 2105-AD00 and AD09.

Agency Contact: Thomas Ray, Office of General Counsel, Department of Transportation, Office of the Secretary, C-30, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4731
Email: tom.ray@ost.dot.gov

RIN: 2105-AC65**1875. +UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NONPROFIT ORGANIZATIONS****Priority:** Other Significant**Legal Authority:** 49 USC 322(a)**CFR Citation:** 49 CFR 19**Legal Deadline:** None

Abstract: This action implements changes to OMB Circular A-110 that were issued by OMB on October 8, 1999, providing uniform guidance for administering grants to institutions of higher education, hospitals, and other

nonprofit organizations. The change provides guidance on making data produced under awards available to the public. The regulation is essentially a word-for-word issuance of the requirements in OMB Circular A-110. An interim final rule was issued because of the limited ability to change the requirements from those in the circular. We are awaiting OMB instructions regarding whether there will be any Governmentwide changes to the final rule.

Timetable:

Action	Date
Interim Final Rule	03/16/00 65 FR 14406
Final Action	08/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4723
TDD Phone: 202 755-7687
Email: bob.ashby@ost.dot.gov

RIN: 2105-AC83**1876. +AMERICANS WITH DISABILITIES ACT ACCESSIBILITY STANDARDS****Priority:** Other Significant**Legal Authority:** 5 USC 552a**CFR Citation:** 49 CFR 27; 49 CFR 37**Legal Deadline:** None

Abstract: The Department of Transportation is proposing to amend its rules implementing the Americans with Disabilities Act (ADA) by adopting as its standards revised accessibility guidelines proposed by the Architectural and Transportation Barriers Compliance Board (Access Board). The Access Board published a notice of proposed rulemaking (NPRM) to revise and update the accessibility guidelines for the ADA and the Architectural Barriers Act (ABA) in the November 16, 1999, issue of the Federal Register. This rule would adopt the Access Board's revised and updated ADA guidelines and make a conforming change to the Department's rule implementing the ADA.

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Timetable:

Action	Date	
NPRM	08/08/00	65 FR 48444
NPRM Comment Period End	09/07/00	
Final Action	08/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2105-AC86

1877. PARTICIPATION BY MINORITY BUSINESS ENTERPRISES (DBE) IN DEPARTMENT OF TRANSPORTATION FINANCIAL ASSISTANCE PROGRAMS: THRESHOLD REQUIREMENTS AND OTHER TECHNICAL REVISIONS

Priority: Substantive, Nonsignificant**Legal Authority:** PL 105-178, TEA-21; PL 102-581**CFR Citation:** 49 CFR 26.11 (Revision); 49 CFR 26.21 (Revision); 49 CFR 26.37 (Revision); 49 CFR 26.45 (Revision); 49 CFR 26.55 (Revision)**Legal Deadline:** None

Abstract: This rulemaking changes the threshold requirements for Federal Transit Administration and Federal Aviation Administration recipients to establish DBE programs and overall goals. Each August 1, recipients must submit DBE goals for the following fiscal year. This change will reduce burdens on entities receiving smaller Federal grants. This document also makes technical changes to 49 CFR part 26.

Timetable:

Action	Date	
Interim Final Rule	11/15/00	65 FR 68949
Interim Final Rule Effective	11/15/00	
Interim Final Rule Comment Period End	01/02/01	
Final Action	08/00/03	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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RIN: 2105-AC89

1878. PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN DEPARTMENT OF TRANSPORTATION PROGRAMS

Priority: Substantive, Nonsignificant**Legal Authority:** 23 USC 324; 42 USC 2000d et seq; 49 USC 1611, 47107, 47113, 47123; EO 12138; 3 CFR 1951 comp., p. 393, sec 1101 (b); ...**CFR Citation:** 49 CFR 2a, subpart G**Legal Deadline:** Final, Statutory, June 30, 1993.

Abstract: In May 1997, the Department issued a supplemental notice of proposed rulemaking (SNPRM) to revise its disadvantaged business enterprise (DBE) regulation. The SNPRM included proposals for revising the airport concessions portion of the DBE program. When the Department, in February 1999, issued a final rule based on the SNPRM, we did not publish a final version of the airport concessions proposal.

On September 8, 2000, DOT issued a second SNPRM seeking comments on an airport concessions subpart to part 26. The SNPRM took into account comments on the May 1997 SNPRM, adapted provisions of the rest of part 26 to the concessions context, and proposed options for provisions affecting car rental operations at airports. These options were based in part on a memorandum of understanding between the American Car Rental Association and the Airport Minority Advisory Council making recommendations to the Department on this aspect of the rulemaking. This SNPRM was inadvertently published under RIN 2105-AB92.

This rule would respond to comments on the September 8, 2000, SNPRM and establish a revised 49 CFR part 23.

Timetable:

Action	Date	
SNPRM	09/08/00	65 FR 54454

Action	Date
SNPRM Comment Period End	10/23/00
Final Action	08/00/03

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State, Local

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RIN: 2105-AC91

1879. NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 794; 42 USC 2000d to 2000d-7; 42 USC 6101 to 6107; EO 12250**CFR Citation:** 49 CFR 21; 49 CFR 27**Legal Deadline:** None

Abstract: This rule would amend DOT's regulations implementing title VI of the Civil Rights Act of 1964 (title VI), section 504 of the Rehabilitation Act of 1972 (section 504), and the Age Discrimination Act of 1975 (Age Discrimination Act). Together, these statutes prohibit discrimination on the basis of race, color, national origin, disability, and age in programs or activities that receive Federal financial assistance. In 1988, the Civil Rights Restoration Act (CRRA) added definitions of "program or activity" and "program" to title VI and added a definition of "program or activity" to section 504 and the Age Discrimination Act. The added definitions were designed to clarify the broad scope of coverage of recipients' programs or activities under these statutes. The promulgation of this regulation would incorporate the CRRA's definition of "program or activity" and "program" into title VI, section 504, and the Age Discrimination Act regulations. This regulation would also promote consistency and enforceability of these statutes. This is a joint rulemaking with other Federal agencies.

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Timetable:

Action	Date
NPRM	12/06/00 65 FR 76460
NPRM Comment Period End	01/05/01
Final Action	09/00/03
Final Action Effective	10/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal

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RIN: 2105-AC96

1880. OVER-THE-ROAD BUSES: EXTENSION OF DUE DATE FOR INFORMATION COLLECTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 12101 to 12213; 49 USC 322

CFR Citation: 49 CFR 37

Legal Deadline: None

Abstract: The Department of Transportation is amending its Americans with Disabilities Act regulations concerning accessibility of over-the-road buses with respect to information collection requirements. The amendments would postpone the requirement for bus companies to submit information reporting ridership on accessible fixed route service and the acquisition of buses and would designate the Federal Motor Carrier Safety Administration as the recipient of the data.

Timetable:

Action	Date
Interim Final Rule	02/06/01 66 FR 10968
Final Action	08/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 2105-AC98

1881. STANDARD TIME ZONE BOUNDARY IN THE STATE OF NORTH DAKOTA: MORTON COUNTY

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 260 to 267

CFR Citation: 49 CFR 71

Legal Deadline: None

Abstract: This rule would relocate Morton County, ND, from mountain time to central time. This action is based on a request from the Chairman of the Board of County Commissioners for Morton County, ND.

Timetable:

Action	Date
NPRM	08/03/01 66 FR 40666
NPRM Comment Period End	09/17/01
Final Action	08/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4723

RIN: 2105-AD03

1882. REPORTING REQUIREMENT FOR AIR CARRIERS REGARDING DISABILITY-RELATED COMPLAINTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 41702; 49 USC 41705

CFR Citation: 49 CFR 382

Legal Deadline: Other, Statutory, Implementation of Plan Required by PL 106-181, sec 707.

Abstract: The rule would require most certificated U.S. air carriers and foreign air carriers operating to and from the U.S. that conduct passenger-carrying service to record and categorize complaints that they receive alleging inadequate accessibility or discrimination on the basis of disability according to the type of disability and nature of complaint, prepare a

summary report of those complaints, submit the report annually to the Department of Transportation's Aviation Consumer Protection Division, and retain copies of correspondence and record of action on disability-related complaints for 3 years.

Timetable:

Action	Date
NPRM	02/14/02 67 FR 6892
Extension of Comment Period	04/10/02 67 FR 17308
NPRM Comment Period End	04/15/02
Extended Comment Period End	06/01/02
Final Rule	08/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2105-AD04

1883. NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PROGRAMS AND ACTIVITIES RECEIVING OR BENEFITTING FROM FEDERAL FINANCIAL ASSISTANCE; TRANSPORTATION SERVICES FOR INDIVIDUALS WITH DISABILITIES (ADA)

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 16(a); 49 USC 16 (d); 49 USC 142; 42 USC 12101 to 12213; 47 USC 225; 49 USC 322; ...

CFR Citation: 44 CFR 27; 44 CFR 37

Legal Deadline: None

Abstract: This rule would create a procedure within the Department to improve coordination of guidance and

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interpretations related to disability issues.

Timetable:

Action	Date
Final Rule	08/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 2105-AD05

1884. • STANDARD TIME ZONE BOUNDARY IN THE STATE OF NORTH DAKOTA: PROPOSED RELOCATION OF SIOUX COUNTY

Priority: Substantive, Nonsignificant

Legal Authority: PL 97-449; PL 99-359; 49 CFR 159(a)

CFR Citation: 49 CFR 71

Legal Deadline: None

Abstract: This action would relocate the boundary between mountain time and central time in the State of North Dakota by moving all of the county east of State Highway 31 into the central time zone.

Timetable:

Action	Date
NPRM	09/17/02 67 FR 58578
NPRM Comment Period End	10/17/02
Final Action	08/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4723

RIN: 2105-AD17

1885. • MAINTENANCE OF AND ACCESS TO RECORDS PERTAINING TO INDIVIDUALS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552a

CFR Citation: 49 CFR 10

Legal Deadline: Final, Statutory, February 25, 2003, Program supported by this SOR must be initiated by 02/25/2003.

Abstract: DOT, for the Transportation Security Administration, is establishing a program to train and equip flight crews of scheduled airlines with firearms. This action would exempt the Privacy Act System of Records supporting this program from certain provisions of the Privacy Act.

Timetable:

Action	Date
Interim Final Rule	05/00/03

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 2105-AD18

1886. DISADVANTAGED BUSINESS ENTERPRISES (DBE) AIRPORT CONCESSIONAIRES SIZE STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 200d et seq; 49 USC 47107 and 47123; EO 12138; 3 CFR; 1979 Comp., p. 393

CFR Citation: 49 CFR 23

Legal Deadline: None

Abstract: This action would adjust the size standards for current Disadvantaged Business Enterprises (DBE) concessionaires.

Timetable:

Action	Date
NPRM	12/12/02 67 FR 76327
NPRM Comment Period End	01/27/03
Final Action	08/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local

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1887. • MAINTENANCE OF AND ACCESS TO RECORDS ABOUT INDIVIDUALS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552a

CFR Citation: 49 CFR 10, app

Legal Deadline: None

Abstract: This action would provide exemptions from provisions of the Privacy Act for three Privacy Act Systems of Records to be maintained by DOT's Transportation Security Administration.

Timetable:

Action	Date
NPRM	12/24/02 67 FR 78403
NPRM Comment Period End	02/24/03
Final Action	06/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2105-AD22

1888. • PRIVACY ACT OF 1974

Priority: Substantive, Nonsignificant

Legal Authority: PL 93-579; 49 USC 322

CFR Citation: 49 CFR 10

Legal Deadline: None

Abstract: This rulemaking would add a system of records to the list of the

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Department of Transportation Privacy Act Systems of records that are exempt from one or more provisions of the Privacy Act.

Timetable:

Action	Date
NPRM	01/15/03 68 FR 2002
NPRM Comment Period End	03/17/03
Final Action	06/00/03

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 2105-AD23

1889. • +EXTENSION OF COMPUTER RESERVATION SYSTEMS (CRS) REGULATIONS

Priority: Other Significant

Legal Authority: 49 USC 41712

CFR Citation: 14 CFR 255

Legal Deadline: None

Abstract: This rulemaking would maintain the existing CRS rules while

the Department of Transportation completes its reexamination of whether the rules are still necessary. This rulemaking is considered significant because of public and congressional interest.

Timetable:

Action	Date
NPRM	02/13/03 68 FR 7325
NPRM Comment Period End	02/28/03
Final Action	05/00/03

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Thomas Ray, Office of General Counsel, Department of Transportation, Office of the Secretary, C-30, 400 Seventh Street SW., Washington, DC 20590
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Related RIN: Related To 2105-AC65

RIN: 2105-AD24

1890. • PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 102, 301, 322, 5331, 20140, 31306, 45101

CFR Citation: 49 CFR 40

Legal Deadline: None

Abstract: This rule would amend the creatinine concentration criterion used for determining when an employee has substituted a urine specimen used for drug testing.

Timetable:

Action	Date
Interim Final Rule	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2105-AD26

Department of Transportation (DOT)

Office of the Secretary (OST)

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1891. POLICY STATEMENT ON AIRLINE PREEMPTION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 41713

CFR Citation: 14 CFR 399

Legal Deadline: None

Abstract: The Civil Aeronautics Board in 1979 issued an interim Policy Statement on preemption. It discusses the policy of the Department with respect to three areas in which State law has been preempted by the Airline Deregulation Act of 1978: Regulation of commuter air carriers and air taxis, the rights of airport proprietors, and general State authority as it directly or indirectly affects air transportation competition. The Supreme Court has classified that section 105 of the Americans with Disabilities Act (ADA)

preempts even indirect State regulation that "has a connection with or reference to" airline rates, routes, or services, but does not preempt State contract law with respect to interpretation and enforcement of agreements voluntarily entered into by air carriers. Other courts continue to issue decisions applying this provision to a multitude of different circumstances. The Department believes that this process of exploring the interpretation of section 105 will continue, and is considering the admissibility of terminating this proceeding.

Timetable:

Action	Date
Interim Final Rule	02/15/79 44 FR 9948

Action	Date
Interim Final Rule	04/16/79

Comment Period End

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: PS DR-56, Docket 34684 The 1995 decision issued by the Supreme Court is American Airlines v. Wolens (S. Ct. No. 93-1286).

Agency Contact: Paul Smith, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

DOT—OST

Long-Term Actions

Phone: 202 366-9285

RIN: 2105-AA46

1892. +ACCESSIBILITY OF PASSENGER VESSELS TO INDIVIDUALS WITH DISABILITIES

Priority: Other Significant

Legal Authority: 42 USC 12101 et seq; PL 101-336, Americans with Disabilities Act

CFR Citation: 49 CFR 37

Legal Deadline: None

Abstract: The Department's Americans with Disabilities Act (ADA) final rule, published September 6, 1991 (56 FR 45584), reserved portions of the rule concerning passenger vessels. The ADA covers passenger vessels, but issuing accessibility requirements for vessels involves complex issues unlike those affecting land transportation. This action will address these issues and propose feasible requirements to make passenger vessels accessible to, and usable by, individuals with disabilities. DOT is participating in an ongoing advisory committee effort convened by the Access Board to study passenger vessel accessibility issues. September and November 1998 meetings were held. This rulemaking is considered significant because of substantial public and congressional interest.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

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RIN: 2105-AB87

1893. USE OF OXYGEN BY AIR CARRIER PASSENGERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 41705

CFR Citation: 14 CFR 382

Legal Deadline: None

Abstract: The Department is considering the use of regulatory

negotiation to seek consensus among air carriers, consumers, airports, equipment manufacturers, oxygen suppliers, and safety regulators concerning the use of oxygen by passengers on air carriers when individuals need special private supplies. The need for action stems from a current situation where not all carriers allow passengers to bring their own oxygen aboard. Issues involve conformance with RSPA and FAA hazardous materials rules and the question of providing oxygen during long layovers. The Department is considering whether to begin a regulatory negotiation.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2105-AC29

1894. +DOMESTIC PASSENGER MANIFEST INFORMATION

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 49 USC 40101; 49 USC 40113 to 40114; 49 USC 41702; 49 USC 41708 to 41709; 49 USC 41711; 49 USC 46301; 49 USC 46310; 49 USC 46316

CFR Citation: 14 CFR 243

Legal Deadline: None

Abstract: This notice requested comments concerning operational and cost issues related to U.S. air carriers

collecting information such as full name, date of birth and/or social security number, emergency contact, and telephone number from passengers traveling on flights within the United States. This notice was issued on the Department's initiative in response to difficulties with notification in the aftermath of domestic aviation disasters and to comply with a recommendation contained in the initial report of the White House Commission on Aviation Safety and Security (1996) that urged the Department to explore immediately the costs and effects of a comprehensive passenger manifest requirement on the domestic aviation system. DOT will review the implementation of the international passenger manifest requirements (RIN 2105-AB78, 2/18/98, 63 FR 8258) as it determines how to proceed with this rulemaking.

Timetable:

Action	Date
ANPRM	03/13/97 62 FR 11789
ANPRM Comment Period End	05/12/97
Comment Period Reopened	05/30/97 62 FR 29313
Comment Period End	06/20/97
Next Action Undetermined	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Bernestine Allen, Director, Office of International Transportation and Trade, Department of Transportation, Office of the Secretary, X-20, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4368

RIN: 2105-AC62

1895. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) AND GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE GRANTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 103-355; EO 11738; EO 12549; EO 12689

CFR Citation: 49 CFR 29; 49 CFR 32

Legal Deadline: None

Abstract: This action would provide DOT-specific amendments for a uniform Governmentwide rule on

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debarment and suspension (nonprocurement) and drug-free workplace.

Timetable:

Action	Date
NPRM	01/23/02 67 FR 3266
NPRM Comment Period End	03/25/02
Next Action Undetermined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ladd Hakes, Department of Transportation, Office of the Secretary, Office of the Senior Executive (M-62), 400 Seventh Street, SW, Washington, DC 20590
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RIN: 2105-AD01

1896. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)/ GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (FINANCIAL ASSISTANCE)

Priority: Substantive, Nonsignificant

Legal Authority: EO 11738; EO 12689; EO 12549; PL 103-355; PL 108; 31 USC 6101

CFR Citation: 49 CFR 29; 49 CFR 32

Legal Deadline: None

Abstract: Executive Orders 12549 and 12689 established a Governmentwide system for nonprocurement suspension and debarment. All Federal departments and major agencies codified these requirements as part of a common rule. DOT is joining 34 other departments and major agencies to update those requirements. Part one of this action is separating the drug-free workplace provisions from the existing

common rule and placing them in a separate part.

Timetable:

Action	Date
NPRM	01/23/02 67 FR 3266
NPRM Comment Period End	03/25/02
Next Action Undetermined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

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RIN: 2105-AD07

**Department of Transportation (DOT)
Office of the Secretary (OST)**

Completed Actions

1897. DIRECT FLIGHTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 1381

CFR Citation: 14 CFR 399

Legal Deadline: None

Abstract: Donald L. Pevsner petitioned the Civil Aeronautics Board (CAB) to institute a rulemaking proceeding to ban use of the term "direct flight" because it is deceptive, and to declare use of the term to be a prima facie violation of section 411 of the Federal Aviation Act of 1958. The Department is terminating this entry because the petition was denied.

Timetable:

Action	Date
Terminated	04/29/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: The petition is filed in Docket 41217.

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4723

RIN: 2105-AA73

1898. +STATEMENT OF ENFORCEMENT POLICY ON REBATING

Priority: Other Significant

Legal Authority: 5 USC 601; 49 USC 1301 to 1302; 49 USC 1305; 49 USC 1324(a); 49 USC 1371 to 1379; 49 USC 1381 to 1382; 49 USC 1384; 49 USC 1386; 49 USC 1461; 49 USC 1481 to 1482; 49 USC 1502; 49 USC 1504

CFR Citation: 14 CFR 399.80; 14 CFR 399.85

Legal Deadline: None

Abstract: Airlines are required by 49 USC 41510, formerly section 403 of the Federal Aviation Act, to file tariffs with the Department that state their passenger fares, cargo rates, and associated charges in foreign air transportation. On October 21, 1988, the Department issued an NPRM (53 FR 41353) in response to concerns raised by travel agents concerning rebating of international airline prices. The NPRM proposed to establish an enforcement policy concerning the rebating of international airline prices, as a policy statement, in the regulations on

aviation proceeding. Since publication of the NPRM, many conditions in the airline industry related to rebating have changed. For example, the United States has increasingly negotiated with success for liberal pricing regimes in our bilateral agreements with foreign nations. Therefore, the Department believes that the proposed enforcement policy is no longer necessary and is withdrawing the 1988 NPRM.

Timetable:

Action	Date
NPRM	10/21/88 53 FR 41353
NPRM Comment Period End	12/20/88
NPRM Comment Period Extended	02/03/89 54 FR 5497
Correction	02/10/89 54 FR 6475
Extended Comment Period End	02/21/89
Withdrawn	12/05/02 67 FR 72396

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Betsy Wolf, Senior Trial Attorney, Office of the General Counsel, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

DOT—OST

Completed Actions

Phone: 202 366-9349

RIN: 2105-AB39

1899. ELECTRONIC FILING OPTION IN DOT PROCEEDINGS**Priority:** Info./Admin./Other**Legal Authority:** 49 USC 322; 49 USC 1655; 49 USC 1657; 45 USC 431**CFR Citation:** 14 CFR 11**Legal Deadline:** None

Abstract: This action is terminated because it was inadvertently placed on the agenda. A document was published in the Federal Register (63 FR 28545, 05/26/1998) announcing the Department's efforts in offering an electronic filing option.

Timetable:

Action	Date	
Notice Requesting Comment	05/26/98	63 FR 28545
Comment Period End	07/27/98	
Terminated	04/03/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Charlotte Boeck, Administrative Officer, Office of the General Counsel, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20015

Phone: 202 366-4713

RIN: 2105-AC79

1900. NONDISCRIMINATION IN AIR TRAVEL; BOARDING WHERE LEVEL-ENTRY IS UNAVAILABLE**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 41702; 49 USC 41705; 49 USC 41712**CFR Citation:** 14 CFR 382**Legal Deadline:** None

Abstract: This action requires air carriers and airports to work jointly to make lifts or other boarding devices available for aircraft, of whatever size, where level-entry loading bridges or existing lifts are not present. This action is intended to facilitate the boarding of aircraft by individuals with disabilities. It amends existing rules that implement the Air Carrier Access Act of 1986 and the Rehabilitation Act of 1973.

Timetable:

Action	Date	
NPRM	08/26/99	64 FR 46611
NPRM Comment Period End	11/24/99	
Final Action	05/03/01	66 FR 22107
Final Action Effective	06/04/01	
Final Action: Correction	10/10/01	66 FR 51556
Final Action: Correction Effective	11/09/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4723

TDD Phone: 202 755-7687

Email: bob.ashby@ost.dot.gov

RIN: 2105-AC81

1901. PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES (DBE) IN DEPARTMENT OF TRANSPORTATION PROGRAMS: MEMORANDUM OF UNDERSTANDING WITH SMALL BUSINESS ADMINISTRATION; UNIFORM FORMS AND OTHER REVISIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-178; 112 Stat. 107 and 113; 42 USC 2000d; PL 102-581**CFR Citation:** 49 CFR 26**Legal Deadline:** None

Abstract: This rule would implement a memorandum of understanding (MOU) between DOT and the Small Business Administration. The MOU would establish reciprocity and streamline certification procedures for participation in SBA's 8(a) Business Development and Small Disadvantaged Business program, and DOT's DBE program. This document would provide a uniform certification application form and a uniform reporting form.

Timetable:

Action	Date	
NPRM	05/08/01	66 FR 23208
NPRM Comment Period End	06/07/01	

Action	Date
Merged With RIN 2105-AC89	03/10/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local

Agency Contact: Laura Aguilar, Attorney, Department of Transportation, Office of the Secretary, C-10, Room 10102
Phone: 202 366-0365
Fax: 202 366-9170
Email: laura.aguilar@ost.dot.gov

RIN: 2105-AC88

1902. • BOARD FOR CORRECTION OF MILITARY RECORDS OF THE COAST GUARD**Priority:** Substantive, Nonsignificant**Legal Authority:** 10 USC 1552; 14 USC 425**CFR Citation:** 33 CFR 52**Legal Deadline:** None

Abstract: This rulemaking would revise and reissue the procedural regulations of the Board for Correction of Military Records of the Coast Guard. It would clarify application procedures, applicants' legal rights, and the burden of proof; allow applicants to change their requests for relief, to submit evidence late, and to request extensions of the time to respond to the advisory opinion of the Chief Counsel of the Coast Guard without filing a new application or waiving their right to a timely decision; provide for administrative closure of cases when the Chair determines that an application has been erroneously docketed; facilitate Board decisions when the advisory opinions of the Chief Counsel are not timely received; increase the time provided for applicants to respond to the advisory opinion; facilitate the Board's review of privileged and classified information; clarify the Board's authority to order the Coast Guard to convene medical boards to evaluate applicants pursuant to applications for separations by reason of disability; clarify actions that may be taken by the delegate of the Secretary; and notify the public of the Board's reading room.

DOT—OST

Completed Actions

Timetable:

Action	Date
NPRM	12/11/02 67 FR 76142
NPRM Comment Period End	01/27/03
Final Action	03/03/03 68 FR 9882
Final Action Effective	04/02/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Dorothy J. Ulmer, Chair of the Board for Correction of Military Records, Department of Transportation, Office of the Secretary,

C-60, Board for Correction of Military Records, 400 7th Street SW., Washington, DC 20590

Phone: 202 366-9335

Fax: 202 366-7152

Email: bcmrcg@ost.dot.gov

RIN: 2105-AD19**Department of Transportation (DOT)**

Completed Actions

Transportation Security Administration (TSA)**1903. +IMPOSITION AND COLLECTION OF PASSENGER CIVIL AVIATION SECURITY SERVICE FEES****Timetable:**

Action	Date
Transferred to RIN 1652-AA00	03/04/03

RIN: 2110-AA01**1904. +AVIATION SECURITY INFRASTRUCTURE FEES****Timetable:**

Action	Date
Transferred to RIN 1652-AA01	03/04/03

RIN: 2110-AA02**1905. +CIVIL AVIATION SECURITY RULES****Timetable:**

Action	Date
Transferred to RIN 1652-AA02	03/04/03

RIN: 2110-AA03**1906. +SECURITY PROGRAMS FOR AIRCRAFT WEIGHING 12,500 POUNDS OR MORE****Timetable:**

Action	Date
Transferred to RIN 1652-AA03	03/04/03

RIN: 2110-AA04**1907. +PRIVATE CHARTER SECURITY RULES****Timetable:**

Action	Date
Transferred to RIN 1652-AA04	03/04/03

RIN: 2110-AA05**1908. PROTECTION OF SENSITIVE SECURITY INFORMATION IN INFORMATION CIRCULARS FOR NONAVIATION MODES OF TRANSPORTATION****Timetable:**

Action	Date
Transferred to RIN 1652-AA05	03/04/03

RIN: 2110-AA07**1909. +FINGERPRINT-BASED CRIMINAL HISTORY RECORDS CHECKS: ESCORTED ACCESS****Timetable:**

Action	Date
Transferred to RIN 1652-AA06	03/04/03

RIN: 2110-AA08**1910. INVESTIGATIVE AND ENFORCEMENT PROCEDURES****Timetable:**

Action	Date
Transferred to RIN 1652-AA07	03/04/03

RIN: 2110-AA09**1911. +PROTECTION OF SENSITIVE SECURITY INFORMATION FOR ALL MODES OF TRANSPORTATION****Timetable:**

Action	Date
Transferred to RIN 1652-AA08	03/04/03

RIN: 2110-AA10**1912. +SECURITY THREAT ASSESSMENTS FOR FEDERAL AVIATION ADMINISTRATION CERTIFICATE HOLDERS AND APPLICANTS****Timetable:**

Action	Date
Transferred to RIN 1652-AA12	03/04/03

RIN: 2110-AA14

Department of Transportation (DOT)
U.S. Coast Guard (USCG)
Completed Actions**1913. SAFETY AND SECURITY ZONE REGULATIONS****Timetable:**

Action	Date
Transferred to RIN 1625-AA00	02/05/03

RIN: 2115-AA97

1914. SPECIAL ANCHORAGE AREAS/ANCHORAGE GROUNDS REGULATIONS**Timetable:**

Action	Date
Transferred to RIN 1625-AA01	02/05/03

RIN: 2115-AA98

1915. +DISCHARGE-REMOVAL EQUIPMENT FOR VESSELS CARRYING OIL (CGD 90-068)**Timetable:**

Action	Date
Transferred to RIN 1625-AA02	02/05/03

RIN: 2115-AD66

1916. CLAIMS PROCEDURES UNDER THE OIL POLLUTION ACT OF 1990 (CGD 91-035)**Timetable:**

Action	Date
Transferred to RIN 1625-AA03	02/05/03

RIN: 2115-AD90

1917. REPORTING MARINE CASUALTIES (USCG-2000-6927)**Timetable:**

Action	Date
Transferred to RIN 1625-AA04	02/05/03

RIN: 2115-AD98

1918. +ESCORT VESSELS FOR CERTAIN TANKERS (CGD 91-202)**Timetable:**

Action	Date
Transferred to RIN 1625-AA05	02/05/03

RIN: 2115-AE10

1919. STATE ACCESS TO THE OIL SPILL LIABILITY TRUST FUND (CGD 92-014)**Timetable:**

Action	Date
Transferred to RIN 1625-AA06	02/05/03

RIN: 2115-AE19

1920. HANDLING OF EXPLOSIVES OR OTHER DANGEROUS CARGOES WITHIN OR CONTIGUOUS TO WATERFRONT FACILITIES (USCG-1998-4302)**Timetable:**

Action	Date
Transferred to RIN 1625-AA07	02/05/03

RIN: 2115-AE22

1921. REGATTA AND MARINE PARADE REGULATIONS**Timetable:**

Action	Date
Transferred to RIN 1625-AA08	02/05/03

RIN: 2115-AE46

1922. DRAWBRIDGE REGULATIONS**Timetable:**

Action	Date
Transferred to RIN 1625-AA09	02/05/03

RIN: 2115-AE47

1923. +ESCORT VESSELS IN CERTAIN U.S. WATERS (CGD 91-202A)**Timetable:**

Action	Date
Transferred to RIN 1625-AA10	02/05/03

RIN: 2115-AE56

1924. REGULATED NAVIGATION AREAS**Timetable:**

Action	Date
Transferred to RIN 1625-AA11	02/05/03

RIN: 2115-AE84

1925. +MARINE TRANSPORTATION-RELATED FACILITY RESPONSE PLANS FOR HAZARDOUS SUBSTANCES (USCG-1999-5705)**Timetable:**

Action	Date
Transferred to RIN 1625-AA12	02/05/03

RIN: 2115-AE87

1926. +TANK VESSEL RESPONSE PLANS FOR HAZARDOUS SUBSTANCES (USCG-1998-4354)**Timetable:**

Action	Date
Transferred to RIN 1625-AA13	02/05/03

RIN: 2115-AE88

1927. NUMBERING OF UNDOCUMENTED BARGES (USCG-1998-3798)**Timetable:**

Action	Date
Transferred to RIN 1625-AA14	02/05/03

RIN: 2115-AF13

1928. LICENSING AND MANNING FOR OFFICERS OF TOWING VESSELS (USCG 1999-6224)**Timetable:**

Action	Date
Transferred to RIN 1625-AA15	02/05/03

RIN: 2115-AF23

1929. +IMPLEMENTATION OF THE 1995 AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION, AND WATCHKEEPING FOR SEAFARERS, 1978 (STCW) (CGD 95-062)**Timetable:**

Action	Date
Transferred to RIN 1625-AA16	02/05/03

RIN: 2115-AF26

DOT—USCG

Completed Actions

1930. LIMITED SERVICE DOMESTIC VOYAGE LOAD LINES FOR RIVER BARGES ON LAKE MICHIGAN (USCG-1998-4623)**Timetable:**

Action	Date
Transferred to RIN 1625-AA17	02/05/03

RIN: 2115-AF38

1931. OUTER CONTINENTAL SHELF ACTIVITIES (USCG-1998-3868)**Timetable:**

Action	Date
Transferred to RIN 1625-AA18	02/05/03

RIN: 2115-AF39

1932. FIRE-SUPPRESSION SYSTEMS AND VOYAGE PLANNING FOR TOWING VESSELS (USCG 2000-6931)**Timetable:**

Action	Date
Transferred to RIN 1625-AA60	02/10/03

RIN: 2115-AF53

1933. RULES OF PRACTICE, PROCEDURE, AND EVIDENCE FOR ADMINISTRATIVE PROCEEDINGS OF THE COAST GUARD (USCG 1998-3472)**Timetable:**

Action	Date
Transferred to RIN 1625-AA59	02/10/03

RIN: 2115-AF59

1934. +SALVAGE AND MARINE FIREFIGHTING REQUIREMENTS; VESSEL RESPONSE PLANS FOR OIL (USCG-1998-3417)**Timetable:**

Action	Date
Transferred to RIN 1625-AA19	02/05/03

RIN: 2115-AF60

1935. DEEPWATER PORTS (USCG-1998-3884)**Timetable:**

Action	Date
Transferred to RIN 1625-AA20	02/05/03

RIN: 2115-AF63

1936. COMMERCIAL DIVING OPERATIONS (USCG-1998-3786)**Timetable:**

Action	Date
Transferred to RIN 1625-AA21	02/05/03

RIN: 2115-AF64

1937. +IMPROVEMENTS TO MARITIME SAFETY IN PUGET SOUND-AREA WATERS (USCG-1998-4501)**Timetable:**

Action	Date
Transferred to RIN 1625-AA22	02/05/03

RIN: 2115-AF68

1938. VESSEL TRAFFIC SERVICE LOWER MISSISSIPPI RIVER (USCG-1998-4399)**Timetable:**

Action	Date
Transferred to RIN 1625-AA58	02/10/03

RIN: 2115-AF75

1939. ANCHORAGE GROUND; SAFETY ZONE; SPEED LIMIT; TONGASS NARROWS AND KETCHIKAN, AK (CGD17-99-002)**Timetable:**

Action	Date
Transferred to RIN 1625-AA23	02/05/03

RIN: 2115-AF81

1940. TRAINING AND QUALIFICATIONS FOR PERSONNEL ON PASSENGER SHIPS (USCG 1999-5610)**Timetable:**

Action	Date
Transferred to RIN 1625-AA24	02/05/03

RIN: 2115-AF83

1941. ALTERNATE HULL EXAMINATION PROGRAM FOR CERTAIN PASSENGER VESSELS, AND UNDERWATER SURVEYS FOR PASSENGER, NAUTICAL SCHOOL, AND SAILING SCHOOL VESSELS (USCG-2000-6858)**Timetable:**

Action	Date
Transferred to RIN 1625-AA57	02/10/03

RIN: 2115-AF95

1942. CARGO SECURING ON VESSELS OPERATING IN U.S. WATERS (USCG-2000-7080)**Timetable:**

Action	Date
Transferred to RIN 1625-AA25	02/05/03

RIN: 2115-AF97

1943. ALLOWING ALTERNATIVE SOURCE TO INCANDESCENT LIGHTS, AND ESTABLISHING STANDARDS FOR NEW LIGHTS, IN PRIVATE AIDS TO NAVIGATION (USCG-2000-7466)**Timetable:**

Action	Date
Transferred to RIN 1625-AA55	02/05/03

RIN: 2115-AF98

1944. WEARING OF PERSONAL FLOTATION DEVICES (PFDS) BY CERTAIN CHILDREN ABOARD RECREATIONAL VESSELS (USCG-2000-8589)**Timetable:**

Action	Date
Transferred to RIN 1625-AA62	02/10/03

RIN: 2115-AG04

1945. +VESSEL AND FACILITY RESPONSE PLANS FOR OIL: 2003 REMOVAL EQUIPMENT REQUIREMENTS AND ALTERNATIVE TECHNOLOGY REVISIONS (USCG-2001-8661)**Timetable:**

Action	Date
Transferred to RIN 1625-AA26	02/05/03

RIN: 2115-AG05

DOT—USCG

Completed Actions

1946. +POST CASUALTY DRUG AND ALCOHOL TESTING (USCG-2001-8773)**Timetable:**

Action	Date
Transferred to RIN 1625-AA27	02/05/03

RIN: 2115-AG07

1947. +VESSEL DOCUMENTATION: LEASE FINANCING FOR VESSELS ENGAGED IN THE COASTWISE TRADE (USCG-2001-8825)**Timetable:**

Action	Date
Transferred to RIN 1625-AA28	02/05/03

RIN: 2115-AG08

1948. ELECTRONIC CHART DISPLAY AND INFORMATION SYSTEM (ECDIS) (USCG-2001-8826)**Timetable:**

Action	Date
Transferred to RIN 1625-AA29	02/05/03

RIN: 2115-AG09

1949. TERRITORIAL SEAS, NAVIGABLE WATERS, AND JURISDICTION (USCG-2001-9044)**Timetable:**

Action	Date
Transferred to RIN 1625-AA30	02/05/03

RIN: 2115-AG13

1950. FEDERAL REQUIREMENTS FOR PROPELLER INJURY AVOIDANCE MEASURES (USCG 2001-10163)**Timetable:**

Action	Date
Transferred to RIN 1625-AA31	02/05/03

RIN: 2115-AG18

1951. +STANDARDS FOR LIVING ORGANISMS IN SHIPS' BALLAST WATER DISCHARGED IN U.S. WATERS (USCG-2001-10486)**Timetable:**

Action	Date
Transferred to RIN 1625-AA32	02/05/03

RIN: 2115-AG21

1952. SAFETY ZONES FOR OUTER CONTINENTAL SHELF FACILITIES IN THE GULF OF MEXICO (CGD08-01-025)**Timetable:**

Action	Date
Transferred to RIN 1625-AA33	02/05/03

RIN: 2115-AG22

1953. UPDATE OF RULES ON AIDS TO NAVIGATION AFFECTING BUOYS, SOUND SIGNALS, INTERNATIONAL RULES AT SEA, COMMUNICATIONS PROCEDURES, AND LARGE NAVIGATIONAL BUOYS (USCG-2001-10714)**Timetable:**

Action	Date
Transferred to RIN 1625-AA34	02/05/03

RIN: 2115-AG25

1954. MARINE EVENTS: PERMIT PROCEDURES (USCG-2001-10713)**Timetable:**

Action	Date
Transferred to RIN 1625-AA35	02/05/03

RIN: 2115-AG26

1955. DRAWBRIDGE OPERATIONS REGULATIONS; REVISIONS (USCG-2001-10881)**Timetable:**

Action	Date
Transferred to RIN 1625-AA36	02/05/03

RIN: 2115-AG27

1956. +ALTERNATE TONNAGE CONVENTION: SMALL PASSENGER VESSELS**Timetable:**

Action	Date
Transferred to RIN 1625-AA37	02/05/03

RIN: 2115-AG29

1957. RATES FOR PILOTAGE ON THE GREAT LAKES (USCG-2002-11288)**Timetable:**

Action	Date
Transferred to RIN 1625-AA38	02/05/03

RIN: 2115-AG30

1958. SAFETY ZONE FOR OUTER CONTINENTAL SHELF FACILITY IN THE GULF OF MEXICO (CGD08-01-043)**Timetable:**

Action	Date
Transferred to RIN 1625-AA39	02/05/03

RIN: 2115-AG31

1959. WEARING OF PERSONAL FLOTATION DEVICES BY PERSONS OPERATING OR RIDING ON PERSONAL WATERCRAFT OR BEING TOWED BEHIND RECREATIONAL VESSELS (USCG-2002-11421)**Timetable:**

Action	Date
Transferred to RIN 1625-AA40	02/05/03

RIN: 2115-AG32

1960. NOTIFICATIONS OF ARRIVAL AND DEPARTURE IN PORTS OR PLACES IN THE UNITED STATES (USCG-2001-11865)**Timetable:**

Action	Date
Transferred to RIN 1625-AA41	02/05/03

RIN: 2115-AG35

1961. +AUTOMATIC IDENTIFICATION SYSTEM CARRIAGE REQUIREMENT (USCG-2002-11721)**Timetable:**

Action	Date
Transferred to RIN 1625-AA61	02/10/03

RIN: 2115-AG36

DOT—USCG

Completed Actions

1962. PORT SECURITY PLANS**Timetable:**

Action	Date
Transferred to RIN 1625-AA42	02/05/03

RIN: 2115-AG37

1963. FACILITY SECURITY PLAN**Timetable:**

Action	Date
Transferred to RIN 1625-AA43	02/05/03

RIN: 2115-AG38

1964. PASSENGER FACILITY SECURITY PLAN**Timetable:**

Action	Date
Transferred to RIN 1625-AA44	02/05/03

RIN: 2115-AG39

1965. MARITIME SECURITY: PASSENGER VESSEL SECURITY**Timetable:**

Action	Date
Transferred to RIN 1625-AA45	02/05/03

RIN: 2115-AG40

1966. +VESSEL SECURITY PLANS**Timetable:**

Action	Date
Transferred to RIN 1625-AA46	02/05/03

RIN: 2115-AG41

1967. IDENTIFICATION CREDENTIALS FOR MARITIME SECURITY**Timetable:**

Action	Date
Transferred to RIN 1625-AA47	02/05/03

RIN: 2115-AG42

1968. GREAT LAKES MARITIME ACADEMY — ELIGIBILITY OF CERTAIN GRADUATES FOR UNRESTRICTED THIRD-MATE LICENSES (USCG-2002-13213)**Timetable:**

Action	Date
Transferred to RIN 1625-AA64	02/10/03

RIN: 2115-AG43

1969. TRAFFIC SEPARATION SCHEMES: IN THE STRAIT OF JUAN DE FUCA AND ITS APPROACHES; IN PUGET SOUND AND ITS APPROACHES; IN HARO STRAIT, BOUNDARY PASS, AND IN THE STRAIT OF GEORGIA (USCG-2002-12702)**Timetable:**

Action	Date
Transferred to RIN 1625-AA48	02/05/03

RIN: 2115-AG45

1970. TEMPORARY REQUIREMENTS FOR NOTIFICATION OF ARRIVAL IN U.S. PORTS (USCG-2001-10689)**Timetable:**

Action	Date
Transferred to RIN 1625-AA49	02/05/03

RIN: 2115-AG47

1971. PROTECTION FOR WHISTLEBLOWERS IN COAST GUARD (USCG-2002-13016)**Timetable:**

Action	Date
Transferred to RIN 1625-AA50	02/05/03

RIN: 2115-AG49

1972. +PENALTIES FOR NON-SUBMISSION OF BALLAST WATER MANAGEMENT REPORTS (USCG-2002-13147)**Timetable:**

Action	Date
Transferred to RIN 1625-AA51	02/05/03

RIN: 2115-AG50

1973. +MANDATORY BALLAST WATER MANAGEMENT PROGRAM FOR U.S. WATERS (USCG-2003-14273)**Timetable:**

Action	Date
Transferred to RIN 1625-AA52	02/05/03

RIN: 2115-AG52

1974. COUNTRY OF ORIGIN CODES AND REVISION OF REGULATIONS ON HULL IDENTIFICATION NUMBERS (USCG-2003-14272)**Timetable:**

Action	Date
Transferred to RIN 1625-AA53	02/05/03

RIN: 2115-AG53

1975. SAFETY ZONE FOR OUTER CONTINENTAL SHELF FACILITY IN THE GULF OF MEXICO IN VIASCA KNOLL 915 (CGD08-02-045)**Timetable:**

Action	Date
Transferred to RIN 1625-AA54	02/05/03

RIN: 2115-AG54

1976. +VESSEL DOCUMENTATION: LEASE FINANCING FOR VESSELS ENGAGED IN THE COASTWISE TRADE; SECOND RULEMAKING (USCG-2003-14472)**Timetable:**

Action	Date
Transferred to RIN 1625-AA63	02/10/03

RIN: 2115-AG55

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

Prerule Stage

1977. • ISSUANCE OF STANDARD AIRWORTHINESS CERTIFICATES FOR AIRCRAFT MANUFACTURED FROM SPARE AND SURPLUS PARTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7572; 49 USC 106(g); 49 USC 40105; 49 USC 40113; 40 USC 44701 to 44702; 49 USC 44707; 49 USC 44709; 49 USC 44711; 49 USC 44713; 49 USC 44715; 49 USC 45303

CFR Citation: 14 CFR 21

Legal Deadline: None

Abstract: The FAA is considering rulemaking to preclude issuance of standard airworthiness certification to new aircraft under 14 CFR 21.183(d). This action will ask for general comments on both the policy issues and the potential impacts of the change.

Timetable:

Action	Date
ANPRM	05/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Frank P. Paskeiwicz, Production and Airworthiness Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8361

RIN: 2120-AH90

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

Proposed Rule Stage

1978. +NATIONAL AIR TOUR SAFETY STANDARDS

Priority: Other Significant

Legal Authority: 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716; 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44702; 49 USC 44705

CFR Citation: 14 CFR 91; 14 CFR 135

Legal Deadline: None

Abstract: FAA will propose new regulations for air tour and sightseeing operations that are currently allowed to operate under less stringent regulations than those applied to other types of commercial operations. Over the past decade the number of these operations and the number of accidents and incidents associated with these operations have increased. Hot air balloons and gliders would not be included in this amendment. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date
NPRM	07/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-91-012R. RIN 2120-AF61 which was proposed as a new item for this agenda was a duplicate of this rulemaking and has been terminated. This rulemaking was previously titled "Sightseeing Operations."

ANALYSIS: Regulatory Evaluation, 07/00/2003

Agency Contact: Alberta Brown, Air Transportation Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8321

RIN: 2120-AF07

1979. +FALSE AND MISLEADING STATEMENTS REGARDING AIRCRAFT PARTS

Priority: Other Significant

Legal Authority: 49 USC 44913

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This action proposes additional rules that would prohibit certain false or misleading statements regarding civil aircraft, airframes, aircraft engines, propellers, appliances, component parts, and materials, including standard parts, that are used, or may be used, on civil aircraft. The proposals would also permit increased inspection by the FAA of records regarding the quality of aircraft parts. The additional rules are needed to help prevent persons from representing parts as suitable for use on civil aircraft when in fact they may not be. The proposals are intended to provide assurance that aircraft owners and operators, and persons who maintain aircraft, have truthful information on which to determine whether a part may be used in a given civil aircraft application. This action is significant because of substantial public interest.

Timetable:

Action	Date
NPRM	09/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AVR-94-549R.

ANALYSIS: Regulatory Evaluation 08/00/01

Agency Contact: Beverly Sherkey, Department of Transportation, Federal Aviation Administration, 13873 Park Center Road, Herndon, VA 20172-3223
Phone: 703 661-0583

RIN: 2120-AG08

1980. +NOISE LIMITATIONS FOR AIRCRAFT OPERATIONS IN THE VICINITY OF GRAND CANYON NATIONAL PARK

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40109; 49 USC 40113; 49 USC 44502; 49 USC 44514; 49 USC 44701; 49 USC 44719; 49 USC 46301

CFR Citation: 14 CFR 93

Legal Deadline: None

Abstract: This rulemaking will establish noise limitations for certain aircraft operated in the vicinity of Grand Canyon National Park. This action is one part of an overall strategy to reduce further the impact of aircraft noise on the park environment and to assist the National Park Service (NPS) in achieving its statutory mandate

DOT—FAA

Proposed Rule Stage

imposed by Public Law 100-91 to provide for the substantial restoration of natural quiet and experience in Grand Canyon National Park. The supplemental amendment removes two sections from the December 31, 1996, notice of proposed rulemaking (NPRM) that proposed to establish a corridor through the National Canyon area as an incentive route for quiet technology aircraft. The FAA and NPS have determined not to proceed with an air tour route in the vicinity of National Canyon and are presently considering alternatives to this route. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date
NPRM	12/31/96 61 FR 69334
NPRM Comment Period End	03/31/97
SNPRM	07/15/98 63 FR 38232
SNPRM	03/24/03 68 FR 14276
SNPRM Comment Period End	06/23/03

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:**

Undetermined

Additional Information: A final rule, which was published on 12/31/96 (61 FR 69302), establishes new operating restrictions at Grand Canyon National Park. See RIN 2120-AF93 published elsewhere in this Agenda.

ANALYSIS: Regulatory Evaluation, 12/31/96, 61 FR 69334

Agency Contact: Tom Connor, Office of Energy and Environment, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8933

RIN: 2120-AG34**1981. +LICENSING AND SAFETY REQUIREMENTS FOR LAUNCH****Priority:** Other Significant**Legal Authority:** 49 USC 70101 to 70119**CFR Citation:** 14 CFR 415; 14 CFR 417**Legal Deadline:** None

Abstract: This action would establish requirements for licensing the conduct of a launch from a non-Federal launch

site. The law requires anyone who proposes to conduct a launch within the United States, or a U.S. citizen proposing to conduct a launch site outside the United States, to obtain a license from DOT. This action would govern obtaining a license to conduct such a launch. Currently, commercial rocket launches take place from Federal Government installations operated by the Department of Defense and NASA. Licensing requirements for those launches are being developed in a related licensing rulemaking (RIN 2120-AF99). In this action, DOT proposes to implement rules regarding obtaining a license to conduct a launch from a commercial launch site, where DOT, rather than NASA or the military, has primary responsibility.

Timetable:

Action	Date
NPRM	10/25/00 65 FR 63922
NPRM Comment Period End	02/22/01
SNPRM	07/30/02 67 FR 49456
NPRM: Additional Information	08/27/02 67 FR 54978
NPRM	05/00/03

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:**

Undetermined

Additional Information: Project Number: AST-97-088R.

ANALYSIS: Regulatory Evaluation, 10/25/00, 65 FR 63922.

Agency Contact: Michael Dook, Licensing and Safety Division, Office of Commercial Space, Department of Transportation, Federal Aviation Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9305

RIN: 2120-AG37**1982. +CHILD RESTRAINT SYSTEMS****Priority:** Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715 to 44718; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46502

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: This action sought public comment on issues relating to the use of child restraint systems in aircraft during all phases of flight (i.e., taxi, takeoff, landing, or any other time the seat belt sign is illuminated). Specifically, the agency sought information about existing child restraint systems, the development of new and improved child restraint systems, the ease with which existing or new child restraint systems can be used, and the effectiveness of changing the current child restraint system regulations. The advance notice gathered information in response to a recommendation made by the White House Commission on Aviation Safety and Security. Approximately 130 comments were received on the ANPRM. This information is needed so that the FAA can determine the best way to ensure the safety of children while on board aircraft. After such a determination is made, the FAA may issue a Notice of Proposed Rulemaking with specific regulatory proposals that respond to the Commission's recommendations regarding the use of child restraint systems. This action is considered significant because of safety implications.

Timetable:

Action	Date
ANPRM	02/18/98 63 FR 8324
ANPRM Comment Period End	06/18/98
NPRM	10/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:**

Undetermined

Additional Information: Project Number: AFS-97-261R

Agency Contact: Cindy Nordlie, Office of Rulemaking, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7627

Nancy L. Claussen, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 2800 44th N. Street, Suite 450, Phoenix, AZ 85008
Phone: 602 379-4864

RIN: 2120-AG43

DOT—FAA

Proposed Rule Stage

1983. REVISION OF AIR CARRIER CREWMEMBER AND TRAINING REGULATIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701; 49 USC 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105**CFR Citation:** 14 CFR 60; 14 CFR 121**Legal Deadline:** None**Abstract:** This action proposes to revise title 14 of the Code of Federal Regulations part 121 subparts N, O, and P. The proposed revision and creation will address Advanced Qualification Programs and additional training programs. The rulemaking is needed to enhance crew resource management training, to permit rapid changes to training and checking requirements for emerging technologies, to improve safety, and to respond to numerous recommendations from various sources.**Timetable:**

Action	Date
NPRM	12/00/03

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Project Number: AFS-97-335R.**Agency Contact:** Jan Demuth, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8166**RIN:** 2120-AG57**1984. +TRAINING IN THE RECOGNITION OF HAZARDOUS MATERIAL****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903; 49 USC 44912; 49 USC 46105**CFR Citation:** 14 CFR 121; 14 CFR 135**Legal Deadline:** None**Abstract:** The FAA is proposing to amend its hazardous materials (hazmat) training requirements for air carriers and commercial operators certificated to operate under part 121 or part 135. This action also proposes that repair stations certificated under part 145 document for the FAA that persons handling hazmat for transportation have been trained as required by DOT's Hazardous Materials Regulations. The FAA is updating its regulations because hazmat transport and the aviation industry have changed significantly since the FAA promulgated its Hazmat training regulations over 25 years ago. This action proposes to set clear training standards and ensure uniform compliance with training requirements.**Timetable:**

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** William Wilkening, Office of Security, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-5885**Jan Demuth, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8166****RIN:** 2120-AG75**1985. +AIR TOUR OPERATIONS IN STATE OF HAWAII****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44701; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44717; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46316; 49 USC 46502; 49 USC 46504; 49 USC 46504; 49 USC 46506; 49 USC 47122; 49 USC 47508; 49 USC 47528 to 47530**CFR Citation:** 14 CFR 91**Legal Deadline:** None**Abstract:** This action proposes to extend SFAR 71, which established certain procedural, operational, and

equipment requirements for air tour operators in the State of Hawaii. The FAA intends to issue a national air tour safety proposal in the near future, but until this rulemaking becomes final, there is a need to extend SFAR 71 to ensure the continuing safe environment for conducting air tours in Hawaii. During the 9-year period between 1982 and 1991, there were 11 air tour accidents with 24 fatalities in Hawaii. The apparent causes of the accidents ranged from engine power loss to encounters with adverse weather. On September 26, 1994, the FAA published an emergency final rule as SFAR 71. The rule established additional operating procedures, including minimum safe altitudes (and associated increases in visual flight rules weather minimums), minimum equipment requirements, and operational limitations for air tour aircraft in the State of Hawaii. SFAR 71 was subsequently extended until October 26, 2003. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date
NPRM	07/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Gary Davis, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8166**RIN:** 2120-AH02**1986. SAFE, EFFICIENT USE AND PRESERVATION OF THE NAVIGABLE AIRSPACE****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40113 to 40114; 49 USC 44502; 49 USC 44701; 49 USC 44718**CFR Citation:** 14 CFR 77**Legal Deadline:** None**Abstract:** This rule would add and amend definitions for terms commonly used during the aeronautical evaluation process. This action would amend obstruction standards for civil airport imaginary surfaces in order to promote and facilitate harmonization with other

DOT—FAA

Proposed Rule Stage

FAA directives. It also would simplify and clarify the rule language in accordance with the plain language initiative.

Timetable:

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ATA-00-490.

Agency Contact: Ellen Crum, Air Traffic Rules Procedures Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3155

RIN: 2120-AH31

1987. DESIGN STANDARDS FOR FUSELAGE DOORS ON TRANSPORT CATEGORY AIRPLANES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action would amend the design standards for fuselage doors, hatches, and exits on transport category airplanes. This proposal would relieve a certification burden on industry by eliminating regulatory differences between the air standards of the United States and Joint Aviation Requirements of Europe without affecting current industry design practices.

Timetable:

Action	Date
NPRM	09/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ANM-96-398.

Agency Contact: Jeff Gardlin, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2136

RIN: 2120-AH34

1988. NOISE STRINGENCY INCREASE FOR SINGLE-ENGINE PROPELLER-DRIVEN SMALL AIRPLANES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 4321; 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44704; 49 USC 44715

CFR Citation: 14 CFR 36

Legal Deadline: None

Abstract: The FAA is proposing a change to the noise limits for propeller-driven small airplanes. The FAA, the European Joint Aviation Authorities (JAA), and representatives from the United States and European propeller-driven small airplane industries developed the ICAO Annex 16 noise limit change in a joint effort. The proposed change would provide nearly uniform noise certification standards for airplanes certificated in the United States and in the JAA countries.

Timetable:

Action	Date
NPRM	12/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: AEE-01-133R.

Agency Contact: Mehmet Marsan, Office of Environment and Energy, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7703

RIN: 2120-AH44

1989. AIRWORTHINESS STANDARDS FOR CLASSES B AND F CARGO COMPARTMENT FOR TRANSPORT CATEGORY AIRPLANES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: The FAA proposes to amend the airworthiness standards for transport category airplanes to incorporate revised standards for Class B cargo compartments and establish standards for a new Class F cargo

compartment, and to harmonize those requirements with standards proposed for the European Joint Aviation Requirements 25.

Timetable:

Action	Date
NPRM	09/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ANM-93-725-A.

Agency Contact: Mahinder K. Wahi, Transport Airplane Directorate, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055
Phone: 425 227-2142

RIN: 2120-AH47

1990. AREA NAVIGATION (RNAV) AND MISCELLANEOUS AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 1155; 49 USC 40103 to 40105; 49 USC 40113; 49 USC 40119 to 40120; 49 USC 41706; 49 USC 44101; 49 USC 44111; 49 USC 44113; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901 to 44904; 49 USC 44906; 49 USC 44912; 49 USC 46105; 49 USC 46306; 49 USC 46315; 49 USC 46316; 49 USC 465504; 49 USC 46506 to 46507; 49 USC 47122; 49 USC 47508; 49 USC 47528 to 47531

CFR Citation: 14 CFR 1; 14 CFR 71; 14 CFR 91; 14 CFR 95; 14 CFR 97; 14 CFR 121; 14 CFR 129; 14 CFR 135

Legal Deadline: None

Abstract: The FAA is proposing to amend its regulations to reflect technological advances that support area navigation (RNAV) and ensure that certain terms are consistent with those of the International Civil Aviation Organization. The proposed changes are intended to promote the transition from ground-based navigation and to increase efficiency of the National Airspace System.

Timetable:

Action	Date
NPRM	12/17/02 67 FR 77326
NPRM Comment Period End	01/31/03

DOT—FAA

Proposed Rule Stage

Action	Date
NPRM Comment Period Reopened	04/08/03 68 FR 16992
Comment Period End	07/07/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lawrence Buehler, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8452

RIN: 2120-AH77

1991. ESTABLISHMENT OF ORGANIZATION DESIGNATION AUTHORIZATION PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40105; 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44707; 49 USC 44709; 49 USC 44711; 49 USC 44715; 49 USC 45303; 49 USC 46105

CFR Citation: 14 CFR 21; 14 CFR 121; 14 CFR 135; 14 CFR 145; 14 CFR 183

Legal Deadline: None

Abstract: This proposed rulemaking would create an Organization Designation Authorization (ODA) Program that would incorporate all organization designee rules within 14 CFR 183. It will expand the approval functions of FAA organization designees, standardize these functions to increase efficiency, and expand eligibility for organization designees, including organizations not eligible under the current rules. These actions would provide the FAA with a more efficient process to delegate certain tasks to external organizations while preserving and increasing aviation safety in an environment where the government is committed to reducing its workforce.

Timetable:

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ralph Meyer, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 6500 S. MacArthur Blvd, ARB Room 304A, Oklahoma City, OK 73169
Phone: 405 954-7072

RIN: 2120-AH79

1992. REFUSAL TO TAKE A DOT-REQUIRED DRUG OR ALCOHOL TEST

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44703; 49 USC 44707; 49 USC 44709 to 44711; 49 USC 45102 to 45103; 49 USC 45301 to 45302

CFR Citation: 14 CFR 61

Legal Deadline: None

Abstract: The FAA proposes to amend the airman medical standards to disqualify an airman based on a refusal to take a DOT-required drug or alcohol test and to report pre-employment and return-to-duty test refusals to the FA. This action is necessary to ensure that persons who have refused to take a drug or alcohol test do not operate aircraft or perform contract air traffic control tower operations.

Timetable:

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sherry deVries, Office of Aerospace Medicine, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8693

RIN: 2120-AH82

1993. PERFORMANCE AND HANDLING QUALITIES REQUIREMENTS FOR ROTORCRAFT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 27; 14 CFR 29

Legal Deadline: None

Abstract: This action proposes new and revised airworthiness standards for normal and transport category rotorcraft due to technological advances in design and operational trends in normal and transport rotorcraft performance and handling qualities. The changes would enhance the safety standards for performance and handling qualities to reflect the evolution of rotorcraft capabilities.

Timetable:

Action	Date
NPRM	09/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lance T Gant, Air Certification Service, Department of Transportation, Federal Aviation Administration, 2601 Meachum Blvd., Fort Worth, TX 76193-0110
Phone: 817 222-5114

RIN: 2120-AH87

**Department of Transportation (DOT)
Federal Aviation Administration (FAA)**

Final Rule Stage

1994. OBJECTS AFFECTING NAVIGABLE AIRSPACE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113 to 40114; 49 USC 44502; 49 USC 44701; 49 USC

44718; 49 USC 46101 to 46102; 49 USC 46104

CFR Citation: 14 CFR 77

Legal Deadline: None

Abstract: This action would amend the standards, aeronautical studies, scope,

and notice provisions concerning objects affecting navigable airspace. The notice consisted primarily of changes required by recent legislation or recommended by a government/industry task group of the National Airspace Review Advisory Committee.

DOT—FAA

Final Rule Stage

This action would also cover electromagnetic interference phenomena that could create a hazard to air navigation.

Timetable:

Action	Date
Notice of Review	06/19/78 43 FR 26322
Review Conference	12/08/80
NPRM	08/03/90 55 FR 31722
NPRM Correction	08/13/90 55 FR 32999
NPRM Correction	08/16/90 55 FR 33577
NPRM Correction	08/28/90 55 FR 35152
NPRM Correction	09/10/90 55 FR 37287
NPRM Comment Period End	12/31/90
SNPRM	10/16/95 60 FR 53680
SNPRM Comment Period End	11/30/95
SNPRM To Be Withdrawn	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: ATO-85-015R.

ANALYSIS: Regulatory Evaluation, 08/03/90, 55 FR 31722

Agency Contact: Ellen Crum, Air Traffic Rules Procedures Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3155

RIN: 2120-AA09

1995. MISCELLANEOUS AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7572; 49 USC 106(g); 49 USC 5103; 49 USC 40105; 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44703; 49 USC 44705; 49 USC 44706; 49 USC 44707; 49 USC 44709; 49 USC 44710; 49 USC 44711; 49 USC 44712

CFR Citation: 14 CFR 21; 14 CFR 65; 14 CFR 107; 14 CFR 121; 14 CFR 135; 14 CFR 145

Legal Deadline: None

Abstract: The FAA is withdrawing a previously published notice of proposed rulemaking (NPRM) that proposed to amend various sections of the regulations. The proposal was to clarify language, correct improper or obsolete references, and to relax certain

existing requirements. Since publication of the NPRM, many other completed, in-process, or planned actions have addressed or will address many of the issues involved. The FAA has determined that all unresolved issues have been included in more recent actions dealing with the specific sections of the regulations.

Timetable:

Action	Date
NPRM	10/03/83 48 FR 45214
NPRM Comment Period End	12/02/83
To Be Withdrawn	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. 23781. Project Number: ARM-81-128R.

ANALYSIS: Regulatory Evaluation, 10/03/83, 48 FR 45214

Agency Contact: Linda L. Williams, Office of Rulemaking, ARM-100, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-9685

RIN: 2120-AA50

1996. IFR ALTITUDES; MISCELLANEOUS AMENDMENTS

Priority: Routine and Frequent

Legal Authority: 49 USC 40120; 49 USC 44502; 49 USC 44514; 49 USC 44719; 49 USC 44721; 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40113; 49 USC 40114

CFR Citation: 14 CFR 95

Legal Deadline: None

Abstract: This is a nonsignificant body of regulations which prescribes altitudes for the operation of aircraft under instrument flight rules (IFR) on Federal airways, jet routes, area navigation low or high routes, or other direct routes for which a minimum en route IFR altitude is designated in 14 CFR part 95. In addition, mountainous areas and changeover points are designated. These regulations are an established body of technical requirements that are issued routinely and frequently to maintain operational efficiency. Total actions expected—270. 10/00/2002 - 10/00/2003.

Timetable:

Action	Date
Actions Will Continue Through	10/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael L. Henry, General Aviation and Commercial Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8212

Don Pate, Mike Monroney Aeronautical Center, Department of Transportation, Federal Aviation Administration, 6500 South MacArthur, Oklahoma City, OK 73125
Phone: 405 954-4161

RIN: 2120-AA63

1997. AIRWORTHINESS DIRECTIVES

Priority: Routine and Frequent

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701

CFR Citation: 14 CFR 39

Legal Deadline: None

Abstract: The FAA issues type certificates for "products," which are aircraft, engines, propellers, and some appliances. The FAA issues a regulation called an Airworthiness Directive (AD) to address an unsafe condition in a type certificated product, if that unsafe condition is likely to exist or develop in products of the same type design. Part 39 of title 14 requires each operator of a product affected by an AD to comply with the terms of the AD, in order to operate that product; the AD may mandate operational limitations, maintenance, or alterations for the affected product. The vast majority of routine and frequent Airworthiness Directives are nonsignificant. Total actions expected—540. 10/00/2002 to 10/00/2003.

Timetable:

Action	Date
Actions Will Continue Through	10/00/03

Regulatory Flexibility Analysis

Required: Undetermined

DOT—FAA

Final Rule Stage

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Agency Contact: Linda Walker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591
Phone: 202 267-9592

RIN: 2120-AA64

1998. STANDARD INSTRUMENT APPROACH PROCEDURES; MISCELLANEOUS AMENDMENTS

Priority: Routine and Frequent

Legal Authority: 49 USC 40103; 49 USC 40106; 49 USC 40113 to 40114; 49 USC 40120; 49 USC 44502; 49 USC 44514; 49 USC 44701; 49 USC 44719; 49 USC 44721 to 44722; 49 USC 106(g)

CFR Citation: 14 CFR 97

Legal Deadline: None

Abstract: Standard Instrument Approach Procedures (SIAP) provide for instrument letdown to airports in the United States. They are a nonsignificant body of regulations that are complex and technical in nature and require routine and frequent rulemaking to maintain efficiency. The FAA issues, revises, and cancels SIAPs by adopting amendments that are incorporated into 14 CFR part 97. Contemporaneously with publication in the Federal Register, the SIAPs are made available to the Aeronautical Charting and Cartography Office in the FAA and other publishers of aeronautical charts where they are published as approach procedure charts or "approach plates." These charts are made available to the members of the aviation community for use by pilots in making instrument approaches. Total actions expected—3,200. 10/00/2002 - 10/00/2003.

Timetable:

Action	Date
Actions Will Continue Through	10/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael L. Henry, General Aviation and Commercial Division, Department of Transportation,

Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8212

Don Pate, Mike Monroney Aeronautical Center, Department of Transportation, Federal Aviation Administration, 6500 South MacArthur, Oklahoma City, OK 73125
Phone: 405 954-4161

RIN: 2120-AA65

1999. AIRSPACE ACTIONS

Priority: Routine and Frequent

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; EO 10854

CFR Citation: 14 CFR 71; 14 CFR 73; 14 CFR 75

Legal Deadline: None

Abstract: This is a nonsignificant body of regulations which designates airspace areas, airways, routes, and reporting points to facilitate safe navigation. These regulations are technical in nature and are issued routinely and frequently to maintain operational efficiency. Total actions expected—450. 10/00/2002 through 10/00/2003.

Timetable:

Action	Date
Actions Will Continue Through	10/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Pat Crawford, Manager, Airspace Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9255

RIN: 2120-AA66

2000. +IMPROVED WATER SURVIVAL EQUIPMENT

Priority: Other Significant

Legal Authority: 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This action would have added new requirements for water survival equipment carried aboard airplanes and rotorcraft. The requirements would have applied, after specified dates, to U.S.-certificate holders that conduct common-carriage operations with airplanes and rotorcraft. This action is in response to the Airport and Airway Safety and Capacity Enhancement Act of 1987 (PL 100-223) and relates to safety recommendations by the National Transportation Safety Board. The requirements are intended to increase the likelihood of aircraft passengers surviving a crash landing in water and, thus, this rulemaking is significant because of the safety implications. This rulemaking will be withdrawn. Cost and unresolved issues concerning lap-help children are preventing the rulemaking from moving forward.

Timetable:

Action	Date
NPRM	06/30/88 53 FR 24890
NPRM Comment Period End	11/28/88
To Be Withdrawn	09/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AIR-85-265R.

ANALYSIS: Regulatory Evaluation, 06/30/88, 53 FR 24890

Agency Contact: Hal Jensen, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9574

RIN: 2120-AC72

2001. +RETROFIT OF IMPROVED SEATS IN AIR CARRIER TRANSPORT CATEGORY AIRPLANES

Priority: Other Significant

Legal Authority: 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: NPRM, Statutory, April 28, 1988.

Abstract: This action would require that all seats of transport category airplanes used in air carrier operations and transport category airplanes used in scheduled intrastate service comply with improved crashworthiness standards. The Airport and Airways Safety and Capacity Expansion Act of 1987 directs the Secretary of Transportation to initiate a rulemaking proceeding to consider requiring all seats on board all air carrier aircraft to meet improved crashworthiness standards based upon the best available testing standards. The intended effect of this action is to increase passenger protection and survivability in survivable impact accidents. This rulemaking is considered significant because of its safety implications and statutory requirements.

Timetable:

Action	Date
NPRM	05/17/88 53 FR 17650
NPRM Comment Period End	10/14/88
NPRM Comment Period Reopened	10/30/98 63 FR 58331
NPRM Comment Period End	01/08/99
SNPRM	10/04/02 67 FR 62294
SNPRM Extension of Comment Period	12/03/02 67 FR 71908
SNPRM Comment Period End	12/03/02
SNPRM Commend Period End	03/03/03
Final Action	09/00/03

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket 25611. Project Number: AIR-88-136R.

ANALYSIS: Regulatory Evaluation, 05/17/88, 53 FR 17650

Agency Contact: Hal Jensen, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-9574

RIN: 2120-AC84

2002. TYPE CERTIFICATES FOR SOME SURPLUS AIRCRAFT OF THE ARMED FORCES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7572; 49 USC 106(g); 49 USC 40105; 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44707; 49 USC 44709; 49 USC 44711; 49 USC 44713; 49 USC 44715; 49 USC 45303

CFR Citation: 14 CFR 21

Legal Deadline: None

Abstract: Following World War II, a substantial number of surplus military airplanes were offered for sale to the public in order to meet an increased demand for civilian-use aircraft not being met by the civil aircraft industry. The current regulation permits both type and airworthiness certification for surplus military aircraft based on the particular aircraft's safety record and condition. As military aircraft have become increasingly complex and sophisticated, that practice is no longer acceptable. This action would remove the regulations for issuing type certificates for these surplus aircraft and eliminate references to obsolete standards. Surplus military aircraft would still be certificated in the normal, utility, acrobatic, commuter, transport, and restricted categories upon compliance with the applicable regulations. This rulemaking will be withdrawn. This rulemaking will be incorporated in a rulemaking revision of part 21.

Timetable:

Action	Date
NPRM	04/21/94 59 FR 19114
NPRM Comment Period End	06/20/94
Comment Period End	07/07/94 59 FR 34779
To Be Withdrawn	08/26/94
	05/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Additional Information: Project Number: AIR-91-354R.

ANALYSIS: Regulatory Evaluation, 04/21/94, 59 FR 19114

Agency Contact: Ed Chalpin, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591

Phone: 202 267-9588

RIN: 2120-AE41

2003. +AGING AIRCRAFT SAFETY

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901 to 44904; 49 USC 44906

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 129; 14 CFR 135; 14 CFR 183

Legal Deadline: Other, Statutory, April 24, 1992, Action must be initiated by 04/24/92 per Aging Aircraft Safety Act of 1991.

Abstract: On October 5, 1993, the FAA published an NPRM that proposed to require air carriers of certain aircraft used in air transportation to demonstrate that the aircraft's maintenance has been adequate to ensure the highest degree of safety. After further review, and taking into consideration public comments to the NPRM, the FAA withdrew that NPRM. On March 19, 1999, the FAA issued a new NPRM that would ensure the continuing airworthiness of the most significant aging airplanes operating in air transportation by mandating aging aircraft records reviews and inspections for certain air carriers and certain aircraft and also by applying modern damage-tolerance analyses and inspection techniques to older airplane structures that were certificated before such techniques were available. The comment period closed on October 18, 1999. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date
NPRM	10/05/93 58 FR 51944
NPRM Comment Period End	02/02/94
Comment Period End	02/08/94 59 FR 5741
	3/4/94
NPRM	04/02/99 64 FR 16298
NPRM Comment Period End	08/02/99
NPRM Comment Period Reopened	08/18/99 64 FR 45090
Comment Period End	10/08/99
Interim Final Rule; Request for Comments	12/06/02 67 FR 72726

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Action	Date
Interim Final Rule: Extension of Comment Period	02/04/03 68 FR 5782
Interim Final Rule: Comment Period End	02/04/03
Interim Final Rule: Extension of Comment Period End	05/05/03
Final Action	08/00/03
Interim Final Rule Effective	12/08/03

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Project Number AFS-92-029R.

ANALYSIS: Regulatory Evaluation, 04/02/99, 64 FR 16298

Agency Contact: Frederick Sobeck, Aircraft Maintenance Division, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7355

RIN: 2120—AE42

2004. AIR TRAFFIC CONTROL RADAR BEACON SYSTEM AND MODE S TRANSPONDER REQUIREMENTS IN THE NATIONAL AIRSPACE SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912

CFR Citation: 14 CFR 121; 14 CFR 135**Legal Deadline:** None

Abstract: This action would revise the Mode S transponder requirement for all aircraft operating under part 135 and certain aircraft operating under part 121 based on the expected availability of operational capabilities of Mode S ground sensors. For part 121 operators, the action would affect only those aircraft not required to have Traffic Alert and Collision Avoidance System II. An aviation rulemaking advisory committee has recommended that the FAA conduct a study of the installed Mode S ground sensor to determine the

extent of the benefits derived and the costs involved in equipage. This action is a relieving action made necessary by the fact that ground sensors are not in place to support the requirement. Further, FAA is studying the need for Mode S transponders in part 135 and certain part 121 operations in light of the fact that transponders may not substantially increase ATC ability to view air traffic.

Timetable:

Action	Date
NPRM	05/23/96 61 FR 26036
NPRM Correction	06/17/96 61 FR 30551
NPRM Comment Period End	07/22/96
Final Action	05/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Project Number: AFS-92-297R.

ANALYSIS: Regulatory Evaluation, 05/23/96, 61 FR 26036

Agency Contact: Daniel V. Meier, Jr., Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3749

RIN: 2120—AE81

2005. +CORROSION CONTROL PROGRAM

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44902

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 129; 14 CFR 135**Legal Deadline:** None

Abstract: This project would ensure that airplanes used or not used in common carriage in air transportation have a comprehensive corrosion prevention program within their maintenance or inspection programs. In April 1988, a commercial transport airplane experienced an in-flight decompression and separation of approximately 18 feet of the fuselage

skin and structure at the top of the airplane. The airplane had been in service for 19 years and had flown almost 90,000 flights. The National Transportation Safety Board concluded that the failure of the airline to detect skin disbonding resulted in corrosion and metal fatigue leading to separation of the airplane's skin structure. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date
NPRM	10/03/02 67 FR 62142
NPRM Comment Period End	04/01/03
Final Action	07/00/03

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Project Number: AFS-93-382R

Agency Contact: Frederick Sobeck, Aircraft Maintenance Division, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7355

RIN: 2120—AE92

2006. REVISED PRECISION APPROACH LANDING SYSTEMS POLICY

Priority: Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: This statement would provide policy for acquisition, installation, maintenance, and decommissioning of the instrument landing system (ILS) and the microwave landing system (MLS) during the transition to the global positioning system (GPS). The policy statement of December 1989 announced the transition from the ILS to the MLS for precision approach service in the National Airspace System. Since that time, advancement of GPS-based landing system technology has provided a more economical means of providing approach services. FAA plans to withdraw this policy because it is no longer relevant.

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Timetable:

Action	Date
Policy Statement	12/27/89 54 FR 53231
To be withdrawn	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael Wedge, Airway Facilities Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7848

RIN: 2120-AG16

2007. +REVISIONS TO DIGITAL FLIGHT DATA RECORDER REGULATIONS FOR B-737 AIRPLANES AND FOR PART 125 OPERATORS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121; 14 CFR 125

Legal Deadline: None

Abstract: The FAA proposes to amend the digital flight data recorder rules for transport category airplanes to add a requirement for all Boeing 737 (B-737) series airplanes to record additional flight data parameters. This amendment is based on safety recommendations issued by the National Transportation Safety Board following the investigation of the 1994 USAir Flight 427 accident. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date
NPRM	11/18/99 64 FR 63139
NPRM Comment Period End	12/20/99
Final Action	12/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: AIR-99-272R.

ANALYSIS: Regulatory Evaluation, 11/18/99, 64 FR 63139

Agency Contact: George Kaseote, Policy and Procedures Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8541

RIN: 2120-AG87

2008. +IMPROVED FLAMMABILITY STANDARDS FOR THERMAL/ACOUSTIC INSULATION MATERIALS USED IN TRANSPORT CATEGORY AIRPLANES

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 44701; 49 USC 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This document proposes upgraded flammability standards that specifically address flame propagation and entry of an external fire into the airplane (burnthrough) under realistic fire scenarios. The proposed standards are intended to reduce the incidence and severity of cabin fires, particularly those ignited in inaccessible areas where thermal/acoustic insulation materials are typically installed. Also, the proposed standards would provide an increased level of safety with respect to post-crash fires by delaying the entry of such a fire into the cabin, thereby providing additional time for evacuation and enhancing survivability. The new standards would apply to new type designs, and newly manufactured airplanes entering parts 91, 121, 125, and 135 service. This action is significant because of substantial public interest.

Statement of Need: Service history and laboratory testing demonstrate that the current flammability requirements applicable to thermal/acoustic insulation materials may not be providing the intended protection against the spread of fires. Additionally, the FAA considers that increased protection against external fire penetrating the fuselage can be provided by proper selection of the same material. These new test methods would not only provide for increased in-flight fire safety, by reducing the flammability of thermal/acoustic insulation blankets, but would provide increased time for evacuation during externally fed, post-crash fires by

increasing fuselage burnthrough resistance.

Summary of Legal Basis: 49 USC 4401 empowers the Administrator to prescribe regulations and minimum standards in the interest of safety for aircraft and equipment.

Alternatives: The FAA considered several options to identify the least intrusive and most cost-effective alternative to increase the level of safety for insulation materials. The alternatives considered were as follows: (1) Utilize the industry test instead of the requirements proposed; this would not screen out certain types of materials shown to propagate a fire under more realistic conditions, but would screen out the worst performers. (2) Limit replacement of insulation materials to only certain parts of the airplane; it is not feasible to specify areas of the airplane that are more crucial than others. This would be an economic consideration that would not address safety issues. (3) Change the effectivity or compliance times to reduce the number of airplanes affected; the proposal will be designed to optimize costs versus benefits in this regard. Changes to either would be less than optimal. (4) Propose some combination of the above. Other combinations would either reduce the level of safety or be less cost effective.

Anticipated Cost and Benefits: The total cost of this rule is \$68.0 million, or \$36.5 million discounted to present value if only blanket material changes are made to the aircraft. If manufacturers need to make configuration changes to the aircraft as well as material changes to their drawings, the FAA estimates that total costs would be \$103.1 million or \$68.2 million discounted to present value. The FAA is unable to quantify the benefits for this rule. However, preventing the loss of one airplane and its passengers over the 20-year period is not likely. Assuming such a loss would occur at the midpoint of the analysis, or in 2009, with 169 passengers, the nondiscounted loss would be \$455.5 million, or \$231.5 million discounted to present value (again, assuming society's willingness to pay \$2.7 million to avoid a fatality). This loss does not include the value of the airplane. Even without loss of life, as several of the incidents show, a hull loss could exceed tens of millions of dollars. The FAA therefore

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has determined that this proposed rule would be cost beneficial.

Risks: The FAA is aware of several events in which the flammability characteristics of thermal/acoustic insulation material may have been a contributing factor of airplane fires. The FAA initiated investigations and research to determine the appropriateness of applying existing Bunsen burner flammability criteria to thermal/acoustic insulation, as typically installed in concealed and inaccessible areas. This rule is necessary to decrease the risk of fires on airplanes and to improve airplane fire safety.

Timetable:

Action	Date
NPRM	09/20/00 65 FR 56992
NPRM Comment Period End	01/18/01
Final Rule	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ANM-99-086R.

ANALYSIS: Regulatory Evaluation 12/00/2002.

Agency Contact: Jeff Gardlin, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2136

RIN: 2120-AG91

2009. FIRE PROTECTION OF ELECTRICAL SYSTEM COMPONENTS ON TRANSPORT CATEGORY AIRPLANES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 40 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This rulemaking will amend the airworthiness standards for transport category airplanes concerning the protection of electrical system components. This action will eliminate regulatory differences between the airworthiness standards of the U.S. and the Joint Aviation Requirements of Europe, without affecting current industry design practices

Timetable:

Action	Date
NPRM	05/15/01 66 FR 26964
NPRM Comment Period End	07/16/01
Final Action	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mahinder K. Wahi, Transport Airplane Directorate, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055
Phone: 425 227-2142

Massoud Sadeghi, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056

Phone: 425 227-2117

RIN: 2120-AG92

2010. +CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS (SECTION 610 REVIEW)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 7572; 49 USC 106(g); 49 USC 40101; 49 USC 40103; 49 USC 40109; 49 USC 40113; 49 USC 44110; 49 USC 44502; 49 USC 44701; 49 USC 44702; 49 USC 44709; 49 USC 44711; 49 USC 44713; 49 USC 44715

CFR Citation: 14 CFR 21

Legal Deadline: None

Abstract: The FAA intends to conduct a 610 review (a review under section 610 of the Regulatory Flexibility Act) of this part, and RIN 2120-AG93 has been added to the Agenda to reflect this review. The FAA carries out its responsibility to promote safety of flight of civil aircraft in air commerce by prescribing minimum standards governing the design and construction of aircraft, aircraft engines and propellers, and appliances as may be required in the interest of safety. The FAA has established procedural requirements in 14 CFR part 21 for the issuance of the following certificates and approvals: (1) type certificates and changes to type certificates; (2) production certificates; (3) airworthiness certificates; (4) export airworthiness certificates and

approvals; and (5) approvals of certain materials, parts processes, and appliances produced for sale or installation on a type certificated product. Also contained in this part are the rules governing the holders of certificates. In order to be issued a type certificate, the applicant must show that the product complies with the airworthiness standards for the product (aircraft, aircraft engine, or propeller). The airworthiness standards are amended as needed to reflect continually changing technology, correct design deficiencies, and provide safety enhancements.

Timetable:

Action	Date
Review To Be Completed	05/00/03

Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

Agency Contact: Paul Larson, Office of Aviation Policy and Plans, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3296

RIN: 2120-AG93

2011. +CERTIFICATION OF AIRPORTS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44706; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44719; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121; 14 CFR 139

Legal Deadline: None

Abstract: This action proposes to revise the current airport certification regulation and to establish certification requirements for airports serving scheduled air carrier operations in aircraft with 10 to 30 seats. In addition, changes are proposed to address National Transportation Safety Board recommendations and petitions for exemptions and rulemaking. A section of an air carrier operation regulation also would be amended to conform with proposed changes to airport certification requirements. The FAA believes that these proposed revisions are necessary to ensure safety in air

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transportation and to provide a comparable level of safety at all certificated airports. This action is significant because of substantial public interest.

Statement of Need: The last major revision to the airport certification regulation occurred in 1987, and since then, industry practices and technology have changed. To respond to such changes, the FAA is proposing to revise the regulation to clarify and update several requirements. Additionally, with the passage of the 1996 FAA Reauthorization Act, Congress provided the FAA the necessary authority to certificate airports serving scheduled air carrier operations with 10- to 30-seat aircraft, except in the State of Alaska (in addition to existing authority to regulate airports serving air carrier operations using aircraft with more than 30 seats). To achieve a comparable level of safety at all covered airports, FAA now proposes to exercise this authority and amend the regulation to incorporate airports serving smaller air carrier aircraft into the FAA's airport certification program. Also, the 2000 FAA Reauthorization Act (P.L. 106-181) mandates publication of the NPRM within 60 days of the Act's enactment; and publication of the final rule within one year of the close of comment period for airports serving smaller air carrier aircraft.

Summary of Legal Basis: FAA has general and specific authority to regulate airports as set out in 49 USC 106(g) and 44701.

Alternatives: The FAA has considered several alternative approaches to this proposed rulemaking and has attempted to minimize the potential economic impact of the proposal, especially the impact on small entities. In addition, this action fulfills the FAA's responsibility to meet deadlines established by Congress to certificate airports serving scheduled air carrier operations with 10- to 30-seat aircraft, except for the State of Alaska. The FAA considered alternatives based on two issues. Issue 1 was the revision of 14 CFR 139, and issue 2 was the certification of airports serving scheduled operations of small air carrier aircraft with 10 to 30 passenger seats. The FAA determined that it was necessary to revise 14 CFR 139 and that the revised part 139 should include the certification of airports serving

scheduled air carrier operations with 10- to 30-passenger seat aircraft.

Anticipated Cost and Benefits: Most of the costs of this proposed rule are associated with the proposed improvements to safety and operational requirements. Most of these costs result from the expansion of ARFF services. The present value of the total cost of the rule over a 10-year period is approximately \$46 million, which includes training, additional emergency response protection, wildlife management, and an updated airport certification manual that better reflects current best practices. With the tremendous cost of aviation accidents, the proposed rule provides the potential for enhanced safety for a reasonable cost. The expected benefit of this proposed rule is an enhanced level of safety resulting in reduced fatalities, injuries, and property damage at airports with scheduled air carrier operations, particularly operations in aircraft configured with 10 to 30 passenger seats. The cost of a single accident of a 30-seat scheduled passenger aircraft is greater than the total cost of the proposal. Other benefits of this proposal include provisions for snow and ice control, wildlife management, and training.

Risks: The purpose of this rulemaking is to expand and enhance the safety benefits of the current regulation by providing, to the extent possible, a comparable level of safety at all airports used by air carriers.

Timetable:

Action	Date
NPRM	06/21/00 65 FR 38636
Correction	08/21/00 65 FR 50669
NPRM Comment Period Extended	08/22/00 65 FR 50945
NPRM Comment Period End	09/19/00
NPRM Extended Comment Period End	11/03/00
Final Action	05/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: AAS-97-072R.

ANALYSIS: Regulatory Evaluation, 06/21/00

Agency Contact: Linda Bruce, Office of Airport Safety and Standards,

Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8553

RIN: 2120-AG96

2012. SPECIAL FLIGHT RULES IN THE VICINITY OF GRAND CANYON NATIONAL PARK

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44704; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46316; 49 USC 46502; 49 USC 46504; 49 USC 46506 to 46507; 49 USC 47122; 49 USC 47508; 49 USC 48528 to 47531

CFR Citation: 14 CFR 91; 14 CFR 93; 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This action will further postpone the effective date for the flight-free zones, Special Flight Rules Area, and corridors portions of the December 31, 1996, Grand Canyon final rule until January 31, 2001. The FAA finds that this rule is needed so that it may issue new regulations that will substantially restore natural quiet to the Grand Canyon National Park.

Timetable:

Action	Date
Final Rule Effective	01/31/00
Final Rule; Request for Comments	02/03/00 65 FR 5396
Comment Period End	03/06/00
Final Action	05/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Reginald C. Matthews, Office of Air Traffic Airspace Management, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8783

RIN: 2120-AG97

2013. +FRACTIONAL OWNERSHIP

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 1155; 49 USC 40103; 49 USC

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40119; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105; 49 USC 46306; 49 USC 46315; 49 USC 46316; 49 USC 46504; 49 USC 46506 to 46507; 49 USC 47122; 49 USC 47508; 49 USC 47528 to 47531

CFR Citation: 14 CFR 61; 14 CFR 91; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: The FAA proposes to update and revise the regulations governing operations by aircraft in fractional ownership programs. Current regulations do not adequately define fractional ownership programs nor clearly allocate responsibility and authority for safety and compliance with the regulations. This proposal will define fractional ownership programs and their participants, allocate responsibility and authority for safety of flight operations for purposes of compliance with the regulations, and ensure that fractional ownership program aircraft operations maintain a high level of safety. This action is significant because of substantial public interest.

Timetable:

Action	Date
NPRM	07/18/01 66 FR 37520
NPRM Comment Period End	10/16/01
Final Action	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Katherine Hakala Perfetti, Flight Standards Service, Department of Transportation, Federal Aviation Administration
Phone: 202 267-3760

RIN: 2120-AH06

2014. NOISE CERTIFICATION REGULATIONS FOR HELICOPTERS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 4321; 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44715; PL 96-193; EO 11514

CFR Citation: 14 CFR 36

Legal Deadline: None

Abstract: This proposal is based on a joint effort by the FAA, the European Joint Aviation Authorities (JAA), and the Aviation Rulemaking Advisory Committee (ARAC) to harmonize the U.S. noise certification regulations and the European Joint Aviation Requirements (JAR) for helicopters. The proposed changes would provide nearly uniform noise certification standards for helicopters certificated in the U.S., the JAA countries, and other countries that have adopted as their national regulation either the U.S. regulations, the JAA regulations, or the International Civil Aviation Organization standards. The harmonization of the noise certification standards would simplify airworthiness approvals for import and export purposes.

Timetable:

Action	Date
NPRM	10/05/00 65 FR 59634
NPRM Comment Period End	01/04/01
Final Action	09/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sandy Liu, Office of Environment and Energy, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 493-4864

RIN: 2120-AH10

2015. ANTIDRUG AND ALCOHOL MISUSE PREVENTION PROGRAMS FOR PERSONNEL ENGAGED IN SPECIFIED AVIATION ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105; 49 USC 46301

CFR Citation: 14 CFR 121

Legal Deadline: None

Abstract: This action proposes to revise the FAA's Antidrug and Alcohol Misuse Prevention Programs in accordance with changes the Department of Transportation is making

to 49 CFR 40. In addition, the FAA proposes some minor revisions to its Antidrug and Alcohol Misuse Prevention Program so that the requirements conform to 14 CFR 67.

Timetable:

Action	Date
NPRM	02/28/02 67 FR 9366
NPRM Comment Period End	05/29/02
NPRM Comment Period Extended	05/29/02 67 FR 37361
NPRM Extended Comment Period End	07/29/02
Final Action	02/00/04

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Diane Wood, Acting Manager, Drug Abatement Branch, Office of Aviation Medicine, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 366-6710

RIN: 2120-AH14

2016. +CERTIFICATION OF AIRCRAFT AND AIRMEN FOR THE OPERATION OF LIGHT-SPORT AIRCRAFT

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40105; 49 USC 44101; 49 USC 44111; 49 USC 44701 to 44703; 49 USC 44707; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 45102 to 45103; 49 USC 45301 to 45303; 49 USC 46306; 49 USC 46315; 49 USC 46316; 49 USC 46504; 49 USC 46506 to 46507; 49 USC 47122; 49 USC 47508; 49 USC 47528 to 47531

CFR Citation: 14 CFR 1; 14 CFR 21; 14 CFR 61; 14 CFR 65; 14 CFR 91

Legal Deadline: None

Abstract: The FAA is proposing to establish the certification and training requirements for pilots and repairmen to operate and maintain light-sport aircraft. The FAA is proposing a new sport pilot certificate and a flight instructor certificate with a sport pilot rating. The FAA also is proposing two new light-sport aircraft airworthiness certificates for existing and newly manufactured light-sport aircraft. In

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addition, this action proposes a new type of repairman certificate for individuals who would inspect and maintain light-sport aircraft. This action is significant because of substantial public interest.

Timetable:

Action	Date
NPRM	02/05/02 67 FR 5268
NPRM Comment Period End	05/06/02
Final Action	08/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Susan Gardner, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8212

RIN: 2120-AH19**2017. PUBLIC ADDRESS SYSTEM****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: The FAA proposes to shorten the time for passenger announcements in an emergency in transport category airplanes. This proposal would shorten the time for passenger announcements in an emergency from 10- to 3-seconds between the removal of the microphone from its stowage by a flight crewmember and its operation. Adopting this proposal would eliminate regulatory differences between the airworthiness standards for the U.S. and the Joint Aviation Requirements of Europe, without affecting current industry design practices.

Timetable:

Action	Date
NPRM	11/22/02 67 FR 70510
NPRM Comment Period End	01/21/03
Final Action	09/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: ANM-00-227.

Agency Contact: Kirk Baker, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 3960 Paramount Boulevard, Lakewood, CA 90712
Phone: 562 627-5345

RIN: 2120-AH30**2018. MATERIAL STRENGTH PROPERTIES AND DESIGN VALUES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: The FAA proposes to revise the material strength properties and material design values requirement for transport category airplanes by incorporating changes developed in cooperation with the Joint Aviation Authorities of Europe and the U.S. and European aviation industry through the Aviation Rulemaking Advisory Committee. This proposal is intended to achieve common requirements and language between the requirements of the U.S. regulations and the Joint Aviation Requirements of Europe, while maintaining at least the level of safety provided by the current regulations.

Timetable:

Action	Date
NPRM	01/29/02 67 FR 4318
NPRM Comment Period End	04/01/02
Final Action	09/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: ANM-98-300.

Agency Contact: Rich Yarges, Airframe and Airworthiness Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2143

RIN: 2120-AH36**2019. REVISIONS TO VARIOUS POWERPLANT INSTALLATION REQUIREMENTS FOR TRANSPORT CATEGORY AIRPLANES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: This action proposes to revise the standards applicable to thrust or power augmentation systems, fuel filling points, designated fire zones, and powerplant instruments. Adopting this proposal would eliminate regulatory differences between the airworthiness standards of the U.S. and the Joint Aviation Requirements of Europe without affecting current industry design practices.

Timetable:

Action	Date
NPRM	01/31/02 67 FR 4856
NPRM Comment Period End	04/01/02
Final Action	09/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: ANM-01-467.

Agency Contact: Mike McRae, Airframe and Propulsion Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2133

RIN: 2120-AH37**2020. LOWER DECK SERVICE COMPARTMENTS ON TRANSPORT CATEGORY AIRPLANES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: This action proposes to require that two-way voice communication systems between lower deck service compartments and the flight deck remain available following loss of the normal electrical power generating system. Adopting this

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proposal would eliminate regulatory differences between the airworthiness standards of the U.S. and the Joint Aviation Requirements of Europe without affecting current industry design practices.

Timetable:

Action	Date
NPRM	01/24/02 67 FR 3456
NPRM Comment Period End	03/25/02
Final Action	09/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: ANM-00-5

Agency Contact: Jayson Claar, Transport Airplane Directorate, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 425 227-2194

RIN: 2120—AH38**2021. MISCELLANEOUS FLIGHT REQUIREMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: The FAA proposes to amend the airworthiness standards for transport category airplanes concerning miscellaneous flight requirements. Adopting this proposal would eliminate regulatory differences between the airworthiness standards of the U.S. and the Joint Aviation Requirements of Europe, without affecting current industry design practices.

Timetable:

Action	Date
NPRM	01/14/02 67 FR 1846
NPRM Comment Period End	03/15/02
Final Action	09/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: ANM-00-226.

Agency Contact: Don Stimson, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 425 227-1129

RIN: 2120—AH39**2022. TRIM SYSTEMS AND PROTECTIVE BREATHING EQUIPMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: This proposed action would amend airworthiness standards for transport category airplanes concerning trim systems and protective breathing equipment. The proposed action would add language that would require a clearly marked range on the trim indication system where take-off is safe for all center-of-gravity positions. Adopting this proposal would eliminate regulatory differences between the airworthiness standards of the United States and the Joint Aviation Requirements of Europe without affecting current industry design practices.

Timetable:

Action	Date
NPRM	10/02/02 67 FR 61836
NPRM Comment Period End	12/02/02
Final Action	10/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: ANM-00-567.

Agency Contact: Kenneth Frey, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 425 227-2673

RIN: 2120—AH40**2023. HARMONIZATION OF NOISE CERTIFICATION STANDARDS FOR PROPELLER-DRIVEN SMALL AIRPLANES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 4321; 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44704; 49 USC 44715**CFR Citation:** 14 CFR 36**Legal Deadline:** None

Abstract: This final rule harmonizes two technical items with international regulations to provide uniform noise certification standards for airplanes certificated in the U.S. and JAA (European Joint Aviation Authorities) countries. This will help to simplify airworthiness approvals for import and export purposes. The revisions to these two items will apply only to a small number of older technology airplanes.

Timetable:

Action	Date
Final Action	08/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: AEE-01-134.

Agency Contact: Mehmet Marsan, Office of Environment and Energy, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7703

RIN: 2120—AH42**2024. +REVISIONS TO PASSENGER FACILITY CHARGE RULE FOR COMPENSATION TO AIR CARRIERS****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40116 to 40117; 49 USC 47111; 49 USC 47114 to 47116; PL 106-181**CFR Citation:** 14 CFR 158**Legal Deadline:** None

Abstract: This rule would amend the passenger facility charge (PFC) rules by changing the amount and basis of compensation an air carrier may receive for collecting, handling, and remitting PFC revenue. This action is necessary because statute mandates that air

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carriers receive fair and reasonable compensation for their expenses.

Timetable:

Action	Date
NPRM	11/27/02 67 FR 70878
NPRM Comment Period End	01/13/03
NPRM; Extension of Comment Period	01/14/03 68 FR 1807
NPRM; Extension of Comment Period End	02/12/03
Final Rule	05/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: APP-00-672R.

Agency Contact: Joseph Herbert, Passenger Facility Charge Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3845

RIN: 2120-AH43**2025. DIGITAL FLIGHT DATA RECORDER RESOLUTIONS REQUIREMENTS****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105; 49 USC 44113

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135**Legal Deadline:** None

Abstract: This action allows operators of specified airplanes to operate those airplanes under parts 121, 125, or 135 without meeting the resolution requirements for certain parameters of information recorded by flight data recorders. This action is needed to allow operators of these airplanes to continue operating these airplanes with their current recording capabilities until the FAA is able to determine the appropriate remedy for this problem.

Timetable:

Action	Date
Final Rule Effective	08/17/01

Action	Date
Final Rule; Request for Comments	08/22/01 66 FR 44270
Comment Period End	09/21/01
Final Action	05/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: AFS-01-551-E.

Agency Contact: Gary Davis, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8166

RIN: 2120-AH46**2026. PROCEDURES FOR REIMBURSEMENT OF AIRPORTS, ON-AIRPORT PARKING LOTS, AND VENDORS OF ON-AIRFIELD DIRECT SERVICES TO AIR CARRIERS FOR SECURITY MANDATES****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 107-71; 115 Stat. 597**CFR Citation:** 14 CFR 154**Legal Deadline:** None

Abstract: FAA plans to withdraw this action because of the lack of funding. The rule would provide procedures for certain operators to apply for reimbursement of allowable costs incurred to comply with certain security requirements imposed by the FAA or Transportation Security Administration on or after September 11, 2001. These procedures are needed to inform airport operations, on-airport parking lots, and vendors of on-airfield direct services to air carriers how to apply for reimbursement of allowable costs.

Timetable:

Action	Date
NPRM	12/21/01 66 FR 66238
NPRM Comment Period End	01/22/02
To be withdrawn	12/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Barry Molar, Manager, Airport Financial Assistance

Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3831

RIN: 2120-AH60**2027. POWERPLANT CONTROLS ON TRANSPORT CATEGORY AIRPLANES, GENERAL****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: This rulemaking proposes to amend the airworthiness standards for transport category airplanes concerning design requirements for powerplant valves controlled from the flightdeck. Adopting this proposal would eliminate regulatory differences between the airworthiness standards of the United States and the Joint Aviation Requirements of Europe, without affecting current industry design practices.

Timetable:

Action	Date
NPRM	05/08/02 67 FR 30820
NPRM Comment Period End	07/08/02
Final Action	12/00/03

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Mike McRae, Airframe and Propulsion Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2133

RIN: 2120-AH65**2028. +REDUCED VERTICAL SEPARATION MINIMUM IN DOMESTIC UNITED STATES AIRSPACE****Priority:** Other Significant

Legal Authority: 49 USC 106(g); 49 USC 1155; 49 USC 40103; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44715; 49 USC 44716; 49 USC 46504; 49 USC 46506 to 46507; 49 USC

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47122; 49 USC 47508; 49 USC 47528 to 47531

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: This action would permit Reduced Vertical Separation Minimum flights in the airspace over the contiguous 48 States of the United States and Alaska and that portion of the Gulf of Mexico where the FAA provides air traffic services. This reduction of vertical separation minima would only be applied between those aircraft that meet stringent altimeter and auto-pilot performance requirements. This action would enhance airspace capacity and assist aircraft operators in saving fuel and time.

Timetable:

Action	Date
NPRM	05/10/02 67 FR 31920
NPRM Comment Period End	08/08/02
Final Rule	06/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert Swain, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 385-4576

RIN: 2120-AH68

2029. REPORTS BY CARRIERS ON INCIDENTS INVOLVING ANIMALS DURING AIR TRANSPORT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 1153; 49 USC 40101; 49 USC 40102; 49 USC 40103; 49 USC 40113; 49 USC 41721; 49 USC 44105; 49 USC 44111; 49 USC 44701 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903; 49 USC 44904; 49 USC 44906; 49 USC 44912; 49 USC 44914; 49 USC 44936; 49 USC 44938; 49 USC 46103; 49 USC 46105

CFR Citation: 14 CFR 119

Legal Deadline: None

Abstract: This action implements section 710 of P.L. 106-181, the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, by requiring air carriers that provide

scheduled passenger air transportation to submit monthly to the Secretary of Transportation, through the Animal & Plant Health Inspection Service of the United States Department of Agriculture, a report on any incidents involving the loss, injury, or death of an animal during air transport provided by the air carrier.

Timetable:

Action	Date
NPRM	09/27/02 67 FR 61238
NPRM Comment Period Extended to 12/27/2002	10/18/02 67 FR 64331
NPRM Comment Period End	10/28/02
Final Action	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Whitlow, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3480

RIN: 2120-AH69

2030. +SECURITY CONSIDERATIONS FOR THE FLIGHTDECK ON FOREIGN-OPERATED TRANSPORT CATEGORY AIRPLANES

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44712; 49 USC 44716 to 44717; 49 USC 44722

CFR Citation: 14 CFR 129

Legal Deadline: None

Abstract: This amendment requires improved flightdeck security and operational procedural changes to prevent unauthorized access to the flightdeck on passenger-carrying aircraft operated by foreign carriers under the provisions of part 129. This amendment applies the same flightdeck security enhancements to foreign air carriers as were previously applied to U.S. air carriers. This action is significant because of safety and substantial public interest.

Timetable:

Action	Date
Final Rule	06/21/02 67 FR 42450

Action	Date
Final Rule Effective	06/21/02
Final Rule; Request for Comments	12/30/02 67 FR 79822
Final Rule Effective Date	12/30/02
Comment Period End	02/28/03
Final Action	10/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marlene Lovack, International Liaison Staff, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 385-4678

Related RIN: Related To 2120-AA56

RIN: 2120-AH70

2031. +PICTURE IDENTIFICATION REQUIREMENTS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44711; 49 USC 45102 to 45103; 49 USC 45301 to 45302

CFR Citation: 14 CFR 61

Legal Deadline: None

Abstract: This rule revises the pilot certificate requirements to require a person to carry a photo identification acceptable to the Administrator when exercising the privileges of a pilot certificate. These measures are intended to address security concerns regarding the identification of pilots. This rulemaking is significant because of safety and substantial public interest.

Timetable:

Action	Date
Final Rule; Request for Comments	10/28/02 67 FR 65858
Final Rule Effective	10/28/02
Comment Period End	11/27/02
Final Action	11/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: John D. Lynch, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3844

RIN: 2120-AH76

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2032. FLIGHT VISIBILITY; VISION ENHANCING EQUIPMENT**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306; 49 USC 46317; 49 USC 44722; 49 USC 46306; 49 USC 46315**CFR Citation:** 14 CFR 91**Legal Deadline:** None**Abstract:** This rule would allow persons who voluntarily equip their airplanes with certain vision enhancing devices to descend below decision height or minimum descent altitude when flight visibility is below minimums, subject to certain training and other requirements.**Timetable:**

Action	Date
NPRM	02/10/03 68 FR 6802
NPRM; Correction	03/03/03
NPRM Comment Period End	03/27/03
Final Rule	10/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Robert J. O'Haver, General Aviation and Commercial Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7031**RIN:** 2120-AH78**2033. +PROHIBITION OF CONSTRUCTION OR ALTERATION IN THE VICINITY OF THE PRIVATE RESIDENCE OF THE PRESIDENT OF THE UNITED STATES****Priority:** Other Significant**Legal Authority:** 49 USC 302; 49 USC 322; 49 USC 324**CFR Citation:** 14 CFR 76**Legal Deadline:** None**Abstract:** This final rule will revise part 76 under title 14 of the Code of Federal Regulations to require notice to be filed with the FAA for the construction or alteration of any object

or the alteration of any existing object that would exceed 50 feet above ground level and is within 3 nautical miles of the private residence of the President of the United States. This action also establishes an obstruction standard for those objects within the designated area surrounding the residence. This action is significant because of substantial public interest.

Timetable:

Action	Date
Final Rule With Request for Comments	04/22/03 68 FR 19730
Comment Period End	06/23/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Sheri Edgett-Baron, Air Traffic Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9354**RIN:** 2120-AH83**2034. +INELIGIBILITY FOR AN AIRMAN CERTIFICATE BASED ON SECURITY GROUNDS****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44703; 49 USC 44707; 49 USC 44709 to 44711; 49 USC 45102 to 45103; 49 USC 45301 to 45302**CFR Citation:** 14 CFR 61**Legal Deadline:** None**Abstract:** This action provides the authority to revoke a pilot certificate or deny an application for a pilot certificate based on a written determination by the Under Secretary of Transportation for Security that an individual poses a security risk related to aviation. This final rule addresses the security concerns of who should hold a pilot certificate issued by the FAA and is necessary to enhance security in air transportation. This rulemaking is significant because of substantial public interest.**Timetable:**

Action	Date
Final Rule; Request for Comments	01/24/03 68 FR 3772
Final Rule Effective	01/24/03

Action	Date
Comment Period End	03/25/03
Final Action	06/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** John D. Lynch, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3844**RIN:** 2120-AH84**2035. FLIGHTDECK SECURITY ON FOREIGN-OPERATED AIRPLANES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44701 to 44702; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901 to 44904; 49 USC 44906**CFR Citation:** 14 CFR 129**Legal Deadline:** None**Abstract:** This final rule excludes airplanes with fewer than 19 passenger seats, eliminates the term "or on overflights", changes the compliance date for affected airplanes, and changes the term "transport category aircraft" to "transport category airplanes."**Timetable:**

Action	Date
Final Rule	10/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Brian Staurseth, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 385-4561**RIN:** 2120-AH86**2036. • DIGITAL FLIGHT DATA RECORDER REQUIREMENTS — EXCEPTION AND APPENDIX UPDATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44101; 49 USC 44701

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to 44702; 49 USC 44705 to 44706; 49 USC 44709 to 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 46105

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: This action amends the flight data recorder regulations by expanding the recording ranges for certain data parameters for all covered airplanes; updates the resolution recording requirements for part 135 appendix F; and updates the list of aircraft excepted from the digital flight data recorder requirements. This action is necessary because certain airplanes are unable to record certain flight parameters under the existing resolution criteria and other aircraft are too old to be retrofitted with new recording devices without undergoing unintended and expensive retrofit.

Timetable:

Action	Date
Final Rule	07/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Gary Davis, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8166

RIN: 2120-AH89

2037. • SPECIAL FLIGHT RULES IN THE VICINITY OF LOS ANGELES INTERNATIONAL AIRPORT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 1155; 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 47 USC 44712; 47 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44720; 49 USC 46306; 49 USC 46315; 49 USC 46316; 49 USC 46504; 49 USC 46506 to 46507; 49 USC 47122; 49 USC 47508; 49 USC 47528

CFR Citation: 14 CFR 91; 14 CFR 93

Legal Deadline: None

Abstract: This action proposes to revise and codify Special Federal Aviation Administration (SFAR) No. 51-1. This action would revise the description of the airspace to require aircraft to operate at a fixed altitude. The FAA is proposing this action to reduce the potential for descent conflicts, to ensure compatibility with current traffic, and to increase overall system efficiency and safety.

Timetable:

Action	Date
NPRM	12/31/02 67 FR 80316
NPRM Comment Period End	02/14/03
Final Action	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ken McElroy, Office of Air Traffic Airspace Management, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591

Phone: 202 267-8783

RIN: 2120-AH92

2038. • +FLIGHTDECK SECURITY ON LARGE CARGO AIRPLANES

Priority: Other Significant

Legal Authority: USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 45105 to 45105; 49 USC 46105

CFR Citation: 14 CFR 121; 14 CFR 129

Legal Deadline: None

Abstract: This action provides an optional means of compliance to operators of all-cargo airplanes that are required to have a reinforced security flightdeck door by April 9, 2003. This rule allows those operators to either install reinforced doors or adopt enhanced security procedures approved by the Transportation Security Administration.

Timetable:

Action	Date
Final Rule	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Scott Crosier, Federal Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9579

RIN: 2120-AH96

**Department of Transportation (DOT)
Federal Aviation Administration (FAA)**
Long-Term Actions**2039. +DRUG ENFORCEMENT ASSISTANCE**

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 5121 to 5124; 49 USC 40113 to 40114; 49 USC 44101 to 44108; 49 USC 44110 to 44111; 49 USC 44702 to 44703; 49 USC 44704; 49 USC 44709 to 44710; 49 USC 44713; 49 USC 46101 to 46110; 49 USC 46301 to 46316; 49

USC 46501 to 46502; 49 USC 46504 to 46507; 49 USC 47106; 49 USC 47111

CFR Citation: 14 CFR 13; 14 CFR 47

Legal Deadline: Final, Statutory, September 18, 1989.

Abstract: This action would revise certain requirements concerning registration of aircraft, certification of pilots, and penalties associated with registration and certification violations. This notice also announced new

procedures for processing major repair and alteration forms which pertain to fuel system modifications. Actions announced in this notice respond to the FAA Drug Enforcement Assistance Act of 1988. The requirements and adopted procedures are intended to assist law enforcement agencies in their efforts to stop drug trafficking in general aviation aircraft. This rulemaking is significant because of substantial public interest.

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Long-Term Actions

The FAA currently is seeking modifications to the Act.

Timetable:

Action	Date
NPRM	03/12/90 55 FR 9270
NPRM Comment Period End	05/11/90

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project No. AFS-89-035R.

ANALYSIS: Regulatory Evaluation, 03/12/90, 55 FR 9270

Agency Contact: Sharon Ashford, Registry Modernization Staff, Department of Transportation, Federal Aviation Administration, 6500 South MacArthur Boulevard, Oklahoma City, OK 73125-4939

Phone: 405 954-7038

RIN: 2120-AD16

2040. CIVIL PENALTY ASSESSMENT PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 6002; 49 USC 106(g); 49 USC 5121 to 5124; 49 USC 40113 to 40114; 49 USC 44103 to 44106; 49 USC 44702 to 44703; 49 USC 44709 to 44710; 49 USC 44713; 49 USC 46101 to 46110; 49 USC 46301 to 46316; 49 USC 46501 to 46502; 49 USC 46504 to 46507; 49 USC 47106; 49 USC 47111; 49 USC 47122

CFR Citation: 14 CFR 13

Legal Deadline: None

Abstract: This action would revise the procedures for the assessment of civil penalties for violations of the Federal Aviation Regulations and other provisions. The procedures proposed would implement the requirements of the FAA Civil Penalty Administrative Assessment Act of 1992, as they modify the procedures for adjudicating a civil penalty against a person acting in the capacity of a pilot, flight engineer, mechanic, or repairman.

Timetable:

Action	Date
NPRM	08/05/94 59 FR 40192
NPRM Comment Period End	10/04/94

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: AGC-93-076R. This rulemaking was considered significant; however, after receiving only two comments on the NPRM issued in 8/94, and the lack of controversy regarding this rule, the FAA does not consider this a significant rulemaking.

ANALYSIS: Regulatory Evaluation, 08/05/94, 59 FR 40192

Agency Contact: Joyce Redos, Regulations Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591

Phone: 202 267-7158

RIN: 2120-AE84

2041. +REVISION OF EMERGENCY EVACUATION DEMONSTRATION PROCEDURES TO IMPROVE PARTICIPANT SAFETY

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 25; 49 CFR 1.47

Legal Deadline: None

Abstract: This action would amend part 25 of the FAR by revising appendix J, Emergency Evacuation, to allow certain alternative procedures in conducting full-scale emergency evacuation demonstrations for transport category airplanes. This is in response to recommendations from the Aviation Rulemaking Advisory Committee. The changes, which are intended to make full-scale emergency evacuation demonstrations safer for participants and to codify existing practices, would also affect manufacturers and operators of transport category airplanes. This action is considered significant because of substantial public interest and safety implications. The FAA is also looking at nonregulatory alternatives.

Timetable:

Action	Date
NPRM	07/18/95 60 FR 36932
Correction	08/25/95 60 FR 44387
NPRM Comment Period End	10/16/95
Final Action	07/00/04

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ANM-94-124A

ANALYSIS: Regulatory Evaluation, 07/18/95, 60 FR 36932

Agency Contact: Jeff Gardlin, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056

Phone: 425 227-2136

RIN: 2120-AF21

2042. +FLIGHT CREWMEMBER DUTY PERIOD LIMITATIONS, FLIGHT TIME LIMITATIONS, AND REST REQUIREMENTS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44701; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This rulemaking would amend the regulations on duty period limitations, flight time limitations, and rest requirements for flight crewmembers engaged in air transportation. The FAA proposes additional changes in response to comments received on the NPRM. The changes are necessary to ensure that the rules will continue to provide the minimum level of safety. This rulemaking responds to public and congressional interest in regulating flight crewmember rest requirements, NTSB Safety Recommendations, petitions for rulemaking, and scientific data. This action is considered significant because of substantial public interest.

Statement of Need: The aviation community requires 24-hour activities to meet operational demands. Growth in long-haul, regional, overnight cargo, and short-haul domestic operations is increasing. Therefore, shift work, night work, irregular work schedules, and time-zone changes will continue to be commonplace.

DOT—FAA

Long-Term Actions

With this growth, the scientific knowledge about sleep, sleep disorders, circadian physiology, fatigue, and performance decrements has also grown. Some of the scientific knowledge has indicated that aviators experience performance-impairing fatigue from sleep loss resulting from current flight and duty practices.

In addition, industry and individuals have told the FAA that the current regulations are confusing and difficult to enforce. Therefore, a second purpose of the rulemaking is to establish consistent and clear duty-period limitations and rest requirements for all types of operations.

Summary of Legal Basis: Section 44701, title 49 of the United States Code states that the Administrator shall promote safety of flight of civil aircraft in air commerce by prescribing minimum standards required in the interest of safety.

Alternatives: One obvious alternative would be to continue with the current rules; however, these regulations are rapidly becoming obsolete. As a second alternative, one commenter asked that the FAA develop a standard and then allow each carrier to design a rest/duty program that would meet that standard while accommodating differences in operations. While this works for certain rules, such as training regulations where the standard is training to proficiency, there is no way to apply this application to individual pilots on a daily basis.

Anticipated Cost and Benefits: Undetermined.

Risks: Although there has been only one identifiable accident due to pilot fatigue, fatigue is increasingly becoming the focus of possible causes following all accidents. Pilot reports of being fatigued to the point of incapacity are not uncommon, and intuitively, it is reasonable, given the sheer volume of air traffic, to expect fatigue to be a factor in future accidents if the regulations are not corrected.

Timetable:

Action	Date
NPRM	12/20/95 60 FR 65951
NPRM Comment Period End	03/19/96
NPRM Comment Period Extended to 6/19/96	03/20/96 61 FR 11492
Next Action Undetermined	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-94-443R

ANALYSIS: Regulatory Evaluation, 12/20/95, 60 FR 65951

Agency Contact: Kent Stephens, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20951
Phone: 202 267-7493

RIN: 2120-AF63

2043. MISCELLANEOUS CABIN SAFETY CHANGES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 46105; 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912

CFR Citation: 14 CFR 121

Legal Deadline: None

Abstract: This action proposes to revise the airworthiness standards for transport category airplanes relating to flight attendant assist space, flight attendant assist handles, door hold open features, outside viewing means, interior compartment doors, and portable oxygen equipment. With one exception, these proposals are not the result of any specific incident or recommendation, but are part of the FAA's continuing effort to upgrade the regulations to improve the overall level of safety in areas where the state-of-the-art and good design practice have indicated that such upgrades are warranted. These proposals would result in both new type design regulations as well as requirements applicable to existing designs implemented via the operating rules.

Timetable:

Action	Date
NPRM	07/24/96 61 FR 38552
NPRM Comment Period End	11/21/96
Next Action Undetermined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: ANM-90-016R.

ANALYSIS: Regulatory Evaluation, 07/24/96, 61 FR 38552

Agency Contact: Jeff Gardlin, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2136

RIN: 2120-AF77

2044. +FLIGHT SIMULATION DEVICE QUALIFICATION

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44703; 49 USC 44707; 49 USC 44709; 49 USC 44711; 49 USC 45102 to 45103; 49 USC 45301 to 45302

CFR Citation: 14 CFR 1; 14 CFR 11; 14 CFR 60; 14 CFR 61; 14 CFR 63; 14 CFR 141; 14 CFR 142

Legal Deadline: None

Abstract: The FAA proposes to amend the regulations to establish flight simulation device qualification requirements for all certificate holders in a new part. The basis of these requirements currently exists in different parts of the FAA's regulations and in advisory circulars. The proposed changes would consolidate and update flight simulation device requirements. This action is significant because of substantial public interest.

Timetable:

Action	Date
NPRM	09/25/02 67 FR 20284
NPRM Comment Period Extended	11/15/02 67 FR 69149
Notice of On-Line Public Forum	11/21/02 67 FR 70184
NPRM Comment Period End	12/24/02
NPRM Extended Comment Period End	02/24/03
Final Action	06/00/04

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Edward Cook, Flight Standards Service, Department of Transportation, Federal Aviation

DOT—FAA

Long-Term Actions

Administration, 1701 Columbia Avenue, College Park, GA 30337
Phone: 404 305-6100

RIN: 2120—AH07

2045. ELECTRICAL INSTALLATION, NICKEL CADMIUM BATTERY INSTALLATION, AND NICKEL CADMIUM BATTERY STORAGE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action amends the airworthiness standards for transport category airplanes concerning electrical equipment and nickel cadmium battery installations, and nickel cadmium battery storage. This rulemaking eliminates regulatory differences between the airworthiness standards of the U.S. and the Joint Aviation Requirements of Europe, without affecting current industry design practices.

Timetable:

Action	Date
NPRM	05/17/01 66 FR 27582
NPRM Comment Period End	07/16/01
Final Action	08/00/04

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Massoud Sadeghi, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 425 227-2117

RIN: 2120—AH27

2046. DESIGN AND INSTALLATION OF ELECTRONIC EQUIPMENT ON TRANSPORT CATEGORY AIRPLANES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action amends the airworthiness standards for transport

category airplanes concerning the design and installation of electronic equipment. The rule requires that such equipment be designed and installed so that it does not cause essential loads to become inoperative as a result of electrical power supply transients or transients from other causes. Adopting this rulemaking would eliminate regulatory differences between the airworthiness standards of the United States and the Joint Aviation Requirements of Europe, without affecting current industry design practices

Timetable:

Action	Date
NPRM	05/15/01 66 FR 26956
NPRM Comment Period End	07/16/01
Final Action	08/00/04

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Stephen M. Slotte, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-2315
Phone: 425 227-2315

RIN: 2120—AH28

2047. ELECTRICAL CABLES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This rule amends the airworthiness standards for transport category airplanes concerning electrical cables. This action harmonizes part 25 and JAR-25 requirements concerning cable installations and clarifies the cable design requirements ensuring that the designer considers the critical conditions, routings, and markings of a proper installation. This rulemaking eliminates regulatory differences between the airworthiness standards of the United States and the Joint Aviation Requirements of Europe, without affecting current industry design practices.

Timetable:

Action	Date
NPRM	05/15/01 66 FR 26942
NPRM Comment Period End	07/16/01
Final Action	08/00/04

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Stephen M. Slotte, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-2315
Phone: 425 227-2315

RIN: 2120—AH29

2048. +TRANSPONDER CONTINUOUS OPERATION

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 45101 to 45105; 49 USC 46105

CFR Citation: 14 CFR 21

Legal Deadline: None

Abstract: This proposal would amend the instrument and equipment requirements for airplanes operated in domestic, flag, and supplemental operations. Specifically, the FAA proposes to require affected airplanes to be equipped with provisions that would help assure immediate activation of the designated air traffic control (ATC) hijack alert code, and continuous transmission of that code to ATC during the hijack situation. The FAA is proposing this action in response to the heightened threat to U.S. civil action. This action is significant because of substantial public safety interest.

Timetable:

Action	Date
NPRM	01/14/03 68 FR 1942
NPRM Comment Period End	03/17/03
Final Action	07/00/04

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

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Long-Term Actions

Government Levels Affected: None

Agency Contact: Richard Jennings, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1895 Phoenix Boulevard, Suite 450, Atlanta, GA 30349
Phone: 770 703-6090

RIN: 2120-AH67

2049. +REVISIONS TO COCKPIT VOICE RECORDER AND DIGITAL FLIGHT DATA RECORDER REGULATIONS

Priority: Other Significant

Legal Authority: 49 USC 100(g); 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901; 49 USC

44903; 49 USC 44904; 49 USC 44912; 49 USC 46105; 49 USC 44113

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: This action proposes to amend the cockpit voice recorder and digital flight data recorder regulations for certain air carriers, operators, and aircraft manufacturers. This proposal is based on recommendations issued by the National Transportation Safety Board following the investigations of several accidents and incidents, and includes other revisions that the FAA has determined are necessary. This proposal would require that all newly manufactured airplanes have CVR installed that "receives its electrical power from the bus that provides the maximum reliability for operation of

the cockpit voice recorder without jeopardizing service to essential or emergency loads." This same language is in the proposed certification rules for the CVR and DFDR installations.

Timetable:

Action	Date
NPRM	05/00/04

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Gary Davis, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8166

RIN: 2120-AH88

**Department of Transportation (DOT)
Federal Aviation Administration (FAA)**

Completed Actions

2050. +FUEL SYSTEM VENT FIRE PROTECTION

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44721; 49 USC 44722; 49 USC 44901

CFR Citation: 14 CFR 25; 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This action would have amended the airworthiness standards for transport category airplanes to require fuel vent system protection during post-crash ground fires. This proposed rule would have applied to air carriers, air taxi operators, and commercial operators of transport category airplanes, as well as the manufacturers of such airplanes. This action was considered significant because of substantial public interest and the safety implications. This rulemaking has been withdrawn from the agenda.

Timetable:

Action	Date
ANPRM	09/26/84 49 FR 38078

Action	Date
ANPRM Comment Period End	01/25/85
NPRM	02/02/95 60 FR 6632
NPRM Comment Period End	06/02/95
Withdrawn	08/23/02 67 FR 5459

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket 24251. Formerly entitled Implementation of SAFER Propulsion System Recommendations. Project Number: ANM-82-050R.

ANALYSIS: Regulatory Evaluation, 02/02/95, 60 FR 6632

Agency Contact: Mike McRae, Airframe and Propulsion Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2133

RIN: 2120-AA49

2051. 1-G STALLING SPEED AS A BASIS FOR AIRCRAFT PARTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 4321; 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44715

CFR Citation: 14 CFR 25; 14 CFR 36

Legal Deadline: None

Abstract: This action amends the Federal Aviation Regulations to redefine the airplane reference stalling speed as the 1-g stalling speed in lieu of the minimum stalling speed. This final rule: (1) provides for a consistent, repeatable reference stalling speed; (2) ensures consistent and dependable maneuvering margins; (3) clarifies the requirement for the use of 1-g stalling speeds in determining structural design speeds; (4) increases the head-on gust structural design requirement; and (5) provides for adjusted multiplying factors to maintain essentially equivalent requirements in areas where the use of minimum stalling speed has proven adequate. These changes are needed since the stalling characteristics of modern jet transports as determined by current methods can result in inconsistent reference stalling speeds. These changes may result in a higher level of safety where current methods have resulted in artificially low reference stalling speeds.

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Timetable:

Action	Date	
NPRM	01/18/96	61 FR 1260
Correction	02/26/96	61 FR 7157
NPRM Comment Period End	05/17/96	
Final Action	11/26/02	67 FR 70812
Final Action Effective	12/26/02	
Correction	01/15/03	68 FR 1955

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project
Number: ANM-86-041R.

ANALYSIS: Regulatory Evaluation,
01/18/96, 61 FR 1260

Agency Contact: Don Stimson, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 425 227-1129

RIN: 2120—AD40

2052. +REVISION OF PART 108, AIRCRAFT OPERATOR SECURITY

Priority: Other Significant

Legal Authority: 40 USC 106(g); 49 USC 5103; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44901 to 44905; 49 USC 44907; 49 USC 44913 to 44914; 49 USC 44932; 49 USC 44935 to 44936; 49 USC 46105

CFR Citation: 14 CFR 108

Legal Deadline: None

Abstract: This action amends part 108 of the Federal Aviation Regulations to incorporate new requirements in response to worldwide terrorist activity. This final rule contains changes that are intended to enhance security for the traveling public and aircraft operators. A final rule establishing a compliance program is forthcoming, which would require compliance programs for aircraft operators. This rulemaking is considered significant because of its safety implications and substantial public interest.

Timetable:

Action	Date	
NPRM	08/01/97	62 FR 41730
Notice of Public Meeting	09/15/97	62 FR 48190

Action NPRM Comment
Date 12/01/97

Period End
Notice of Public Meeting 04/21/98 63 FR 19691
NPRM Comment 08/10/99 64 FR 43322
Period Reopened
Comment Period End 09/24/99
Final Action 07/17/01 66 FR 37330
Final Action Effective 11/14/01
Transferred to RIN 03/05/03
1652-AA09

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project
Number: ACS-87-107R.

ANALYSIS: Regulatory Evaluation,
08/01/97, 62 FR 41730

Agency Contact: Linda Valencia, Office of Civil Aviation Security Policy and Planning, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3413

RIN: 2120—AD45

2053. +REVISION OF PART 107, AIRPORT SECURITY

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 5103; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44706; 49 USC 44901 to 44905; 49 USC 44907; 49 USC 44913 to 44914; 49 USC 44932; 49 USC 44935 to 44936; 49 USC 46105

CFR Citation: 14 CFR 107

Legal Deadline: None

Abstract: This action will amend part 107 of the Federal Aviation Regulations to incorporate new requirements in response to the worldwide terrorist activity. The intent of this final rule is to enhance security for the traveling public, aircraft operators, and persons employed by or conducting business at public airports by increasing awareness of and compliance with civil aviation security measures. A final rule is forthcoming on compliance, which would require compliance programs for airport security. This rulemaking is considered significant because of its safety implications and substantial public interest.

Timetable:

Action	Date	
NPRM	08/01/97	62 FR 41760
Notice of Public Meeting	09/15/97	62 FR 48190
NPRM Comment Period End	12/01/97	
Comment Period End	04/21/98	63 FR 19691 6/26/98
Notice of Public Meeting	04/21/98	63 FR 19691
NPRM Comment Period Reopened	08/10/99	64 FR 43321
Final Action	07/17/01	66 FR 37274
Final Action Effective	11/14/01	
Transferred to RIN	03/05/03	1652-AA10

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project
Number: ACS-87-106R.

ANALYSIS: Regulatory Evaluation,
08/01/97, 62 FR 41760

Agency Contact: Bob Cammaroto, Office of Civil Aviation Security, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7723

RIN: 2120—AD46

2054. +REVISED ACCESS TO TYPE III EXITS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 25; 14 CFR 121

Legal Deadline: None

Abstract: This action proposed to adjust requirements for access to type III emergency exits in transport category airplanes with 60 or more passenger seats. The adjustments would reflect new data from tests conducted at the FAA's Civil Aeromedical Institute (CAMI) and intended to improve the ability of occupants to evacuate an airplane under emergency conditions. The FAA is withdrawing this proposed rulemaking as some of the information is outdated. The CAMI research is still ongoing. The FAA may

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issue a new rulemaking in the future. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date
NPRM	01/30/95 60 FR 5794
NPRM Comment Period End	05/01/95
Withdrawn	05/03/02 67 FR 22364

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ANM-93-005R.

Agency Contact: Mahinder K. Wahi, Transport Airplane Directorate, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055
Phone: 425 227-2142

RIN: 2120-AF01

2055. +OVERFLIGHTS OF UNITS OF THE NATIONAL PARK SYSTEM

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44701; 49 USC 44702; 49 USC 44705; 49 USC 44709; 49 USC 44711 to 44713; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306

CFR Citation: 14 CFR 91; 14 CFR 93; 14 CFR 121; 15 CFR 135

Legal Deadline: None

Abstract: The FAA and National Park Service (NPS) established a joint working group which was tasked with developing this final rule to reduce or prevent adverse effects of aircraft noise over our national park system. At the same time, the working group was charged with affording those persons who wish to visit our national parks from the air the opportunity to do so. The working group met from May to November 1997, and developed a concept paper that was approved by the Aviation Rulemaking Advisory Committee and the NPS Advisory Board in December 1997. This concept was later included in Public Law 106-181, National Parks Air Tour Management Act. This action finalizes, in cooperation with NPS, a 5,000-ft above ground level altitude that completes the definition of

“commercial air tour operation.” This rulemaking is significant because of substantial public interest.

Statement of Need: The need to reduce or prevent the adverse effects of aircraft noise over the national parks is apparent for the preservation of a valuable national resource. In its Report to Congress, the National Park Service identified 98 parks that potentially have an overflight problem. The FAA recognizes its role both to provide for the safe and efficient use of airspace and to enhance the environment by minimizing the adverse effects of aviation in the national parks.

Summary of Legal Basis: The FAA has broad authority and responsibility to regulate the operation of aircraft and the use of the airspace and to establish safety standards for and regulate the certification of airmen, aircraft, and air carriers. (49 U.S.C. 40101 et seq.) The FAA also has responsibility to protect persons and property on the ground. The President’s Memorandum of April 22, 1996, directed the FAA, working with the National Park Service, to issue a notice of proposed rulemaking for the management of sightseeing aircraft in those National Parks where it is deemed necessary to reduce or prevent the adverse effects of noise from such aircraft. Finally, title VIII of Public Law 106-181, National Parks Air Tour Management Act of 2000 gives the FAA the authority to minimize, mitigate, or prevent the adverse effect of aircraft over national parks.

Alternatives: During its working sessions, the working group considered a variety of criteria for defining an air tour, various triggering events for determining which parks are at risk, and various means for the NPS and FAA to work together to develop an air tour management plan.

Anticipated Cost and Benefits: Undetermined.

Risks: This rulemaking addresses the risk of destruction of valuable national resources and the right to enjoy the natural quiet in our national parks. At the same time, taking this risk has to be balanced against any potential safety problems that restrictions on overflights might create. Both the National Park Service and FAA are confident that a solution can be reached whereby all visitors to the park may be accommodated through an agreed upon park airspace management plan.

Timetable:

Action	Date
ANPRM	03/17/94 59 FR 12740
ANPRM Correction	04/01/94 59 FR 15350
ANPRM Comment Period End	06/15/94
Comment Period End	06/20/94 59 FR 31883
07/15/94	
Notice of Public Meeting	06/06/97 62 FR 31187
Notice of Public Meeting	04/07/98 63 FR 17040
Disposition of Comments	04/09/99 64 FR 17293
NPRM	04/27/01 66 FR 21264
NPRM Comment Period End	06/11/01
Final Action	10/25/02 67 FR 65662
Final Action Effective	01/23/03

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: Refer to 1999 Regulatory Plan entry RIN 2120-AF93, Airspace Management: Special Flight Rules in the Vicinity of the Grand Canyon and also RIN 2120-AG11, Special Flight Rules in the Vicinity of the Rocky Mountain National Park. Project Number: ARM-97-318A

Agency Contact: Kent Stephens, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20951
Phone: 202 267-7493

RIN: 2120-AF46

2056. BIRD STRIKE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action would develop or revise requirements for the evaluation of transport category airplane structure for in-flight collision with a bird, including the size of the bird and the location of the impact on the airplane. These changes are intended to harmonize the bird strike requirements of the FAR and the Joint Aviation Requirements. As part of our continuing effort to assess all proposed rulemaking projects for their relative ability to improve safety, and to realize greatest benefit from our limited

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resources, we have decided to close this action.

Timetable:

Action	Date
Terminated	03/25/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project

Number: ANM-93-762A. This is an Aviation Rulemaking Advisory Committee project.

Agency Contact: Bill Perrella, Transport Airplane Directorate, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2116

RIN: 2120—AF80

2057. +SECURITY PROGRAMS OF FOREIGN AIR CARRIERS AND FOREIGN OPERATORS OF U.S.-REGISTERED AIR CARRIERS ENGAGED IN COMMON CARRIAGE

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44712; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901 to 44904; 49 USC 44906

CFR Citation: 14 CFR 129

Legal Deadline: None

Abstract: As an action intended to implement the Antiterrorism and Effective Death Penalty Act of 1996 (PL 104-132, 4/14/96), the FAA is proposing to amend existing airplane operator security rules for foreign air carriers and foreign operators of U.S. registered aircraft. The proposed amendment would require the Administrator to accept a foreign air carrier's program only if the Administrator finds that the security program provides for identical security measures to those provided by U.S. air carriers serving the same airport. The proposed rule will establish the obligation to use identical security measures. The actual measures to be used will be identified through changes to the nonpublic security program of the foreign air carriers. This rule is considered significant due to

substantial public interest and concern of foreign governments.

Timetable:

Action	Date
NPRM	11/23/98 63 FR 64764
Notice of Public Meeting	11/23/98 63 FR 64764
Second NPRM	03/22/99 64 FR 13880
NPRM Comment Period End	03/23/99
Second NPRM Comment Period End	05/24/99
Transferred to RIN 1652-AA01	03/05/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project
Number: ACP-96-363R.

Agency Contact: Moira Lozada, Civil Aviation Security Division, Office of Civil Aviation Security Policy, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3373

RIN: 2120—AG13

2058. +PROHIBITION OF THE TRANSPORTATION OF DEVICES DESIGNED AS CHEMICAL GENERATORS AS CARGO IN AIRCRAFT

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716; 49 USC 44722; 49 USC 46301

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: The FAA is withdrawing proposed amendments regarding the transportation of devices designed as oxygen generators, including ones that have been discharged and ones that are newly manufactured but not yet charged. After the NPRM was issued, the FAA's concerns were addressed in other regulations or found to be unnecessary. In addition, the FAA is announcing that a proposed amendment to require that unexpired chemical oxygen generators be placed

in a central location in an accessible compartment and separated from other cargo in all-cargo operations is being withdrawn because the Research and Special Programs Administration (RSPA) is considering requiring outer packaging, which would satisfy the intent of the FAA's NPRM.

This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date
NPRM	08/27/98 63 FR 45912
Correction	09/24/98 63 FR 51048
NPRM Comment Period End	10/26/98
Correction	11/10/98 63 FR 69276
Withdrawn	12/12/02 67 FR 76624

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Additional Information: Project
Number: AFS-97-065R

ANALYSIS: Regulatory Evaluation, 08/27/98, 63 FR 45912

Agency Contact: David L. Catey, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8166

RIN: 2120—AG35

2059. +REVISED STANDARDS FOR CARGO OR BAGGAGE COMPARTMENTS IN TRANSPORT CATEGORY AIRPLANES

Priority: Other Significant

Legal Authority: 49 USC 44715 to 44717; 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44705; 49 USC 44711 to 44713

CFR Citation: 14 CFR 25; 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This action upgrades the fire safety standards for cargo or baggage compartments in certain transport category airplanes by eliminating Class D compartments altogether. Compartments that could no longer be designated as Class D would have to meet the standards for Class C or Class E compartments, as applicable. Certain other transport category airplanes that would not have to meet these new

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standards for type certification would have to meet them for use in air carrier, commuter, on-demand, or commercial service. These improved standards are needed to increase protection from possible in-flight fires. This rulemaking is considered significant because of the safety implications.

Timetable:

Action	Date
NPRM	06/13/97 62 FR 32412
NPRM Comment Period End	09/11/97
Final Rule Request for Comments	02/17/98 63 FR 8032
Final Rule Effective	03/19/98
Final Rule Comment Period End	06/17/98
Withdrawn	09/10/02 67 FR 57352

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: ANM-97-009R

ANALYSIS: Regulatory Evaluation, 06/13/97, 62 FR 32412

Regulatory Evaluation, 02/17/98, 63 FR 8032

Agency Contact: Gary Davis, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8166

RIN: 2120-AG42

2060. +SCREENING OF CHECKED BAGGAGE ON FLIGHTS WITHIN THE UNITED STATES

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 49 USC 106(g); 49 USC 5103; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44901 to 44905; 49 USC 44907; 49 USC 44913 to 44914; 49 USC 44932; 49 USC 44935 to 44936; 49 USC 46105

CFR Citation: 14 CFR 108

Legal Deadline: None

Abstract: The FAA is proposing the screening or bag matching of passenger-checked baggage on domestic flights by utilizing an FAA-approved Computer

Assisted Passenger Screening (CAPS) system. This is in response to a recommendation from the White House Commission on Aviation Safety and Security (the Commission), "Final Report to President Clinton." The Commission recommended that one of the steps that should be taken to improve airline passenger security is the implementation by the FAA of a computerized system for profiling airline passengers flying out of airports located in the United States. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date
NPRM	04/19/99 64 FR 19220
Correction	05/03/99 64 FR 23554
Correction	05/28/99 64 FR 28945
Comment Period Extended	06/11/99 64 FR 31686
NPRM Comment Period End	06/18/99
Comment Period End	08/17/99
Transferred to RIN 1652-AA14	03/05/03

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Lon M. Siro, Aviation Security Operations Specialist, Department of Homeland Security, Transportation Security Administration, TSA-7-500, Air Carrier Operations Division, 400 Seventh Street SW., Washington, DC 20590
Phone: 571 227-2217
Email: lon.siro@tsa.dot.gov

RIN: 2120-AG51

2061. +POLICY REGARDING AIRPORT RATES AND CHARGES

Priority: Other Significant

Legal Authority: 49 USC 47129

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: A statement of policy, Policy Regarding Airport Rates and Charges (Policy Statement), which was required by Congress as part of the DOT Authorization Act of 1994, was published in the Federal Register (61 FR 31994) on June 21, 1996. That Policy Statement announced DOT and FAA policy on the fees charged by federally assisted airports to air carriers and other aeronautical users. This

action requested comments on replacement provisions for the portions of the Policy Statement vacated by the United States Court of Appeals for the District of Columbia Circuit. The Court disallowed a portion of the policy that had to do with historic cost valuation of airport property. DOT and FAA began this proceeding in order to carry out their responsibility to establish reasonableness guidelines for airport fees. This policy is significant due to substantial industry interest. This proposed policy is being withdrawn because the issues are being considered as part of a preliminary Department of Transportation study of congestion pricing at airports.

Timetable:

Action	Date
Advance Notice of Proposed Policy	08/12/98 63 FR 43228
Comment Period End	10/13/98
Comment Period Extended	12/22/98 63 FR 70834
Comment Period End	01/31/99
Withdrawn	02/07/03 68 FR 6530

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: None

Additional Information: Citation per reference in abstract paragraph, United States Court of Appeals for the District of Columbia Circuit in *Air Transport Association of America v. Department of Transportation*, 119 F.3d 38 (D.C. Cir. 1997), as modified on rehearing, Order of Oct. 15, 1997. Previous RIN for the Policy Statement published in the Federal Register is 2120-AF90.

Agency Contact: David L. Bennett, Director, Office of Airport Safety and Standards, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3053

RIN: 2120-AG58

2062. +CERTIFICATION OF SCREENING COMPANIES

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 5103; 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44707; 49 USC 44712; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901

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to 44905; 49 USC 44906; 49 USC 44907; 49 USC 44913 to 44914

CFR Citation: 14 CFR 108; 14 CFR 109; 14 CFR 111; 14 CFR 129

Legal Deadline: None

Abstract: This action will require that all companies that perform aviation security screening be certificated by the FAA and meet enhanced requirements. This action is in response to a recommendation by the White House Commission on Aviation Safety and Security and to a congressional mandate in the Federal Aviation Reauthorization Act of 1996. The action is intended to improve the screening of passengers, accessible property, checked baggage, and cargo, and to provide standards for consistent high performance and increased accountability of screening companies. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date
NPRM	01/05/00 65 FR 560
NPRM Comment Period End	04/04/00
Transferred to RIN 1652-AA13	03/05/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ACP-98-299R.

ANALYSIS: Regulatory Evaluation, 01/05/2000, 65 FR 560

Agency Contact: Scott Cummings, Office of Civil Aviation Security, Policy, and Planning, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20951
Phone: 202 267-3413

RIN: 2120-AG84

2063. +TRAFFIC ALERT AND COLLISION AVOIDANCE SYSTEMS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121; 14 CFR 129

Legal Deadline: None

Abstract: This action proposes to require the installation and use of a traffic alert and collision system (TCAS) on certain cargo airplanes. Current regulations do not require TCAS installation on all-cargo airplanes. However, because the air cargo industry has experienced rapid growth and is increasingly sharing air space with other air carriers, the FAA is proposing this action to minimize the possibility of midair collisions involving cargo airplanes. This rulemaking proposes that affected airplanes be equipped with TCAS II, or another approved traffic alert and collision avoidance system, as appropriate, no later than October 31, 2003. This action is significant because of substantial public interest.

Timetable:

Action	Date
NPRM	11/01/01 66 FR 55506
NPRM Comment Period End	12/31/01
Final Action	04/01/03 68 FR 15884
Final Action Effective	05/01/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project No. AFS-98-314R

Agency Contact: Alberta Brown, Air Transportation Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8321

RIN: 2120-AG90

2064. REFUSAL TO SUBMIT TO AN AUTHORIZED DRUG TEST**Timetable:**

Action	Date
Duplicate of RIN 2120- AH2	02/11/03

RIN: 2120-AH23

2065. REVISION TO AIRSPEED INDICATING SYSTEM REQUIREMENTS FOR TRANSPORT CATEGORY AIRPLANES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action amends the airworthiness standards for transport category airplanes concerning the airspeed indicating system. This rule adds airspeed indication requirements for speeds greater than and less than the speed range for which airspeed indication accuracy requirements currently apply, would add a requirement that airspeed indications not cause the pilot undue difficulty between the initiation of rotation and the achievement of a steady climbing condition during takeoff, and would also add a requirement to limit the effects of airspeed lag. Adopting this rulemaking eliminates a regulatory difference between the airworthiness standards of the U.S. and the Joint Aviation Requirements of Europe, without affecting current industry design practices.

Timetable:

Action	Date
NPRM	05/15/01 66 FR 26948
NPRM Comment Period End	07/16/01
Final Action	12/12/02 67 FR 76652
Final Action Effective	01/13/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Don Stimson, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 425 227-1129

RIN: 2120-AH26

2066. DESIGN REQUIREMENTS FOR PRESSURIZATION AND PNEUMATIC SYSTEMS INSTALLED ON TRANSPORT CATEGORY AIRPLANES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This proposal would revise the airworthiness standards for transport category airplanes by incorporating the more defined design and compliance criteria currently

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contained in the counterpart European standards. Adopting this proposal would eliminate regulatory differences between the airworthiness standards of the U.S. and the Joint Aviation Requirements of Europe, without affecting current industry design practices. As part of our continuing effort to assess all proposed rulemaking projects for their relative ability to improve safety, and to realize greatest benefit from our limited resources, we have decided to close this action.

Timetable:

Action	Date
Terminated	03/25/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Kenneth Frey, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 425 227-2673

RIN: 2120—AH33**2067. REVERSE THRUST AND PROPELLER PITCH SETTINGS BELOW THE FLIGHT REGIME****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: This action proposes to require a means to prevent the flightcrew on turbo-propeller-powered airplanes from inadvertently or intentionally placing the power lever below flight idle while in flight, unless the airplane has been certified for in-flight operation. This action proposes to eliminate regulatory differences between the airworthiness standards of the U.S. and the Joint Aviation Requirements of Europe, without affecting current industry design practices. As part of our continuing effort to assess all proposed rulemaking projects for their relative ability to improve safety, and to realize greatest benefit from our limited resources, we have decided to close this action.

Timetable:

Action	Date
Terminated	03/25/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: ANM-00-700.

Agency Contact: Jennifer Abdul-Wali, Transportation Specialist, Department of Transportation, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6322
Fax: 202 366-9313
Email: jennifer.abdul-wali@ost.dot.gov

Mike Kaszycki, Transport Airplane Directorate, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 425 227-2137

RIN: 2120—AH35**2068. MODIFICATION OF THE DIMENSIONS OF THE GRAND CANYON NATIONAL PARK SPECIAL FLIGHT RULES AREA AND FLIGHT-FREE ZONES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 14 USC 40103; 49 USC 40113**CFR Citation:** 14 CFR 91; 14 CFR 93**Legal Deadline:** None

Abstract: This action proposes to modify the Grand Canyon National Park Special Flight Rules Area and two associated Flight-Free Zones in the east end of the Park. In addition this action proposes minor modifications to the Bright Angel and Desert View Flight-Free Zone. The FAA is proposing these actions to assist the National Park Service in fulfilling its statutory mandate to substantially restore the natural quiet and experience in Grand Canyon National Park. This rulemaking is terminated based on environmental issues raised by the National Park Service.

Timetable:

Action	Date
Terminated	03/21/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Howard Nesbitt, Flight Standards Service, Department of

Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 493-4981

RIN: 2120—AH48**2069. +CRIMINAL HISTORY BACKGROUND CHECKS****Priority:** Other Significant

Legal Authority: 49 USC 106(g); 49 USC 5103; 49 USC 40113; 49 USC 44706; 49 USC 44701 to 44702; 49 USC 44901 to 44905; 40 USC 44907; 49 USC 44913 to 44914; 49 USC 44932; 49 USC 44935 to 44936; 49 USC 46105

CFR Citation: 14 CFR 107; 14 CFR 108**Legal Deadline:** None

Abstract: This rule requires each airport operator and aircraft operator that has adopted a security program under part 107 and part 108, respectively, to conduct fingerprint-based criminal history record checks for individuals if they have not already undergone criminal history record checks. This rule will ensure that individuals in these positions do not have disqualifying criminal offenses. This action is significant because of substantial public interest.

Timetable:

Action	Date
Final Rule; Request for Comments	12/06/01 66 FR 63473
Final Rule Effective	12/06/01
Comment Period End	01/07/02
Comment Period Reopened	01/25/02 67 FR 3810
Comment Period End	03/11/02
Transferred to RIN 1652-AA11	03/05/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Linda Valencia, Office of Civil Aviation Security Policy and Planning, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3413

RIN: 2120—AH53

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2070. FLIGHT RESTRICTIONS IN THE VICINITY OF NIAGARA FALLS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40109; 49 USC 40113; 49 USC 44502; 49 USC 444514; 49 USC 44701; 49 USC 44719; 49 USC 46301**CFR Citation:** 14 CFR 93**Legal Deadline:** None**Abstract:** This action codifies current flight restrictions for aircraft operating in U.S. airspace in the vicinity of Niagara Falls, NY. This action will complement flight management procedures established for Niagara Falls by Transport Canada.**Timetable:**

Action	Date
NPRM	09/04/02 67 FR 56740
NPRM Comment Period End	10/21/02
Final Action	02/28/03 68 FR 9792
Final Action Effective	03/20/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Terry Brown, Airspace and Rules Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8783**RIN:** 2120-AH57**2071. +SCREENERS, QUALIFICATIONS, TRAINING, AND TESTING****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 5103; 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44701 to 44702; 49 USC 44705 to 44706; 49 USC 44712; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901 to 44907; 49 USC 44913 to 44914; 49 USC 44935 to 44936; 49 USC 46105**CFR Citation:** 14 CFR 108; 14 CFR 129; 14 CFR 191**Legal Deadline:** None**Abstract:** This final rule provides additional qualifications, training, and testing of individuals who screen persons and property that are carried

in passenger aircraft. This action is significant because of substantial public interest.

Timetable:

Action	Date
Transferred to RIN 1652-AA01	03/05/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Scott Cummings, Office of Civil Aviation Security, Policy, and Planning, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20951
Phone: 202 267-3413**RIN:** 2120-AH59**2072. +ENHANCED SECURITY PROCEDURES FOR OPERATIONS AT CERTAIN AIRPORTS IN THE WASHINGTON, DC METROPOLITAN AREA SPECIAL FLIGHT RULES AREA****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 1155; 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 40101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46316; 49 USC 46504; 49 USC 46506 to 46507; 49 USC 47122; 49 USC 47508; 49 USC 47528 to 47531**CFR Citation:** 14 CFR 91**Legal Deadline:** None**Abstract:** This rule requires any person operating an aircraft to or from College Park Airport, Potomac Airfield, and Washington Executive/Hyde Field to conduct those operations in accordance with security procedures approved by the Administrator. This action is being taken to restore aircraft operations at these airports while attempting to counter possible terrorist threats to the National Capital region. This action is significant because of substantial public interest and safety implications.**Timetable:**

Action	Date
Final Rule Effective	02/13/02
Final Rule; Request for Comments	02/19/02 67 FR 7538
Comment Period End	04/22/02

Action	Date
Final Action Effective	02/12/03
Final Action	02/14/03 68 FR 7683

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Bruce Landry, Office of Civil Aviation Security, Policy, and Planning, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8320**RIN:** 2120-AH62**2073. +SECURITY PROGRAMS FOR CHARTER OPERATIONS USING AIRCRAFT 12,500 POUNDS AND OVER****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 41717; 49 USC 44722; 49 USC 46105**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** This rule will set forth security requirements for charter operators using aircraft over 12,500 pounds take-off weight. The FAA is issuing this final rule with comment to promulgate regulations that will assist in establishing a secure environment for the traveling public. This action is significant because of substantial public interest.**Timetable:**

Action	Date
Transferred to RIN 1652-AA02	03/05/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Linda Valencia, Office of Civil Aviation Security Policy and Planning, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3413**RIN:** 2120-AH66

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2074. REVISED CHECKED PITCHING MANEUVER FOR TRANSPORT AIRPLANES**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 14 USC 40113**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: The FAA proposes to revise the checked pitching maneuver design load requirement for transport category airplanes by incorporating changes developed in cooperation with the Joint Aviation Authorities of Europe, Transport Canada, and the U.S., Europeans, and Canadian aviation industries. These proposals are intended to benefit the public interest by standardizing certain requirements, concepts, and procedures without reducing the current level of safety. As part of our continuing effort to assess all proposed rulemaking projects for their relative ability to improve safety, and to realize greatest benefit from our limited resources, we have decided to close this action.

Timetable:

Action	Date
Terminated	03/25/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Todd Martin, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 425 227-1178

RIN: 2120-AH71**2075. REVISED REQUIREMENTS FOR GUST AND CONTINUOUS TURBULENCE DESIGN LOADS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: The FAA proposes to revise the airworthiness standards for transport category airplanes by incorporating changes to the continuous turbulence design loads requirements developed in cooperation with the Joint Aviation Authorities of

Europe and the U.S. Canadian and European aviation industries. This proposal is intended to improve the requirements for continuous turbulence by revising the turbulence intensity criteria, eliminating the mission analysis method, providing a multi-axis discrete gust criterion, and reorganizing and clarifying the rule. As part of our continuing effort to assess all proposed rulemaking projects for their relative ability to improve safety, and to realize greatest benefit from our limited resources, we have decided to close this action.

Timetable:

Action	Date
Terminated	03/25/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Todd Martin, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 425 227-1178

RIN: 2120-AH73**2076. HARMONIZATION OF AIRWORTHINESS STANDARDS FLIGHT RULES, STATIC LATERAL-DIRECTIONAL STABILITY, AND SPEED INCREASE AND RECOVERY CHARACTERISTICS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: The FAA proposes to amend the airworthiness standards for transport category airplanes to allow a reduction in the minimum speed margin between the minimum safe flyaway speed and the liftoff speed during takeoff for geometry-limited airplanes. Adopting this proposal would eliminate regulatory differences between the airworthiness standards of the U.S. and the Joint Aviation Requirements of Europe, without affecting current industry design practices. As part of our continuing effort to assess all proposed rulemaking projects for their relative ability to improve safety, and to realize greatest

benefit from our limited resources, we have decided to close this action.

Timetable:

Action	Date
Terminated	03/25/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Don Stimson, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 425 227-1129

RIN: 2120-AH74**2077. AIRCRAFT REGISTRATION REQUIREMENTS; CLARIFICATION OF "COURT OF COMPETENT JURISDICTION"****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113 to 40114; 49 USC 44101 to 44108; 49 USC 44703 to 44704; 49 USC 44713; 49 USC 45302; 49 USC 46104**CFR Citation:** 14 CFR 47**Legal Deadline:** None

Abstract: This action amends language in the aircraft registration regulations governing aircraft last previously registered in a foreign country. This action is needed to clarify the term "court of competent jurisdiction." This action intends to clearly describe what constitutes satisfactory evidence to the Administrator that foreign registration of an aircraft has ended or is invalid.

Timetable:

Action	Date
NPRM	06/17/02 67 FR 41302
NPRM Comment Period End	07/17/02
Final Action	03/04/03 68 FR 10316
Final Action Effective	04/03/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Julie A. Stanford, Aircraft Regulation Branch, Department of Transportation, Federal Aviation Administration, P.O. Box 25504, Oklahoma City, OK 73125

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Phone: 405 954-3131

RIN: 2120—AH75

2078. AIRWORTHINESS STANDARDS; FIRE PROTECTION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 448701; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 33

Legal Deadline: None

Abstract: The FAA proposes to change the fire protection standards for the issuance of original and appropriate amended type certificates for aircraft engines. This proposal resulted from an effort to harmonize the Federal aviation regulations with European requirements being proposed by the Joint Aviation Authorities. As part of our continuing effort to assess all proposed rulemaking projects for their relative ability to improve safety, and realize greatest benefit from our limited resources, we have decided to close this action.

Timetable:

Action	Date
Terminated	03/25/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marc Bouthillier, Engine & Propeller Standards Staff, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803
Phone: 617 238-7111

RIN: 2120—AH80

2079. • SERVICE DIFFICULTY REPORTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 41703; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705 to 44707; 49 USC 44709 to 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 45101 to 45105; 49 USC 46105

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135; 14 CFR 145

Legal Deadline: None

Abstract: This action further delays the effective date of a final rule that amends the reporting requirements for air carriers and certificated domestic and foreign repair station operators concerning failures, malfunctions, and defects of aircraft, aircraft engines, systems, and components. This action is prompted by the FAA's decision to issue a proposal to address industry concerns about the final rule. Delaying the effective date of the final rule will allow the agency time for further consideration of industry concerns and completion of the notice of proposed rulemaking process.

Timetable:

Action	Date
Final Rule; Delay of Effective Date	12/27/02 67 FR 78970
Effective Date Delayed to	01/16/04

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jose Figueroa, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 5601 Mariner Street, Suite 310, Tampa, FL 33609-3413
Phone: 813 639-2540

RIN: 2120—AH91

2080. • SPECIAL OPERATING RULES FOR THE CONDUCT OF INSTRUMENT FLIGHT RULES AREA NAVIGATION OPERATIONS IN ALASKA

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 129

Legal Deadline: None

Abstract: This action would allow the use of Global Positioning System/Wide Area Augmentation Systems for the en route portion of flights on routes in Alaska outside the operational service volume of ground based navigation aids. This Special Federal Aviation Regulation (SFAR) 97 would optimize routes and instrument procedures and

provide for a more efficient use of airspace.

Timetable:

Action	Date
NPRM	01/24/03 68 FR 3778
NPRM Comment Period End	02/24/03
Final Action Effective	03/13/03
Final Action	03/21/03 68 FR 14071

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ken McElroy, Office of Air Traffic Airspace Management, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8783

RIN: 2120—AH93

2081. • EXTENSION OF SFAR 73-ROBINSON R-22/R-44 SPECIAL TRAINING AND EXPERIENCE REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44703; 49 USC 44707; 49 USC 44709 to 44711; 49 USC 45102 to 45103; 49 USC 45301 to 45302

CFR Citation: 14 CFR 61

Legal Deadline: None

Abstract: This rule extends the expiration date of Special Federal Aviation Regulation (SFAR) 73 and amends the special training and experience requirements for pilots operating Robinson R-22 or R-44 helicopters. It also requires special training and experience for certified flight instructors conducting student instruction or flight review in R-22 or R-44 helicopters.

Timetable:

Action	Date
NPRM	11/14/02 67 FR 69106
NPRM Comment Period End	12/16/02
Final Action Effective	12/31/02
Final Action	01/02/03 68 FR 39

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

DOT—FAA

Completed Actions

Agency Contact: Robert J. O'Haver, General Aviation and Commercial Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7031

RIN: 2120-AH94

2082. • MODIFICATIONS OF THE DIMENSIONS OF THE GRAND CANYON NATIONAL PARK RULES AREAS AND FREE FLIGHT ZONE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 47528 to 47531

CFR Citation: 14 CFR 93

Legal Deadline: None

Abstract: This final rule extends the delay of implementation of the April 2000 rule for the Grand Canyon National Park as that rule would affect overflights in the east end of the park. Because of ongoing noise abatement efforts conducted in cooperation with the National Park Service, the FAA finds it necessary to make this extension for an additional 6 years. New routes and airspace restrictions for the west end of the park have been in effect since April 2001. This rulemaking was inadvertently published with a RIN number of 2120-AG74. That RIN number was used for previous actions on this rulemaking and was removed from the Semi-

Annual Agenda as a completed action in 2000.

Timetable:

Action	Date
Final Action Effective	02/20/03
Final Action	02/27/03 68 FR 9496

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kent Stephens, Office of Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7493

RIN: 2120-AH95

Department of Transportation (DOT)

Proposed Rule Stage

Federal Highway Administration (FHWA)

2083. ADVANCED CONSTRUCTION OF FEDERAL AID PROJECTS

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 101(a); 23 USC 104 to 106; 23 USC 109; 23 USC 110; 23 USC 113; 23 USC 115; 23 USC 118; 23 USC 120(e); 23 USC 121(c); 23 USC 125; 23 USC 134; 23 USC 315; 23 USC 320

CFR Citation: 23 CFR 630; 23 CFR 1.32; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA is proposing to revise the existing regulations that prescribe policies and procedures for advancing the construction of Federal-aid highway projects without obligating Federal funds apportioned or allocated to the States. These regulations should be revised to conform to changes made to title 23, United States Code, by technical amendments in the Transportation Equity Act of the 21st Century (TEA-21), Pub. L. 105-178, and changes made by the National Highway System Designation Act of 1995 (NHS), Pub. L. 104-59.

Timetable:

Action	Date
Interim Final Rule	07/19/95 60 FR 36991
Interim Final Rule Comment Period End	09/18/95
NPRM	05/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Max Inman, Office of Budget and Finance, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2853

RIN: 2125-AD59

2084. WORK ZONE MOBILITY AND SAFETY

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 105; 23 USC 106; 23 USC 109; 23 USC 110; 23 USC 115; 23 USC 315; 23 USC 320; PL 102-240, sec 1051; PL 104-59, sec 358

CFR Citation: 23 CFR 636; 23 CFR 1.32; 49 CFR 1.48; 23 CFR 630

Legal Deadline: None

Abstract: The FHWA is proposing to amend its regulations on traffic safety and mobility in highway and street work zones. Section 1051 of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) required the Secretary of Transportation (Secretary) to develop and implement a highway work zone safety program which would improve work zone safety at highway construction sites. This

provision of ISTEA was implemented through non-regulatory action.

A notice published in the Federal Register on October 24, 1995 (60 FR 54562) provided an outline of the work zone safety initiative.

The current proposed regulatory action will further enhance the work zone safety initiative by expanding its focus to include both safety and mobility. The proposed action will incorporate the use of new work zone techniques and technologies, update current policy and regulation, and emphasize issues affecting the safety and mobility of highway workers and highway users.

Timetable:

Action	Date
ANPRM	02/06/02 67 FR 5532
ANPRM Comment Period End	06/06/02
Notice of Public Meetings	08/09/02 67 FR 51802
NPRM	06/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Scott Battles, Office of Transportation Operations, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590

DOT—FHWA

Proposed Rule Stage

Phone: 202 366-4372

RIN: 2125-AE29

2085. REVISIONS TO HIGHWAY BRIDGE REPLACEMENT AND REHABILITATION PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: PL 97-424, sec 161; 23 USC 109(a); 23 USC 144(g); PL 105-178, sec 1101(a)(3); 23 USC 109(h); 23 USC 144; 23 USC 151; 23 USC 315; 23 USC 319; 33 USC 401; 33 USC 409 et seq; 33 USC 511 et seq; PL 97-134, sec 4(b); PL 105-206; ...

CFR Citation: 23 CFR 650; 23 CFR 1.32; 49 CFR 1.48(b)

Legal Deadline: None

Abstract: The FHWA is proposing to amend its regulation outlining the highway bridge replacement and rehabilitation program (HBRRP). The HBRRP was established in accordance with section 124 of the Surface Transportation Assistance Act of 1978 (Pub. L. 95-599, 92 Stat. 2689). It was established to assist the States in the replacement and rehabilitation of bridges declared unsafe because of structural deficiencies, physical deterioration, or functional obsolescence.

This regulation has not been revised since it was issued in 1979. The FHWA proposes changes to this regulation to better meet the needs of the State and local governments, while simultaneously meeting the national goals of improving the condition of the nation's bridges.

Timetable:

Action	Date
ANPRM	09/26/01 66 FR 49152
ANPRM Comment Period End	12/26/01
NPRM	07/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Raymond McCormick, Director, Office of Bridge Technology, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590
Phone: 202 366-4675

RIN: 2125-AE75

2086. +NATIONAL BRIDGE INSPECTION STANDARDS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 23 USC 109(a); 23 USC 109(h); 23 USC 144; 23 USC 151; 23 USC 315; 23 USC 319; EO 11988; ...

CFR Citation: 23 CFR 650; 23 CFR 1.32; 49 CFR 1.48(b)

Legal Deadline: None

Abstract: The FHWA is proposing to amend and update its regulation on National Bridge Inspection Standards (NBIS). The FHWA asked in an ANPRM whether there is a need to update the regulations to incorporate current, state-of-the-art bridge inspection practices which public authorities may be using. A public authority means a Federal, State, county, town, or township, Indian tribe, municipal, or other local government or instrumentality with the authority to finance, build, operate, or maintain toll or toll-free facilities. The primary purpose of the NBIS is to identify bridges that need work to ensure the safety of the traveling public. The NBIS regulation was last updated 14 years ago. Based on the comments received to the ANPRM, the FHWA will propose a revision of its regulation on the NBIS.

Timetable:

Action	Date
ANPRM	09/26/01 66 FR 49154
ANPRM Comment Period End	12/26/01
NPRM	12/00/03

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal

Agency Contact: Wade F. Casey, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9487

RIN: 2125-AE86

2087. • UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION FOR FEDERAL ASSISTED PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 4601 et seq; 49 CFR 1.48

CFR Citation: 49 CFR 24

Legal Deadline: None

Abstract: The FHWA is proposing to update general policies and make needed changes to the regulations implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act). Except for minor adjustments, this regulation has not been revised or updated in 15 years and the FHWA has received numerous requests from Federal and State agencies to update the regulation. The FHWA proposes these changes that will assist individuals and businesses that are relocated as a result of a Federal or Federal-aid project.

Timetable:

Action	Date
NPRM	07/00/03

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Ron Fannin, Team Leader, Professional Development and Training Team, Department of Transportation, Federal Highway Administration, Office of Real Estate Services, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2042

RIN: 2125-AE97

Department of Transportation (DOT)

Final Rule Stage

Federal Highway Administration (FHWA)

2088. FEDERAL-AID HIGHWAY SYSTEMS**Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 103(b); 23 USC 103(c); 23 USC 315**CFR Citation:** 23 CFR 470**Legal Deadline:** None

Abstract: The FHWA plans to adopt as final the interim final rule issued in 1997. The interim final rule amends 23 CFR 470 in accordance with legislation enacted in 1991, 1995, and 1998. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) rescinded the Federal-aid Primary and Secondary and Urban Systems; established an interim National Highway System (NHS); and defined Federal-aid highways. The NHS Designation Act of 1995 (NHS Act) authorized the initial National Highway System and also authorized the Secretary to approve modifications. The Transportation Equity Act for the 21st Century (TEA-21) authorized the initial NHS connectors to major intermodal terminals and recodified 23 U.S.C. 103 (Federal-aid systems). The action also consolidates in appendices all nonregulatory guidance material issued previously by the FHWA on Federal-aid highway systems.

Timetable:

Action	Date
Interim Final Rule	06/19/97 62 FR 33351
Interim Final Rule Effective	07/21/97
Final Action	06/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: The FHWA issued an interim final rule with an opportunity for public comment. This rule amends regulations that the States comply with as part of the Federal-aid highway program. The FHWA has worked closely with the States, and the States have operated under the basic policies covered by this regulation for many years. A number of technical revisions are required as a result of the TEA-21 recodification of 23 U.S.C. 103, including incorporation of the provisions of former 23 U.S.C. 139 (Additions to Interstate System).

Agency Contact: Frank Clark, Department of Transportation, FederalHighway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5006**RIN:** 2125-AD74**2089. RAILROAD HIGHWAY PROJECTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 315; 23 USC 109(e); 23 USC 120(c); 23 USC 130**CFR Citation:** 23 CFR 140; 23 CFR 646**Legal Deadline:** None

Abstract: The FHWA plans to adopt as final the interim final rule that amends its regulations on railroad highway projects. The amendments now require railroads to submit final billings within one year following completion of work, delete the requirements of a State's certification that work was completed, increase the ceiling for lump sum agreements from \$25,000 to \$100,000 and incorporate changes brought about by ISTEA. The FHWA believes these changes will conform railroad/highway regulations to more recent laws or regulations, and provide State highway agencies clarification and more flexibility in implementing them.

Timetable:

Action	Date
Interim Final Rule	08/27/97 62 FR 45326
Interim Final Rule Comment Period End	10/27/97
Final Action	05/00/03

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local**Agency Contact:** Debrah Williams Chappell, Department of Transportation, Federal Highway Administration, Office of Highway Safety Information, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0087**RIN:** 2125-AD86**2090. +FEDERAL LANDS HIGHWAY PROGRAM; MANAGEMENT SYSTEMS PERTAINING TO THE NATIONAL PARK SERVICE, INCLUDING THE PARK ROADS AND PARKWAYS PROGRAM****Priority:** Other Significant**Legal Authority:** 23 USC 134; 23 USC 135; 23 USC 204; 23 USC 315; PL 105-178**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: The FHWA was delegated the authority to serve as the lead agency to develop transportation planning procedures pertaining to the National Park Service, the Forest Service, the Fish and Wildlife Service, and the Bureau of Indian Affairs that are consistent with the metropolitan and statewide transportation planning processes. The FHWA and the appropriate Federal land management agencies are also given the authority to develop safety, bridge, pavement, and congestion management systems for roads funded under the Federal lands highways program (FLHP). The roads funded under the FLHP include park roads and parkways, forest highways, refuge roads, and Indian reservation roads.

The FHWA sought public comment on four related ANPRMs that were published on September 1, 1999. The comment period closed on November 1, 1999. Six organizations provided comments on the ANPRM pertaining to the National Park Service (NPS) and the park roads and parkways program. The comments generally supported the development of a separate rule for each agency including one for the NPS.

In related NPRMs, the FHWA sought public comment on a proposed rule to implement section 1115(d) of the Transportation Equity Act for the 21st Century (TEA-21) implementing safety, bridge, pavement, and congestion management systems developed by FHWA's Federal Lands Highway program office in consultation with the NPS. The NPRM was designated as significant under E.O. 12866 and the DOT regulatory policies and procedures because of the high level of interagency interest in the notices and involved program. The transportation planning procedures will be addressed in a separate NPRM.

DOT—FHWA

Final Rule Stage

Timetable:

Action	Date
ANPRM	09/01/99 64 FR 47749
ANPRM Comment Period End	11/01/99
NPRM	01/08/03 68 FR 1080
NPRM Comment Period End	03/10/03
Final Action	10/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Butch Wlaschin, Federal Lands Highway Office, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9486

RIN: 2125-AE52

2091. +FEDERAL LANDS HIGHWAY PROGRAM; MANAGEMENT SYSTEMS PERTAINING TO THE BUREAU OF INDIAN AFFAIRS, INCLUDING THE INDIAN RESERVATIONS ROAD PROGRAM

Priority: Other Significant

Legal Authority: 23 USC 315; PL 105-178; 23 USC 134; 23 USC 135; 23 USC 204

CFR Citation: Not Yet Determined**Legal Deadline:** None

Abstract: The FHWA was delegated the authority to serve as the lead agency to develop transportation planning procedures pertaining to the National Park Service, the Forest Service, the Fish and Wildlife Service, and the Bureau of Indian Affairs that are consistent with the metropolitan and statewide transportation planning processes. The FHWA and the appropriate Federal land management agencies are also given the authority to develop safety, bridge, pavement, and congestion management systems for roads funded under the Federal lands highways program (FLHP). The roads funded under the FLHP include park roads and parkways, forest highways, refuge roads, and Indian reservation roads.

The FHWA sought public comment on four related ANPRMs that were published on September 1, 1999. The comment period closed on November 1, 1999. Eight organizations provided comments on the ANPRM pertaining to

the Bureau of Indian Affairs (BIA) and the Indian reservation roads program. The comments generally supported the development of a separate rule for each agency including one for the BIA.

In related NPRMs, the FHWA sought public comment on a proposed rule to implement section 1115(d) of the Transportation Equity Act for the 21st Century (TEA-21), for the proposed safety, bridge, pavement, and congestion management systems developed by FHWA's Federal Lands Highway program office in consultation with the BIA. The NPRM was designated as significant under E.O. 12866 and the DOT regulatory policies and procedures because of the high level of interagency interest in the notices and involved program. The transportation planning procedures will be addressed in a separate NPRM.

Timetable:

Action	Date
ANPRM	09/01/99 64 FR 47746
ANPRM Comment Period End	11/01/99
NPRM	01/08/03 68 FR 1105
NPRM Comment Period End	03/10/03
Final Action	10/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Butch Wlaschin, Federal Lands Highway Office, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9486

RIN: 2125-AE53

2092. +FEDERAL LANDS HIGHWAY PROGRAM; MANAGEMENT SYSTEMS PERTAINING TO THE FISH AND WILDLIFE SERVICE, INCLUDING THE REFUGE ROADS PROGRAM

Priority: Other Significant

Legal Authority: 23 USC 134; 23 USC 135; 23 USC 204; 23 USC 315; PL 105-178

CFR Citation: Not Yet Determined**Legal Deadline:** None

Abstract: The FHWA was delegated the authority to serve as the lead agency to develop transportation planning procedures pertaining to the National Park Service, the Forest Service, the

Fish and Wildlife Service, and the Bureau of Indian Affairs that are consistent with the metropolitan and statewide transportation planning processes. The FHWA and the appropriate Federal Land Management agencies are also given the authority to develop safety, bridge, pavement, and congestion management systems for roads funded under the Federal lands highways program (FLHP). The roads funded under the FLHP include park roads and parkways, forest highways, refuge roads, and Indian reservation roads.

The FHWA sought public comment on four related ANPRMs that were published on September 1, 1999. The comment period closed on November 1, 1999. Six organizations provided comments on the ANPRM pertaining to the Fish and Wildlife Service (FWS) and the refuge roads program. The comments generally supported the development of a separate rule for each agency including one for the FWS.

In related NPRMs, the FHWA sought public comment on a proposed rule to implement section 1115(d) of the Transportation Equity Act for the 21st Century (TEA-21) for the proposed safety, bridge, pavement and congestion management systems developed by FHWA's Federal Lands Highway program office in consultation with the FWS. The NPRM was designated as significant under E.O. 12866 and the DOT regulatory policies and procedures because of the high level of interagency interest in the notices and involved program. The transportation planning procedures will be addressed in a separate NPRM.

Timetable:

Action	Date
ANPRM	09/01/99 64 FR 47741
ANPRM Comment Period End	11/01/99
NPRM	01/08/03 68 FR 1096
NPRM Comment Period End	03/10/03
Final Action	10/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Butch Wlaschin, Federal Lands Highway Office, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590

DOT—FHWA

Final Rule Stage

Phone: 202 366-9486

RIN: 2125-AE54

2093. +FEDERAL LANDS HIGHWAY PROGRAM; MANAGEMENT SYSTEMS PERTAINING TO THE FOREST SERVICE, INCLUDING THE FOREST HIGHWAYS PROGRAM**Priority:** Other Significant**Legal Authority:** 23 USC 135; 23 USC 204; 23 USC 315; PL 105-178; 23 USC 134**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: The FHWA was delegated the authority to serve as the lead agency to develop transportation planning procedures pertaining to the National Park Service, the Forest Service, the Fish and Wildlife Service, and the Bureau of Indian Affairs that are consistent with the metropolitan and statewide transportation planning processes. The FHWA and the appropriate Federal land management agencies are given the authority to develop safety, bridge pavement, and congestion management systems for roads funded under the Federal lands highways program. The roads funded under the FLHP include park roads and parkways, forest highways, refuge roads, and Indian reservation roads.

The FHWA sought public comment on four related ANPRMs that were published on September 1, 1999. The comment period closed on November 1, 1999. Seven organizations provided comments on the ANPRM pertaining to the Forest Service (FS) and the forest highway program. The comments generally supported the development of a separate rule for each agency including one for the FS.

In related NPRMs, the FHWA sought public comment on a proposed rule to implement section 1115(d) of the Transportation Equity Act for the 21st Century (TEA-21) for the proposed safety, bridge, pavement and congestion management systems developed by FHWA's Federal Lands Highway program office in consultation with the FS. The NPRM was designated as significant under E.O. 12866 and the DOT regulatory policies and procedures because of the high level of interagency interest in the notices and involved program. The transportation planning procedures will be addressed in a separate NPRM.

Timetable:

Action	Date
ANPRM	09/01/99 64 FR 47744
ANPRM Comment	11/01/99
Period End	
NPRM	01/08/03 68 FR 1088
NPRM Comment	03/10/03
Period End	
Final Action	10/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Butch Wlaschin, Federal Lands Highway Office, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9486

RIN: 2125-AE55

2094. INDIAN RESERVATION ROAD BRIDGE PROGRAM**Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 120(j) and (k); 23 USC 202; 23 USC 315; PL 105-178, sec 1115; 49 CFR 1.48**CFR Citation:** 23 CFR 661**Legal Deadline:** None

Abstract: The FHWA plans to adopt as final the interim final rule that implemented the Indian Reservation Roads Bridge Program. Section 1115 of the Transportation Equity Act for the 21st Century established a nationwide priority program for improving deficient Indian reservation road (IRR) bridges and reserves \$13 million of IRR funds per year to replace and rehabilitate bridges that are in poor condition. The FHWA, Federal Lands Highway Office (FLH), and the Bureau of Indian Affairs, Division of Transportation (BIADOT), implemented the IRR bridge program (IRRB) to promptly address the deficient IRR bridges. Toward that end, the FLH and the BIADOT, in consultation with Indian tribal governments, developed project selection/fund allocation procedures for uniform application of the legislation.

Timetable:

Action	Date
Interim Final Rule	07/19/99 64 FR 38565
Interim Final Rule	07/19/99
Effective	
Final Action	12/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: Public comment was solicited in a February 12, 1999, Federal Register notice (64 FR 7229). These comments will be addressed in the final rule.

Agency Contact: Wade F. Casey, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9487

RIN: 2125-AE57

2095. STANDARDS FOR DEDICATED SHORT-RANGE COMMUNICATIONS (DSRC) APPLICATIONS FOR USE BY COMMERCIAL VEHICLES IN INTELLIGENT TRANSPORTATION SYSTEMS PROJECTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 307; 23 USC 315; 23 USC 502 note; PL 102-240, sec 6055(b); PL 105-178, sec 5206(e)**CFR Citation:** 23 CFR 1001; 49 CFR 1.48**Legal Deadline:** None

Abstract: The FHWA plans to withdraw the proposed rulemaking that proposed to amend its regulations to require the use of Dedicated Short-Range Communications (DSRC) Standards for ITS commercial vehicle projects using Federal funds. DSRC Systems use microwave communications over very short distances to allow moving vehicles to communicate with fixed roadside locations. In commercial motor vehicle applications, DSRC devices can transfer information regarding vehicle safety, performance, regulatory compliance, and credentials from the vehicle to inspection stations.

The use of DSRC standards would promote interoperability among, and enable integration of ITS systems for, North American commercial vehicle applications, such as electronic clearance, automated weight stations, and border crossings. Interoperability would also encourage institutional integration and cooperation. However a de facto standard has emerged within the industry. Therefore, we plan to withdraw this rulemaking action.

DOT—FHWA

Final Rule Stage

Timetable:

Action	Date	
NPRM	12/30/99	64 FR 73674
NPRM Comment Period End	02/28/00	
Supplemental NPRM	12/12/00	65 FR 77534
Final Action	06/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: William S. Jones, ITS Joint Program Office, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2128

RIN: 2125-AE63**2096. COMMERCIAL VEHICLE WIDTH EXCLUSIVE DEVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 31111; 49 USC 31113**CFR Citation:** 23 CFR 658**Legal Deadline:** None

Abstract: This action responds to two unique requests with respect to the exclusion of certain devices from established truck length and width requirements.

The rulemaking would increase from 3 to 4 inches the distance from the side of a commercial vehicle within which non-cargo carrying devices are excluded from vehicle width measurement.

In a separate matter, the Senate Committee on Appropriations has requested the FHWA consider a special allowance, within reasonable safety limitations, concerning the commercial movement of recreational vehicles (RVs) with incidental appurtenances, such as retractable awnings, that extend beyond current Federal width limitations. A number of States have enacted laws that allow incidental appurtenances on noncommercial RVs to exceed State width limitations.

This rulemaking would make these two changes to its regulation governing

truck length and width exclusive devices.

Timetable:

Action	Date	
NPRM	07/29/02	67 FR 48994
NPRM Comment Period End	09/27/02	
Final Action	06/00/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State

Agency Contact: Robert E.L. Davis, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2997

RIN: 2125-AE90**2097. MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 109(d); 23 USC 315; 23 USC 402(a)**CFR Citation:** 23 CFR 655, subpart F**Legal Deadline:** None

Abstract: The Manual on Uniform Traffic Control Devices contains the Standards, Guidance, and Options for installing all traffic control devices (signs, traffic signals, and pavement markings) on the nation's roadways opened to public travel. By following the manual drivers, pedestrians, and bicyclists encounter the same uniform signs, traffic signals, and pavement markings, used in identical ways, along their trip. As a result of changes in technology, materials, and management strategies, the devices in the manual and their uses need to be updated and amended on an annual basis.

This amendment is in keeping with the Secretary of Transportation's authority under 23 U.S.C. 109(d), 315, and 402(a) to promulgate uniform guidelines to promote the safe and efficient use of highways.

Timetable:

Action	Date	
Notice of Proposed Amendments	05/21/02	67 FR 35850
Comment Period End	08/19/02	
Final Action	10/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Ernest D.L. Huckaby, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9064

RIN: 2125-AE93**2098. +DESIGNATION OF DROMEDARY-EQUIPPED TRUCK TRACTOR-SEMITRAILERS AS SPECIALIZED EQUIPMENT****Priority:** Other Significant**Legal Authority:** 49 USC 31111(g)**CFR Citation:** 23 CFR 658**Legal Deadline:** None

Abstract: This rulemaking would amend FHWA's truck size and weight regulations to designate dromedary-equipped truck tractor-semitrailers, when hauling munitions for the Department of Defense (DOD), as specialized equipment. No State would be able to limit this combination to less than 75 feet.

This is in response to a petition from the Department of Defense indicating that the change would help expedite the hauling of munitions.

Timetable:

Action	Date	
NPRM	10/23/02	67 FR 65056
NPRM Comment Period End	11/22/02	
Final Action	07/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Phillip J. Forjan, Transportation Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6817

RIN: 2125-AE94

Department of Transportation (DOT)

Completed Actions

Federal Highway Administration (FHWA)

2099. REVISION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES; TRAFFIC CONTROL DEVICES ON FEDERAL-AID AND OTHER STREETS AND HIGHWAYS; STANDARDS**Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 101(a); 23 USC 104; 23 USC 109(d); 23 USC 114(a); 23 USC 217; 23 USC 315; 23 USC 402(a)**CFR Citation:** 23 CFR 1.32; 49 CFR 1.48(b)**Legal Deadline:** None**Abstract:** The MUTCD is incorporated by reference in 23 CFR part 655, subpart F, and is recognized as the national standard for traffic control devices on all public roads. Due to the reorganization of the FHWA and the deletion of 23 CFR 1204.4 by the National Highway Traffic Safety Administration (NHTSA), 23 CFR part 655.603 is outdated. These amendments will update 23 CFR part 655.**Timetable:**

Action	Date
NPRM	10/30/02 67 FR 66076
NPRM Comment Period End	12/30/02
Final Action	03/24/03 68 FR 14138
Final Action Effective	04/23/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Ernest D.L. Huckaby, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9064**RIN:** 2125-AE78**2100. +DESIGN-BUILD CONTRACTING****Priority:** Other Significant**Legal Authority:** PL 105-178, sec 1307(c); 23 USC 112**CFR Citation:** 23 CFR 635**Legal Deadline:** Final, Statutory, June 9, 2001.**Abstract:** The FHWA revises its regulations to implement design-build contracting as mandated by section 1307(c) of the Transportation Equity Act for the 21st Century (TEA-21), enacted on June 9, 1998. TEA-21 requires the Secretary of Transportation

to issue regulations to allow design-build contracting for selected projects. The regulations list the criteria and procedures that will be used by the FHWA in approving the use of design-build contracting by State Transportation Departments (STDs). The regulation does not require the use of design-build contracting but rather would allow it as an optional technique in addition to traditional contracting methods.

Timetable:

Action	Date
NPRM	10/19/01 66 FR 53288
NPRM Comment Period End	12/19/01
Final Action	12/10/02 67 FR 75902
Final Action Effective	01/09/03
Correction to Final Rule	02/19/03 68 FR 7921

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State**Additional Information:** The NPRM published at 66 FR 53288 on October 19, 2001, contained an incorrect docket number. The correct docket number for the NPRM is FHWA-2000-7799. A notice of correction was published in the Federal Register on October 31, 2001 (67 FR 54964).**Agency Contact:** Gerald Yakowenko, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1562**RIN:** 2125-AE79**2101. DISCRETIONARY BRIDGE CANDIDATE RATING FACTOR****Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 109(a); 23 USC 109(h); 23 USC 144; 23 USC 151; 23 USC 315; ...**CFR Citation:** 23 CFR 650**Legal Deadline:** None**Abstract:** The FHWA revises its regulation on the discretionary bridge program rating factor in order to incorporate several administrative considerations that have proven effective in the project selection process. This action amends the current regulations according to a provision in TEA-21 which requires the Secretary of Transportation to publish both the statutory and regulatory criteria that will apply to the discretionary bridge program.

These changes require that the candidate projects be ready to begin construction in the fiscal year in which funds are available for obligation; allow leveraged funds from local, State, county, or private sources to be used to reduce the total project cost for use in the rating factor formula; disallow any discretionary allocation to a State that has transferred Highway Bridge Replacement and Rehabilitation Program funds to other categories of Federal funding in the previous year; and change the definition of one term in the rating factor formula.

Timetable:

Action	Date
NPRM	01/22/02 67 FR 2837
NPRM Comment Period End	03/25/02
Final Action	10/15/02 67 FR 63539
Final Action Effective	11/14/02

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Steven Ernst, Office of Bridge Technology, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4619**RIN:** 2125-AE88**2102. DEBT FINANCING****Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 122**CFR Citation:** 23 CFR 140**Legal Deadline:** None**Abstract:** In this action, the FHWA had planned to amend its regulation on reimbursement for bond issue projects to implement the changes made to 23 U.S.C. 122 by the National Highway System Designation Act of 1995 (NHS). Section 311 of the NHS amended 23 U.S.C. 122 to make debt financing costs related to title 23 projects eligible for Federal reimbursement. The FHWA has terminated this action in light of the imminent reauthorization of the surface transportation program.**Timetable:**

Action	Date
Terminated	02/05/03

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

DOT—FHWA

Completed Actions

Agency Contact: Dale M. Gray, Federal-Aid Financial Management Division, Department of Transportation, Federal Highway Administration, Room 4313, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0978

RIN: 2125-AE91

2103. +STATEWIDE TRANSPORTATION PLANNING; METROPOLITAN TRANSPORTATION PLANNING

Priority: Other Significant

Legal Authority: 23 USC 134; 23 USC 135; 23 USC 315; 49 USC 5305 to 5306

CFR Citation: 23 CFR 450; 49 CFR 1.48(b); 49 CFR 1.51

Legal Deadline: None

Abstract: On May 25, 2000, the FHWA and the FTA jointly published an NPRM on statewide and metropolitan transportation planning (RIN 2125-AE62; 2132-AA66). The agencies have carefully considered all of the data, recommendations, and ongoing issues with respect to statewide and metropolitan transportation planning. In light of the current situation, the agencies have amended 23 CFR 450 to include provisions related to consultation with non-metropolitan, local officials and further refine processes related to public involvement.

The purpose of this change is to ensure that the concerns of local and rural transportation officials are adequately represented in Federal transportation planning activities.

Timetable:

Action	Date
Supplemental NPRM	06/19/02 67 FR 41648
Comment Period	08/15/02 67 FR 53326
Extended	
Comment Period End	09/19/02
Final Rule	01/23/03 68 FR 3176
Correction to final rule	02/14/03 68 FR 7418
Final Action Effective	02/24/03
Correction Effective	03/17/03

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: Jill Hochman, Director, Office of Intermodal and Statewide Programs, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0233

Related RIN: Related To 2132-AA75

RIN: 2125-AE95

2104. TRUCK SIZE AND WEIGHT; NATIONAL NETWORK; VIRGINIA

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 127; 23 USC 315; 49 USC 31111; 49 USC 31112; 49 USC 31114; 49 CFR 1.48(b)(19); 49 CFR 1.48(c)(19)

CFR Citation: 23 CFR 658

Legal Deadline: None

Abstract: The FHWA terminated its proposal to modify the National Network (NN) for commercial motor vehicles by adding 119 route segments in Virginia. This action was terminated after receiving a letter from the Office of the Governor of the Commonwealth of Virginia withdrawing its request to add approximately 900 miles to the National Network.

The Virginia Department of Transportation plans to conduct a thorough evaluation of the 900 miles, including safety, operational, and physical characteristics. At the conclusion of this study, Virginia may submit a revised request to include several segments of road in the National Network.

Timetable:

Action	Date
Action Terminated	11/08/02

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kathy Busby, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2976

RIN: 2125-AE96

Department of Transportation (DOT)

Federal Motor Carrier Safety Administration (FMCSA)

Proposed Rule Stage

2105. +COMMERCIAL DRIVER'S LICENSE STANDARDS; BIOMETRIC IDENTIFIER

Priority: Other Significant

Legal Authority: PL 100-690, sec 9105

CFR Citation: 49 CFR 383

Legal Deadline: Final, Statutory, December 31, 1990.

Abstract: The Truck and Bus Regulatory Reform Act of 1988 required the Secretary of the DOT to issue regulations establishing minimum uniform standards for a biometric identification system for commercial motor vehicle (CMV) operators. In 1989, the agency (then the FHWA) published an ANPRM to request

comments on a pilot demonstration project using biometric identifiers that included retinal eye scans and fingerprint technologies. After considering the comments to the ANPRM, the FHWA determined that technology had not progressed to the point where a nationwide identification system could be cost-effective and provide the benefits for which a system was intended. In 1991, the FHWA published a Notice of Information summarizing the results of the pilot study and the comments to demonstrate how the technologies studied fell short of the demands of the commercial licensing environment at the time.

In 1998, section 4011(c) of the TEA-21, 49 USC 31308 amended, required each commercial driver's license (CDL), issued by the States after January 1, 2001, to have unique identifiers (which may include biometric identifiers). The FMCSA established a pilot study to collect over 16,000 sample digital facial images and sets of fingerprints from volunteers in California, Georgia, and West Virginia; California provided the lead for this study. The pilot study has been completed, and a report was delivered in November 2002. The agency is considering setting biometric storage and transmission standards which States would use if they voluntarily wish to store fingerprint images and transmit such images to

DOT—FMCSA

Proposed Rule Stage

other States upon request. This action is considered significant because of substantial public interest.

Timetable:

Action	Date	
ANPRM	05/15/89	54 FR 20875
ANPRM Comment Period End	07/14/89	
Information Notice NPRM	03/08/91 04/00/04	56 FR 9925

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State

Agency Contact: Ronald Finn, Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ESS, Office of Safety Programs, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0647

RIN: 2126-AA01

2106. COMMERCIAL LEARNER PERMITS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31136; PL 99-570; 49 USC 31102

CFR Citation: 49 CFR 383, 384, 386, and 395; 49 CFR 1.73

Legal Deadline: None

Abstract: The agency (then the FHWA), reviewed learner permit practices of the States for processing a driver from the initial non-CDL driver to being a fully licensed CDL driver. A number of variations in state learner permit practices were found. The FHWA planned to establish more uniform practices, such as: Screening drivers before permitting them to initially drive a CMV without having obtained a full CDL; the length of time a State allows the driver to hold a learner's permit; procedures for drivers to obtain CDL training in a State other than their normal residency; supervision requirements for learner permit drivers; and commercial driver license information systems (CDLIS) recordkeeping requirements.

Timetable:

Action	Date	
NPRM	08/22/90	55 FR 34478
NPRM Comment Period End	10/22/90	

Action	Date	
NPRM Comment Period Extended to 11/30/90	10/23/90	55 FR 42741
Supplemental NPRM	04/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State

Additional Information: Because other regulatory changes have been made since the NPRM was published in 1990, the FMCSA intends to issue a supplemental NPRM to solicit comments on including additional requirements consistent with changes in the CDL program.

ANALYSIS: Regulatory Evaluation, 08/22/90, 55 FR 34478

Agency Contact: Robert Redmond, Senior Transportation Specialist, State Programs Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ESS, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5014

RIN: 2126-AA03

2107. +QUALIFICATION OF DRIVERS; VISION

Priority: Other Significant

Legal Authority: 49 USC 504; 49 USC 31502

CFR Citation: 49 CFR 391

Legal Deadline: None

Abstract: As part of a review of the medical qualification standards applicable to interstate CMV driver, the agency (then the FHWA) requested comments on the need, if any, to amend the driver qualification requirements relating to the vision standard. A temporary waiver program was initiated and was concluded on March 31, 1996, to permit the agency to observe and collect data on the driving experience of a group of vision-deficient drivers who meet certain preconditions. The agency considered further research to develop comprehensive performance-based visual standards for all commercial drivers. Information about the proposed research plan and public hearing on the subject was published on June 5, 1996. The agency entered into a contract with a medical center to develop medically based recommendations for amending

the current Federal vision requirements. Recommendations were delivered in October 1998. The FMCSA, after evaluating and considering these recommendations, has decided to publish an NPRM to amend its regulation governing the visual field requirement in the vision standard. This action is significant because of substantial public and congressional interest.

Timetable:

Action	Date	
ANPRM	02/28/92	57 FR 6793
ANPRM Comment Period End	04/28/92	
Notice Request for Comments	06/05/96	61 FR 28547
NPRM	04/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected:

Undetermined

Additional Information: FHWA adopted a final rule to allow drivers holding valid waivers from both the vision and diabetes standards to continue to operate in interstate commerce after March 31, 1996. See NPRM (61 FR 606, Jan. 8, 1996); Final Rule (61 FR 13338, March 26, 1996); Final Rule; technical correction (61 FR 17253, April 19, 1996). (See notices published February 28, 1992 (57 FR 6793); March 25, 1992 (57 FR 10295); June 3, 1992 (57 FR 22370); October 6, 1994 (59 FR 50887); and November 17, 1994 (59 FR 59386).)

Agency Contact: Sandra L. Zywockarte, Health and Welfare Specialist, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSD, 400 Seventh Street NW., Washington, DC 20590
Phone: 202 366-2987

RIN: 2126-AA05

2108. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL TRANSPORTATION OF HAZARDOUS MATERIALS

Priority: Other Significant

Legal Authority: 49 USC 5105; 49 USC 5109

CFR Citation: 49 CFR 390.3 and 397; 49 CFR 1.73

DOT—FMCSA

Proposed Rule Stage

Legal Deadline: Final, Statutory, November 15, 1991.

Abstract: This rulemaking would implement the statutory requirements of 49 USC 5109 and 49 USC 5105. Section 5109 addresses the establishment of motor carrier safety permit regulations for motor carriers transporting Class A or B explosives, liquefied natural gases, hazardous materials designated as extremely toxic by inhalation, or highway route controlled quantity radioactive materials. Section 5105 requires inspection of vehicles transporting those radioactive materials before each trip. The proposed rule will incorporate those provisions into the safety permit regulations. This action is considered significant because of substantial public and congressional interest and safety implications.

Timetable:

Action	Date
NPRM	06/17/93 58 FR 33418
NPRM Comment Period End	08/16/93
Supplemental NPRM	08/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: William A. Quade, Chief, Hazardous Materials Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ECH, Office of Enforcement and Compliance, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2172

RIN: 2126-AA07

2109. +MINIMUM TRAINING REQUIREMENTS FOR LONGER COMBINATION VEHICLE (LCV) OPERATORS AND LCV DRIVER-INSTRUCTOR REQUIREMENTS

Priority: Other Significant

Legal Authority: 49 USC 31307; PL 102-240, sec 4007(b)

CFR Citation: 49 CFR 380; 49 CFR 391

Legal Deadline: Final, Statutory, December 18, 1993.

Abstract: This action proposes minimum training requirements for operators of longer combination vehicles and requirements for the driver-instructors. The training would include certification of an operator's

proficiency by an instructor who has met the requirements established by the Secretary of the DOT. This action is considered significant due to substantial public interest and safety.

Timetable:

Action	Date
ANPRM	01/15/93 58 FR 4638
ANPRM Comment Period End	03/16/93
NPRM	07/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Robert Redmond, Senior Transportation Specialist, State Programs Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ESS, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5014

RIN: 2126-AA08

2110. +MINIMUM TRAINING FOR ENTRY-LEVEL DRIVERS OF COMMERCIAL MOTOR VEHICLE OPERATORS

Priority: Other Significant

Legal Authority: PL 102-240, sec 4007

CFR Citation: 49 CFR 383

Legal Deadline: Final, Statutory, December 18, 1993.

Abstract: The FMCSA would propose to require entry-level training in certain subjects. Section 4007 of the Motor Carrier Act of 1991 (title IV of the Intermodal Surface Transportation Efficiency Act of 1991) required initiation of a rulemaking on the need to require training of all entry-level drivers of commercial motor vehicles. In February 1996, the agency submitted a report to Congress on the effectiveness of private sector efforts to ensure adequate training of all entry-level drivers. The report also included a cost-benefit study of requiring training of entry-level drivers. Comments on the report were requested. This action is considered significant due to substantial public interest.

Timetable:

Action	Date
ANPRM	06/21/93 58 FR 33874

Action	Date
ANPRM Comment Period End	08/20/93
Report to Congress	02/05/96
Notice of Availability of Report	04/25/96 61 FR 18355
NPRM	08/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: The report is available through the National Technical Information Service (Order No. PB96-141536). For further information, please call 1-800-553-6847.

Agency Contact: Ronald Finn, Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ESS, Office of Safety Programs, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0647

RIN: 2126-AA09

2111. +COMMERCIAL DRIVER PHYSICAL FITNESS AS PART OF THE CDL PROCESS

Priority: Other Significant

Legal Authority: PL 106-159, sec 215; 49 USC 31305; 49 USC 31502

CFR Citation: 49 CFR 383, 391.11, 391.45; and 49 CFR 1.73

Legal Deadline: None

Abstract: FMCSA would propose to include the certification of fitness to operate a CMV in the commercial driver's license (CDL) process. Incorporating the commercial driver fitness determination into State-administered CDL procedures could allow elimination of the requirement that CMV drivers carry a separate medical certificate. The CDL would be evidence that the CMV driver is physically fit as well as operationally qualified to operate CMVs safely. This action addresses the driver's physical qualifications as they relate to the CDL process; it does not address whether those standards are correct or should be changed. This action is considered significant due to substantial industry and public interest.

Timetable:

Action	Date
ANPRM	07/15/94 59 FR 36338

DOT—FMCSA

Proposed Rule Stage

Action	Date
ANPRM Comment	11/14/94
Period End	
NPRM	12/00/03

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Governmental Jurisdictions, Businesses**Government Levels Affected:**

Undetermined

Agency Contact: Teresa Doggett, Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSD, Office of Bus and Truck Standards and Operations, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2990

RIN: 2126-AA10**2112. +SAFETY PERFORMANCE HISTORY OF NEW DRIVERS****Priority:** Other Significant**Legal Authority:** 49 USC 508; 49 USC 31133, 31136, 31301 et seq, and 31502; PL 103-311**CFR Citation:** 49 CFR 382, 383, 390, and 391; 49 CFR 1.73**Legal Deadline:** NPRM, Statutory, January 1999, See PL 105-178, sec 4014.

Abstract: This action would amend the Federal Motor Carrier Safety Regulations by including minimum safety information that new and prospective employers must seek from former employers during the investigation of a driver's employment record. FMCSA is also proposing to increase the time period that carriers must record accident information in the accident register, from one year to three years. The Hazardous Materials Transportation Authorization Act of 1994 initially mandated this revision. The agency is preparing a supplemental notice of proposed rulemaking in response to Small Business Administration (SBA) comments to the docket and sec. 4014 of TEA-21 (Pub. L. 105-178). SBA had requested more in-depth Paperwork Reduction Act and Regulatory Flexibility Act analyses of the proposal. The TEA-21 provided limited employer protection from liability, strengthened employee due process provisions, and established a new statutory deadline. This action is considered significant due to

substantial public interest and privacy implications.

Timetable:

Action	Date
NPRM	03/14/96 61 FR 10548
NPRM Comment	05/13/96
Period End	
Supplemental NPRM	06/00/03

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: David Goettee, Regulatory Development Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PRR, Office of Policy Plans and Regulation, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4097

RIN: 2126-AA17**2113. +UNIFIED REGISTRATION SYSTEM****Priority:** Other Significant**Legal Authority:** PL 104-88; 49 USC 13908**CFR Citation:** 49 CFR 360**Legal Deadline:** Final, Statutory, January 1, 1998.

Abstract: Section 103 of the ICC Termination Act of 1995 which added 49 USC 13908, required the Secretary to initiate a rulemaking proceeding to replace the current USDOT identification number system, the single-State registration system, the registration/licensing system, and the financial responsibility system, with a single, online Federal system. The statutory deadline was not met due to range and depth of issues involved. This action is considered significant due to substantial public interest.

Timetable:

Action	Date
ANPRM	08/26/96 61 FR 43816
ANPRM Comment	10/25/96
Period End	
NPRM	09/00/03

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State, Federal

Agency Contact: Robert F. Schultz, Jr., Driver and Carrier Operations Division, Department of Transportation, Federal

Motor Carrier Safety Administration, MC-PSD, Office of Bus and Truck Standards and Operations, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4001

RIN: 2126-AA22**2114. +HOURS OF SERVICE OF DRIVERS; SUPPORTING DOCUMENTS****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** PL 103-311, sec 113**CFR Citation:** 49 CFR 385, 390, and 395; 49 CFR 1.73**Legal Deadline:** Final, Statutory, February 1996.

Abstract: The FMCSA would propose amending the hours-of-service recordkeeping requirements to clarify that the duty of motor carriers is to verify the accuracy of drivers' hours of service (HOS) and records of duty status (RODS) including automatic on-board records, and that the driver's duty is to collect and submit to the motor carrier all supporting documents with the RODS. The agency would also propose to require carriers to maintain supporting documents with the RODS. The agency would propose that a supporting document based self-monitoring system be the primary method for ensuring compliance with the HOS regulations. Recognizing developing technologies, FMCSA would propose to permit use of electronic documents as a supplement to, and in certain instances in lieu of, paper supporting documents. These proposals would be intended to clarify definitions of "supporting documents," "employee," and "driver," and to clarify the current requirement that each motor carrier use a self-monitoring system to verify accuracy of the HOS and RODS including automatic on-board records.

Timetable:

Action	Date
NPRM	04/20/98 63 FR 19457
NPRM Comment	06/19/98
Period End	
Supplemental NPRM	09/00/03

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Federalism:** Undetermined

DOT—FMCSA

Proposed Rule Stage

Agency Contact: Jerry Fulnecky, Office of Enforcement and Compliance, Department of Transportation, Federal Motor Carrier Safety Administration, MC-EC, 400 Seventh Street SW., Room 8310, Washington, DC 20590
Phone: 202 366-4553

Related RIN: Split From 2126-AA23

RIN: 2126-AA76

2115. • TITLE VI REGULATIONS FOR FMCSA FINANCIAL ASSISTANCE RECIPIENTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 106-159, sec 106(b); 113 Stat. 1748 and 1757; 42 USC 2000d

CFR Citation: 49 CFR 1.73

Legal Deadline: None

Abstract: This action would propose to clarify and modify the applicability of DOT regulations (49 CFR 21) and FHWA regulations (23 CFR 200) to FMCSA grant recipients. This complies with section 106(b) of the Motor Carrier Safety Improvement Act of 1999.

Timetable:

Action	Date
NPRM	08/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Carmen Sevier, Office of Civil Rights, Department of Transportation, Federal Motor Carrier Safety Administration, (MC-CR), 400 Seventh Street, SW, Room 8203, Washington, DC 20590
Phone: 202 366-4330

RIN: 2126-AA79

2116. • PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; FUEL SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31136 and 31502; and 49 CFR 1.73

CFR Citation: 40 CFR 86; 49 CFR 393

Legal Deadline: None

Abstract: The agency proposes to revise the Federal Motor Carrier Safety Regulations (FMCSRs) concerning fuel tank fill rates for gasoline- and methanol-fueled vehicles to (1) make that provision of the FMCSRs compatible with EPA requirements for vehicles up to 14,000 lbs. GVWR and

(2) make permanent the terms of the exemptions previously granted to motor carriers operating certain gasoline-fueled CMVs manufactured by Ford Motor Company and by General Motors. The agency also proposes to incorporate into the FMCSRs previously issued regulatory guidance concerning the applicability of NHTSA fuel system integrity regulations for vehicles subject to 49 CFR 571.301 at the time of manufacture.

Timetable:

Action	Date
NPRM	06/00/03

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Deborah M. Freund, Senior Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSV, Office of Bus and Truck Standards and Operation, 400 Seventh Street SW., Washington, DC
Phone: 202 366-4009

RIN: 2126-AA80

Department of Transportation (DOT)

Final Rule Stage

Federal Motor Carrier Safety Administration (FMCSA)

2117. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; SLEEPER BERTHS ON MOTOR COACHES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31136 and 31502

CFR Citation: 49 CFR 393; 49 CFR 1.73

Legal Deadline: None

Abstract: On January 12, 1994, the agency (then the FHWA) published an ANPRM to request comments on the suitability of existing driver sleeper berth regulations for motor coaches and possible amendment to account for design differences between trucks and motor coaches.

Timetable:

Action	Date
ANPRM	01/12/94 59 FR 1706

Action	Date
ANPRM Comment Period End	03/14/94
To Be Withdrawn	08/00/03

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Philip Hanley, Commercial Passenger Carrier Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSB, Office of Bus and Truck Standards and Operations, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6811

RIN: 2126-AA12

2118. +RAILROAD-HIGHWAY GRADE CROSSING SAFETY

Priority: Other Significant

Legal Authority: PL 102-240; PL 103-311; 49 USC 5101, 31136, and 31502; 49 CFR 1.73

CFR Citation: 49 CFR 392

Legal Deadline: Final, Statutory, February 26, 1995.

Abstract: This action would prohibit operators of commercial motor vehicles from driving onto a railroad grade crossing unless there is sufficient space to drive completely through the crossing without stopping. This action is required by the Hazardous Materials Transportation Authorization Act of 1994 (Pub. L. 103-311, sec. 112), and it is intended to reduce the incidence of collisions between trains and commercial motor vehicles. This action is considered significant because of substantial public interest.

DOT—FMCSA

Final Rule Stage

Timetable:

Action	Date
NPRM	07/30/98 63 FR 40691
NPRM Comment Period End	11/27/98
Final Action	04/00/04

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: David M. Lehrman, Regulatory Development Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PRR, Office of Policy Plans and Regulation, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0994

RIN: 2126-AA18

2119. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; TELEVISION RECEIVERS AND DATA DISPLAY UNITS

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-240; 49 USC 31136 and 31502

CFR Citation: 49 CFR 393; 49 CFR 1.73

Legal Deadline: None

Abstract: The agency (then the FHWA) proposed amending the Federal Motor Carrier Safety Regulations regarding television viewers or screens in commercial motor vehicles. The agency was concerned that the current restrictions on locations of such devices may have the unintended effect of discouraging use of certain Intelligent Transportation System (ITS) technologies, such as collision avoidance and traveler information systems, which could improve the safety and efficiency of commercial vehicle operations. After reviewing comments to the 1996 NPRM to rescind the regulation concerning television viewers or screens, FMCSA is considering withdrawal of the NPRM.

Timetable:

Action	Date
NPRM	04/03/96 61 FR 14733
NPRM Comment Period End	06/03/96
To Be Withdrawn	08/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Larry M. Minor, Chief, Vehicle and Roadside Operations, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSV, Office of Truck and Bus Standards and Operations, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2126-AA19

2120. +ENGLISH LANGUAGE REQUIREMENT; QUALIFICATIONS OF DRIVERS

Priority: Other Significant

Legal Authority: 49 USC 504; 49 USC 31133, 31136, and 31502

CFR Citation: 49 CFR 391; 49 CFR 1.73

Legal Deadline: None

Abstract: This action resulted because the American Civil Liberties Union (ACLU) wrote to the Department asserting that the regulation, as written, is overly broad and subject to arbitrary enforcement, causing potential interference with constitutional guarantees of due process and equal protection. The current regulation is little changed from the original rule adopted in 1936. The ACLU requested an opportunity to submit a comprehensive analysis of this issue. The ANPRM was intended to provide the ACLU with such an opportunity and to open this issue for public comment. The agency considered modifying current regulations to require drivers to possess the basic functional communication/comprehension ability necessary to ensure safety. This action was considered significant due to substantial public interest.

Timetable:

Action	Date
ANPRM	08/26/97 62 FR 45200
ANPRM Comment Period End	10/27/97
To Be Withdrawn	08/00/03

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Additional Information: Transferred from RIN 2125-AE19.

Agency Contact: Robert F. Schultz, Jr., Driver and Carrier Operations Division,

Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSD, Office of Bus and Truck Standards and Operations, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4001

RIN: 2126-AA31

2121. +TRANSPORTATION OF HOUSEHOLD GOODS; CONSUMER PROTECTION REGULATIONS (RULEMAKING RESULTING FROM A SECTION 610 REVIEW)

Priority: Other Significant

Legal Authority: PL 74-255; PL 104-88; PL 106-59; 49 USC 13101, 13301, 13501 et seq, 14104, 14708, 14901 et seq, and 14912

CFR Citation: 49 CFR 375; 49 CFR 377; 49 CFR 1.73

Legal Deadline: None

Abstract: FMCSA proposed to amend its regulations governing transportation of household goods. These regulations protect individual consumers who ship household goods, as defined in 49 USC 13102(10), by commercial motor vehicle. This action is necessary to implement the ICC Termination Act of 1995 (ICCTA), and to update the regulations. The intended effect of this proposal is to make the regulations easier to read and understand, remove an outdated report, address hostage freight problems (situations where non-binding estimates are lower than actual charges and the carrier refuses to deliver freight even after 110 percent of the estimate is paid at the time of delivery), modify a consumer protection publication, consider industry requests to change the rules, and propose conforming and technical amendments. This action is considered significant due to substantial industry and public interest.

Timetable:

Action	Date
NPRM	05/15/98 63 FR 27126
NPRM Comment Period End	07/14/98
NPRM Extension and Reopening of Comment Period	08/12/98 63 FR 43128
NPRM Comment Period End	10/13/98
Interim Final Rule	07/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

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Final Rule Stage

Government Levels Affected: None

Agency Contact: Gladys Cole, Chief, Insurance Compliance, Department of Transportation, Federal Motor Carrier Safety Administration, ECI, Office of Enforcement and Compliance, 400 Virginia Avenue SW., Suite 600, Washington, DC 20024
Phone: 202 358-7039

RIN: 2126-AA32

2122. OUT-OF-SERVICE CRITERIA

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 31133, 31136, 31310, and 31502; PL 104-59

CFR Citation: 49 CFR 395 and 396; 49 CFR 1.73

Legal Deadline: None

Abstract: This action requested public comment concerning whether the North American Uniform Out-of-Service (OOS) Criteria should be included in the Federal Motor Carrier Safety Regulations. The OOS Criteria are enforcement tolerances used by Federal, State, and local safety inspectors in determining whether to place commercial motor vehicles (CMVs), or their drivers, "out of service." Such status means that the CMVs or drivers are so unsafe that corrections must be undertaken before operations can resume.

Timetable:

Action	Date	
ANPRM	07/20/98	63 FR 38791
ANPRM Comment Period End	09/18/98	
Extension of Comment Period	10/09/98	63 FR 54432
Comment Period End	12/08/98	
To Be Withdrawn	08/00/03	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected:

Undetermined

Agency Contact: Larry M. Minor, Chief, Vehicle and Roadside Operations, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSV, Office of Truck and Bus Standards and Operations, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2126-AA36

2123. FEDERAL MOTOR CARRIER SAFETY REGULATIONS; WAIVERS, EXEMPTIONS, AND PILOT PROGRAMS; RULES AND PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31315; PL 105-178, sec 4007

CFR Citation: 49 CFR 381

Legal Deadline: Final, Statutory, December 9, 1998.

Abstract: The FMCSA is adopting regulations to implement section 4007 of the Transportation Equity Act for the 21st Century (TEA-21), concerning waivers and exemptions from the Federal Motor Carrier Safety Regulations (FMCSRs), and the administration of pilot programs to evaluate innovative alternatives to the regulations. The regulations establish the procedures persons must follow to request waivers and to apply for exemptions from the FMCSRs, and the procedures FMCSA will use to process the requests for waivers and applications for exemptions. The regulations also codify statutory requirements concerning the agency's administration of pilot programs. This rulemaking is intended to provide procedures to ensure the timely processing of requests for waivers and applications for exemptions, and public disclosure of the procedures the agency would use in initiating and managing pilot programs. The agency (then the FHWA) issued an interim final rule with an opportunity for public comment after publication in order to meet the statutory deadline for issuance of a final rule.

Timetable:

Action	Date	
Interim Final Rule	12/08/98	63 FR 67600
Interim Final Rule Effective	12/08/98	
Interim Final Rule Comment Period End	02/08/99	
Final Action	11/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected:

Undetermined

Agency Contact: Larry M. Minor, Chief, Vehicle and Roadside Operations, Department of Transportation, Federal Motor Carrier

Safety Administration, MC-PSV, Office of Truck and Bus Standards and Operations, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2126-AA41

2124. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; SAFETY REQUIREMENTS FOR OPERATORS OF SMALL PASSENGER-CARRYING COMMERCIAL MOTOR VEHICLES USED IN INTERSTATE COMMERCE

Priority: Other Significant

Legal Authority: 49 USC 13301 and 13902; 49 USC 31132, 31133, 31136, 31502, and 31504; PL 104-88, sec 204

CFR Citation: 49 CFR 1.73; 49 CFR 390

Legal Deadline: Final, Statutory, December 9, 2000, PL 106-159, sec 212.

Abstract: The FMCSA would amend the Federal Motor Carrier Safety Regulations (FMCSRs) to require that motor carriers who operate commercial motor vehicles (CMVs), designed or used to transport between 9 and 15 passengers (including the driver) in interstate commerce, must comply with the FMCSRs when they are directly compensated for such services, and the vehicle is operated beyond a 75 air mile radius (86.3 statute miles or 138.9 kilometers) from the driver's normal work-reporting location. These motor carriers, drivers, and vehicles operated by them would be subject to the same safety requirements as motorcoach operators, except for the commercial driver's license, controlled substances and alcohol testing regulations. This action is required by sec. 212 of the Motor Carrier Safety Improvement Act of 1999. It is significant because of substantial public interest and safety implications.

Timetable:

Action	Date	
NPRM	01/11/01	66 FR 2767
NPRM Comment Period End	04/11/01	
Final Action	05/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Larry M. Minor, Chief, Vehicle and Roadside Operations, Department of Transportation, Federal Motor Carrier

DOT—FMCSA

Final Rule Stage

Safety Administration, MC-PSV, Office of Truck and Bus Standards and Operations, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2126-AA52

2125. +NEW ENTRANT SAFETY ASSURANCE PROCESS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: PL 106-159, sec 210

CFR Citation: 49 CFR 385; 49 CFR 1.73

Legal Deadline: None

Abstract: This action will establish minimum requirements for new entrant motor carriers to ensure that they are knowledgeable about applicable Federal motor carrier safety standards. After ensuring that they are knowledgeable, the new entrants will operate for 18 months in which time they must pass a safety review in order to receive permanent operating authority. This rule is significant because of public and congressional interest in rules required by MCSIA.

Timetable:

Action	Date
Interim Final Rule	05/13/02 67 FR 31978
Interim Final Rule Comment Period End	07/12/02
Interim Final Rule Effective	01/01/03
Final Rule	04/00/04

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Mary Pat Woodman, Chief, Enforcement and Compliance Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ECE, 400 Seventh Street SW., Room 8310, Washington, DC 20590
Phone: 202 366-9699

RIN: 2126-AA59

2126. +LIMITATIONS ON ISSUANCE OF COMMERCIAL DRIVER'S LICENSE WITH HAZARDOUS MATERIALS ENDORSEMENT

Priority: Other Significant

Legal Authority: 49 USC 5103a; PL 107-56, sec 1012

CFR Citation: 49 CFR 383

Legal Deadline: None

Abstract: This rule would amend the Federal Motor Carrier Safety Regulations to prohibit States from issuing, renewing, transferring, or upgrading a commercial driver's license to transport hazardous materials unless and until the U.S. Department of Justice first conducts a background records check of the applicant and it is determined that the applicant does not pose a security risk which would warrant denial of the hazardous materials endorsement. This interim final action is required by section 1012 of the USA PATRIOT Act of 2001. It is considered significant because of substantial public interest and national security.

Statement of Need: National security and intelligence officials continue to warn that future terrorist attacks against civilian targets are possible. One potential method could include obtaining hazardous materials for malicious purposes. This action responds to the requirement of section 1012 of the USA PATRIOT Act which is intended to make obtaining a hazardous materials endorsement difficult for those intending to do harm to the United States.

Summary of Legal Basis: In response to the events of September 11, 2001, Congress passed the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act) (Pub. L. 107-56, October 26, 2001, 115 Stat. 272). Section 1012 of the USA PATRIOT Act (115 Stat. 396) amended the Hazardous Materials Transportation Act (49 U.S.C. chapter 51) by adding new section 5103a(a)(1), Limitation on issuance of hazmat licenses. Further, section 1012(b) of the USA PATRIOT Act amended the fitness and testing standards of the Commercial Motor Vehicle Safety Act of 1986, which created the Commercial Driver's License (CDL) Program (49 U.S.C. 31305(a)(5)(C)).

Alternatives: The purpose of section 1012 of the USA PATRIOT Act is to obstruct potential terrorists from gaining access to hazardous materials. If other, less costly methods were available to attain the same end, they would be employed. However, FMCSA does not believe any such alternatives exist.

Anticipated Cost and Benefits: This rule will not have a significant impact on a substantial number of small entities because the impact of the rule will be gradual. Nonetheless, a regulatory analysis was prepared and placed in the docket.

Risks: A failure to require background records checks of hazardous materials drivers could pose a national security risk.

Timetable:

Action	Date
Interim Final Rule	05/05/03 68 FR 23844
Interim Final Rule Effective	05/05/03
Interim Final Rule Comment Period End	07/07/03
Final Action	04/00/04

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State

Agency Contact: Valerie Height, Regulatory Development Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PRR, Office of Policy Plans and Regulation, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0901

RIN: 2126-AA70

2127. +REGISTRATION ENFORCEMENT

Priority: Other Significant

Legal Authority: PL 106-159, sec 205; 113 Stat 1762

CFR Citation: 49 CFR 350 and 392; 49 CFR 1.73

Legal Deadline: None

Abstract: This rule prohibits a motor carrier who is subject to the registration requirements under 49 U.S.C. 13902 from operating a commercial motor vehicle in interstate commerce unless it has registered with FMCSA. Motor

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carriers are also prohibited from operating beyond the scope of their registered authorization. If vehicles are discovered operating in violation of such registration requirements, they will be placed out of service, and the carrier may be subject to additional penalties. This action makes State enforcement of the registration requirements a condition of MCSAP eligibility. This action is considered significant because of substantial public interest.

Timetable:

Action	Date
Interim Final Rule	08/28/02 67 FR 55162
Interim Final Rule Effective	09/27/02
Interim Final Rule Comment Period End	10/28/02
Final Action	04/00/04

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** Local, State**Agency Contact:** Mary Pat Woodman, Chief, Enforcement and Compliance Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ECE, 400 Seventh Street SW., Room 8310, Washington, DC 20590

Phone: 202 366-9699

RIN: 2126-AA78

Department of Transportation (DOT)

Long-Term Actions

Federal Motor Carrier Safety Administration (FMCSA)

2128. RULES OF PRACTICE FOR MOTOR CARRIER PROCEEDINGS; INVESTIGATIONS; DISQUALIFICATIONS AND PENALTIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 113 and 307**CFR Citation:** 49 CFR 385 and 386; 49 CFR 1.73**Legal Deadline:** None

Abstract: FMCSA proposed amending its rules of practice for motor carrier safety, hazardous materials, and other enforcement proceedings, motor carrier safety ratings, driver qualification proceedings and its schedule of penalties for violations of the FMCSRs and the Hazardous Materials Regulations. FMCSA would also propose to add provisions on investigative authority and procedures and general motor carrier responsibilities. These rules would increase the efficiency of the procedures, enhance due process and the awareness of the public and regulated community, and accommodate recent program changes. The rules would apply to all motor carriers, other business entities and individuals involved in motor carrier safety and hazardous materials administrative actions.

Timetable:

Action	Date
NPRM	04/29/96 61 FR 18866
NPRM Comment Period End	07/29/96
SNPRM	10/21/96 61 FR 54601
SNPRM Comment Period End	11/20/96
Final Rule	To Be Determined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Valerie Height, Regulatory Development Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PRR, Office of Policy Plans and Regulation, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0901**RIN:** 2126-AA15**2129. GENERAL JURISDICTION OVER FREIGHT FORWARDER SERVICE****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 13701**CFR Citation:** 49 CFR 373; 49 CFR 1.73**Legal Deadline:** None

Abstract: This action gives notice of the FMCSA's general jurisdiction over all segments of the freight forwarding industry (not just household good freight forwarders), in accordance with the ICC Termination Act of 1995, proposes changes to existing regulations to comport with those mandated by Congress, and clarifies the FMCSA's jurisdiction over freight forwarders in other areas.

Timetable:

Action	Date
NPRM	01/28/97 62 FR 4096
NPRM Comment Period End	03/31/97
Next Action	Undetermined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2125-AE00.**Agency Contact:** Michael Falk, Office of the Chief Counsel, Department of Transportation, Federal Motor Carrier Safety Administration, MC-CC, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0834

RIN: 2126-AA25**2130. +APPLICATION BY CERTAIN MEXICO-DOMICILED MOTOR CARRIERS TO OPERATE BEYOND U.S. MUNICIPALITIES AND COMMERCIAL ZONES ON THE U.S.-MEXICO BORDER****Priority:** Other Significant**Legal Authority:** 5 USC 553 and 559; 16 USC 1456; 49 USC 13101, 13301, and 13901 et seq; 49 USC 31138 and 31144**CFR Citation:** 49 CFR 365; 49 CFR 1.73**Legal Deadline:** None

Abstract: This action revises the regulations and form, OP-1(MX), governing applications by Mexico-domiciled property and passenger carriers who want to operate within the United States beyond the municipalities adjacent to Mexico in Texas, New Mexico, Arizona, and California and beyond the commercial zones of such municipalities ("border zones"). The action is taken in anticipation of a presidential order lifting the current statutory moratorium on authorizing such operations. The form requires additional information

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about the applicant's business and operating practices to help the FMCSA to determine if the applicant will be able to meet the safety standards established for operating in interstate commerce in the United States. The interim rule included requirements that were not proposed in the NPRM but which were necessary to comply with the FY 2002 DOT Appropriations Act. This action is significant because of substantial public interest.

Timetable:

Action	Date
NPRM	05/03/01 66 FR 22371
NPRM Comment Period End	07/02/01
Interim Final Rule	03/19/02 67 FR 12702
Interim Final Rule Comment Period End	04/18/02
Interim Final Rule Effective	05/03/02
Final Rule	To Be Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Thomas Kozlowski, Office of Safety Programs, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ES, 400 Seventh Street SW., Room 8314, Washington, DC 20590
Phone: 202 366-4049

RIN: 2126-AA34

2131. +SAFETY MONITORING SYSTEM AND COMPLIANCE INITIATIVE FOR MEXICO-DOMICILED MOTOR CARRIERS OPERATING IN THE UNITED STATES

Priority: Other Significant

Legal Authority: 49 USC 113, 504, and 521(b)(5)(A); 49 USC 5113; 49 USC 31136, 31144, and 31502; PL 107-87 sec 350

CFR Citation: 49 CFR 385

Legal Deadline: None

Abstract: This action implements a safety monitoring system and compliance initiative designed to evaluate the continuing safety fitness of all Mexico-domiciled motor carriers within 18 months after receiving a provisional Certificate of Registration or provisional authority to operate in the United States. The rule also establishes suspension and revocation procedures

for provisional Certificates of Registration and operating authority and incorporates criteria to be used by FMCSA in evaluating whether Mexico-domiciled carriers exercise basic safety management controls. The interim rule included requirements that were not proposed in the NPRM, but which are necessary to comply with the FY 2002 DOT Appropriations Act. This action is significant due to anticipated public interest and safety-related issues.

Timetable:

Action	Date
NPRM	05/03/01 66 FR 22415
NPRM Comment Period End	07/02/01
Interim Final Rule	03/19/02 67 FR 12758
Interim Final Rule Comment Period End	04/18/02
Interim Final Rule Effective	05/03/02
Final Rule	To Be Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Mary Pat Woodman, Chief, Enforcement and Compliance Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ECE, 400 Seventh Street SW., Room 8310, Washington, DC 20590
Phone: 202 366-9699

RIN: 2126-AA35

2132. SAFETY FITNESS PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31144

CFR Citation: 49 CFR 385

Legal Deadline: None

Abstract: The agency (then the FHWA) published a final rule on November 6, 1997 (62 FR 60035), which incorporated the safety fitness rating methodology into 49 CFR 385 as appendix B. In that document, FHWA identified its ultimate goal as creating a more performance-based means of determining the fitness of carriers to conduct commercial motor vehicle (CMV) operations in interstate commerce. The ANPRM requested comments on the future of a rating system that could be used both in making safety fitness determinations

and meeting the demands of shippers, insurers and other present and potential users interested in evaluating motor carrier performance.

Timetable:

Action	Date
ANPRM	07/20/98 63 FR 38788
ANPRM Comment Period End	09/18/98
NPRM	To Be Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected:

Undetermined

Agency Contact: Bryan Price, Transportation Specialist, PRISM Team, Department of Transportation, Federal Motor Carrier Safety Administration, Office of Enforcement and Compliance, Federal Building, 1000 Liberty Avenue, Room 305, Pittsburgh, PA 15222
Phone: 412 395-4816

RIN: 2126-AA37

2133. +GENERAL REQUIREMENTS; INSPECTION, REPAIR, AND MAINTENANCE; INTERMODAL CONTAINER CHASSIS AND TRAILERS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 504; 49 USC 31133, 31136, and 31502

CFR Citation: 49 CFR 1.73; 49 CFR 390; 49 CFR 396

Legal Deadline: None

Abstract: In response to a petition for rulemaking filed by the American Trucking Association, Inc. (ATA) and the ATA Intermodal Conference (petitioners), the FMCSA (then the FHWA) agreed to consider revisions to the requirements in parts 390 and 396 of the Federal Motor Carrier Safety Regulations that place upon motor carriers the responsibility for maintaining intermodal container chassis and trailers. These regulations provide the requirements for the inspection, repair and maintenance of commercial motor vehicles. This action is considered significant because of substantial industry and public interest.

Timetable:

Action	Date
ANPRM	02/17/99 64 FR 7849
ANPRM Comment Period End	04/19/99

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Action	Date
Comment Period End	05/05/99 64 FR 24128
Comment Period Extended	08/30/99
NOI To Consider a Reg Neg Process	11/29/02 67 FR 71127
Comment Period End	01/13/03
Comment Period Extended	02/24/03 68 FR 8580
Comment Period End	04/10/03
Next Action	Undetermined

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Deborah M. Freund, Senior Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSV, Office of Bus and Truck Standards and Operation, 400 Seventh Street SW., Washington, DC
Phone: 202 366-4009

RIN: 2126-AA38

2134. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; INTERSTATE SCHOOL BUS SAFETY

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: PL 105-178, sec 4024

CFR Citation: 49 CFR 390, 391, 392, 393, and 395; 49 CFR 1.73

Legal Deadline: Other, Statutory, December 9, 1998, PL 105-178, sec 4024.

Abstract: FMCSA is considering making the Federal Motor Carrier Safety Regulations (FMCSRs) apply to all interstate school transportation operations by local educational agencies. This action is in response to section 4024 of the Transportation Equity Act for the 21st Century (TEA-21) which mandates the FMCSA to make a determination whether to make the FMCSRs applicable to such operations. FMCSA requested comments, data, and information to assist the agency in making this determination. This action is considered significant because of the anticipated substantial interest by the public and private sectors if the agency expands the FMCSRs to cover government-operated school buses in interstate commerce.

Timetable:

Action	Date
ANPRM	10/22/01 66 FR 53373
ANPRM Comment Period End	01/22/02
Next Action	Undetermined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State

Federalism: Undetermined

Agency Contact: Philip Hanley, Commercial Passenger Carrier Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSB, Office of Bus and Truck Standards and Operations, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6811

RIN: 2126-AA53

2135. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; GENERAL AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-240, sec 1041(b); 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 392; 49 CFR 393

Legal Deadline: None

Abstract: FMCSA is amending part 393 of the Federal Motor Carrier Safety Regulations, Parts and Accessories Necessary for Safe Operation. The amendments are intended to remove obsolete and redundant regulations; respond to several petitions for rulemaking; provide improved definitions of vehicle types, systems, and components; resolve inconsistencies between part 393 and the National Highway Traffic Safety Administration's Federal Motor Vehicle Safety Standards (49 CFR 571); and codify certain FMCSA regulatory guidance concerning the requirements of part 393. Generally, the amendments do not involve the establishment of new or more stringent requirements but a clarification of existing requirements.

Timetable:

Action	Date
NPRM	04/14/97 62 FR 18170
NPRM Comment Period Extended	06/12/97 62 FR 32066
NPRM Comment Period End	06/13/97
Comment Period End	07/28/97
Public Meeting	02/20/98 63 FR 8606
Final Action	04/00/04

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Larry M. Minor, Chief, Vehicle and Roadside Operations, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSV, Office of Truck and Bus Standards and Operations, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2126-AA61

2136. +CERTIFICATION OF SAFETY AUDITORS, SAFETY INVESTIGATORS, AND SAFETY INSPECTORS

Priority: Other Significant

Legal Authority: PL 106-159, sec 211

CFR Citation: 49 CFR 385

Legal Deadline: Final, Statutory, December 9, 2000.

Abstract: This rule would require that any safety inspection, audit, or review be conducted by a certified investigator. It would give the FMCSA authority to decertify an investigator, including a third-party investigator for failure to meet the prescribed certification standards. It is required by section 211 of the Motor Carrier Safety Improvement Act of 1999. This rule is significant because of public and congressional interest in rules required by MCSIA.

Timetable:

Action	Date
Interim Final Rule	03/19/02 67 FR 12776
Interim Final Rule Comment Period End	05/20/02
Interim Final Rule Effective	06/17/02
Effective Date Delayed until July 17, 2002	06/17/02 67 FR 41196
Final Rule	To Be Determined

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Mary Pat Woodman, Chief, Enforcement and Compliance Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ECE, 400 Seventh Street SW., Room 8310, Washington, DC 20590

DOT—FMCSA

Long-Term Actions

Phone: 202 366-9699

RIN: 2126-AA64

2137. POSTING OF EMPLOYEE PROTECTIONS INFORMATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31136

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: FMCSA is considering requiring employers to display a poster to notify commercial motor vehicle (CMV) operators and other employees of their whistleblower rights under 49 U.S.C. 31105. The poster would also provide information on filing a complaint with the Occupational Safety and Health Administration for investigation.

Timetable:

Action	Date
NPRM	04/00/04

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: David Goettee, Regulatory Development Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PRR, Office of Policy Plans and Regulation, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4097

RIN: 2126-AA68

2138. +CERTIFICATION OF COMPLIANCE WITH FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS)

Priority: Other Significant

Legal Authority: PL 102-240, sec 1041(b); 105 Stat. 1914; 49 USC 31136 and 31502; 49 CFR 1.73

CFR Citation: 49 CFR 393.8

Legal Deadline: None

Abstract: FMCSA proposes to amend the Federal Motor Carrier Safety Regulations so that motor carriers ensure that each commercial motor vehicle (CMV) they operate in interstate commerce displays a label certifying that the vehicle complies with all applicable Federal Motor Vehicle Safety Standards (FMVSS) in effect on the date of manufacture. This rulemaking ensures that all motor carriers operating

CMVs in the United States use only vehicles that were certified by the manufacturer as meeting all applicable Federal safety performance requirements. This action is significant because of substantial public and congressional interest and safety implications.

Timetable:

Action	Date
NPRM	03/19/02 67 FR 12782
NPRM Comment	05/20/02
Period End	
Final Rule	To Be Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Deborah M. Freund, Senior Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSV, Office of Bus and Truck Standards and Operation, 400 Seventh Street SW., Washington, DC
Phone: 202 366-4009

Related RIN: Related To 2127-AI59, Related To 2127-AI60, Related To 2127-AI64

RIN: 2126-AA69

2139. +PENALTIES, INSPECTION, AND DECAL DISPLAY REQUIREMENTS FOR MEXICO-DOMICILED MOTOR CARRIERS

Priority: Other Significant

Legal Authority: 49 USC 31136; 49 USC 31502; PL 107-87 sec 350

CFR Citation: 49 CFR 386; 49 CFR 396

Legal Deadline: None

Abstract: FMCSA amends part 396 of the Federal Motor Carrier Safety Regulations (FMCSRs) to incorporate the requirement, as codified in parts 365 and 385, that all commercial motor vehicles operated by Mexico-domiciled motor carriers holding authority to transport property or passengers beyond the commercial zones of U.S. municipalities on the United States-Mexico border must display a Commercial Vehicle Safety Alliance (CVSA) decal issued by a CVSA-certified inspector. Adding this requirement to part 396 will enable FMCSA to assess civil penalties against Mexico-domiciled long-haul motor carriers that operate vehicles without the necessary CVSA decal. This rule

also clarifies that carriers will be required to obtain the necessary inspection decal before proceeding beyond border ports of entry. By providing for more effective enforcement of the inspection and decal requirements, this rule will help to ensure that these motor carriers operate safe vehicles in the United States. This rulemaking is significant because of substantial public and congressional interest.

Timetable:

Action	Date
Interim Final Rule	To Be Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Thomas Kozlowski, Office of Safety Programs, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ES, 400 Seventh Street SW., Room 8314, Washington, DC 20590
Phone: 202 366-4049

RIN: 2126-AA72

2140. SAFETY FITNESS PROCEDURES; SAFETY RATINGS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 113

CFR Citation: 49 CFR 385

Legal Deadline: None

Abstract: The FMCSA proposes to update the safety fitness rating methodology (SFRM), which is used to measure the safety fitness of motor carriers against the safety standard, as outlined in appendix B to the Safety Fitness Procedures regulations. It is necessary to amend the list of acute and critical regulations because the agency has established operating procedures and issued several regulations required by the ICC Termination Act of 1995, the Transportation Equity Act for the 21st Century, and the Motor Carrier Safety Improvement Act of 1999.

Timetable:

Action	Date
NPRM	To Be Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

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Long-Term Actions

Government Levels Affected:
Undetermined

Agency Contact: Mary Pat Woodman,
Chief, Enforcement and Compliance

Division, Department of Transportation,
Federal Motor Carrier Safety
Administration, MC-ECE, 400 Seventh

Street SW., Room 8310, Washington,
DC 20590
Phone: 202 366-9699
RIN: 2126-AA77

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

Completed Actions

2141. +HOURS OF SERVICE OF DRIVERS; DRIVER REST AND SLEEP FOR SAFE OPERATIONS (RULEMAKING RESULTING FROM A SECTION 610 REVIEW)

Priority: Economically Significant.
Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 49 USC 31136; 49 USC 31502; PL 74-255; PL 84-939; PL 98-554; PL 103-311; PL 104-59; PL 104-88; PL 106-159

CFR Citation: 49 CFR 1.73; 49 CFR 395

Legal Deadline: Final, Statutory, November 5, 1999, PL 104-88, sec 408(b).

Abstract: This action revises the regulations for commercial motor vehicle driver rest requirements and duty-period limitations for safe highway transportation. A broad rulemaking was required by the ICC Termination Act of 1995 (ICCTA), Pub. L. 104-88. There is substantial public and congressional interest in the regulation of medium- and heavy-duty truck and bus drivers' sleep, off-duty, and working periods of time. This action is one of the 23 "high priority" rule reform nominations in the 2001 cost benefit report.

Statement of Need: Growth in long-haul, regional, overnight, local, for-hire and private carriage operations has kept pace with the growth of the U.S. economy. The scientific knowledge about sleep, sleep disorders, circadian physiology, fatigue, and performance decrements has also grown. The agency intends to incorporate as much of the scientific knowledge as possible into the regulations.

Summary of Legal Basis: Section 408 of the ICC Termination Act of 1995 (Pub. L. 104-88, December 29, 1995) requires the Federal Highway Administration (functions transferred to the Federal Motor Carrier Safety Administration under Pub. L. 106-159)

to issue a final rule dealing with a variety of fatigue-related issues pertaining to commercial motor vehicle safety (including 8 hours of continuous sleep after 10 hours of driving, loading and unloading operations, automated and tamper-proof recording devices, rest and recovery cycles, fatigue and stress in longer combination vehicles, fitness for duty, and other appropriate regulatory and enforcement countermeasures for reducing fatigue-related incidents and increasing driver alertness).

The FY 2001 Department of Transportation Appropriations Act, Pub. L. 106-346, included language prohibiting the Department from adopting a final rule before October 1, 2001.

Alternatives: FMCSA received more than 53,000 comments on the NPRM. The agency is committed to fully exploring all issues and concerns of stakeholders; eight public hearings were held in May, June and July 2000; and three additional roundtables were held in September and October 2000. The roundtables drew broad public participation and elicited in-depth discussion and exchange of supporting data on critical issues, including issues surrounding the economic analyses and assumptions used by the agency. This will help FMCSA identify any necessary changes to the proposal that would address stakeholders' divergent concerns and support the development of a successful rule.

Risks: Driver reports of being fatigued to the point of incapacity are not uncommon, and it is reasonable to expect fatigue to be a factor in future crashes if the regulations are not corrected. FMCSA has established a goal to reduce by 50 percent over ten years the number of fatalities from crashes involving any commercial motor vehicle.

Timetable:

Action	Date
ANPRM	11/05/96 61 FR 57251

Action	Date
Notice of Meeting	02/11/97 62 FR 6161
ANPRM Comment Period End	03/31/97
NPRM	05/02/00 65 FR 25540
Notice of Hearing	05/05/00 65 FR 26166
Notice of Hearing	05/22/00 65 FR 32070
Notice of Change in Hearing Structure	05/26/00 65 FR 34132
NPRM; Correction	05/31/00 65 FR 34904
Notice of Hearing	06/12/00 65 FR 36809
Comment Period Extended	06/19/00 65 FR 37956
Comment Period Extended; Roundtable Meetings	08/15/00 65 FR 49780
NPRM Comment Period End	12/15/00
Final Rule	04/28/03 68 FR 22456
Final Rule Effective	06/27/03

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Federal

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: David R. Miller, Regulatory Development Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PRR, Office of Policy Plans and Regulation, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5011

RIN: 2126-AA23

2142. ELECTRONIC FILING OF SURETY BONDS, TRUST FUND AGREEMENTS, INSURANCE CERTIFICATES; CANCELLATIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-88; 49 USC 13906

CFR Citation: 49 CFR 387.323

Legal Deadline: None

DOT—FMCSA

Completed Actions

Abstract: This action would have required all filings of surety bonds, trust fund agreements, insurance certificates and cancellations of these instruments to be accomplished electronically. FMCSA now allows optional electronic filing, and this has proven economical and efficient for both the FMCSA and for electronic filers. Thus this rulemaking is no longer necessary.

Timetable:

Action	Date
Withdrawn	02/14/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Gladys Cole, Chief, Insurance Compliance, Department of Transportation, Federal Motor Carrier Safety Administration, ECI, Office of Enforcement and Compliance, 400 Virginia Avenue SW., Suite 600, Washington, DC 20024
Phone: 202 358-7039

RIN: 2126-AA24**2143. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; ZERO-BASE REVISION****Priority:** Other Significant

Legal Authority: 49 USC 113, 501 and 504; 49 USC 13101, 13301, 13902, 31101, 31132, 31136, 31301, and 31502; PL 104-88

CFR Citation: 49 CFR 325, 393, 398, and 399; 49 CFR 1.73

Legal Deadline: None

Abstract: This action was considered as a means to simplifying, clarifying, and reorganizing the Federal Motor Carrier Safety Regulations (FMCSRs). In 1992, the agency (then the FHWA) launched a "zero-based review" to improve the organization, format and clarity of the FMCSRs and collateral regulations. It would have proposed provisions that could affect public safety and potentially raised novel policy issues concerning federalism. The FMCSA had planned to release a new rulebook in incremental stages for an ordered approach to analyzing comments and to ensure that the final rulebook would be consistent and compatible. The rulemaking is being terminated because regulatory changes (largely organizational and format) it

entailed would have imposed burdens on States and motor carriers without providing a commensurate safety benefit.

Timetable:

Action	Date
Withdrawn	02/14/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** State

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: Valerie Height, Regulatory Development Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PRR, Office of Policy Plans and Regulation, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0901

RIN: 2126-AA39**2144. +POST-ACCIDENT CONTROLLED SUBSTANCES AND ALCOHOL TEST RESULTS; REPORTING REQUIREMENTS FOR THE FATALITY ANALYSIS REPORTING SYSTEM****Priority:** Other Significant

Legal Authority: PL 74-255; PL 98-554; PL 99-570; PL 102-143; PL 106-159; 49 USC 31136, 31301 et seq, and 31502

CFR Citation: 49 CFR 1.73; 49 CFR 382

Legal Deadline: None

Abstract: This action would have required employers to report certain information to State-employed Fatality Analysis Reporting System (FARS) analysts concerning fatal crashes/accidents. Currently, only FMCSA and State regulatory officials may obtain information concerning controlled substances and alcohol testing results and records. The employers, irrespective of their State authority, would have been required to provide information to the FARS analysts working under contract with the National Highway Traffic Safety Administration (NHTSA). The information submitted to the FARS analysts would have enabled NHTSA, in coordination with FMCSA, to compile and analyze data on the incidence of commercial motor vehicle (CMV) drivers who test positive for

controlled substances and/or alcohol use in post-accident tests conducted after fatal crashes. This rulemaking is being terminated because burdens on employers as well as on State and local law enforcement officials outweigh the benefits.

Timetable:

Action	Date
Withdrawn	02/14/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Organizations**Government Levels Affected:** Local, Federal

Agency Contact: David R. Miller, Regulatory Development Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PRR, Office of Policy Plans and Regulation, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5011

RIN: 2126-AA50**2145. RULES OF PRACTICE FOR ADMINISTRATIVE PROCEEDINGS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 106-159, sec 205**CFR Citation:** 49 CFR 386**Legal Deadline:** None

Abstract: This action proposed adopting procedural rules in order to conduct administrative proceedings under section 205 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). It also provides for the issuance of out-of-service orders. On February 16, 2000, FMCSA issued a final rule amending the Rules of Practice to include violations of commercial regulations. FMCSA will address the remaining issues by preparing "operating procedures" to provide actual notice of appeal rights at the roadside and/or by incorporating the necessary procedures in RIN 2126-AA15.

Timetable:

Action	Date
Withdrawn	02/14/03

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: David M. Lehrman, Regulatory Development Division,

DOT—FMCSA

Completed Actions

Department of Transportation, Federal Motor Carrier Safety Administration, MC-PRR, Office of Policy Plans and Regulation, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0994

RIN: 2126-AA63

2146. SECURITY REQUIREMENTS FOR MOTOR CARRIERS TRANSPORTING HAZARDOUS MATERIALS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 322; 49 USC 5112 and 5125; 49 USC 31136 and 31502; 49 CFR 1.73

CFR Citation: 49 CFR 397

Legal Deadline: None

Abstract: The ANPRM addressed security concerns regarding transportation of high-risk hazardous materials and steps that DOD and DOE have taken to protect their shipments (escorts, prenotification of States, and satellite tracking). It also discussed other technology such as electronic ignition locks that could improve HM security. The FMCSA requested comments on the feasibility of mandating one or more of these strategies for some segment (highest risk) of HM transportation, and also requested comments on the need for safe havens or the need for standards

about what can be a safe haven. The Research and Special Programs Administration (RSPA) in coordination with FMCSA will complete this rulemaking. Additional information is available in RSPA docket 2137-AD70.

Timetable:

Action	Date	
ANPRM	07/16/02	67 FR 46622
ANPRM Comment Period End	10/15/02	
Comment Period Extended	11/15/02	67 FR 62681
Notice	03/19/03	68 FR 13250
Notice Effective	03/19/03	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: William A. Quade, Chief, Hazardous Materials Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ECH, Office of Enforcement and Compliance, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2172

Related RIN: Duplicate of 2137-AD70

RIN: 2126-AA71

2147. • CIVIL PENALTIES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 113; sec 206, PL 106-159, 113 Stat. 1763; 49 CFR 1.45 and 1.73

CFR Citation: 49 CFR 386, subpart G

Legal Deadline: None

Abstract: This final rule increases certain civil penalty amounts to account for inflation. The Debt Collection Improvement Act of 1996 requires the FMCSA to adjust its civil monetary penalties for inflation at least once every four years according to the specified formula in the Federal Civil Penalties Inflation Adjustment Act of 1990.

Timetable:

Action	Date	
Final Rule	03/31/03	68 FR 15381
Final Rule Effective	03/31/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: David M. Lehrman, Regulatory Development Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PRR, Office of Policy Plans and Regulation, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0994

RIN: 2126-AA81

Department of Transportation (DOT)

Prerule Stage

National Highway Traffic Safety Administration (NHTSA)

2148. DOOR LATCH EXEMPTION FOR VEHICLES EQUIPPED WITH WHEELCHAIR LIFTS AND RAMPS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.206

Legal Deadline: None

Abstract: In response to granting a petition for rulemaking from Independent Mobility Systems, the agency is considering removing the exemption in FMVSS No. 206 for wheelchair lift door retention components. Prior to 1998, wheelchair

adaptive equipment manufacturers disabled door retention components when installing wheelchair ramp and lift systems. However, recent changes in technology have eliminated the necessity for modifying door retention for wheelchair lift/ramp installations and therefore, it is no longer necessary to provide the lift exemption in FMVSS No. 206

Timetable:

Action	Date
Termination Notice	06/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: On 05/31/96 (61 FR 27325), the agency published a grant notice. The agency believes that the suggested changes made by the petitioner merit additional study and research. The agency is currently conducting research to determine if door latch exemptions are still necessary. Simultaneously, the agency is developing a door latch procedure for sliding doors.

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400

DOT—NHTSA

Prerule Stage

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 Fax: 202 366-4329
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 RIN: 2127-AG16

2149. REVIEW: AIR BAG ON-OFF SWITCHES

Priority: Substantive, Nonsignificant
Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 40 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: This standard allows passenger vehicles to be equipped with an on-off switch for the right front passenger air bag if the rear seat cannot accommodate a rear-facing infant seat. The standard also enables vehicle owners to obtain an on-off switch for their passenger and/or driver air bag if they transport people who should not be exposed to an air bag deployment. The agency will determine, by observation of vehicles in use, the percentage of on-off switches that are being correctly used. This regulation was selected for review because of its public interest and potential benefit.

Timetable:

Action	Date
Begin Review	04/01/98
End Review	06/00/03

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Preliminary results of the observational survey are that the switches were left on (when they should be off) for 9 percent of infant passengers, 27 percent of child passengers age 1-6, and 56 percent of child passengers age 7-12. They were turned off for 18 percent of teen and adult passengers, depriving them of any potential benefits of air bags.

Agency Contact: Charles J. Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH12

2150. IMPROVE MOTORCYCLE HELMET HEAD PROTECTION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.218

Legal Deadline: None

Abstract: In 1998, 2,284 motorcyclists were killed and 49,000 injured in traffic

crashes on U.S. highways. The agency believes that helmet usage by motorcyclists is the most effective method to reduce deaths and injuries in motorcycle crashes. In order to improve the head protection for motorcyclists, the agency is proposing to upgrade the performance standards and test procedures to incorporate the technological advancements available in the current market and to review the standard for harmonization with other major helmet standards.

Timetable:

Action	Date
Research	05/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI03

Department of Transportation (DOT)

Proposed Rule Stage

National Highway Traffic Safety Administration (NHTSA)

2151. SEATING SYSTEMS PERFORMANCE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.207

Legal Deadline: None

Abstract: Environmental Research and Safety Technologists of Flagstaff, AZ, petitioned the agency to reexamine the seatback performance requirements of the standard in rear impact crashes.

Timetable:

Action	Date
ANPRM	10/04/89 54 FR 40896

Action	Date
ANPRM Comment Period End	12/04/89
Request for Comments	11/23/92 57 FR 54958
Comment Period End	01/22/93
NPRM	11/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Petitions for rulemaking were granted 07/24/89. See a related rulemaking action involving these petitioners under RIN 2127-AC57. The first part of the research is complete. A computer model and a prototype seat were developed. Information on this research is

available in the docket along with a report on crash data analysis. The agency is currently evaluating the research results and conducting dynamic seat testing.

Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4917
 Fax: 202 366-4329

RIN: 2127-AD08

DOT—NHTSA

Proposed Rule Stage

2152. CERTIFICATION REQUIREMENTS OF MULTISTAGE VEHICLES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 567; 49 CFR 568; 49 CFR 1.50

Legal Deadline: None

Abstract: The agency proposed to amend the certification requirements that apply to incomplete vehicles other than chassis-cabs. Incomplete vehicles are vehicles that include at least a frame and chassis structure, power train, steering system, suspension system, and brake system, but need further manufacturing performed on them to become completed vehicles. The agency proposed to extend the certification requirements currently applying to chassis-cabs to all types of incomplete vehicles. The agency recognizes that manufacturers who build vehicles in more than one stage are faced with somewhat different problems than manufacturers who build vehicles in a single stage, especially when it comes to certifying vehicles to meet Federal Motor Vehicle Safety Standards. The agency held a public meeting to listen to the views of these groups and others with respect to improving the vehicle certification process. The agency established a negotiated rulemaking advisory committee to develop recommended amendments to the existing regulations. The agency will publish the findings and recommendations of the negotiated rulemaking advisory committee and request comments from the public.

Timetable:

Action	Date
NPRM	12/03/91 56 FR 61392
NPRM Comment Period End	01/31/92
Announced Public Meeting	11/17/95 60 FR 57694
Notice of Intent	05/20/99 64 FR 27499
Notice of Formation of Advisory Committee	11/26/99 64 FR 66447
Notice of Meetings	02/07/00 65 FR 5847
Notice	04/19/00 65 FR 20936
SNPRM	12/00/03

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: The agency has published a list of scheduled meetings.

ANALYSIS: Regulatory Evaluation, 12/03/91, 56 FR 61392

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AE27

2153. CONVEX CROSS-VIEW MIRRORS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.111

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency requested comments on the issue of rear mounted cross-view mirrors on light and medium duty trucks for the purpose of eliminating the blind spot directly behind the vehicle. The petitioner requested that these mirrors be mandated to eliminate backing accidents where children could be seriously injured or killed. Petition was granted.

Timetable:

Action	Date
Request for Comments	06/17/96 61 FR 30586
Comment Period End	10/15/96
ANPRM	11/27/00 65 FR 70681
ANPRM Comment Period End	01/26/01
NPRM	12/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Chris Flanigan, General Engineer, NVS-121, Department of Transportation, National Highway Traffic Safety Administration, Visibility & Injury Prevention Division, Office of Crash Avoidance Stds, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4931

RIN: 2127-AG41

2154. UPGRADE ROOF CRASHWORTHINESS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.216

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is considering whether to upgrade the roof crashworthiness particularly since a larger percentage of American vehicles consist of light duty and utility vehicles, a class of vehicles more prone to rollover accidents. Petition was granted.

Timetable:

Action	Date
Request for Comments	10/22/01 66 FR 53376
Comment Period End	12/06/01
NPRM	01/00/04

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AG51

2155. UPGRADE DOOR RETENTION PERFORMANCE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.206

Legal Deadline: None

Abstract: Based upon annual average estimates from the 1988 through 1996 Fatal Analysis Reporting System (FARS) and the National Automotive Sampling System (NASS), there is an annual average of 2,515 fatalities and 1,882 serious injuries due to door ejections. Side door ejections are the second leading cause of ejections in all crashes, superseded only by ejections

DOT—NHTSA

Proposed Rule Stage

through fixed glazing. One of the activities of agency rollover research focuses on reducing injuries and fatalities resulting from side door ejections. This research has led the agency to identify potential significant solutions to mitigating a substantial number of these fatalities and injuries by improving side door retention performance. Therefore, the agency is proposing to upgrade the door retention requirements.

Timetable:

Action	Date
NPRM	11/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH34**2156. ADMINISTRATIVE REWRITE OF THE LIGHTING REQUIREMENTS OTHER THAN HEADLAMPS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.108**Legal Deadline:** None

Abstract: The agency is proposing to rewrite the reflective devices and associated equipment requirements to make the standard more readable and understandable. The standard has grown over the last 30 years by the incorporation of dozens of amendments. The document has become unwieldy to use and the agency decided to rewrite it to separate it into sections that address each lighting function separately. These sections will state the basic performance necessary for each lighting function and for lamp installation on various vehicle types. The rewrite will continue to reference Society of Automotive Engineers (SAE) and other standards and recommended practices for test procedures if too

lengthy to incorporate changes. Moreover, it will codify various agency interpretations of its rules to make the standard more explicit. The proposed administrative rewrite of the headlamp regulations can be found under RIN 2127-AG87.

Timetable:

Action	Date
NPRM	03/00/04

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: David Hines, General Engineer Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, NVS-121, 400 7th Street SW., Room 5307, Washington, DC
Phone: 202 493-0245

RIN: 2127-AH37**2157. SPECIAL PURPOSE VEHICLES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.224**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is considering whether to amend the standard for new trailers and semitrailers with a gross vehicle weight rating (GVWR) of 4,536 kilograms (10,000 pounds) or more be equipped with a rear impact guard by revising the definition of "special purpose vehicles." These are vehicles with rear mounted liftgates that operate by swinging through the area or reside in any part of the area that is designated for the horizontal member of the rear impact guard.

Timetable:

Action	Date
NPRM	09/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway

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RIN: 2127-AH75**2158. BRAKE HOSES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.106**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is considering whether to adopt portions of the brake component Federal safety provisions that are now in the Federal Motor Carrier Safety Administration regulations into the agency's brake regulation.

Timetable:

Action	Date
NPRM	06/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Jeffrey Woods, Safety Standards Engineer Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, NVS-122, Vehicle Dynamics Division, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2720

Fax: 202 366-4329

RIN: 2127-AH79**2159. LOW-SPEED VEHICLE PERFORMANCE REQUIREMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.500**Legal Deadline:** None

Abstract: Low-speed vehicles (LSV) have a maximum speed of between 20 and 25 miles per hour (mph). These vehicles are required to have certain equipment some of which does not have any performance requirements.

DOT—NHTSA

Proposed Rule Stage

The agency is proposing to set performance criteria for the various safety systems and hardware necessary for use on these vehicles.

Timetable:

Action	Date
NPRM	10/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Mike Pyne, Safety Standards Engineer, Office of Crash Avoidance NVS-123, Department of Transportation, National Highway Traffic Safety Administration, NVS 123, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4171

RIN: 2127-AH80

2160. HEADLAMP GLARE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: The current standard sets minimum and maximum headlamp intensities to ensure the driver of the vehicle sees as much of the roadway as possible, while minimizing glare for other drivers using the road. The agency has been receiving a significant number of public complaints about headlamp glare from other vehicles. Technological changes, fleet mix changes, and an increase in the average driver age, cause the agency to reexamine seeing distance and glare.

Timetable:

Action	Date
Request for Comments (Auxiliary Lamps)	09/28/01 66 FR 49594
Reopen Comment Period	11/30/01 66 FR 59769
Comment Period End	12/22/01
Comment Period End	01/28/02
NPRM	12/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Injury

Prevention Division NVS-121, Department of Transportation, National Highway Traffic Safety Administration, Office of Crash Avoidance Stds., 400 Seventh Street SW., Washington, DC 20590

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David Hines, General Engineer Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, NVS-121, 400 7th Street SW., Room 5307, Washington, DC

Phone: 202 493-0245

RIN: 2127-AH81

2161. STOWABLE OR FOLD-AWAY CHILD RESTRAINT ANCHORAGES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.225

Legal Deadline: None

Abstract: This action proposes requests by petitions for reconsideration to permit stowing and fold-away anchors on vehicles. The proposal would set performance and other requirements for such anchors. This pertains to the requirements established in the final rule published March 5, 1999 (64 FR 10785, RIN 2127-AG50).

Timetable:

Action	Date
NPRM	10/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Other issues raised by the petitioners are being addressed in RIN 2127-AH65 - Child Restraint Anchorage Systems - Part 1 and RIN 2127-AH86 - Child Restraint Anchorage Systems - Part 2.

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RIN: 2127-AH85

2162. MOTORCYCLE HEADLAMP SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is considering whether to modify the motorcycle headlamp system height of upper beam and number of headlamp and light source.

Timetable:

Action	Date
NPRM	02/00/04

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Kenneth Hardie, Safety Standards Engineer Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, NVS-121, Visibility and Injury Prevention Division, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2720

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RIN: 2127-AH92

2163. REORGANIZE AND HARMONIZE CONTROLS AND DISPLAYS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.101

Legal Deadline: None

Abstract: The agency is proposing to reorganize the controls and displays requirements to make them more user-friendly and to harmonize the standard with the Canadian Motor Vehicle Safety Standard No. 101 on the same subject. These proposed changes will list the symbols used in the standard to improve driver recognition of the function of controls and the meaning of telltales.

Timetable:

Action	Date
NPRM	08/00/03

DOT—NHTSA

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Gayle Dalrymple, Safety Engineer, Vehicle Controls and Adapted Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, Office of Crash Avoidance Standards NVS-123, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5559

RIN: 2127-AI09**2164. SEAT BELT EMERGENCY LOCKING RETRACTOR****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.209**Legal Deadline:** None**Abstract:** In response to a petition for rulemaking, the agency is proposing clarifications concerning the test procedure for the acceleration pulse shape, onset rate, time duration, and acceleration tolerance for seat belt emergency locking retractors.**Timetable:**

Action	Date
NPRM	09/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI38**2165. IDLE STOP TECHNOLOGY USED IN SOME HYBRID ELECTRIC VEHICLES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.102**Legal Deadline:** None**Abstract:** The agency is proposing to amend the standard to clarify the intent of the standard and allow it to accommodate "idle stop technology" used in some hybrid electric vehicles. This will respond to existing interpretations which promised such a modification.**Timetable:**

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** William Evans, Safety Standards Engineer Office of Crash Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, NVS-123, Vehicle Controls and Adapted Vehicle Division, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2720

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RIN: 2127-AI43**2166. PROCEDURES FOR PARTICIPATING IN AND RECEIVING DATA FROM THE NATIONAL DRIVER REGISTRATION PROBLEM DRIVER POINTER SYSTEM****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 30301 to 30308; PL 106-159, sec 204**CFR Citation:** 23 CFR 1327**Legal Deadline:** None**Abstract:** The agency is proposing to amend the National Driver Register regulations to implement an amendment made by the Motor Carrier Safety Improvement Act of 1999 (PL 106-159). The amendment requires a State, before issuing or renewing a motor vehicle operator's license to an individual, to query both the National Driver Register and the Commercial Driver's License Information System on the individual's driving record.**Timetable:**

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State**Agency Contact:** Glenn Karr, Division Chief, Driver Register and Traffic Records, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4800

RIN: 2127-AI45**2167. CARGO CARRYING CAPACITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 575**Legal Deadline:** None**Abstract:** In response to a petition for rulemaking, the agency is considering mandatory consumer information in the form of a label that will inform the consumer of the Cargo Carrying Capacity (CCC) of motor homes, travel trailers, and 5th wheel travel trailers. Such labeling will help the consumer make informed decisions during the purchasing process, act as a reference during cargo loading and encourage the recreational vehicle industry to allow for greater cargo carrying capacities which in turn will reduce instances of overloading.**Timetable:**

Action	Date
NPRM	12/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** William Evans, Safety Standards Engineer Office of Crash Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, NVS-123, Vehicle Controls and Adapted Vehicle Division, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI50**2168. HORIZONTAL DISCHARGE TRAILERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.224

DOT—NHTSA

Proposed Rule Stage

Legal Deadline: None

Abstract: In response to two petitions for rulemaking, the agency is considering excluding semitrailers equipped with "horizontal discharge trailers" from the current standard.

Timetable:

Action	Date
NPRM	07/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2127-AI56

2169. HEAVIER HYBRID III TYPE 6-YEAR-OLD-SIZE TEST DUMMY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; ...

CFR Citation: 49 CFR 572

Legal Deadline: None

Abstract: The agency is proposing to incorporate a heavier 6-year-old child dummy as part of the Hybrid III test dummy family. This dummy will have weight added to the existing dummy, making it heavier than 60 pounds. The weighted 6-year-old dummy would have application for testing child restraint systems which are rated for weights above the current 6-year-old dummy weight and would serve as an interim device until such time as the Hybrid III 10-year-old dummy has been fully developed.

Timetable:

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness

Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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Fax: 202 366-4329

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RIN: 2127-AI58

2170. ALLOW ROLL-BAR DURING BRAKE TESTING

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.105

Legal Deadline: None

Abstract: The agency is proposing to allow vehicles with a gross vehicle weight rating of over 10,000 pounds to use a roll-bar during braking tests.

Timetable:

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Samuel Daniel, General Engineer Office of Crash Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, NVS-122, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4921

Related RIN: Related To 2127-AH16

RIN: 2127-AI63

2171. CHILD RESTRAINT SYSTEM WEBBING STRENGTH

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.213

Legal Deadline: None

Abstract: The agency is proposing to require minimum breaking strengths for child restraint systems webbing.

Timetable:

Action	Date
NPRM	06/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2127-AI66

2172. MOTORCYCLE BRAKE CONTROLS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.123

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is proposing to allow a handlebar lever instead of a foot pedal to control the rear brakes on motorcycles which have no clutch control.

Timetable:

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Mike Pyne, Safety Standards Engineer, Office of Crash Avoidance NVS-123, Department of Transportation, National Highway Traffic Safety Administration, NVS 123, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4171

RIN: 2127-AI67

2173. GM PETITION ON AMENDING FMVSS NO. 301 AND FMVSS NOS. 208, 212, 219, 303, AND 305

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1497

CFR Citation: 49 CFR 571.208; 49 CFR 571.212; 49 CFR 571.219; 49 CFR 571.301; 49 CFR 571.303; ...

DOT—NHTSA

Proposed Rule Stage

Legal Deadline: None

Abstract: NHTSA published an NPRM on November 13, 2000, proposing to upgrade the rear- and side-impact tests in FMVSS No. 301, Fuel System Integrity. The NPRM requested comments on a number of particular issues. One of the requests, item 3.h, proposed to eliminate the second sentence in the standard's S7.11(b), which describes the test vehicle loading conditions. GM submitted comments on the issue and recommended specific changes. In addition, GM petitioned NHTSA to amend FMVSS Nos. 208, 212, 219, 303 and 305 with identical language that GM recommended for amending FMVSS No. 301.

Timetable:

Action	Date
NPRM	12/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2127-AI76

2174. INCORPORATION OF EUROSID II DUMMY INTO 49 CFR PART 572

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 1.50

Legal Deadline: None

Abstract: Incorporation of the EuroSID II, Side Impact Crash Test Dummy, into part 572 is needed to support the forthcoming upgrade of FMVSS 214, Side Impact Regulation and to attain harmonization of crash test tools on a worldwide basis. The EuroSID will be cited as one of the alternative crash test tools to upgrade FMVSS 214. Incorporation of the EuroSID II will have one time cost to the government of approximately \$300,000, but no long

term costs. Costs to the vehicle manufacturers are negligible on a per manufactured vehicle basis. There are no direct safety benefits in use of the crash test dummies.

Timetable:

Action	Date
NPRM	02/00/04

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2127-AI89

2175. +REAR CENTER LAP/SHOULDER BELT REQUIREMENT — STANDARD 208

Priority: Economically Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30177; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: The agency is considering an amendment to its occupant protection standard, FMVSS No. 208, to require the installation of Type 2 (lap/shoulder belt) assemblies for all rear non-outboard designated seating positions (DSPs) in passenger cars, trucks and multipurpose passenger vehicles with a Gross Vehicle Weight Rating (GVWR) of 4,536 kg (10,000 lbs.) or less.

Timetable:

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI91

2176. • VEHICLES BUILT IN TWO OR MORE STAGES — STANDARD 201 (PETITIONS FOR RECONSIDERATION)

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.201

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is considering an amendment to FMVSS No. 201 Occupant Protection in Interior Impact as the requirements apply to vehicles manufactured in two or more stages. An interim final rule was published on June 18, 2002 (67 FR 41348) that amended the schedule for compliance by manufacturers of vehicles built in two or more stages with the upper interior head protection requirements of FMVSS No. 201.

Timetable:

Action	Date
NPRM	11/00/03

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Dr. William R.S. Fan, Safety Standards Engineer, Department of Transportation, National Highway Traffic Safety Administration, Room 5320F, NVS-112, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI93

2177. • PART 571.3 DEFINITIONS, DESIGNATED SEATING POSITION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.3

Legal Deadline: None

Abstract: The agency is considering an amendment to part 571.3 Definitions, to redefine the term "designated seating position" (DSP) in order to establish an objective criteria that is more enforceable.

DOT—NHTSA

Proposed Rule Stage

Timetable:

Action	Date
NPRM	08/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 2127-AI94**2178. • CRS REGISTRATION RULEMAKING, FMVSS NO. 213 AND PART 588****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 1392; 15 USC 1409**CFR Citation:** 49 CFR 571.213; 49 CFR 588**Legal Deadline:** None

Abstract: This rule would modify the registration card by adding a space for the consumer's email address. Amending the registration card would require modification to FMVSS No. 213, "Child Restraint Systems," and part 588, "Child Restraint Systems Recordkeeping Requirements."

Timetable:

Action	Date
NPRM	12/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 2127-AI95**2179. • 5TH PERCENTILE DUMMY BELTED BARRIER CRASH TEST REQUIREMENTS — STANDARD 208****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.208**Legal Deadline:** None

Abstract: The agency is considering an amendment to its occupant protection standard, FMVSS No. 208, to improve high speed crash protection to belted occupants of small stature that may sit in the full forward seat position. Current crash test requirements for the 5th percentile adult female dummy include a 0-48 km/h belted rigid barrier crash test. The agency is considering increasing the maximum crash test speed from 48 km/h to 56 km/h to be consistent with the 50th percentile adult male requirements that will take effect according to the second phase of the FMVSS No. 208 Advanced Air Bag Final Rule (65 FR 30680).

Timetable:

Action	Date
NPRM	06/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2127-AI98**2180. • THEFT DATA FOR CALENDAR YEAR 2001****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 33104(b)(4)**CFR Citation:** 49 CFR 541**Legal Deadline:** None

Abstract: This action will publish the preliminary data on passenger motor vehicles that occurred in calendar year 2001 for MY 2001 vehicles. The theft data indicate the overall vehicles' theft rate in 2001. Publication of this data fulfills the agency's obligation to

periodically obtain accurate and timely data and publish the information for review and comment.

Timetable:

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Deborah Mazyck, Program Analyst, Department of Transportation, National Highway Traffic Safety Administration, NVS-132, Office of Planning and Consumer Programs, 400 Seventh Street SW, Room 5320, Washington, DC 20590
Phone: 202 366-0846
Fax: 202 493-2290
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RIN: 2127-AJ00**2181. • INSURER REPORTING REQUIREMENTS FOR OCTOBER 2003****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 33112**CFR Citation:** 49 CFR 544**Legal Deadline:** None

Abstract: NHTSA proposes to update its lists in appendices A, B, and C of part 544 of passenger motor vehicle insurers that are required to file reports on their motor vehicle theft loss experience. If these revised appendices are adopted in a final rule, each insurer included in any of these appendices must file a report for the 1999 calendar year not later than October 25, 2003. Further, as long as the insurer remains listed, it must submit reports by each subsequent October 25.

Timetable:

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Rosalind Proctor, Division Chief, Consumer Programs Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
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DOT—NHTSA

Proposed Rule Stage

Email: rproctor@nhtsa.dot.gov

RIN: 2127-AJ01

2182. • SELECTION OF APPENDIX A — CHILD RESTRAINT SYSTEMS — STANDARD 208**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.208**Legal Deadline:** None

Abstract: The agency is considering an amendment to its occupant protection standard, FMVSS No. 208, to establish an annual process for updating the child restraint systems currently listed in appendix A of FMVSS No. 208 for use in testing advanced air bag systems. In the past, appendix A has only been updated in response to petitions for reconsideration of the May 12, 2002, FMVSS No. 208 Advanced Air Bag final rule (65 FR 30680). This amendment will outline the method the agency will use to obtain the necessary data related to child restraint systems,

the selection criteria based on these data, the timing of the update and the legal form the update will take.

Timetable:

Action	Date
NPRM	06/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Louis Molino, Safety Standards Engineer, Department of Transportation, National Highway Traffic Safety Administration, Office of Crashworthiness Standards, NVS-112, 400 Seventh Street, SW, Room 5320, Washington, DC 20590
Phone: 202 366-1833
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RIN: 2127-AJ03

2183. • BUY AMERICA REQUIREMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 97-424**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: The agency is proposing to exempt certain purchases by grantees from the requirements of the Department of Transportation's Buy America provisions to streamline and improve the grant process.

Timetable:

Action	Date
NPRM	09/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: John Donaldson, Senior Attorney, Office of Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1834

RIN: 2127-AJ06

Department of Transportation (DOT)

Final Rule Stage

National Highway Traffic Safety Administration (NHTSA)

2184. +CRASHWORTHINESS RATINGS**Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 5**Legal Deadline:** None

Abstract: This action would require manufacturers to disseminate crashworthiness performance information concerning their cars to the public, to provide consumers with comparative information on the crashworthiness performance of new car models. This rulemaking is considered significant because of the impact on manufacturers, the interest shown by consumers, and the potential significant effects on the automotive marketplace. The agency requested public comments on the National Academy of Sciences (NAS) study titled "Shopping for Safety — Providing Consumer Automotive Safety Information," (TRB Special Report 248) and how that study should be reflected in the agency's decision on whether,

and if so, how, to proceed with a crashworthiness rating for automobiles.

Timetable:

Action	Date
NPRM	01/22/81 46 FR 7025
NPRM Comment Period End	04/22/81
Request for Comments	05/20/97 62 FR 27648
Comment Period End	08/18/97
To Be Withdrawn	05/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Mary Versailles, Office of Planning and Consumer Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2057

RIN: 2127-AA03

2185. +FLAMMABILITY OF INTERIOR MATERIALS—SCHOOL BUSES**Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.302**Legal Deadline:** None

Abstract: Advance notice of proposed rulemaking requested comments regarding possible upgrade of Standard 302 to reduce the risk of fire to school bus occupants. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date
ANPRM	11/04/88 53 FR 44627
ANPRM Comment Period End	01/03/89
Request for Comments	02/26/91 56 FR 7826
Comment Period End	04/29/91
To Be Withdrawn	07/00/03

Regulatory Flexibility Analysis Required: No

DOT—NHTSA

Final Rule Stage

Small Entities Affected: No
Government Levels Affected: None

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RIN: 2127-AA44

2186. UPGRADE FUEL INTEGRITY PERFORMANCE REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.301

Legal Deadline: None

Abstract: An advance notice of proposed rulemaking in 1995 announced the agency's plan to consider upgrading the standard by making the current crash requirements more stringent and by broadening the standard's focus to include mitigation concepts related to fuel system components and environmental and aging tests related to components. The notice also requested comments on the agency's plan to explore a three-phase approach to upgrading the standard, data, methods, and strategies that may assist in the agency's regulatory decisions in defining specific requirements and test procedures for upgrading the standard. Based on the responses to the notice and available data, the agency proposed replacing the current rear-impact test procedures with a more stringent test procedure. The agency also proposed replacing the standard's current side-impact test requirements with the side impact test requirements of Federal Motor Vehicle Safety Standard No. 214, Side-Impact Protection.

Timetable:

Action	Date
Request for Comments	12/14/92 57 FR 59041
Comment Period End	02/12/93
ANPRM	04/12/95 60 FR 18566
ANPRM Comment Period End	06/12/95
NPRM	11/13/00 65 FR 67693

Action	Date
NPRM Comment Period End	02/12/01 66 FR 78461
Final Action	09/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses
Government Levels Affected: None

Additional Information: This action will respond to RIN 2127-AE83. On December 15, 2000, an extension of comment period was published in response to petitions.

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RIN: 2127-AF36

2187. ALTERNATIVE GEOMETRIC VISIBILITY REQUIREMENTS FOR LAMPS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency proposed to harmonize the lighting standard's geometric visibility requirements for signal lamps and rear side marker color with those of the ECE. Harmonization of the standard worldwide, without reducing safety, would allow manufacturers to reduce costs by producing to a single world vehicle standard rather than several, thus reducing costs and improving the flow of trade. The agency issued additional/alternative proposals.

Timetable:

Action	Date
NPRM	10/26/95 60 FR 54833
NPRM Comment Period End	12/26/95
SNPRM	12/10/98 63 FR 68233
SNPRM Comment Period End	03/10/99
Final Action	12/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses
Government Levels Affected: None

Additional Information: On February 27, 1997 (62 FR 8883), the agency terminated rulemaking in which the agency had asked for comments on whether the performance and installation of front and rear fog lamps should be regulated. In response to these comments, the SAE has established a Fog Lamp Task Force to develop an internationally acceptable fog lamp standard on which a Federal standard could be based.

ANALYSIS: Regulatory Evaluation, 10/26/95, 60 FR 54833

Agency Contact: Michael Cole, Safety Standards Engineer, Department of Transportation, National Highway Traffic Safety Administration, NVS-121, Visibility and Injury Prevention Division, 400 Seventh Street SW., Washington, DC 20590

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 Fax: 202 366-4329

RIN: 2127-AF75

2188. POWER-OPERATED WINDOWS: ROOF PANELS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.118

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is considering whether to amend the test procedure used to demonstrate compliance by adding an alternative testing specification for a non-contact automatic reversal system, in order to provide a more meaningful and realistic method for evaluating the compliance of such systems which do not rely on contact to sense an obstruction. Petition was granted.

Timetable:

Action	Date
NPRM	06/04/96 61 FR 28124
Correction	06/14/96 61 FR 30209
NPRM Comment Period End	08/05/96
Agency Decision	12/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses
Government Levels Affected: None

DOT—NHTSA

Final Rule Stage

Agency Contact: Mike Pyne, Safety Standards Engineer, Office of Crash Avoidance NVS-123, Department of Transportation, National Highway Traffic Safety Administration, NVS 123, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4171

RIN: 2127-AF83

2189. DEALER NOTIFICATION OF DEFECT OR NONCOMPLIANCE DETERMINATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30102; 49 USC 30103; 49 USC 30111; 49 USC 30112; 49 USC 30115; 49 USC 30116; 49 USC 30118; 49 USC 30119; 49 USC 30120; 49 USC 30163; 49 USC 30165

CFR Citation: 49 CFR 573; 49 CFR 577

Legal Deadline: None

Abstract: The rule will implement an amendment to 49 USC chapter 301 which prohibits dealers from selling motor vehicles or motor vehicle equipment that has been determined to contain a safety-related defect or noncompliance with a Federal motor vehicle safety standard until the defect or noncompliance is remedied. It will set forth criteria to govern the timing and content of notifications of defects and noncompliances that manufacturers must send to their dealers.

Timetable:

Action	Date
NPRM	09/27/93 58 FR 50314
NPRM Comment Period End	10/27/93
SNPRM	05/19/99 64 FR 27227
SNPRM Comment Period End	06/18/99
Final Action	06/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jonathan D. White, Chief, Recall Analysis Division, Office of Defects Investigation, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5226

Fax: 202 366-7882

RIN: 2127-AG27

2190. SEAT BELT POSITIONING DEVICES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 575

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency proposed a labeling requirement for seat belt positioning devices. This label would consist of a warning regarding the suitability of these devices for a particular height/weight/age of child.

Timetable:

Action	Date
NPRM	08/13/99 64 FR 44164
NPRM Comment Period End	10/12/99
Final Action	08/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AG49

2191. GLARE REDUCTION FROM DAYTIME RUNNING LAMPS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: The agency proposed to amend the lighting standard to reduce glare from daytime running lamps (DRLs). A final rule is imminent. This action is intended to provide the public with all the conspicuity benefits of DRLs while reducing glare and is based on research that has become available since the final rule establishing DRLs was published in 1993.

Timetable:

Action	Date
NPRM	08/07/98 63 FR 42348
NPRM Comment Period End	09/21/98
Final Action	08/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Richard VanDerstine, Division Chief, Visibility and Injury Prevention Division NVS-121, Department of Transportation, National Highway Traffic Safety Administration, Office of Crash Avoidance Stds., 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2720

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RIN: 2127-AG86

2192. ADMINISTRATIVE REWRITE FOR HEADLAMP REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: The agency has proposed to rewrite the sections relating to headlighting. The rewrite is important because of the standard's age and numerous amendments which have made it difficult to read and interpret. The revised standard should reduce burden, especially to small manufacturers, because of improved clarity. The reorganization of the sections relating to other lamps will be addressed in a separate rulemaking.

Timetable:

Action	Date
NPRM	11/12/98 63 FR 63258
NPRM Comment Period Extended to 4/11/99	02/08/99 64 FR 6021
NPRM Comment Period End	02/10/99
Final Action	09/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Michael Cole, Safety Standards Engineer, Department of

DOT—NHTSA

Final Rule Stage

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RIN: 2127-AG87

2193. SIGNAL LAMPS USED WITH LIGHT-EMITTING DIODES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency proposed to revise the requirements for signal lamps equipped with 3 or more light-emitting diodes (LEDs). The current requirements have become design restrictive and a service burden for vehicle and signal lamp manufacturers.

Timetable:

Action	Date
NPRM	06/24/98 63 FR 34350
NPRM Comment Period Extended	08/03/98 63 FR 41222
NPRM Comment Period End	10/09/98
Final Action	08/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Chris Flanigan, General Engineer, NVS-121, Department of Transportation, National Highway Traffic Safety Administration, Visibility & Injury Prevention Division, Office of Crash Avoidance Stds, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4931

RIN: 2127-AG88

2194. MOTORCYCLE-MOUNTED REFLEX REFLECTOR HEIGHT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is considering

allowing a lower minimum mounting height for side reflex reflectors on motorcycles. The intent is to harmonize United States lighting safety standards with European and Asian reflector position regulations and improve the flow of trade by creating "windows of harmonization" that will allow manufacturers to market "common" vehicles in global markets.

Timetable:

Action	Date
Agency Decision	12/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Kenneth Hardie, Safety Standards Engineer Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, NVS-121, Visibility and Injury Prevention Division, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2720
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RIN: 2127-AG92

2195. +ALLOCATION OF FUEL ECONOMY CREDITS

Priority: Other Significant

Legal Authority: 49 USC 32903

CFR Citation: 49 CFR 534

Legal Deadline: None

Abstract: The agency is proposing rulemaking to clarify when and how predecessor and successor automobile manufacturers may use the fuel economy credits of the predecessor or successor. The use of carry forward or carry back credits will be specified for manufacturers that merge. This action is considered significant because it will affect the treatment of the Corporate Average Fuel Economy (CAFE) penalties.

Timetable:

Action	Date
NPRM	01/22/01 66 FR 6523
Final Action	12/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Edward Glancy, Senior Attorney Advisor, Office of the

Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2992

RIN: 2127-AG97

2196. INCORPORATION OF 1996 REVISION OF THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) INTO GLAZING STANDARD

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.205

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency proposed to incorporate the 1996 revision of the American National Standards Institute (ANSI) standard for safety glazing used in motor vehicles and other minor revisions into the agency's current standard for safety glazing used in motor vehicles.

Timetable:

Action	Date
NPRM	08/04/99 64 FR 42330
NPRM Comment Period End	10/04/99
Final Action	06/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4917
Fax: 202 366-4329

RIN: 2127-AH08

2197. +UPGRADE OF HEAD RESTRAINTS

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; 49 USC 322

DOT—NHTSA

Final Rule Stage

CFR Citation: 49 CFR 571.202

Legal Deadline: None

Abstract: The agency has proposed to upgrade the current head restraint requirements to increase safety. The proposal also, until the upgraded requirements become effective, allows manufacturers to certify their vehicles either to the existing U.S. requirements or to the Economic Commission for Europe (ECE) Regulation No. 25. The upgrade proposed performance requirements intended to assure that the head restraint, if adjusted, will remain locked in specific height positions and calls for the installation of head restraints in rear seats. This action is considered significant due to the expected high cost to the private sector for the modifications to the standard.

Timetable:

Action	Date
NPRM	01/04/01 66 FR 967
NPRM Comment Period End	03/05/01
Final Action	10/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH09

2198. CHILD RESTRAINTS FOR OLDER CHILDREN

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.213

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency requested comments on whether the child restraint standard should be amended to facilitate the production of lap belt-installed booster seats and other child restraints for children weighing over 18 kilograms, such as by allowing use of

a tether in some of the compliance tests.

Timetable:

Action	Date
Request for Comment	07/07/99 64 FR 36657
Comment Period End	09/07/99
Agency Decision	06/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH14

2199. HEAVY VEHICLE ANTILOCK BRAKE SYSTEM (ABS) PERFORMANCE REQUIREMENT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.105; 49 CFR 571.121

Legal Deadline: None

Abstract: The agency has proposed performance tests for ABS-equipped single-unit trucks and buses. ABS equipment requirements became effective for air-braked single-unit trucks, buses, and trailers on March 1, 1998, and for hydraulic-braked trucks and buses becomes effective on March 1, 1999. The agency indicated in prior rulemaking notices that it would consider supplementing these ABS equipment requirements with performance requirements after conducting tests to determine if such testings are practicable and repeatable for trucks and buses.

Timetable:

Action	Date
NPRM	12/21/99 64 FR 71377
NPRM Comment Period End	02/22/00
Final Action	08/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Jeffrey Woods, Safety Standards Engineer Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, NVS-122, Vehicle Dynamics Division, 400 Seventh Street SW., Washington, DC 20590

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Related RIN: Related To 2127-AI63

RIN: 2127-AH16

2200. DEFINITION OF MULTIFUNCTIONAL SCHOOL ACTIVITY BUS

Priority: Substantive, Nonsignificant

Legal Authority: 9 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is proposing to amend various sections of part 571 to create a new vehicle type, tentatively called community transportation vehicles, that will have to meet the crashworthiness standards applicable to school buses, but will not have to meet some of the crash avoidance standards (i.e., stop arms, flashing lights, etc.). This would allow manufacturers to certify vehicles that will be less expensive and as safe as a school bus for transportation of Head Start students because we have tentatively decided that the school bus crash avoidance features are unnecessary when there is no curb-side pickup.

Timetable:

Action	Date
NPRM	11/05/02
Final Rule	06/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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DOT—NHTSA

Final Rule Stage

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RIN: 2127-AH23

2201. UPPER INTERIOR IMPACT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.201

Legal Deadline: None

Abstract: At the request of the manufacturers' organizations, the agency proposed to amend the upper interior impact requirements (1) to modify the minimum distance between certain targets on vertical surfaces inside a vehicle and (2) to add new definitions and test procedures for new-style door frames and vertical seat belt mounting structures.

Timetable:

Action	Date
NPRM	04/05/00 65 FR 17843
NPRM Comment Period End	06/05/00
NPRM Comment Period Extended	06/07/00 65 FR 36106
NPRM Comment Period End	07/05/00
Final Action	12/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH61

2202. REGISTERED IMPORTERS OF VEHICLES NOT ORIGINALLY MANUFACTURED TO CONFORM WITH THE FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30141; 49 USC 30147

CFR Citation: 49 CFR 592

Legal Deadline: None

Abstract: The agency proposed to reduce regulatory burdens associated with importation of Canadian vehicles for resale in the United States when those vehicles already comply in essential respects with the Federal motor vehicle safety standards. This proposal would enhance safety by revising application procedures to ensure a higher caliber of registered importers and clarifying existing obligations.

Timetable:

Action	Date
NPRM	11/20/00 65 FR 69810
NPRM Comment Period	02/01/01
SNPRM	06/00/03
Final Action	06/00/03
Final Action Effective	09/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Taylor Vinson, Senior Attorney, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2127-AH67

2203. ACCELERATOR CONTROL SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.124

Legal Deadline: None

Abstract: The agency reviewed this standard and published a Request for Comments to obtain information on electronic accelerator controls. After reviewing the comments received on this notice, the agency plans to propose a revision of the standard that will make explicit the application of the standard to electronic accelerator controls and the electric vehicles. The proposal will recognize that electronic engine controls vastly increase the ways manufacturers can achieve fail-safe performance in the event of a disconnection or severance of the accelerator control system and will

propose a number of alternative compliance tests for fail-safe performance to avoid design restrictions.

Timetable:

Action	Date
Request for Comments	12/04/95 60 FR 62061
Comment Period End	02/02/96
NPRM	07/23/02 67 FR 48117
Final Action	08/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Mike Pyne, Safety Standards Engineer, Office of Crash Avoidance NVS-123, Department of Transportation, National Highway Traffic Safety Administration, NVS 123, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4171

RIN: 2127-AH71

2204. VEHICLES WITH RAISED ROOFS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.216

Legal Deadline: None

Abstract: In response to petitions for reconsideration of a final rule published on April 27, 1999 (64 FR 22567, RIN 2127-AF40) that made testing more suitable for vehicles with raised- or sloped-roof structures, the petitioners requested that the agency modify the portion of the rule that pertains to raised-roof vehicles, particularly those vehicles used for transporting disabled persons. The petitioners claim that the test plate position requirement for these vehicles causes the plate's rear edge to contact the raised-roof structure in a manner which causes abnormal penetration and failure.

Timetable:

Action	Date
Interim Final Rule	01/31/00 65 FR 4579
Interim Final Rule Effective	01/31/00
Final Action	12/00/03

Regulatory Flexibility Analysis

Required: No

DOT—NHTSA

Final Rule Stage

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH74

2205. CLARIFY TEST PROCEDURES FOR BRAKE FLUIDS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.116

Legal Deadline: None

Abstract: The agency has proposed to revise the corrosion and evaporation test procedures for brake fluids. These revisions are intended to improve the levels of compliance test repeatability and/or reproducibility.

Timetable:

Action	Date
NPRM	01/16/01 66 FR 3527
NPRM Comment Period End	03/19/01
Final Action	07/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Samuel Daniel, General Engineer Office of Crash Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, NVS-122, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4921

RIN: 2127-AH96

2206. CHILD RESTRAINT ANCHORAGE SYSTEMS — PART 2

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.225

Legal Deadline: None

Abstract: This action responds to several petitions for reconsideration concerning long-term testing procedures regarding the strength and other issues of universal child-restraint anchors. These requirements were established by the final rule on universal child-restraint anchorages published on March 5, 1999 (64 FR 10785, RIN 2127-AG50). An earlier action (RIN 2127-AH65) responded to other issues raised by the petitions.

Timetable:

Action	Date
Final Action	06/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH99

2207. LABEL PLACEMENT ON REAR IMPACT GUARDS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.223

Legal Deadline: None

Abstract: In response to petitions for rulemaking, the agency is proposing to allow trailer manufacturers additional flexibility in the placement of the permanent label on the guard to minimize the probability that the label will be exposed to conditions — environmental, operational, or otherwise — that may damage or destroy the guard while maintaining a location that is easily accessible and visible for inspection and enforcement purposes. Other portions of the petitions are denied.

Timetable:

Action	Date
NPRM	03/29/02 67 FR 15154

Action	Date
NPRM Comment Period End	05/28/02
Final Rule	12/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI04

2208. MOVING BARRIER TIRE SPECIFICATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.214; 49 CFR 571.301

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency proposed changing the currently specified G78-15 tires used in the moving barrier test and replacing them with P215-75R15 radial tires. The current tires are not readily available.

Timetable:

Action	Date
NPRM	10/10/01 66 FR 51629
NPRM Comment Period End	12/10/01
Final Action	08/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division, 400 Seventh Street SW., Washington, DC 20590

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Fax: 202 366-4329

RIN: 2127-AI05

DOT—NHTSA

Final Rule Stage

2209. +CONFIDENTIAL BUSINESS INFORMATION**Priority:** Other Significant**Legal Authority:** 49 USC 30166(M)**CFR Citation:** 49 CFR 512**Legal Deadline:** None

Abstract: The agency is revising the confidential business information regulations to simplify them and improve their clarity, and to update specific sections to reflect current case law and legislative action. This action will help ensure the efficient processing of requests for confidential treatment and the proper protection of sensitive business information.

Timetable:

Action	Date
NPRM	04/30/02 67 FR 21198
NPRM Comment Period End	07/01/02
Final Action	06/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Heidi L. Coleman, Assistant Chief Counsel for Traffic Injury Control and General Law, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1834

RIN: 2127-AI13**2210. DISPOSITION OF REPLACED TIRES****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 30102 to 30103; 49 USC 30112; 49 USC 30117 to 30121; 49 USC 30166 to 30167; Delegation of authority 49 CFR 1.50

CFR Citation: 49 CFR 573**Legal Deadline:** None

Abstract: Rule to implement section 7 of the TREAD Act, PL 106-414 49 USC 30120(d) by requiring a manufacturer who conducts a campaign to remedy a safety-related defect or noncompliance that involves the replacement of tires to develop a plan regarding the disposition of the tires that are replaced. The plan would address how to prevent, by means reasonably within the manufacturer's control, the disposal of replaced tires

in landfills, particularly through shredding, crumbling, recycling, recovery, and other alternative beneficial nonvehicular uses.

Timetable:

Action	Date
NPRM	12/18/01 66 FR 65165
SNPRM	07/26/02 67 FR 48852
Final Action	06/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Enid Rubenstein, Trial Attorney, Department of Transportation, National Highway Traffic Safety Administration, 5219, NCC-10, 400 Seventh Street, SW, Washington, DC 20590
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RIN: 2127-AI29**2211. +IMPROVE TIRE SAFETY INFORMATION****Priority:** Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 575

Legal Deadline: Other, Statutory, December 1, 2000, Advanced Notice of Proposed Rulemaking. Final, Statutory, June 1, 2002.

Abstract: The recently enacted Transportation Recall Enhancement Accountability and Documentation (TREAD) Act requires the Secretary of Transportation to initiate rulemaking to improve the labeling of tires to assist consumers in identifying tires that may be the subject of a safety recall. Pursuant to that Act, the Agency published an ANPRM stating that the agency is considering amendments to its regulations to improve the tire information and its availability and understandability to consumers. To aid in this effect, the agency sought responses from the public to questions relating to such matters as Tire Identification Number content, readability and location, loading, plies and cords, tread wear indicator, Uniform Tire Quality Grading System, speed rating, run-flat and extended mobility tires, tire inflation pressure, and dissemination of tire safety information. This action is considered

to be significant because of substantial public and congressional interest.

Timetable:

Action	Date
ANPRM	12/01/00 65 FR 75222
ANPRM Comment Period End	01/30/01
NPRM	12/19/01 66 FR 65535
Comment Period End	02/19/02
Final Rule	11/18/02 67 FR 69600
Comment Period End	01/02/03
Final Action	09/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Mary Versailles, Office of Planning and Consumer Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2057

RIN: 2127-AI32**2212. IMPROVING THE SAFETY OF CHILD RESTRAINTS****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.213

Legal Deadline: Final, Statutory, November 30, 2002.

Abstract: The recently enacted Transportation Recall Enhancement Accountability and Documentation (TREAD) Act requires the Secretary of Transportation to initiate rulemaking that will improve the safety of child restraints, including minimizing head injuries from side-impact collisions. The agency will consider whether to (1) require more comprehensive tests of child restraints using an array of crash conditions and an updated test seat assembly; (2) use test dummies that represent a greater range of sizes of children and that incorporate current technologies; (3) require improved protection from head injuries in side- and rear-impact crashes; (4) provide consumer information on the physical compatibility of child restraints and vehicle seats on a model-by-model basis; (5) prescribe clearer and simpler labels and instructions on child restraints; (6) consider restraints for

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children weighing up to 80 pounds; (7) apply scaled injury criteria performance levels, including neck injury; and (8) include a child restraint in each vehicle crash tested under the New Car Assessment Program.

Timetable:

Action	Date
NPRM	05/01/02 67 FR 21805
Final Rule	07/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919

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Email: gmouchahoir@nhtsa.dot.gov

RIN: 2127-AI34

2213. +AUTOMOTIVE FUEL ECONOMY MANUFACTURING INCENTIVE FOR ALTERNATIVE FUEL VEHICLES

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 49 USC 32905(f); 49 USC 32906(a)(1)(B)

CFR Citation: 49 CFR 538

Legal Deadline: Final, Statutory, December 31, 2001, Notice to either extend up to four years or discontinue the program after Model Year 2004.

Abstract: The agency must, by December 31, 2001, publish a notice that either extends the incentive program whereby automotive manufacturers earn Corporate Average Fuel Economy credits for the production of dual-fuel vehicles for up to four years beyond model year 2004, with a maximum allowable increase in average fuel economy per manufacturer of 0.9 miles per gallon, or explains the rationale for not extending the incentive program.

Timetable:

Action	Date
Notice of Intent	01/07/02 67 FR 713
NPRM	03/11/02 67 FR 10873
Final Action	06/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Kenneth Richard Katz, Lead Engineer, Consumer Program Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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Email: kkatz@nhtsa.dot.gov

RIN: 2127-AI41

2214. +OPERATION OF MOTOR VEHICLES BY INTOXICATED PERSONS

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: PL 106-346, sec 351

CFR Citation: 23 CFR 1225

Legal Deadline: None

Abstract: The Transportation Equity Act for the 21st Century (TEA-21) established a grant program under which States could qualify for incentive funds if they enacted and enforced a law that provides that any person with a blood alcohol concentration of .08 percent or greater while operating a motor vehicle in the State is deemed to have committed a per se offense of driving while intoxicated or an equivalent per se offense. The agency published a final rule implementing that incentive grant program. Section 351 of the Department of Transportation (DOT) Appropriations Act for Fiscal Year (FY) 2001 (PL 106-346) contains a new provision requiring the withholding of certain Federal-aid highway funds from a State, beginning in fiscal year 2004, if the State has not enacted and is not enforcing such a law. This action will amend the regulation implementing the incentive grant program established in TEA-21 to reflect the new sanctions provisions established in the DOT appropriations set for FY 2001.

Timetable:

Action	Date
NPRM	02/06/03 68 FR 6091
NPRM Comment	04/07/03
Period End	
Final Action	06/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Heidi L. Coleman, Assistant Chief Counsel for Traffic Injury Control and General Law, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1834

Marlene Markison, Chief, Program Support, Office of State and Community Services, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2121

RIN: 2127-AI44

2215. EXPANDING THE AUTO PARTS MARKING REQUIREMENT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 33103

CFR Citation: 49 CFR 541

Legal Deadline: None

Abstract: In accordance with the Anti Car Theft Act of 1992, the Attorney General was required to report on the effectiveness of expanding the parts marking requirements of the theft prevention standard to the remaining motor vehicle lines. On the basis of the available evidence presented, the Attorney General found that the evidence did not support a finding that requiring parts marking would not substantially inhibit chop shop operations and auto theft and therefore, recommended expanding the parts marking requirements to the remaining motor vehicle lines. Based on the results of the report, the agency is required to conduct a rulemaking to extend the theft prevention standard to the remaining motor vehicle lines.

Timetable:

Action	Date
NPRM	06/26/02 67 FR 43075
NPRM Comment	08/26/02
Period End	
Final Action	06/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Rosalind Proctor, Division Chief, Consumer Programs Division, Department of Transportation,

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 Fax: 202 366-4329
 Email: rproctor@nhtsa.dot.gov
RIN: 2127-AI46

2216. PARKING BRAKES FOR NON-SCHOOL BUS VEHICLES

Priority: Substantive, Nonsignificant
Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.105

Legal Deadline: None

Abstract: The agency is proposing to update the standard to require non-school bus vehicles with a gross vehicle weight rating (GVWR) over 10,000 pounds to be equipped with a hydraulic parking brake system.

Timetable:

Action	Date
NPRM	10/30/02 67 FR 66098
Final Action	06/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Samuel Daniel, General Engineer Office of Crash Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, NVS-122, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-4921

RIN: 2127-AI47

2217. COMPLIANCE FOR MULTISTAGE MANUFACTURERS AND ALTERERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.225

Legal Deadline: None

Abstract: The agency is responding to a petition for extraordinary relief of the compliance date by which final-stage manufacturers and alterers must install tether anchorages in affected vehicles to comply with our final rule published March 5, 1999 (64 FR 10786, RIN 2127-AG50).

Timetable:

Action	Date
Interim Final Rule	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919

Fax: 202 366-4329

Email: gmouchahoir@nhtsa.dot.gov

RIN: 2127-AI49

2218. +IMPROVED TIRE SAFETY

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.139

Legal Deadline: Final, Statutory, June 1, 2002.

Abstract: The Transportation Recall Enhancement Accountability and Documentation (TREAD) Act requires the Secretary of Transportation to initiate rulemaking to improve the safety requirements of tires. The agency is proposing a new tire standard applicable to radial and non-radial tires that are mounted on passenger cars, light truck vehicles, and multipurpose vehicles, but not tires for motorcycles and heavy trucks. The proposed requirements include tests for high speed performance, endurance, low pressure validation, low pressure high speed performance, road hazard impact, resistance to bead unseating and aging.

Timetable:

Action	Date
NPRM	03/05/02 67 FR 10050
NPRM Comment Period End	05/06/02
Final Action	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Joseph Scott, Safety Standards Engineer, Department of Transportation, National Highway Traffic Safety Administration, Office of Crash Avoidance Stds. NVS-122, Vehicle Dynamics Division, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2720

Fax: 202 366-4329

RIN: 2127-AI54

2219. RETROACTIVE CERTIFICATION (POLICY STATEMENT)

Priority: Info./Admin./Other

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30166; 49 USC 32502; ...

CFR Citation: 49 CFR 567

Legal Deadline: None

Abstract: Policy statement will detail circumstances under which the agency will allow retroactive certification of heavy trucks and buses manufactured for use in Canada and Mexico.

Timetable:

Action	Date
Request for Comments	03/19/02 67 FR 12790
Comment Period End	05/20/02
Final Action	12/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Rebecca MacPherson, Attorney Advisor, Office of Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-2992

RIN: 2127-AI59

2220. RECORD RETENTION OF RETROACTIVELY CERTIFIED VEHICLES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30112; 49 USC 30115; 49 USC 30117-21; 49 USC 30166-67

CFR Citation: 49 CFR 576

Legal Deadline: None

Abstract: Record retention requirements for manufacturers who

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retroactively certify that heavy trucks and buses manufactured for use in Canada and Mexico met all applicable Federal motor vehicle safety standards on date of original manufacture.

Timetable:

Action	Date
NPRM	03/19/02 67 FR 12800
NPRM Comment Period End	05/20/02
Final Action	12/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Rebecca MacPherson, Attorney Advisor, Office of Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2992

RIN: 2127-AI60

2221. IMPORTATION OF COMMERCIAL MOTOR VEHICLES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30112

CFR Citation: 49 CFR 591

Legal Deadline: None

Abstract: This rulemaking would propose a definition of the term "import."

Timetable:

Action	Date
NPRM	03/19/02 67 FR 12806
NPRM Comment Period End	05/20/02
Final Action	12/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Edward Glancy, Senior Attorney Advisor, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2992

RIN: 2127-AI64

2222. +ADVANCED AIR BAG REQUIREMENTS

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: In response to several petitions for rulemaking, the agency considered adjustments in the phase-in requirements for advanced air bags. In January 2003, the agency issued a final rule that reduced the percentage of a manufacturer's vehicles that must comply with the advanced air bag requirements during the first year of the first stage, i.e., from September 1, 2003, through August 31, 2004, from 35 percent to 20 percent. The agency is continuing to consider possible adjustments in the alternative phase-in requirement available to limited-line manufacturers.

Timetable:

Action	Date
NPRM	09/24/02 67 FR 59800
NPRM Comment Period End	10/24/02
Final Rule	01/31/03 68 FR 4961
Final Rule Effective	03/03/03
Final Action	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4917
Fax: 202 366-4329

RIN: 2127-AI71

2223. THEFT DATA FOR CALENDAR YEAR 2000

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 33104 (b) (4)

CFR Citation: 49 CFR 541

Legal Deadline: None

Abstract: This action will publish the preliminary theft data on passenger motor vehicles that occurred in calendar year 2000 for model year 2000

vehicles. The theft data indicate the overall vehicles' theft rate in 2000. Publication of this data fulfills the agency's obligation to periodically obtain accurate and timely data and publish the information for review and comment.

Timetable:

Action	Date
NPRM	03/12/02 67 FR 11161
Final Action	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Deborah Mazyck, Program Analyst, Department of Transportation, National Highway Traffic Safety Administration, NVS-132, Office of Planning and Consumer Programs, 400 Seventh Street SW, Room 5320, Washington, DC 20590
Phone: 202 366-0846
Fax: 202 493-2290
Email: dmazyck@nhtsa.dot.gov

RIN: 2127-AI75

2224. +CONSUMER INFORMATION REGULATIONS; FEDERAL MOTOR VEHICLE SAFETY STANDARDS; ROLLOVER RESISTANCE

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 575

Legal Deadline: Final, Statutory, November 22, 2002.
TREAD Act Mandate.

Abstract: This action establishes a consumer information program on rollover resistance using both dynamic and static vehicle measurements in response to section 12 of the TREAD Act. It replaces the current rollover resistance consumer information that is based only on static measurements. This action has no regulatory effect on vehicle manufacturers or the public. The cost of collecting the information and making it available to the public is entirely the responsibility of NHTSA as part of its New Car Assessment Program (NCAP).

Timetable:

Action	Date
NPRM	10/07/02 67 FR 62528

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Action	Date
NPRM Comment Period End	11/21/02
Final Action	09/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal

Agency Contact: Patrick Boyd, Division Chief, Vehicle Controls & Adapted Vehicles Division, Department of Transportation, National Highway Traffic Safety Administration, Office of Crash Avoidance NVS-123, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2720
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Email: pboyd@nhtsa.dot.gov

RIN: 2127-AI81**2225. FMVSS NO. 208 ADVANCED AIR BAG PETITIONS FOR RECONSIDERATION (PART 2)****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.208**Legal Deadline:** None

Abstract: This notice is the second in a series addressing the Petitions for Reconsideration received for the December 18, 2001, FMVSS No. 208 Final Rule. It addresses detailed dummy and seat positioning issues and other test procedure clarification requested in the Petitions for Reconsideration.

Timetable:

Action	Date
Final Action	06/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Louis Molino, Safety Standards Engineer, Department of Transportation, National Highway Traffic Safety Administration, Office of Crashworthiness Standards, NVS-112, 400 Seventh Street, SW, Room 5320, Washington, DC 20590
Phone: 202 366-1833
Fax: 202 366-4329

RIN: 2127-AI82**2226. WARNING LABEL AND ADDITIONAL CONSPICUITY FEATURES FOR LOW SPEED VEHICLES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 500**Legal Deadline:** None

Abstract: Low speed vehicles (whose top speed capability is, by definition, 25 mph) are required by NHTSA to meet certain minimum safety requirements. These requirements are less stringent and comprehensive than those for all other passenger motor vehicles. While low speed vehicles originally intended for use on roadways in neighborhoods, gated communities, and similar environments with limited traffic, some States now permit them to be used on roads with posted speed limits up to 35 mph, and even higher in a few cases. Additionally, because various States treat these vehicles as zero emission vehicles, it is likely that larger volumes of these vehicles will enter service beginning in 2003. Given the small size of these vehicles and their limited safety features, they offer less protection in a crash than a regular car, van, or truck does. This means a higher risk of injury or death in crashes, even at low speeds. Consequently, the agency is considering a label warning of this higher risk and measures for increasing the conspicuity of low speed vehicles.

Timetable:

Action	Date
NPRM	07/12/02 67 FR 46149
Final Rule	09/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Injury Prevention Division NVS-121, Department of Transportation, National Highway Traffic Safety Administration, Office of Crash Avoidance Stds., 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2720
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Chris Flanigan, General Engineer, NVS-121, Department of Transportation,

National Highway Traffic Safety Administration, Visibility & Injury Prevention Division, Office of Crash Avoidance Stds, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4931

RIN: 2127-AI84**2227. LIST OF NONCONFORMING VEHICLES ELIGIBLE FOR IMPORTATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30141**CFR Citation:** 49 CFR 593**Legal Deadline:** None

Abstract: This final action amends the list of vehicles not originally manufactured to conform to all applicable Federal motor vehicle safety standards that NHTSA has decided to be eligible for importation. The list is published as an appendix to NHTSA's regulations at 49 CFR part 593 that establish the procedures through which the agency makes import eligibility decisions. The amendment will add to the list all vehicles that NHTSA has decided to be eligible for importation since the list was last published on September 19, 2002.

Timetable:

Action	Date
Final Action	09/00/03

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: Because this rule only furnishes information and imposes no regulatory requirement, the agency has good cause to dispense with a notice of proposed rulemaking to solicit comments on this amendment.

Agency Contact: Michael Goode, Trial Attorney, Department of Transportation, National Highway Traffic Safety Administration, 5219, NCC-10, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5263
Fax: 202 366-3820

RIN: 2127-AI87

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2228. USE OF SEAT-MOUNTED CHILD RESTRAINTS ON SCHOOL BUS SEATS**Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 1392**CFR Citation:** 49 CFR 571.213**Legal Deadline:** None

Abstract: This action responds to petitions to amend FMVSS No. 213, Child Restraint Systems, to allow the use of seat-mounted child restraint systems on school buses. Currently, FMVSS No. 213 does not allow child restraint systems to be attached to a vehicle seat cushion or vehicle seat back except by vehicle seat belts.

Timetable:

Action	Date
Final Rule	12/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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Email: gmouchahoir@nhtsa.dot.gov

RIN: 2127-AI88**2229. +TIRE PRESSURE MONITORING SYSTEM; PETITIONS FOR RECONSIDERATION****Priority:** Economically Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.138; 49 CFR 571.101**Legal Deadline:** None

Abstract: The agency received petitions for reconsideration on the new standard for tire pressure monitoring system (TPMS) required on every new vehicle that uses a passenger car tire. A TPMS would detect low pressure in a tire and alert the driver through a "low tire" warning signal. This rule was required by the Transportation Recall Enhancement Accountability and Documentation (TREAD) Act.

Timetable:

Action	Date
Final Rule	06/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Joseph Scott, Safety Standards Engineer, Department of Transportation, National Highway Traffic Safety Administration, Office of Crash Avoidance Stds. NVS-122, Vehicle Dynamics Division, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2720

Fax: 202 366-4329

RIN: 2127-AI90**2230. +REPORTING OF INFORMATION AND DOCUMENTS ABOUT POTENTIAL DEFECTS****Priority:** Other Significant**Legal Authority:** 49 USC 30166(m)**CFR Citation:** 49 CFR 579**Legal Deadline:** None

Abstract: Final rule responding to petition for reconsideration of final rule on reporting of information and documents about potential defects published on July 10, 2002 (67 FR 45882).

Timetable:

Action	Date
Final Rule	05/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Taylor Vinson, Senior Attorney, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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Email: tvinson@nhtsa.dot.gov

Related RIN: Related To 2127-AI25**RIN:** 2127-AI92**2231. • HIGH-THEFT LINES FOR MODEL YEAR 2004****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 33104**CFR Citation:** 49 CFR 541**Legal Deadline:** None

Abstract: This action will list the likely high-theft vehicle lines that are subject to the parts-marking requirements of the theft prevention standard and high theft lines that are exempted from the parts-marking requirements for model year 2004.

Timetable:

Action	Date
Final Action	05/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Rosalind Proctor, Division Chief, Consumer Programs Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0846

Fax: 202 366-4329

Email: rproctor@nhtsa.dot.gov

RIN: 2127-AI99**2232. • REIMBURSEMENT PRIOR TO RECALL****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 30120(d)**CFR Citation:** 49 CFR 573; 49 CFR 577**Legal Deadline:** None

Abstract: This action responds to a petition for reconsideration of the reimbursement prior to recall rule (67 FR 64049).

Timetable:

Action	Date
Interim Final Rule	06/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Andrew DiMarsico, Trial Attorney, Department of Transportation, National Highway Traffic Safety Administration, 5219, NCC-10, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5263

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Related RIN: Related To 2127-AI28**RIN:** 2127-AJ05

Department of Transportation (DOT)

Long-Term Actions

National Highway Traffic Safety Administration (NHTSA)

2233. RADIATOR SAFETY CAP**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.402**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is proposing a new Federal motor vehicle safety standard regulating new radiator caps and coolant reservoir caps, and new passenger cars, multipurpose passenger vehicles and light trucks with such caps. The agency believes that this new standard, if implemented, would result in fewer scald injuries that occur when people attempt to remove caps from motor vehicle radiators or coolant reservoirs that are under high pressure and contain hot fluids. However, this rulemaking would not require that radiator caps or coolant reservoir caps be provided on any motor vehicle.

Timetable:

Action	Date	
Request for Comments	06/10/93	58 FR 32503
Comment Period End	08/09/93	
NPRM	06/01/01	66 FR 29747
NPRM Comment Period End	07/31/01	
NPRM Comment Period Extended	08/02/01	66 FR 40176
NPRM Comment Period End	09/28/01	
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Kenneth Hardie, Safety Standards Engineer Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, NVS-121, Visibility and Injury Prevention Division, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2720
Fax: 202 366-4329

RIN: 2127-AE59**2234. +REVIEW: SIDE-IMPACT PROTECTION****Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.214**Legal Deadline:** None

Abstract: This standard requires passenger cars manufactured after September 1, 1996, to provide occupant protection when impacted in the side by a moving deformable barrier. The agency has compared the actual risk of occupant injury in side-impact crashes of cars meeting the standard to the risk in pre-standard cars. The cost of the standard has been estimated. The technical report has been published. This regulation was selected for review because of its costs, potential benefits, and public interest.

Timetable:

Action	Date	
Begin Review	10/01/94	
Technical Report: Phase I	12/08/99	64 FR 68717
Comment Period End	04/06/00	
Summary and Discussion of Public Comments Sent to Docket: Phase 1	08/11/00	
End Review	06/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Additional Information: The Phase I evaluation report indicates that the test injury criterion TTI(d) has a statistically significant association with fatality risk in actual side-impact crashes on the highway. In model years 1981-93 cars, models with low TTI(d) on the Federal motor vehicle safety standard no. 214 test tend to have low fatality risk.

Agency Contact: Charles J. Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2560

Fax: 202 366-2559

Email: ckahane@nhtsa.dot.gov

RIN: 2127-AF54**2235. POWER WINDOW SAFETY SWITCHES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.118**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency proposed to require each power-operated window, interior partition, and roof panel in a motor vehicle to be equipped with a switch designed so that contact by a form representing a small child's knee would not close a window, partition, or panel. The agency is currently gathering non-crash fatality data from state records to determine the scope of the problem.

Timetable:

Action	Date	
NPRM	11/15/96	61 FR 58504
NPRM Comment Period End	01/14/97	

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Mike Pyne, Safety Standards Engineer, Office of Crash Avoidance NVS-123, Department of Transportation, National Highway Traffic Safety Administration, NVS 123, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4171

RIN: 2127-AG36**2236. REVIEW: REDESIGNED AIR BAGS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.208**Legal Deadline:** None

Abstract: This standard was temporarily amended to make the unbelted test for vehicles with air bags less stringent and, in effect, make it easier for manufacturers to quickly depower their air bags. Redesigned air bags are likely to benefit out-of-position occupants and reduce drivers' arm injuries, but they might be less effective than earlier air bags for some occupants. This regulation was selected for review because of public interest, potential benefits, and possibility of higher risk for some vehicle occupants.

Timetable:

Action	Date	
Begin Review	05/01/98	
End Review	12/00/04	

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Long-Term Actions

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Charles J. Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH13**2237. +FRONTAL OFFSET PROTECTION****Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.208**Legal Deadline:** None

Abstract: The agency is considering establishing a Federal motor vehicle safety standard for high-speed frontal offset crash testing. The frontal offset test is a crash test for automobiles and light trucks in which the subject vehicles are run into a deformable honeycomb barrier. The barrier contacts only 40 percent of the front of the vehicle, simulating an off-center frontal collision. The agency is considering adding the offset test to the frontal occupant protection standard to measure vehicle structural integrity and reduce the number and severity of lower-body injuries.

Statement of Need: While the Federal motor vehicle safety standards already contain a frontal crash test, injuries and fatalities still occur in various types of frontal crashes. The European Union determined that the best test for frontal occupant protection would be an offset test with belted test dummies. Such a standard would be largely harmonized with the European Union frontal crash standard. Subsequent research results with the 50th percentile male and the 5th percentile female Hybrid III dummies suggest that additional safety benefits would be provided under the offset test conditions.

Summary of Legal Basis: Section 30111, title 49 of the United States Code, states the Secretary shall prescribe motor vehicle safety standards. As part of the House of

Representatives Conference Report 104-785, to accompany H.R. 3675, the National Highway Traffic Safety Administration was directed on September 16, 1996, to conduct research "...toward establishing a Federal motor vehicle safety standard for frontal offset crash testing."

Alternatives: The agency will focus on existing test procedures. However, the agency is working through the national and international biomechanical engineering community to develop better test devices such as improved dummy legs.

Anticipated Cost and Benefits: The agency is evaluating the benefits and costs associated with requiring an offset frontal crash test procedure in FMVSS No. 208. Additional vehicle crash tests with advanced lower-leg instrumentation and new injury criteria are being conducted to develop comprehensive benefits estimates. The agency is also studying the societal costs associated with long-term lower-leg impairment.

Risks: Current motor vehicles provide numerous occupant protection systems, such as safety belts and strategically placed energy absorption materials such as foam padding. However, an estimated 3,300 people per year are killed and 400,000 people per year are injured in frontal offset crashes. While lower-extremity injuries are rarely fatal, they do account for substantial societal costs associated with long-term impairment.

NHTSA is also examining whether implementing a new offset test might create disbenefits in other crash modes such as side impacts.

Timetable:

Action	Date
NPRM	06/00/04

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: In December 2001, the Office of Management and Budget (OMB) sent a prompt letter to NHTSA suggesting that it give higher priority to this rulemaking. NHTSA advised OMB that it is making offset frontal crash protection one of its highest safety rulemaking priorities.

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Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division, 400 Seventh Street SW., Washington, DC 20590

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Related RIN: Related To 2127-AI39**RIN:** 2127-AH73**2238. REVIEW: ANTILOCK BRAKE SYSTEMS FOR HEAVY TRUCKS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.105; 49 CFR 571.121**Legal Deadline:** None

Abstract: These standards require antilock brake systems (ABS) on tractors manufactured after March 1, 1997, semi-trailers and single-unit trucks equipped with air brakes after March 1, 1998, and single-unit trucks over 10,000 pounds GVWR equipped with hydraulic brakes after March 1, 1999. The agency will study the influence of ABS on crash involvement rates and estimate the cost of ABS. These regulations were selected for review because of their costs, potential benefits, and public interest.

Timetable:

Action	Date
Begin Review	04/01/00
Evaluation Plan Published	08/14/00 65 FR 49633
Collection of Information	10/05/01 66 FR 51093
Comment Period End	12/04/01
End Review	12/00/06

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 2127-AI14

DOT—NHTSA

Long-Term Actions

2239. REVIEW: REAR-IMPACT GUARDS FOR TRUCK TRAILERS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.223; 49 CFR 571.224**Legal Deadline:** None

Abstract: These standards set requirements for the geometry, configuration, strength, and energy absorption capability of rear-impact guards on full trailers and semi-trailers over 10,000 pounds GVWR manufactured after January 26, 1998. The agency will study the influence of these guards on injuries in passenger vehicles that rear-impact trailers. The cost of the standards will also be estimated. These regulations were selected for review because of their costs, potential benefits, and public interest.

Timetable:

Action	Date
Begin Review	04/15/00
Evaluation Plan Published	08/14/00 65 FR 49633
Collection of Information	10/05/01 66 FR 51093
Comment Period End	12/04/01
End Review	12/00/06

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 2127-AI15**2240. ADAPTATION OF INSTRUMENTED LOWER LEGS FOR HYBRID III MALE AND FEMALE ADULT DUMMIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 572**Legal Deadline:** None

Abstract: The agency is proposing the use of crash test dummies with instrumented lower legs to assess the crashworthiness and the potential of lower limb injuries to occupants of passenger cars, vans, light trucks, and sport utility vehicles. The new legs would be retrofits for un-instrumented legs in current Hybrid III male and female adult size dummies. The legs will be used to monitor both the inertial impact and floor pan intrusion effects upon injury potential to the knees, tibia, ankle, and feet. The new legs will permit the agency to assess the injury potential to the lower legs in current motor vehicles during crashes and also enable the vehicle manufacturers to design and construct vehicles that will minimize lower limb injuries.

Timetable:

Action	Date
NPRM	05/00/04

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

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RIN: 2127-AI39**2241. CONVEX MIRRORS FOR COMMERCIAL TRUCKS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.111**Legal Deadline:** None

Abstract: In response to a petition for rulemaking from Ms. Barbara Sandord, the agency is considering amending the standard to require that all commercial trucks traveling on the interstate highway system have convex mirrors affixed to their front right and left fenders (such as those required on school buses).

Timetable:

Action	Date
Request for Comments	01/22/03 68 FR 2993
Comment Period Ends	03/24/03
Next Action	Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Chris Flanigan, General Engineer, NVS-121, Department of Transportation, National Highway Traffic Safety Administration, Visibility & Injury Prevention Division, Office of Crash Avoidance Stds, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4931

Related RIN: Related To 2127-AI53**RIN:** 2127-AI52**2242. ENHANCE PASSENGER-SIDE MIRROR SYSTEM****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.111**Legal Deadline:** None

Abstract: In response to a petition for rulemaking from AM General, the agency is considering amending the standard by extending the requirements to MPVs and trucks (independent of their weight) to allow enhanced passenger-side mirror systems.

Timetable:

Action	Date
Request for Comments	01/22/03 68 FR 2993
Comment Period Ends	03/24/03
Next Action	Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Chris Flanigan, General Engineer, NVS-121, Department of Transportation, National Highway Traffic Safety Administration, Visibility & Injury Prevention Division, Office of Crash Avoidance Stds, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4931

Related RIN: Related To 2127-AI52**RIN:** 2127-AI53

DOT—NHTSA

Long-Term Actions

2243. DAYTIME RUNNING LAMPS INTENSITY REDUCTION PHASE II**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.108**Legal Deadline:** None**Abstract:** The agency is proposing to further lower glare while minimizing the change in conspicuity.**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Injury Prevention Division NVS-121, Department of Transportation, National Highway Traffic Safety Administration, Office of Crash Avoidance Stds., 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2720

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Related RIN: Related To 2127-AG86**RIN:** 2127-AI62**2244. +EVENT DATA RECORDERS****Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** In the past several years, there has been considerable interest from the safety community in establishing requirements for event data recorders (EDRs). We believe it is timely to consider what role NHTSA should take in implementing EDRs in motor vehicles. Recently, NHTSA received a petition requesting that NHTSA initiate rulemaking to require the installation of EDRs in new vehicles. The agency decided to issue a Federal Register notice asking for comments. NHTSA will decide what to do after review of comments and other related information.**Timetable:**

Action	Date
Request for Comments	10/11/02 67 FR 63493

Action	Date
Comment Period End	01/09/03
Comment Period Extended	01/10/03 68 FR 1508
Comment Period End	02/28/03
Next Action	Undetermined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** Dr. William R.S. Fan, Safety Standards Engineer, Department of Transportation, National Highway Traffic Safety Administration, Room 5320F, NVS-112, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4922

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RIN: 2127-AI72**2245. +FEDERAL MOTOR VEHICLE SAFETY STANDARDS; CHILD RESTRAINT SYSTEMS****Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.213**Legal Deadline:** Other, Statutory, November 1, 2001, Initiate Rulemaking. Other, Statutory, November 1, 2002, Final Rule or Report to Congress. TREAD ACT MANDATE (November 2002).**Abstract:** Section 14(a) of the TREAD Act requires NHTSA to initiate a rulemaking for the purpose of improving the safety of child restraints, including minimizing head injuries from side impact collisions. The action specifically addresses the prospective adoption of a dynamic side impact test in FMVSS No. 213; currently, only frontal tests are conducted. If side impact test requirements are not proposed, the TREAD Act requires NHTSA to submit a Report to Congress explaining the rationale for these actions.**Timetable:**

Action	Date
ANPRM	05/01/02 67 FR 21836
Next Action	Undetermined

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Agency Contact:** George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI83**2246. FMVSS NO. 201 UPPER INTERIOR IMPACT MULTI-STAGE VEHICLE COMPLIANCE****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 49 USC 322; 49 USC 21411; 49 USC 21415; 49 USC 21417; 49 USC 21466**CFR Citation:** 49 CFR 571.201**Legal Deadline:** None**Abstract:** The agency received petitions for rulemaking from Recreational Vehicle Industry Association (RVIA) and National Truck Equipment Association (NTEA). There is not sufficient time for the agency to consider the issues raised in these petitions before the compliance date for multi-stage vehicles manufacturers. This action would extend the compliance date for multi-stage vehicles by one year, i.e., from 9/1/02 to 9/1/03.**Timetable:**

Action	Date
Interim Final Rule	06/18/02 67 FR 41348
Next Action	Undetermined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Dr. William R.S. Fan, Safety Standards Engineer, Department of Transportation, National Highway Traffic Safety Administration, Room 5320F, NVS-112, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI86

DOT—NHTSA

Long-Term Actions

2247. • FEDERAL MOTOR VEHICLE SAFETY STANDARD NO. 108, LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Priority: Substantive, Nonsignificant
Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 1.50; 49 CFR 501.8; 49 CFR 571.108

Legal Deadline: None

Abstract: The National Highway Traffic Safety Administration is examining issues related to motor vehicle headlighting glare. This will look at

Advanced Frontal lighting systems to determine the adverse consequences to highway safety from glare as this new concept of adaptive lighting is introduced into the U.S. vehicle fleet. An initial notice of request for comment is being issued to gather information.

Timetable:

Action	Date
Request for Comments	02/12/03 68 FR 7101
Next Action	Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2127-AI97

Department of Transportation (DOT)

Completed Actions

National Highway Traffic Safety Administration (NHTSA)

2248. PROCEDURES FOR CONSIDERING ENVIRONMENTAL IMPACTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 4321 et seq (National Environmental Policy Act-NEPA)

CFR Citation: 49 CFR 520

Legal Deadline: None

Abstract: The agency was planning to review and revise NHTSA's regulation, as necessary, to ensure its consistency with the regulations of Council on Environmental Quality (CEQ), 40 CFR parts 1500-1508, and with DOT Order 5610.1C, each of which implements the National Environmental Policy Act (NEPA), 42 USC 4321 et seq. The agency has terminated this action. Given other priorities, the agency does not plan to take action in this area in the next year.

Timetable:

Action	Date
Terminated	03/31/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Stephen Wood, Division Chief, Rulemaking Division, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2992

RIN: 2127-AB79

2249. +PLATFORM LIFT SYSTEMS

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.403; 49 CFR 571.404

Legal Deadline: None

Abstract: The supplemental notice proposed to establish two new safety standards: an equipment standard specifying requirements for platform lifts; and a vehicle standard for all vehicles equipped with such lifts. This supplemental notice significantly differed from our original proposal in several respects. Most notably, the scope of our proposal expanded to platform lifts installed on all motor vehicles. Other significant changes were additional interlock requirements, improved wheelchair retention and platform slip resistance tests, and, in some instances, lesser compliance standards for lifts installed on vehicles typically used solely for private transport. This action is not considered economically significant, but has substantial public interest from individuals with disabilities.

Timetable:

Action	Date
NPRM	02/26/93 58 FR 11562
NPRM Comment	04/27/93
Period End	

Action	Date
SNPRM	07/27/00 65 FR 46227
Correction	08/04/00 65 FR 47946
SNPRM Comment	10/25/00
Period End	
Final Action	12/27/02 67 FR 79416
Final Action Effective	12/27/04

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: William Evans, Safety Standards Engineer Office of Crash Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, NVS-123, Vehicle Controls and Adpated Vehicle Division, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AD50

2250. REVIEW: ODOMETER FRAUD

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 580

Legal Deadline: None

Abstract: This review involves analysis of the incident rates and costs of odometer fraud and an assessment of State and Federal efforts to combat odometer fraud. To complete this review, the agency requested permission to collect a sample of odometer readings of registered

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Completed Actions

passenger cars that are less than 10 years old from vehicle dealers, distributors, vehicle title files, and State Department of Motor Vehicle agencies. Congress directed the agency to conduct this review.

Timetable:

Action	Date
Begin Review	10/01/95
Collection of Information	09/23/96 61 FR 49809
Comment Period End	11/11/96
Collection of Information	06/06/97 62 FR 31186
Comment Period End	07/07/97
Technical Report	07/16/02 67 FR 46703
End Review	12/01/02

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: There are approximately 452,000 cases of odometer fraud per year in the United States. There is a 3.47 percent chance that a vehicle would have its odometer rolled back at some point during the first 11 years of its life. Consumers pay on average \$2,336 more for a rolled-back vehicle than they would have been willing to pay if they had known its true mileage.

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RIN: 2127-AF53

2251. REVIEW: AMERICAN AUTOMOBILE LABELING ACT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 32304

CFR Citation: 49 CFR 583

Legal Deadline: None

Abstract: The American Automobile Labeling Act requires new passenger cars and light trucks, beginning October 1, 1994, to bear labels providing information on the extent to which their parts are of domestic origin. The objective of this review is to determine the extent to which new-vehicle buyers know about, understand and use this information, and to estimate the effect

of the labels on vehicle production and sales.

Timetable:

Action	Date
Begin Review	12/01/95
Collection of Information	07/24/97 62 FR 39886
Comment Period End	09/22/97
Collection of Information	02/18/98 63 FR 8249
Collection of Information	02/26/98 63 FR 9897
Technical Report	03/06/01 66 FR 13625
End Review	12/01/02

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: In a survey of 646 recent or imminent new-vehicle buyers, over 75 percent were unaware of the existence of automobile parts content labels. Among those who had read the labels, many said they used the country-of-assembly information, but none said they used the numerical U.S./Canadian parts content score. Overall U.S./Canadian parts content in new cars and light trucks dropped from an average of 70 percent in model year 1995 to 67.6 percent in 1988. However, it increased from 47 to 59 percent in transplants while dropping from 89 to 84 percent in Big 3 vehicles.

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RIN: 2127-AG18

2252. REVIEW: HEAVY TRUCK CONSPICUITY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: The agency is conducting a study to evaluate the safety effects of the conspicuity systems requirement (section 5.7) of Federal Motor Vehicle Safety Standard No. 108. To carry out the study, the agency had special motor

vehicle crash data collected by the Florida Highway Patrol and the Pennsylvania State Police.

Timetable:

Action	Date
Begin Review	09/01/95
Collection of Information	07/01/96 61 FR 33891
Comment Period End	08/30/96
Technical Report	05/04/01 66 FR 22640
End Review	12/01/02

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: Retroreflective tape enhances the visibility of heavy trailers in the dark. The tape reduces side and rear impacts by other vehicles into trailers by 29 percent in dark conditions (including dark-not-lighted, dark-lighted, dawn and dusk). In dark-not-lighted conditions, the tape reduces side and rear impacts by 41 percent. When all heavy trailers have the tape, it will prevent an estimated 191 to 350 fatalities, 3,100 to 5,000 injuries and 7,800 crashes per year.

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RIN: 2127-AG19

2253. HYBRID III 95TH PERCENTILE MALE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 572; 49 CFR 571.208

Legal Deadline: None

Abstract: The agency was examining the possibility of proposing specifications for a new 95th percentile male Hybrid III size test dummy for possible use in test procedures being proposed in amendments to Federal Motor Vehicle Safety Standard No. 208. The new test dummy and procedures would have proposed to facilitate the development and introduction of new advanced air bags and other types of

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Completed Actions

advanced restraints technologies for crash protection in frontal impacts. The agency has terminated this action. Given other priorities, the agency does not plan to take action in this area in the next year.

Timetable:

Action	Date
Terminated	04/18/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2127-AG79

2254. REVIEW: CHILD SAFETY SEAT REGISTRATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.213; 49 CFR 588

Legal Deadline: None

Abstract: This evaluation involves analysis of the effectiveness of registering child safety seats to increase response to reports of recalled seats. This regulation was selected for review because of public interest in child passenger safety.

Timetable:

Action	Date
Begin Review	10/01/97
End Review	01/10/03 68 FR 1508

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 2127-AG93

2255. POLITICAL SUBDIVISION PARTICIPATION IN STATE HIGHWAY SAFETY PROGRAMS AND STATE HIGHWAY SAFETY AGENCY

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 402

CFR Citation: 23 CFR 1250; 23 CFR 1251

Legal Deadline: None

Abstract: The agency is proposing to amend certain provisions concerning the State Highway Safety Programs to streamline them, address statutory changes, and delete obsolete or unnecessary requirements.

Timetable:

Action	Date
Terminated	02/11/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal

Agency Contact: Heidi L. Coleman, Assistant Chief Counsel for Traffic Injury Control and General Law, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1834

RIN: 2127-AH00

2256. PLACEMENT OF WHEELCHAIR RESTRAINTS ON BUSES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30117; 49 USC 30166; 49 USC 322; 49 USC 30111; 49 USC 30115

CFR Citation: 49 CFR 571.217

Legal Deadline: None

Abstract: To prevent blocking of the emergency exits, the agency proposed to add a new section to the standard to not allow the placement of wheelchair securement anchorages or other devices that protrude into the aisle of an emergency exit in all buses.

Timetable:

Action	Date
NPRM	03/05/99 64 FR 10604

Action	Date
NPRM Comment Period End	05/04/99
Final Rule	04/19/02 67 FR 19343
Final Action Effective	04/21/03
Final Rule; Delay of Effective Date	04/22/03 68 FR 19752
Effective Date	04/21/04

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2127-AH03

2257. METRIC CONVERSION — PHASE III

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; PL 100-418, sec 5164

CFR Citation: 49 CFR 571

Legal Deadline: None

Abstract: The agency is amending selected Federal motor vehicle safety standards by converting English measurements in those standards to metric measurements. This rulemaking is the third and final in a series that the agency will undertake to implement the Federal policy that the metric system is the preferred system of weights and measures for U.S. trade and commerce. The conversions are not intended to change the stringency of the affected Federal motor vehicles safety standards. The agency has terminated this action. Given other priorities, the agency does not plan to take action in this area in the next year.

Timetable:

Action	Date
Terminated	04/23/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Noble Bowie, Director, Office of Planning and

DOT—NHTSA

Completed Actions

Consumer Programs, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0842

RIN: 2127-AH27

2258. USE OF UNIVERSAL CHILD SEATS IN AIRCRAFT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.213

Legal Deadline: None

Abstract: This action responds to a concern expressed by the Federal Aviation Administration (FAA) regarding some new universal child seats that may be equipped with rigid connectors or prongs. FAA believes that if a universal child seat equipped with non-folding, non-retracting rigid connectors or prongs were installed on an aircraft seat, the connectors or prongs might damage the aircraft seat cushions and might protrude into the leg space and egress path of the passenger sitting immediately behind the child seat.

Timetable:

Action	Date
Terminated	02/27/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: See RIN 2127-AG50 for the Uniform Child Restraint Anchorage Systems rule.

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RIN: 2127-AH56

2259. EXEMPTION FOR INCONSEQUENTIAL DEFECT OR NONCOMPLIANCE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30113

CFR Citation: 49 CFR 556

Legal Deadline: None

Abstract: Present regulation requires a petitioner to submit data "supporting its petition" which advocates excusing it from its notification and remedial obligations. Because the petitioner may have pertinent data relevant to the agency's decision that would not support granting it, the agency is proposing a clarification that all data pertaining to the subject in the possession of the petitioner be part of the petition. The agency also is proposing the petitioner provide a full and accurate analysis of its petition and certify that it is accurate and complete. NHTSA had deferred action on this rulemaking action on 8/2/01, to allow it to focus its limited resources on the defects and noncompliance related rulemaking actions required by the Transportation Recall Enhancement, Accountability, and Documentation Act of 2000.

Timetable:

Action	Date
Terminated	02/12/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2127-AH58

2260. COMPLIANCE AND ENFORCEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571

Legal Deadline: None

Abstract: The agency was planning to propose to codify our long-standing

general policy that motor vehicles and items of motor vehicle equipment must be capable of satisfying the requirements of each particular standard or regulation with the adjustable components of the vehicle or vehicle equipment adjusted to any position they can occupy while the vehicle is being operated unless the particular standard or regulation specifies otherwise or the manufacturer explicitly warns against placing the equipment or vehicle in that position. The agency was also planning to propose that where a standard provides manufacturers with more than one compliance option, manufacturers must select which compliance option(s) they are certifying to by the time they certify a vehicle or equipment item. The agency has terminated this action due to other priorities, the agency does not plan to take action in this area in the next year.

Timetable:

Action	Date
Terminated	03/31/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Stephen Wood, Division Chief, Rulemaking Division, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2992

RIN: 2127-AH63

2261. DEFECT REPORTING AND NOTIFICATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30102 to 30103; 49 USC 30112; 49 USC 30115 to 30121; 49 USC 30166 to 30167

CFR Citation: 49 CFR 573; 49 CFR 576; 49 CFR 577

Legal Deadline: None

Abstract: The agency was planning to amend its current regulations on Defect and Noncompliance Reports and Defect and Noncompliance Notification. The amendments would have addressed the availability of information regarding safety-related defects and noncompliance's and the notification to consumers of recalls of defective and

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noncomplying motor vehicles and motor vehicle equipment. NHTSA has decided to focus its resources on implementing the defect and noncompliance-related provisions of the Transportation Recall Enhancement, Accountability, and Documentation Act of 2000 and therefore has no present plans to move forward with this project.

Timetable:

Action	Date
Terminated	02/10/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Jonathan D. White, Chief, Recall Analysis Division, Office of Defects Investigation, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5226

Fax: 202 366-7882

RIN: 2127-AH89

2262. GUIDELINES FOR STATES ON ENFORCEMENT OF LIGHT TRANSMISSION

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 402(a)

CFR Citation: 49 CFR 553.21

Legal Deadline: None

Abstract: The agency is requesting comments to gather information that will help develop uniform guidelines for States to use in the enforcement of the light transmission standards for window glazing on passenger cars and light trucks. This action responds to a statutory directive to establish these guidelines. The agency has terminated this action because any action taken by NHTSA in this area will not lead to a regulation.

Timetable:

Action	Date
Terminated	04/23/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Heidi L. Coleman, Assistant Chief Counsel for Traffic

Injury Control and General Law, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1834

RIN: 2127-AH97

2263. HYBRID III TYPE 6-YEAR-OLD-SIZE TEST DUMMY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 572

Legal Deadline: None

Abstract: The agency is responding to petitions for reconsideration of our final rule published January 13, 2000 (65 FR 2059, RIN 2127-AG76) which established design and performance specifications for a new, more advanced 6-year-old-child dummy.

Timetable:

Action	Date
Final Rule	07/18/02 67 FR 47321
Final Rule Effective	08/19/02
Final Rule, Correcting Amendment	09/19/02 67 FR 59020

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI00

2264. FIFTH PERCENTILE FEMALE TEST DUMMY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 572

Legal Deadline: None

Abstract: The agency is responding to petitions for reconsideration of our final rule published March 1, 2000 (65

FR 10961, RIN 2127-AG66) which adopted the Hybrid III small female size dummy.

Timetable:

Action	Date
Final Rule	07/15/02 67 FR 46400
Final Rule Effective	09/13/02

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI01

2265. ACCELERATION OF MANUFACTURER REMEDY PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30120(c)

CFR Citation: 49 CFR 573

Legal Deadline: None

Abstract: Rule to implement section 6(a) of the TREAD Act, PL 106-414 by amending NHTSA's existing regulation on Defect and Noncompliance Reports (49 CFR part 573) to require manufacturers to accelerate recalls that are not likely to be capable of completion in a reasonable time.

Timetable:

Action	Date
NPRM	12/11/01 66 FR 64087
NPRM Comment Period End	02/11/02
Final Action	12/05/02 67 FR 72384
Final Action Effective	01/06/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael Goode, Trial Attorney, Department of Transportation, National Highway Traffic Safety Administration, 5219, NCC-10, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI27

2266. SEAT BELT FIT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC
30111; 49 USC 30115; 49 USC 30117;
49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: The agency is reviewing a
petition for rulemaking requesting the
extension of seat belt length be an
option when purchasing a new vehicle
and requesting vehicle manufacturers to
make seat belt extenders available for
all models.

Timetable:

Action	Date
Terminated	01/17/03 68 FR 2480

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Lori Summers,
Division Chief, Department of
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Traffic Safety Administration, NVS-112,
Light Duty Vehicle Division, 400
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RIN: 2127-AI36

**2267. VOLUNTARILY INSTALLED
SEAT BELT ASSEMBLY
ANCHORAGES**

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC
30111; 49 USC 30115; 49 USC 30117;
49 USC 30166

CFR Citation: 49 CFR 571.210

Legal Deadline: None

Abstract: In a final rule published June
12, 1998 (63 FR 32143, RIN 2127-
AF91), the agency required anchorages
for voluntarily installed shoulder belts
to comply with the current

requirements for 3-point belts. This
change applied mainly to seat locations
where belts are required, such as the
center rear seat in passenger cars. This
change did not apply to seats where
no seat belt was required. The agency
is proposing to extend the anchorage
requirement to seats where the entire
seat belt assembly is voluntarily
installed. This change will mainly
affect passenger seats on large buses
and large school buses where the
customer decides to order the bus with
seat belts.

Timetable:

Action	Date
Terminated	01/31/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: This action is
currently in research.

Agency Contact: Lori Summers,
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RIN: 2127-AI40

**2268. CHILD RESTRAINT SAFETY
RATING**

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC
30111; 49 USC 30115; 49 USC 30117;
49 USC 30166

CFR Citation: 49 CFR 575

Legal Deadline: NPRM, Statutory,
November 1, 2001.

Abstract: The recently enacted
Transportation Recall Enhancement
Accountability and Documentation
(TREAD) Act requires a notice of
proposed rulemaking be issued to
establish a child restraint safety rating
consumer information program to
provide practicable, readily
understandable, and timely information
to consumers for use in making
informed decisions in the purchase of
child restraint systems (CRS).

Timetable:

Action	Date
NPRM	11/06/01 66 FR 56048

Action	Date
NPRM Comment Period End	01/07/02
Final Action	11/05/02 67 FR 67491
Final Action Effective	01/06/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: On 11/06/2001
(66 FR 56146), the agency published a
request for comment notice on a
proposed safety rating program for
child restraint systems.

Agency Contact: Roger Saul, Director,
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Department of Transportation, National
Highway Traffic Safety Administration,
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RIN: 2127-AI65

**2269. +LIGHT TRUCK AVERAGE FUEL
ECONOMY STANDARDS, MODEL
YEARS 2005-2007**

Priority: Economically Significant.
Major under 5 USC 801.

Legal Authority: 49 USC 329

CFR Citation: 49 CFR 533

Legal Deadline: None

Abstract: The agency proposed the
establishment of corporate average fuel
economy standards for light trucks,
pursuant to 49 U.S.C. Chapter 329,
manufactured in model years (MY)
2005 through 2007. The agency
proposed to set the standard for light
trucks at 21.0 mpg for MY 2005, 21.6
mpg for MY 2006 and 22.2 mpg for
MY 2007.

Timetable:

Action	Date
Request for Comments	02/07/02 67 FR 5767
NPRM	12/16/02 67 FR 77015
Final Action	04/07/03 68 FR 16868
Final Action Effective	05/05/03

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Rosalind Proctor,
Division Chief, Consumer Programs
Division, Department of Transportation,

DOT—NHTSA

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Peter Feather, Division Chief Fuel Economy, Department of Transportation, National Highway Traffic Safety Administration, 400 7th Street SW., Room 5320, Washington, DC 20590
Phone: 202 366-2565

RIN: 2127-AI70

2270. EXEMPTION FOR INCONSEQUENTIAL DEFECT OR NONCOMPLIANCE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30118(d), 30120(h); Delegation of Authority at 49 CFR 1.50

CFR Citation: 49 CFR 556

Legal Deadline: None

Abstract: Amendment to existing rules on inconsequential petitions to address appeals to the agency of denials of petitions for exemptions from notification and remedy requirements on the grounds that the noncompliance or defect is inconsequential as it relates to motor vehicle safety.

Timetable:

Action	Date
Terminated	02/14/03

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Andrew DiMarsico, Trial Attorney, Department of Transportation, National Highway Traffic Safety Administration, 5219, NCC-10, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5263
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RIN: 2127-AI78

2271. +FMVSS NO. 208 ADVANCED AIR BAG PETITIONS FOR RECONSIDERATION (PART 1)

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: The agency is responding to petitions for reconsideration on our December 18, 2001, final rule; response to petitions for reconsideration (66 FR 5376, RIN 2127-AI10), which both granted and denied portions of the petitions for reconsideration to our May 12, 2000, final rule (65 FR 30679, RIN 2127-AG70). The agency is responding to the petitions in two parts. The first part will address higher priority issues that can be addressed most expeditiously. Remaining issues requiring more time to resolve will be in the second part at a later date.

Timetable:

Action	Date
Final Action	01/06/03 68 FR 504

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Louis Molino, Safety Standards Engineer, Department of Transportation, National Highway Traffic Safety Administration, Office of Crashworthiness Standards, NVS-112, 400 Seventh Street, SW, Room 5320, Washington, DC 20590
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RIN: 2127-AI85

2272. • DELAYING EFFECTIVE DATE OF STANDARDS 221

Priority: Info./Admin./Other

Legal Authority: 49 USC 322, 30111, 30115, 30117, and 30166; delegations of authority at 49 CFR 1

CFR Citation: 49 CFR 571.221

Legal Deadline: None

Abstract: This rule delays the effective date of a non-controversial final rule published on December 13, 2001, that made various amendments to FMVSS No. 221 School Bus Body Joint Strength. The rule extends the effective date to July 1, 2003.

Timetable:

Action	Date
Final Action	12/13/01 66 FR 64358
Final Action Effective	01/01/03 68 FR 64358
Correcting Amendment	02/07/03 68 FR 6359

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AJ02

2273. • REPORTING OF INFORMATION AND DOCUMENTS ABOUT FOREIGN SAFETY RECALLS AND CAMPAIGNS RELATED TO POTENTIAL DEFECTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30166(l)

CFR Citation: 49 CFR 579

Legal Deadline: None

Abstract: Response to a petition for reconsideration of a final rule by correction of errors and provision of clarification.

Timetable:

Action	Date
Final Action	01/28/03 68 FR 4111
Final Action Effective	02/27/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2127-AJ04

Department of Transportation (DOT)
Federal Railroad Administration (FRA)

Proposed Rule Stage

2274. BLUE SIGNAL AND RELATED PROTECTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 218

Legal Deadline: None

Abstract: FRA is in the process of reconsidering amendments to its "Blue Signal" regulations, which prescribe minimum requirements for the protection of railroad employees engaged in the inspection, testing, repair, and servicing of rolling equipment. FRA is also reviewing the regulations in light of changes in the railroad industry since they were last revised. This task was assigned to RSAC, and the working group met for the first time in October 2000. There have been six subsequent meetings. Currently, the working group is still considering several issues and, thus, the next action on this rule is undetermined.

Timetable:

Action	Date
Final Rule Amendments	03/01/95 60 FR 11047
Comment Period End	05/01/95
Comment Period Reopened	06/09/95 60 FR 30469
NPRM	04/00/04

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: The final rule on utility employees was published August 16, 1993 (58 FR 43287), RIN 2130-AA77. FRA has changed the title of the current entry to the Unified Agenda, which was originally titled "Protection of Utility Employees," to more accurately reflect what this action is expected to address.

Agency Contact: John A. Winkle, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
 Phone: 202 493-6067

RIN: 2130-AA90

2275. LOCOMOTIVE CRASHWORTHINESS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 229

Legal Deadline: Final, Statutory, March 3, 1995, Rule or Report to Congress. Report to Congress issued 9/18/96.

Abstract: The agency has proposed to address the crashworthiness of locomotives pursuant to the Rail Safety Enforcement and Review Act (1992). FRA investigated locomotive crashworthiness, as well as a variety of locomotive working conditions (See RIN 2130-AA89) and reported its finding to Congress. On October 31, 1996, the Railroad Safety Advisory Committee (RSAC) accepted a preliminary planning task to schedule handling of these issues. The Locomotive Crew Safety Working Group met on January 23, 1997, to develop task statements that were forwarded to the full RSAC and accepted on June 24, 1997. The RSAC Locomotive Crashworthiness Working Group last met in January, 2002, to consider specific recommendations for regulatory action. Originally this project was considered significant; however, it appears likely that important incremental changes in current design standards can be made without significant disruption or controversy.

Timetable:

Action	Date
Open Meeting Notice	07/22/94 59 FR 37528
Report to Congress	09/18/96
NPRM	04/00/04

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: This rulemaking was originally included in RIN 2130-AA89, Locomotive Cab Working Conditions.

Agency Contact: David T. Matsuda, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 493-6046

RIN: 2130-AB23

2276. LOCOMOTIVE EVENT RECORDERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 229

Legal Deadline: None

Abstract: FRA will propose improvements in the crashworthiness of event recorders and will propose additional requirements for data capture and recording for event recorders installed in new and rebuilt locomotives. FRA is awaiting the advice and recommendations of RSAC before taking further regulatory action.

Timetable:

Action	Date
NPRM	11/00/03

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: This rulemaking was previously titled "Crashworthy Event Recorders."

Agency Contact: Thomas Herrmann, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 493-6036

RIN: 2130-AB34

2277. REFLECTORIZATION OF RAIL FREIGHT ROLLING STOCK

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103; 49 USC 20148

CFR Citation: 49 CFR Part 224

Legal Deadline: None

Abstract: FRA is considering requiring that retroreflective tape be applied to all rail freight rolling stock. After extensive analysis, FRA has concluded that reflectionization of railroad freight rolling stock appears to be a viable and cost effective method of reducing the number of collisions at highway-rail grade crossings and the casualties and property damages which result from those collisions. FRA's cost-benefit analysis and comments from interested parties may be found in the public docket for this proceeding.

Timetable:

Action	Date
NPRM	10/00/03

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

DOT—FRA

Proposed Rule Stage

Government Levels Affected: None

Agency Contact: Lucinda Henriksen, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
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RIN: 2130—AB41

2278. OCCUPATIONAL NOISE EXPOSURE FOR RAILROAD OPERATING EMPLOYEES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 229; 49 CFR 227

Legal Deadline: None

Abstract: FRA has proposed to address crew working conditions on locomotives, pursuant to the Rail Safety Enforcement and Review Act (1992). FRA investigated a variety of

locomotive working conditions, including noise, and reported its findings to Congress in 1996. FRA presented the subject of locomotive working conditions to the Railroad Safety Advisory Committee (RSAC). The RSAC process, which involves participation of all parties with significant interests, provides a forum for consensual rulemaking and program development.

Through the RSAC process, FRA is amending its occupational noise standards for railroad employees whose predominant noise exposure occurs in the locomotive cab. FRA's existing standard concerning cab noise, 49 CFR 229.121, limits cab employee noise exposure to certain levels based on the duration of their experience. FRA would like to update its regulation to incorporate new measures. This proposal would require railroads to implement a hearing conservation

program, which would include hearing tests (audiograms), training, and monitoring. It would also set design standards for new locomotives and maintenance standards for all locomotives.

Timetable:

Action	Date
Report to Congress	09/18/96
NPRM	04/00/04

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Christina McDonald, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6032

RIN: 2130—AB56

**Department of Transportation (DOT)
Federal Railroad Administration (FRA)**

Final Rule Stage

2279. +WHISTLE BANS AT HIGHWAY-RAIL GRADE CROSSINGS

Priority: Other Significant

Legal Authority: 49 USC 20153

CFR Citation: 49 CFR 222

Legal Deadline: Final, Statutory, November 2, 1996, subsequent enactment prohibited issuance prior to July 1, 2001.

Abstract: This action would govern when train whistles at grade crossings must be sounded. FRA has found that failing to use the locomotive horn can significantly increase the number of collisions with motorists using the crossing. This action is considered significant because of substantial public interest. This action is being taken pursuant to statutory mandate. FRA studied the consequences of the proposed action and prepared a draft environmental impact statement (EIS) for the proposed rule.

Statement of Need: This rule is required by the Swift Development Act of 1994 (Act). The Act requires the use of locomotive horns at every public highway-rail grade crossing but gives FRA the authority to make reasonable exceptions. Studies have shown that highway-rail grade crossing accidents increase 62 percent at gated crossings

where whistle bans are in effect. Congress amended this law in 1996 to require that FRA take into account the interest of the communities with pre-existing restrictions on locomotive horns. In 2000, Congress prohibited FRA from issuing a rule before July 1, 2001.

Summary of Legal Basis: Issuance of this rule is required by 49 USC 20153.

Alternatives: There was no alternative to initiating this rulemaking, as it is required by statute. However, the rule would provide a list of supplementary measures the FRA has determined to be effective substitutes for the locomotive horn in the prevention of highway-rail grade crossing casualties. The rule would also allow for whistle bans if there are alternative safety measures that compensate for the lack of a locomotive horn.

Anticipated Cost and Benefits: The problems considered by this rule are collisions and their associated casualties and property damage involving vehicles on public highways and trains at whistle-ban grade crossings.

The costs of this rulemaking will be incurred predominantly by communities. However, there are also costs to railroads and to the Federal

Government. At this time, FRA does not know how many businesses would be impacted or the severity of the impact if a community elects to follow the mandate and become subject to whistleblowing at crossings.

Risks: As a result of studies conducted on accident rates at crossings at which locomotive horns are banned, FRA has concluded that such crossings generally have a higher risk of accident than crossings at which horns are sounded. FRA has compared the number of collisions occurring within ten different groups of crossings grouped by risk and found that the risk of a collision was 62 percent greater at crossings equipped with automatic gates and flashing lights than at similarly equipped crossings across the nation without bans. FRA analysis also indicated that whistle ban crossings without gates, but equipped with flashing light signals and/or other types of active warning devices, on average, experienced 119 percent more collisions than similarly equipped crossings without whistle bans. Congress required that FRA issue a regulation requiring the sounding of locomotive horns at all public highway rail grade crossings. However, an exception to the requirement is permissible in circumstances in which

DOT—FRA

Final Rule Stage

there is not a significant risk of loss of life or serious personal injury, use of the locomotive horn is impractical, or supplementary safety measures fully compensate for the absence of the warning provided by the horn. Issuance of the rule would lower the increased collision risk associated with crossings at which no locomotive horns are sounded.

Timetable:

Action	Date
NPRM	01/13/00 65 FR 2230
NPRM Comment Period End	05/26/00
Final Rule	10/00/03

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Federalism: This action may have federalism implications as defined in EO 13132.

Additional Information: An Omnibus Bill at the end of the 106th Congress prohibited publication of a final rule before July 2001.

Agency Contact: Mark H. Tessler, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6061

RIN: 2130-AA71

2280. +STANDARDS FOR DEVELOPMENT AND USE OF PROCESSOR-BASED SIGNAL AND TRAIN CONTROL SYSTEMS

Priority: Other Significant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 234; 49 CFR 236; 49 CFR 209

Legal Deadline: None

Abstract: Consistent with congressional mandate, FRA has continued its commitment to supporting Positive Train Control (PTC) technology development, testing and compatibility; and promoting deployment of PTC technology in the near future. In September 1997, FRA initiated joint fact-finding efforts through the Railroad Safety Advisory Committee (RSAC) Working Group on PTC. The advice and recommendations of RSAC formed the basis of an NPRM that would

facilitate introduction of advanced technology, including systems that support PTC functions. The NPRM addresses technical standards for all processor-based signal and train control products, amending 49 CFR part 236. The comment period ended 11/08/01, and FRA is now preparing a final rule.

Statement of Need: Current FRA regulations do not adequately address the use of signal and train control technology that is processor-based. In fact, application of current regulations to processor-based systems can create unnecessarily burdensome requirements. Recently, use of this technology has begun to increase on the general system of North American railroads, placing new demands on agency resources to ensure the safety objectives contemplated by the current regulations are achieved. The existence of Federal regulations addressing this subject matter would further encourage safe use of the technology, which would reduce the risk of train-to-train collisions, better enforce speed restrictions, and increase the level of protection to roadway workers and their equipment. These improvements will likely result in fewer fatalities, injuries, and economic damage associated with such risks. Given the potential for substantial safety benefits that this program represents, this initiative is extremely important to the agency.

Summary of Legal Basis: FRA is issuing this rule pursuant to its general rulemaking authority (49 U.S.C. 20103(a)). Currently, railroads may discontinue or materially alter a signal system initially required by the Secretary of Transportation only with approval from the Secretary (49 U.S.C. 20502). Exercise of both of these powers has been delegated to the FRA Administrator (49 CFR 1.49).

Alternatives: Currently, FRA accepts waiver applications from railroads that seek relief from FRA safety regulations in order to test new signal and train control equipment. Since FRA must consider the safety ramifications of each application on a case-by-case basis, this procedure leaves considerable uncertainty regarding what type of safety case must be demonstrated to obtain approval.

Prior to this action, FRA considered: (1) leaving the existing regulatory requirement as is, and (2) adopting a single standard for the design of

processor-based signal and train control systems. However, agency inaction would hinder introduction of new, safer technology into railroad signal and train control; elimination of all railroad signal and train control system regulation would be a total abdication of the agency's statutory duties; and a single design standard would inhibit innovative signal and train control system designs.

Anticipated Cost and Benefits: The proposed rule would provide flexible performance standards for the design of processor-based signal and train control systems, but would not mandate their usage. FRA believes that a railroad would adopt such a system under one or more of the following conditions: (1) the new system is safer; (2) the new system is less expensive or provides functionalities that support business benefits; and (3) continued maintenance of the existing system is no longer feasible. The rule would ensure that any replacement system is at least as safe as the current system. Concerning existing processor-based systems, the rule would require railroads to adopt a software management plan, which will ensure proper software configuration, resulting in decreased risk of train accidents due to signal malfunction. FRA has not quantified these benefits because of the difficulties in estimating how many systems are likely to be affected by this rule, what the incremental cost would be, and when the benefits would accrue.

Most of the costs of this proceeding are associated with safety documentation required to demonstrate compliance with the performance standard. As with many performance standards, this rule would require substantial safety documentation from the railroad to demonstrate compliance, both up front and during the life cycle of the system. It appears that the primary cost involved in this rule would be the product risk assessment, a one-time expense presently incurred by product suppliers.

Overall, it appears that the benefits of the rule would outweigh the costs.

Risks: The risk category addressed by the proposed rule is that of accidents that occur due to improper train operations and certain types of vandalism. Types of accidents that may be prevented include train-to-train collisions, derailments due to excessive

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train speed, and trains penetrating the work limits of roadway workers.

Timetable:

Action	Date
NPRM	08/10/01 66 FR 42351
NPRM Comment Period End	11/08/01
Final Rule	01/00/04

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:**

Undetermined

Federalism: Undetermined

Agency Contact: Cynthia Walters, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6064

RIN: 2130-AA94**2281. SMALL RAILROADS; POLICY STATEMENT ON ENFORCEMENT PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 601 et seq; PL 104-121; 49 USC 20101 et seq**CFR Citation:** 49 CFR 209**Legal Deadline:** Other, Statutory, March 29, 1997, 180 Days to Final Rule.

Abstract: The Small Business Regulatory Enforcement Act (SBREFA) of 1996 requires, among other things, that Federal agencies establish communication and enforcement programs to address the unique concerns and operations of small entities.

Pursuant to SBREFA, FRA published communication and enforcement policies with respect to small entities in an Interim Statement of Agency Policy and undertook an interim definition of "small entity" in this process. Also, FRA invited comment from the public for the purpose of adopting a new definition of "small entity" in the future, and conducted a public meeting with all interested parties to discuss this issue. FRA will issue a Final Statement of Policy.

Timetable:

Action	Date
Interim Policy Statement	08/11/97 62 FR 43024

Action	Date
Interim Policy Statement Effective	10/10/97
Comment Period End	11/30/97
Final Policy Statement	06/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Local

Additional Information: A public meeting was held on September 28, 1999. (See 64 FR 46468, 8/25/99.)

Agency Contact: Melissa Porter, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6034

RIN: 2130-AB15**2282. ROADWAY MAINTENANCE MACHINES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 20103**CFR Citation:** 49 CFR 214**Legal Deadline:** None

Abstract: FRA proposed regulations governing operational and design safety of on-track equipment used by railroads for track maintenance. The regulations would cover self-propelled rail-mounted non-highway machines where light weight exceeds 7500 pounds. This rulemaking was requested by the Brotherhood of Maintenance of Way Employees (BMWE) as part of the organization's petition requesting revision of the track safety standards. FRA decided to respond to this portion of the BMWE petition in a rulemaking separate from the track safety standards revision. FRA is now completing the final rule.

Timetable:

Action	Date
NPRM	01/10/01 66 FR 1930
NPRM Comment Period End	03/12/01
Final Rule	08/00/03

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Additional Information: This rulemaking is an offshoot of the rulemaking to revise the track safety standards.

Agency Contact: Daniel Alpert, Trial Attorney, Department of

Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6026

RIN: 2130-AB28**2283. DETERMINATION OF MINIMUM TESTING RATE FOR RANDOM DRUG AND ALCOHOL TESTING****Priority:** Info./Admin./Other**Legal Authority:** 49 USC 20103**CFR Citation:** None**Legal Deadline:** None

Abstract: Each year FRA announces the minimum random drug and alcohol testing rates for the following year for the railroad industry. This determination is based on a review of rail industry drug and alcohol management information system data, as well as data from compliance reviews of rail industry drug and alcohol testing programs. Procedures were established in a final rule published on December 2, 1994, 59 FR 62218. For the calendar year 2003, the minimum random drug and alcohol testing rates of covered railroad employees continue to be 25 percent and 10 percent, respectively. This agenda entry will be updated each year to show the latest annual determination. Cites for determinations already issued are provided below.

Timetable:

Action	Date
Annual Determination	12/00/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: In the notice of determination of January 2, 2003 (68 FR 57), the minimum random drug and alcohol testing rates of covered railroad employees remained at 25 percent and 10 percent, respectively, for calendar year 2002. In the notices of determination of 2/18/98 (63 FR 8143), 12/30/98 (63 FR 71789), 12/27/99 (64 FR 72289), 12/19/00 (65 FR 79318), and 1/2/02 (67 FR 21), the minimum rates remained at 25 percent and 10 percent for calendar years 1998, 1999, 2000, 2001, and 2002.

Agency Contact: Patricia V. Sun, Trial Attorney, Department of Transportation, Federal Railroad

DOT—FRA

Final Rule Stage

Administration, 1120 Vermont Avenue
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Phone: 202 493-6060
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RIN: 2130-AB31

2284. +APPLICATION OF RANDOM TESTING AND OTHER ALCOHOL AND DRUG REGULATIONS TO EMPLOYEES OF FOREIGN RAILROADS

Priority: Other Significant

Legal Authority: 49 USC 20103; 49 USC 20140

CFR Citation: 49 CFR 219

Legal Deadline: None

Abstract: This action would apply FRA's random testing and other alcohol and drug requirements to employees of a foreign railroad whose primary reporting point is outside the United States, and who perform train service or dispatching service in the United States. Such employees are currently exempt from random testing, pre-employment testing, and requirements for employee self-referral and co-worker report policies. This action is considered significant because of substantial inter-departmental concerns.

Timetable:

Action	Date	
NPRM	12/11/01	66 FR 64000
Notice of Hearing	01/23/02	67 FR 3138
NPRM Comment Period End	02/11/02	
Comment Period Extended	03/14/02	
Docket Reopened for Additional Comments	12/10/02	67 FR 75966
Final Rule	01/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Patricia V. Sun, Trial Attorney, Department of Transportation, Federal Railroad

Administration, 1120 Vermont Avenue
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RIN: 2130-AB39

2285. • RETENTION OF CURRENT MONETARY THRESHOLD FOR REPORTING RAIL EQUIPMENT ACCIDENTS/INCIDENTS DURING CALENDAR YEAR 2003 AND UNTIL FURTHER AMENDED

Priority: Info./Admin./Other

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 225

Legal Deadline: None

Abstract: This is an Interim Final Rule which establishes the monetary threshold for reporting rail equipment accidents/incidents for the calendar year 2003 and beyond. This rule replaces the annual determination of the threshold, which is being withdrawn. The 2003 threshold will remain the same as the threshold for calendar year 2002 due to the unavailability of Bureau of Labor Statistics data that was previously used to calculate the threshold. The 2002 threshold is \$6700; this is the number that will carry over for 2003 and beyond. FRA is not calculating a new threshold; rather, the old one is being retained as it is not possible to calculate a new threshold with the current formula due to the lack of BLS data. The 2002 threshold will be carried over for calendar year 2003 and beyond, until a new formula is established. FRA will be seeking notice and comment at a future date to establish a new formula for calculating the monetary threshold for accident/incident reporting for calendar year 2004 and beyond.

Timetable:

Action	Date	
Interim Final Rule	12/30/02	67 FR 79533
Interim Final Rule Effective	01/01/03	
Final Action	08/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Roberta Stewart, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 493-6027

Related RIN: Related To 2130-AB30

RIN: 2130-AB57

2286. • RAILROAD LOCOMOTIVE SAFETY STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20102 to 20103, 20133, 20137 to 20138, 20107, 20143, 20701 to 20703; 49 USC 21301 to 21302; 49 USC 21304; 49 CFR 1.49(c) and 1.49(m)

CFR Citation: 49 CFR 229

Legal Deadline: None

Abstract: This rulemaking action makes a technical, clarification to the headlight and auxiliary light provisions contained in 49 CFR 229.125(a) and (d). The purpose of this modification is to codify FRA's existing acceptance of lamps used in locomotive headlights and auxiliary lights for nearly a decade. The clarifying amendment is consistent with existing FRA enforcement policies and FRA's intent when issuing the original rules related to locomotive headlights and auxiliary lights.

Timetable:

Action	Date
Interim Final Rule	08/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Thomas Herrmann, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6036

RIN: 2130-AB58

**Department of Transportation (DOT)
Federal Railroad Administration (FRA)**
Long-Term Actions**2287. CRANE SAFETY STANDARDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 20103**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, FRA will consider whether to adopt regulations governing functional and design safety of on-track railroad cranes used for track maintenance. FRA is awaiting the advice and recommendations of RSAC before taking further regulatory action.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:**

Undetermined

Federalism: Undetermined

Agency Contact: Mark H. Tessler, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6061

RIN: 2130-AB27**2288. REVISION TO RAILROAD SAFETY ENFORCEMENT PROCEDURES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 20103**CFR Citation:** 49 CFR 209**Legal Deadline:** None

Abstract: This action will revise and update FRA's enforcement procedures.

This action is expected to address the recodification of the railroad safety laws and revise certain administrative hearing procedures.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined

Agency Contact: Kathryn E. Shelton, Department of Transportation, Federal Railroad Administration
Phone: 202 493-6063
Fax: 202 493-6068
Email: kathryn.shelton@fra.dot.gov
RIN: 2130-AB35

2289. RULES OF PRACTICE**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 20103**CFR Citation:** 49 CFR 211**Legal Deadline:** None

Abstract: This action will revise and update FRA's rulemaking procedures, and the procedures for participation in the rulemaking process, such as petitions for rulemaking, petitions for reconsideration, and petitions for waiver. These procedures will be modified to reflect the recodification of the railroad safety laws, and changes in the application of FRA's regulatory procedures that have developed over time.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined

Agency Contact: Colleen A. Brennan, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6028

RIN: 2130-AB36**2290. +MINIMUM STANDARDS FOR TEMPERATURE IN THE LOCOMOTIVE CAB****Priority:** Other Significant**Legal Authority:** 49 USC 20103; 49 USC 20701 to 20703**CFR Citation:** 49 CFR 229**Legal Deadline:** None

Abstract: FRA is considering amending current minimum temperature requirements and establishing maximum cab temperature requirements.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:**

Undetermined

Federalism: Undetermined

Agency Contact: Cynthia Walters, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6064

RIN: 2130-AB46
**Department of Transportation (DOT)
Federal Railroad Administration (FRA)**
Completed Actions**2291. LOCAL RAIL FREIGHT ASSISTANCE TO STATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 22101**CFR Citation:** 49 CFR 266**Legal Deadline:** None

Abstract: This action is to revise the procedures and requirements for the receipt of financial assistance contained in part 266. These changes are required to reflect statutory modifications resulting from the Local Rail Service

Reauthorization Act of 1989. The Local Freight Assistance Program has not been reauthorized after FY 1995. However, final regulations are necessary because States continue to submit applications for new projects to be funded from loan funds repaid to States by previous borrowers. FRA is reconsidering the need for these regulations.

Timetable:

Action	Date
NPRM	11/30/90 55 FR 49648

Action	Date
NPRM Comment Period End	12/31/90
Withdrawn	04/07/03 68 FR 16753

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State

Federalism: This action may have federalism implications as defined in EO 13132.

DOT—FRA

Completed Actions

Additional Information: While this action was to be terminated in October of 1995, the agency reconsidered and decided to move forward with a final rule. FRA is now reconsidering that determination.

ANALYSIS: Regulatory Evaluation, 11/30/90, 55 FR 49648

Agency Contact: JoAnne McGowan, Chief, Freight Programs Division, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-3290

RIN: 2130-AA60

2292. +REGULATIONS ON SAFETY INTEGRATION PLANS GOVERNING RAILROAD CONSOLIDATIONS, MERGERS, ACQUISITIONS OF CONTROL, AND START-UP OPERATIONS

Priority: Other Significant

Legal Authority: 49 USC 20103; 49 USC 20107; 49 USC 21301; 28 USC 2461

CFR Citation: 49 CFR 244; 49 CFR 1.49

Legal Deadline: None

Abstract: FRA drafted its response to petitions for reconsideration of the final rule, published on March 15, 2002, that requires a railroad to file a Safety Integration Plan with the Federal Railroad Administration whenever a Class I railroad proposes to merge, consolidate, or acquire control of another Class I or Class II railroad with which it proposes to amalgamate operations. See 67 FR 68041 (Nov. 8, 2002). The final rule prescribed content and subject matter areas that must be addressed in each plan before FRA may approve of such plan. FRA prepared the final rule and the response to the petitions, and coordinated with the Surface Transportation Board to issue rulemaking actions covering these transactions within the framework of each agency's jurisdiction. This rulemaking action is now completed.

Statement of Need: This rule is necessary to ensure advance planning of operations to promote rail safety. Given the safety problems encountered in previous transactions and the need for the merging or acquiring railroad to integrate and harmonize information systems, training, operational practices and safety procedures on a massive scale, the need to require detailed plans

setting forth the manner in which the parties intend to safely implement integration plans became apparent to FRA.

Summary of Legal Basis: Because this rule concerns rail safety, FRA is vested with statutory authority to issue regulations governing these regulated transactions. See 49 USC 20101 et seq.

Alternatives: The rule authorizes a railroad carrying out a regulated transaction to petition for a waiver of compliance. The railroad must follow the procedures prescribed in 49 CFR 211 in filing such a petition. FRA may grant the petition if waiver of compliance is consistent with the public interest and railroad safety. FRA will not regulate Class III railroads for the purposes of this rule.

Anticipated Cost and Benefits: In this rulemaking action, FRA addressed the costs and benefits of issuing the rule. See 67 FR 11582, 11600-01 (March 15, 2002). For Class I railroads, the agency estimates that a SIP would cost between \$300,000 and \$800,000 to prepare, but will prevent \$1.5 million to \$12 million in accident costs. For Class II railroads, FRA estimates that a Safety Integration Plan (SIP) would cost between \$50,000 and \$200,000 to prepare, but will prevent between \$60,000 and \$1.2 million in accident costs. The agency added that the safety planning process may save railroads from experiencing substantial service difficulties that correspond to these complex transactions.

Risks: The problems that surfaced after the merger of the Union Pacific and the Southern Pacific indicated that safety could be significantly compromised in implementing a consolidation unless the parties addressed the safety issues specifically, formally and systematically, particularly if the merger was large and complex. To address safety-related problems stemming from a merger, FRA needed a projection into the future of the safety consequences of consolidating the systems. To accomplish this, in response to the proposed acquisition of Conrail by Norfolk Southern and CSX Transportation, FRA suggested, and the STB required, that the merger applicants develop and submit well defined SIPs as part of the merger application process. The rule requires, that such Plans be filed by certain railroads in the context of proposed

mergers and acquisitions and similar circumstances.

Timetable:

Action	Date
NPRM	12/31/98 63 FR 72225
NPRM Comment Period Extended	04/21/99 64 FR 19512
Public Hearing - Notice	04/21/99 64 FR 19512
NPRM Comment Period End	05/04/99
Final Rule	03/15/02 67 FR 11582
Final Rule; Response to Petitions for Reconsideration	11/08/02 67 FR 68041

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: A public hearing on this rulemaking was held on May 4, 1999.

Agency Contact: Jon Kaplan, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6042

RIN: 2130-AB24

2293. ANNUAL ADJUSTMENT OF MONETARY THRESHOLD FOR REPORTING RAIL EQUIPMENT ACCIDENTS/INCIDENTS

Priority: Info./Admin./Other

Legal Authority: 49 USC 20103

CFR Citation: None

Legal Deadline: None

Abstract: This annual determination is being withdrawn this year. It established the monetary threshold for reporting rail equipment accidents/incidents involving railroad property damage. However, the formula adopted in a final rule 5/18/96, 61 FR 60632 can no longer be used. Data published by the Bureau of Labor Statistics previously used to calculate the threshold is no longer available. An Interim Final Rule has been published to establish a monetary threshold for calendar year 2003 and beyond. That threshold, set out in 67 FR 79533, will remain in place until a notice-and-comment rulemaking can establish a new formula for calculating the threshold.

DOT—FRA

Completed Actions

Timetable:

Action	Date
Withdrawn	02/10/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: The 2001 final rule of 12/26/2001, 66 FR 66346, increases the monetary threshold from \$6,600 to \$6,700 for accidents/incidents that occur during the calendar year 2002. After the 1997 final rule of 2/2/97, 62 FR 63675, increased the monetary threshold from \$6,500 to \$6,600, the monetary threshold remained at \$6,600 from calendar years 1998 through 2000. The 1996 final rule of 11/29/96, 61 FR 60632, increased the monetary threshold from \$6,300 to \$6,500.

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Phone: 202 493-6166

Related RIN: Related To 2130-AB57

RIN: 2130—AB30

2294. +LOCATIONAL REQUIREMENT FOR DISPATCHING OF UNITED STATES RAIL OPERATIONS

Priority: Other Significant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 241

Legal Deadline: None

Abstract: This interim final rule requires that all railroad operations in the United States be dispatched in the United States, with certain exceptions. This action is considered significant because of substantial interdepartmental concerns.

Timetable:

Action	Date
Interim Final Rule	12/11/01 66 FR 63942
Interim Final Rule Effective	01/10/02
Final Rule	12/10/02 67 FR 75938
Final Rule Effective	01/10/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: John A. Winkle, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 493-6067

RIN: 2130—AB38

2295. REVISION TO THE ACCIDENT/INCIDENT REPORTING REGULATIONS AND GUIDE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103; 49 USC 20901; 49 USC 20902

CFR Citation: 49 CFR 225; 49 CFR 219; 49 CFR 240

Legal Deadline: None

Abstract: FRA intends to conform its regulations for accident/incident reporting to revised OSHA regulations, and to make appropriate revisions to the FRA Guide for Preparing Accident/Incident Reports. On January 19, 2001, OSHA published revised regulations for Occupational Injury and Illness Recording and Reporting (66 FR 5965). FRA accident/incident regulations pertaining to occupational injury and illness are patterned after the prior OSHA regulations and must be maintained in general conformity with those regulations to permit compatibility of data and integration of railroad industry data into national statistical data bases. OSHA's final rule became effective on January 1, 2002. Accordingly, FRA needs to revise its own injury codes and narratives, cause codes and narratives, and circumstance codes and narratives (as set forth in the FRA Reporting Guide) as soon as feasible. Minor administrative issues have also arisen since the last general revision of part 225 on January 1, 1997, that will be considered in relation to possible amendments to the regulations or the Reporting Guide.

Timetable:

Action	Date
NPRM	10/09/02 67 FR 63022
NPRM Comment Period End	11/08/02
NPRM Corrections	11/26/02 67 FR 70809
Final Rule	03/03/03 68 FR 10107

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Anna Nassif, Trial Attorney, Department of Transportation, Federal Railroad Administration, Mail Stop 10, 1120 Vermont Avenue, N.W., Washington, DC 20590
Phone: 202 493-6166

RIN: 2130—AB51

2296. AUTOMATIC TRAIN CONTROL (ATC) AND ADVANCED CIVIL SPEED ENFORCEMENT SYSTEM (ACSES); NORTHEAST CORRIDOR (NEC) RAILROADS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103

CFR Citation: None

Legal Deadline: None

Abstract: An order is in effect, but amendments for technical matters or for the phasing of implementation will be added as needed. Through the February 2002 amendment, FRA granted a second extension of a previously granted exception that allowed MBTA to follow temporary operating protocols whenever it could not dispatch a train equipped with ACSES. The February 2002 amendment extended this exception through April 5, 2002.

Timetable:

Action	Date
Amendment	02/12/02 67 FR 6573

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Patricia V. Sun, Trial Attorney, Department of Transportation, Federal Railroad Administration, 1120 Vermont Avenue NW., MS-10, Washington, DC 20590
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RIN: 2130—AB55

Department of Transportation (DOT)
Federal Transit Administration (FTA)
Long-Term Actions**2297. SCHOOL BUS OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5323(f)**CFR Citation:** 49 CFR 605**Legal Deadline:** None

Abstract: This rulemaking amends the definition of "tripper" service, which is mass transportation service modified to meet the needs of school students and personnel. The amended definition will prohibit the use of certain signage without the express written permission of the FTA Administrator, and provides that tripper buses must stop only at stops that are marked as available to the public. In the previous agenda, FTA had stated that it intended to withdraw the proposed amendment. However, upon further consideration, the agency has decided to hold this matter in abeyance pending reauthorization of the Transportation Equity Act for the 21st Century (TEA-21).

Timetable:

Action	Date
NPRM	05/03/99 64 FR 23590
NPRM Comment Period End	07/02/99
Next Action Undetermined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: Elizabeth S. Martineau, Attorney Advisor, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-1936
 Fax: 202 366-3809
RIN: 2132-AA67**2298. STATE SAFETY OVERSIGHT; RAIL FIXED GUIDEWAY SYSTEMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5330**CFR Citation:** 49 CFR 659**Legal Deadline:** None

Abstract: Due to the receipt of an adverse comment, FTA withdrew the direct final rule issued on June 11, 2002, which would have amended the definition of "accident." The agency concluded that coordination with other stakeholders is warranted but has been required to expend its resources on other security initiatives during this last year. For these reasons, this rulemaking will be held in abeyance

while the next course of action is determined.

Timetable:

Action	Date
Direct Final Rule	04/03/02 67 FR 15725
Withdrawal of Direct Final Rule	07/01/02 67 FR 44091
Next Action Undetermined	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: State, Local

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: Jerry Fisher, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2132-AA69
Department of Transportation (DOT)
Federal Transit Administration (FTA)
Completed Actions**2299. +BUS TESTING****Priority:** Other Significant**Legal Authority:** 49 USC 5323(c)**CFR Citation:** 49 CFR 665**Legal Deadline:** None

Abstract: This regulation implements a statutory provision that requires any new bus model purchased after September 30, 1989, to be tested at a facility established pursuant to 49 USC 5318. This regulation is significant because of the large amount of public interest.

Timetable:

Action	Date
NPRM	05/25/89 54 FR 22716
NPRM Comment Period End	07/24/89
Interim Final Rule	08/23/89 54 FR 35158
Comment Period Reopened	11/30/89 54 FR 49297

Action	Date
Interim Final Rule - Second	10/09/90 55 FR 41174
Interim Procedures	09/13/91 56 FR 46572
Interim Final Rule - New Vehicle Types	07/28/92 57 FR 33394
Interim Final Rule - Partial Effectiveness Postponed	10/13/92 57 FR 46814
Interim Final Rule - Comment Period Reopened to 01/29/93	01/07/93 58 FR 2989
Interim Final Rule - Partial Effectiveness Postponed	02/23/93 58 FR 10989
Notice of Meeting	02/26/93 58 FR 11549
Final Rule	04/01/03 68 FR 15692
Final Rule Effective	06/02/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: None

Additional Information: Former section 12(h) of the FT Act, as amended (now 49 USC 5302(a)(9)), defines a "new bus model" as a bus model which has not been used in mass transportation service in the United States before the date of production of such model, or a bus model which has been used in such service, but which is being produced with a major change in configuration or components. A third interim final rule, published on 07/28/92, added two new categories of buses required to be tested. On 10/13/92, FTA published a notice postponing the application of the interim final rule for these vehicle types until 02/10/93. FTA's fourth interim final rule, issued on 11/3/93, established four subcategories of small vehicles to facilitate the phase-in of testing.

Because the existing fourth interim final rule completed the categories of

DOT—FTA

Completed Actions

vehicles subject to testing under FTA's grantmaking program, FTA published it as a final rule on 04/01/2003.

ANALYSIS: Regulatory Evaluation, 07/28/92, 57 FR 33394

Agency Contact: Richard Wong, Attorney-Advisor, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1936
Fax: 202 366-3809

RIN: 2132-AA30

2300. BUY AMERICA REQUIREMENTS; AMENDMENT TO CERTIFICATION PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-178, sec 3020(b)

CFR Citation: 49 CFR 661.13

Legal Deadline: None

Abstract: This action amends FTA's Buy America regulation, 49 CFR 661 in accordance with section 3020(b) of the Transportation Equity Act for the 21st Century. Section 3020(b) amended 49 USC 5323(j) to allow a bidder on an FTA-funded contract to correct an incomplete certification or a certification of noncompliance with Buy America resulting from an inadvertent or clerical error.

Timetable:

Action	Date
NPRM	02/18/99 64 FR 8051
NPRM Comment Period End	04/19/99
Final Rule	02/28/03 68 FR 9798

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: Meghan Ludtke, Attorney Advisor, Department of Transportation, Federal Transit Administration, Room 9316, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4011
Fax: 202 366-3809

RIN: 2132-AA62

2301. BUY AMERICA REQUIREMENTS; PERMANENT WAIVER FOR MICROCOMPUTERS

Priority: Substantive, Nonsignificant

Legal Authority: PL 97-424

CFR Citation: 49 CFR 661

Legal Deadline: None

Abstract: Section 165(b)(2) of the Surface Transportation Assistance Act of 1982 provides that a waiver of the Buy America requirements may be granted if materials and products being procured are not produced in the United States in sufficient and reasonable quantities and of satisfactory quality. Such a waiver was permanently granted in 1986 for microcomputers, as FTA grantees were experiencing difficulty in purchasing domestically produced microcomputer equipment appropriate to their needs. Since it was alleged that the international and domestic market for microcomputers had changed since the permanent waiver was issued, FTA solicited comments as to whether this waiver should be revoked, modified or retained. FTA did not receive information in the comments that would support a change in the waiver, and therefore has withdrawn the ANPRM.

Timetable:

Action	Date
ANPRM	10/08/99 64 FR 54855
Withdrawn	02/28/03 68 FR 9801

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal

Agency Contact: Meghan Ludtke, Attorney Advisor, Department of Transportation, Federal Transit Administration, Room 9316, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4011
Fax: 202 366-3809

RIN: 2132-AA68

2302. +STATEWIDE TRANSPORTATION PLANNING; METROPOLITAN TRANSPORTATION PLANNING

Priority: Other Significant

Legal Authority: 23 USC 134; 23 USC 135; 23 USC 315; 49 USC 5305 to 5306

CFR Citation: 23 CFR 450; 49 CFR 1.48(b); 49 CFR 1.51

Legal Deadline: None

Abstract: On May 25, 2000, the FHWA and FTA jointly published an NPRM on statewide and metropolitan transportation planning (RIN 2125-AE62; 2132-AA66). The agencies have carefully considered all of the data, recommendations, and ongoing issues with respect to statewide and metropolitan transportation planning. In light of the current situation, the agencies are proposing to amend 23 CFR 450 to include provisions related to consultation with non-metropolitan, local officials and further refine processes related to public involvement.

The purpose of this proposal is to ensure that the concerns of local and rural transportation officials are adequately represented in Federal transportation planning activities.

Timetable:

Action	Date
Supplemental NPRM	06/19/02 67 FR 41648
Comment Period Extended	08/15/02 67 FR 53326
Comment Period End	09/19/02
Final Rule	01/23/03 68 FR 3176
Correction	02/14/03 68 FR 7418
Final Rule Effective	02/24/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Scott A. Biehl, Assistant Chief Counsel, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0952
Fax: 202 366-3809

Related RIN: Related To 2125-AE95

RIN: 2132-AA75

Department of Transportation (DOT)

Completed Actions

Saint Lawrence Seaway Development Corporation (SLSDC)

2303. • SEAWAY REGULATIONS AND RULES; AUTOMATIC IDENTIFICATION SYSTEM**Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 983(a); 984(a)(4), as amended; 49 CFR 1.52**CFR Citation:** 33 CFR 401**Legal Deadline:** None**Abstract:** This rulemaking would amend the joint U.S.-Canadian Seaway regulations and rules to make use of the Automatic Identification System (AIS) in seaway waters mandatory.**Timetable:**

Action	Date
NPRM	11/27/02 67 FR 70897
NPRM Comment Period End	01/27/03
Final Action	02/28/03 68 FR 9549
Final Action Effective	03/25/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Marc C. Owen, Chief Counsel, Department of Transportation, Saint Lawrence Seaway Development Corporation, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-6823
 Fax: 202 366-7147
 Email: marc.owen@sls.dot.gov

RIN: 2135-AA15**2304. • SEAWAY REGULATIONS AND RULES: INFLATION ADJUSTMENT OF CIVIL MONETARY PENALTY****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 983(a); 984(a)(4), as amended; 49 CFR 1.52**CFR Citation:** 33 CFR 401**Legal Deadline:** None**Abstract:** This action implements the Federal Civil Penalties Inflation Adjustment Act of 1990 as amended by the Debt Collection Act of 1996 and adjusts the amount of the statutory civil penalty for violation of the seaway regulations and rules under the authority of the Ports and Seaway Safety Act of 1972, as amended.**Timetable:**

Action	Date
Final Rule	11/04/02 67 FR 67112
Final Action Effective	11/04/02

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Marc C. Owen, Chief Counsel, Department of Transportation, Saint Lawrence Seaway Development Corporation, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-6823
 Fax: 202 366-7147
 Email: marc.owen@sls.dot.gov

RIN: 2135-AA16**2305. • TARIFF OF TOLLS****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 983(a), 984(a)(4), and 988, as amended; 49 CFR 1.52**CFR Citation:** 33 CFR 402**Legal Deadline:** None**Abstract:** Under international agreement, the SLSDC and the Canadian St. Lawrence Seaway Management Corporation jointly publish and administer the Seaway Tariff of Tolls. This rule would amend the Tariff to reflect the Canadian only fees and charges for the 2003 navigation season and a raise in the Canadian and U.S. charge for noncommercial vessel; lockage.**Timetable:**

Action	Date
NPRM	03/17/03 68 FR 12644
NPRM Comment Period End	04/16/03
Final Rule	04/29/03 68 FR 22614
Final Rule Effective	04/29/03

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Marc C. Owen, Chief Counsel, Department of Transportation, Saint Lawrence Seaway Development Corporation, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-6823
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RIN: 2135-AA17

Department of Transportation (DOT)

Prerule Stage

Research and Special Programs Administration (RSPA)

2306. +HAZARDOUS MATERIALS: SAFETY REQUIREMENTS FOR EXTERNAL PRODUCT PIPING ON CARGO TANKS TRANSPORTING FLAMMABLE LIQUIDS**Priority:** Other Significant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 173; 49 CFR 180**Legal Deadline:** None**Abstract:** This rulemaking addresses requirements to reduce the risks associated with the retention of flammable liquid in unprotected

product piping on a cargo tank motor vehicle during transportation (wetlines). It responds to an NTSB recommendation. It is significant because of industry concerns about its cost implications.

Timetable:

Action	Date
ANPRM	02/10/03 68 FR 6689
ANPRM Comment Period End	06/10/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** HM Docket: HM-213B; RSPA-99-6223.

Agency Contact: Michael Stevens, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, Washington, DC 20590
 Phone: 202 366-8553
 Email: rules@rspa.dot.gov

RIN: 2137-AD36

Department of Transportation (DOT)
Research and Special Programs Administration (RSPA)

Proposed Rule Stage

2307. PIPELINE SAFETY: GAS GATHERING LINE DEFINITION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192

Legal Deadline: Final, Statutory, October 24, 1994.

Abstract: The existing definition of "gathering line" would be clearly defined to eliminate confusion in distinguishing these pipelines from transmission lines in rural areas. The costs should be minimal since the definition will conform to prevailing practices in government and industry.

Timetable:

Action	Date	
NPRM	09/25/91	56 FR 48505
Request for Comments	03/11/99	64 FR 12147
Electronic Public Meeting	04/13/99	64 FR 12147
Extension of Comment Period	04/30/99	64 FR 23256
Comment Period Ends	07/07/99	64 FR 23256
Second NPRM	09/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket No. RSPA-98-4868 (Formerly PS-122).

ANALYSIS: Regulatory Evaluation, 09/25/91, 56 FR 48505

Agency Contact: L.E. Herrick, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5523

RIN: 2137-AB15

2308. PIPELINE SAFETY: PERIODIC UNDERWATER INSPECTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: Final, Statutory, October 24, 1995.

Abstract: This action would require operators of natural gas and hazardous liquid pipelines to conduct periodic underwater inspections of offshore pipelines and those in navigable

waterways. This action would also define what constitutes an exposed underwater pipeline and what constitutes a hazard to navigation.

Timetable:

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Additional Information: Docket No. RSPA-97-3001. This action could include requirements for the reburial of exposed pipelines. Under an OPS contract, Texas A&M University completed a study of the issues related to burial depth and inspection requirements for underwater pipelines.

An NPRM is being drafted that will incorporate the Texas A&M recommendation for a risk-based approach.

Agency Contact: L.E. Herrick, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5523

RIN: 2137-AC54

2309. HAZARDOUS MATERIALS: REVISION OF REQUIREMENTS FOR CARRIAGE BY AIRCRAFT

Priority: Substantive, Nonsignificant

Legal Authority: 48 USC 5101 to 5127

CFR Citation: 49 CFR 175

Legal Deadline: None

Abstract: Part 175 is being revised and rewritten in order to simplify and clarify the requirements, further align them with the international requirements (ICAO) and eliminate obsolete requirements.

Timetable:

Action	Date	
ANPRM	02/26/02	67 FR 8769
ANPRM; Extension of Comment Period'	05/13/02	67 FR 32002
ANPRM Comment Period End	05/31/02	
ANPRM; Extension Comment Period End	09/30/02	
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Organizations, Businesses, Governmental Jurisdictions

Government Levels Affected: None

Additional Information: Docket No. HM-228; RSPA-02-11654.

Agency Contact: Deborah Boothe, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2137-AD18

2310. HAZARDOUS MATERIALS: HAZARD COMMUNICATION REQUIREMENTS—PETITIONS FOR RULEMAKING AND MISCELLANEOUS AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171; 49 CFR 172

Legal Deadline: None

Abstract: This rulemaking action proposes to amend the Hazardous Materials Regulations (HMR) to continue improving the hazard communication requirements to better identify hazardous materials in transportation, in response to several petitions for rulemaking and RSPA initiatives. The primary areas addressed are shipping papers, marking, labeling, and placarding requirements. The proposed action is intended to improve safety for transportation workers, emergency responders, and the public. The effect of the proposed regulatory action is to simplify, clarify, correct, or provide relief from certain regulatory requirements.

Timetable:

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket No. HM-206B; RSPA-99-5005.

Agency Contact: Helen L. Engrum, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

DOT—RSPA

Proposed Rule Stage

Phone: 202 366-8553
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RIN: 2137-AD28

2311. +HAZARDOUS MATERIALS SAFETY: TRANSPORTATION OF OXYGEN CYLINDERS AND OXYGEN GENERATORS ABOARD AIRCRAFT

Priority: Other Significant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 172; 49 CFR 175

Legal Deadline: None

Abstract: RSPA proposes to amend the Hazardous Materials Regulations to require oxygen cylinders and oxygen generators, when transported aboard aircraft, to be packed in an outer packaging that meets prescribed thermal and heat resistance requirements. These requirements will increase the level of safety associated with transportation of oxidizing gases by air. This rule has no impact on the use of passenger-owned oxygen cylinders. This rule is significant due to public interest.

Timetable:

Action	Date
NPRM	12/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: HM Docket: HM-224B. A separate rulemaking addressing the use of passenger-owned cylinders of oxygen during a flight is under RIN 2105-AC29. Previously titled Hazardous Materials Safety: Transportation of Oxygen Cylinders on Aircraft.

Agency Contact: John A. Gale, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW, Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AD33

2312. PIPELINE SAFETY: ANNUAL UPDATE OF STANDARDS INCORPORATED BY REFERENCE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5103, 60102, 60103, 60104, 60108, 60109, 60110, 60113, and 60118

CFR Citation: 49 CFR 191; 49 CFR 193; 49 CFR 195

Legal Deadline: None

Abstract: More than 70 voluntary consensus technical standards are incorporated by reference in the Federal gas pipeline, hazardous liquid pipeline, and liquefied natural gas (LNG) safety regulations. The Office of Pipeline Safety will propose to incorporate updated standards early in each calendar year.

Timetable:

Action	Date
NPRM	07/00/03

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Docket No. RSPA-02-11457.

Agency Contact: Richard D. Huriaux, Manager, Regulations, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4565

RIN: 2137-AD68

2313. HAZARDOUS MATERIALS: SECURITY REQUIREMENTS FOR MOTOR CARRIERS TRANSPORTING HAZARDOUS MATERIALS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 et seq; 49 USC 322; ...

CFR Citation: 49 CFR 397

Legal Deadline: None

Abstract: The Research and Special Programs Administration and the Federal Motor Carrier Safety Administration are examining the need for enhanced security requirements for motor carrier transportation of hazardous materials. We asked for comments on the feasibility of specific security enhancements and the potential costs and benefits of developing such enhancements.

Timetable:

Action	Date
ANPRM	07/16/02 67 FR 46622
ANPRM Comment Period End	10/15/02
NPRM	09/00/03

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: Docket No. HM-232A. The Federal Motor Carrier Safety Administration is closing this rulemaking action under RINA 2136-AA71. Any further rulemaking will be addressed under RSPA RIN 2137-AD70.

Agency Contact: Susan Gorsky, Senior Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

Related RIN: Split From 2126-AA71

RIN: 2137-AD70

2314. PIPELINE SAFETY: NATIONAL PIPELINE MAPPING SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5103, 60102, 60104, 60108, 60109, 60113, 60118; 49 CFR 1.53

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: None

Abstract: RSPA aims to implement a requirement that all gas transmission and hazardous liquid operators submit pipeline geospatial data to the National Pipeline Mapping System (NPMS). This rule covers interstate and intrastate pipelines and offshore pipelines under the jurisdiction of the Research and Special Programs Administration. The proposed rule will address the procedures by which pipeline operators create, submit and maintain the data submitted to the NPMS.

Timetable:

Action	Date
NPRM	07/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. RSPA-97-2426.

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Proposed Rule Stage

Agency Contact: Steve Fischer, GIS Manager, Department of Transportation, Research and Special Programs Administration, Room 7128, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-4566
Email: steve.fischer@rspa.dot.gov

RIN: 2137-AD76

2315. ● HAZARDOUS MATERIALS REGULATIONS: ALUMINUM CYLINDERS — REVISED REQUALIFICATION AND USE CRITERIA FOR THE DOT 3 AL CYLINDER MADE OF ALUMINUM ALLOY 6351-TG

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 173

Legal Deadline: None

Abstract: The purpose of this rulemaking initiative is to minimize personal injury during the filling process and adopt a standard for early detection of sustained load cracking in order to control the risk of the cylinder rupturing.

Timetable:

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. HM-220F

Agency Contact: Charles E. Betts, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-8553

Email: rules@rspa.dot.gov

RIN: 2137-AD78

2316. ● PIPELINE SAFETY: LIQUEFIED NATURAL GAS FACILITIES; AND UPDATING SAFETY STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 et seq; 49 USC 5103

CFR Citation: 49 CFR 193

Legal Deadline: None

Abstract: This action will clarify the application of RSPA's safety standards for liquefied natural gas (LNG) facilities to operation, maintenance, and fire protection of certain existing facilities. In addition, it will revise standards

what contain incorrect cross-references, make minor editorial changes to fire protection and training standards, require annual reviews of plans and procedures, and update references to National Fire Protection Association (NFPA) 59A, the LNG standard issued by the NFPA. These actions are needed to remove ambiguities, ensure that plans and procedures are up-to-date, and modernize references to NFPA 59A.

Timetable:

Action	Date
NPRM	05/00/03
Interim Final Rule	09/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. RSPA-03-14556

Agency Contact: L. M. Furrow, Regulations Manager, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4559

RIN: 2137-AD80

Department of Transportation (DOT)

Final Rule Stage

Research and Special Programs Administration (RSPA)

2317. PIPELINE SAFETY: PASSAGE OF INTERNAL INSPECTION DEVICES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: None

Abstract: A final rule (59 FR 17275; April 12, 1994) amended the gas and hazardous liquid pipeline safety regulations to require that new and certain replacement pipelines be designed and constructed to accommodate the passage of instrumented internal inspection devices ('smart pigs'). This action was in response to a mandate in the pipeline Safety Reauthorization Act of 1988. The intended effect of amended regulations was to improve the safety of gas, hazard liquid, and carbon dioxide pipelines by permitting their inspection by 'smart pigs' using the

latest technology for detecting and recording abnormalities in the pipe wall. This rule required new and replacement pipelines to be capable of passing a 'pig' for internal inspection.

In response to two petitions for reconsideration, Notice 2 (59 FR 49896; September 30, 1994) was published to extend the compliance date for existing gas transmission lines and to modify the requirements for modification of line sections based on partial replacement of gas transmission pipelines located offshore and in rural areas. Subsequently, Notice 3 (60 FR 7133; February 7, 1995) was published to suspend enforcement of the final rule requirements for new and existing offshore gas transmission lines and for modifications to line segments based on partial replacement of pipe in existing onshore gas transmission lines. Nonetheless, hazardous liquid pipelines, carbon dioxide pipelines,

new onshore gas transmission lines, and the actual replaced components in existing onshore gas transmission lines must comply with the final rule of April 1994.

Timetable:

Action	Date
NPRM	11/20/92 57 FR 54745
NPRM Comment Period End	01/19/93
Final Rule	04/12/94 59 FR 17275
NPRM	09/30/94 59 FR 49896
NPRM Correction	10/19/94 59 FR 52863
Limited Suspension of Enforcement	02/07/95 60 FR 7133
Final Rule	07/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket No. PS-126. The integrity testing proposal in

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Proposals for Pipeline Safety, RIN 2137-AB27, was consolidated, in part, into this rulemaking.

ANALYSIS: Regulatory Evaluation, 04/12/94, 59 FR 17275

Agency Contact: Richard D. Huriaux, Manager, Regulations, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4565

RIN: 2137-AB71

2318. +PIPELINE SAFETY: RESPONSE PLANS FOR ONSHORE OIL PIPELINES

Priority: Other Significant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 194

Legal Deadline: Final, Statutory, August 18, 1992.

Abstract: The interim final rule established regulations requiring response plans for certain onshore oil pipelines. Those regulations are mandated by the Federal Water Pollution Control Act as amended by the Oil Pollution Act of 1990 (Pub. L. 101-380). Pipeline operators filed response plans under this interim final rule, and numerous tabletop exercises and area exercises have been conducted to validate the planning process. The purpose of these requirements is to improve response capabilities and minimize the impact of onshore oil spills from pipelines. This rule is significant because of substantial public and congressional interest. A final rule incorporating the comments will be published in December 2002.

Timetable:

Action	Date
Interim Final Rule	01/05/93 58 FR 244
Interim Final Rule Comment Period End	02/19/93
Notice of Public Meeting	06/15/94 59 FR 30755
Notice of Public Hearing	11/29/96 61 FR 60679
Correction	01/21/97 62 FR 2989
Final Rule	08/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. PS-130.

ANALYSIS: Regulatory Evaluation, 01/05/93, 58 FR 244

Agency Contact: Melanie Barber, Department of Transportation, Research and Special Programs Administration
Phone: 202 366-4560

RIN: 2137-AC30

2319. +APPLICABILITY OF THE HAZARDOUS MATERIALS REGULATIONS TO LOADING, UNLOADING, AND STORAGE

Priority: Other Significant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 106 to 107; 49 CFR 171 to 180

Legal Deadline: None

Abstract: This rulemaking proposes to better define the applicability of the Federal Hazardous Materials Regulations (HMR) in order to clarify the relationship among Federal, State, local, and tribal agencies in the regulation of hazardous materials. Under circumstances specified in Federal statutes, the regulations of other Federal agencies (EPA and OSHA) and non-Federal governments (States, localities, and Indian tribes) must be consistent with or defer to RSPA's regulation of the transportation of hazardous materials in commerce. However, other Federal and non-Federal requirements are generally not limited where hazardous materials are not in transportation. Activities relating to loading, unloading, and storage of hazardous materials have become areas of particular uncertainty and concern to both industry and non-Federal governments. This action is significant because of the substantial public interest in reducing uncertainty and avoiding conflicting regulations.

Statement of Need: In recent years, RSPA has issued interpretations and administrative decisions on a case-by-case basis about whether particular activities are in "transportation" and therefore subject to regulation under the HMR. Because of increasing State and local regulation of hazardous materials, RSPA concluded that an overall rulemaking is appropriate, rather than just case-by-case decisions. RSPA believes that better overall definitions of the applicability of the HMR will reduce uncertainty by the

regulated community and other regulatory agencies (both Federal and non-Federal) as to which agency has regulatory authority. Greater certainty in this regard should promote improved compliance with the HMR and also with the requirements of other regulatory agencies.

Summary of Legal Basis: Section 5103 of title 49 U.S.C. specifies that the Secretary shall prescribe regulations for the safe transportation of hazardous materials in intrastate, interstate, and foreign commerce applicable to, among others, any person who offers hazardous materials for transportation or who transport hazardous materials in commerce. In addition, section 5125 of title 49 U.S.C. sets forth the circumstances under which differing non-Federal requirements are preempted.

Alternatives: The NPRM proposed to describe the applicability of the HMR to pre-transportation and transportation functions. In addition, the NPRM proposed to define the beginning and end points of transportation in terms of carrier possession of a shipment - thus, transportation of a hazardous materials would begin when the carrier takes possession for purposes of transporting it and end when the carrier delivers the hazardous materials to the destination indicated on shipping papers or other documentation. These proposals are consistent with current interpretations and administrative decisions concerning HMR applicability and with statutory authorities for programs administered by the Occupational Safety and Health Administration and the Environmental Protection Agency. The NPRM also proposed two alternatives for applying the HMR to hazardous materials stored in railroad cars on leased track. Commenters to the NPRM suggested that the HMR should apply more broadly than proposed in the NPRM to hazardous materials stored at fixed facilities prior to a carrier taking possession or after delivery to a shipment's destination.

Anticipated Cost and Benefits: RSPA made a preliminary determination that there is neither an increase nor decrease in the costs of compliance with the HMR for persons who offer hazardous materials for transportation or transport hazardous materials in commerce. The preliminary regulatory

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evaluation was entered into the docket and is available for review.

Risks: Clarifying the applicability of the HMR should reduce uncertainty as to which regulatory agency's requirements apply to any particular activity involving hazardous materials and improve compliance with the HMR, the requirements of EPA and OSHA, and non-Federal requirements. This should result in improved compliance with the applicable regulatory requirements, and improve hazardous materials transportation safety, reduce risks to the environment from hazardous materials, and promote workplace safety at facilities that manufacture or handle hazardous materials.

Timetable:

Action	Date	
ANPRM	07/29/96	61 FR 39522
ANPRM Comment Period End	11/30/96	
SANPRM	04/27/99	64 FR 22718
SANPRM Comment Period End	07/26/99	
Extended to		
08/25/1999		
NPRM	06/14/01	66 FR 32420
NPRM Comment Period Extended to	08/02/01	66 FR 40174
08/02/2001 & Public Meetings		
NPRM Comment Period End	11/30/01	
Final Action	08/00/03	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Federalism: This action may have federalism implications as defined in EO 13132.

Additional Information: Docket No. HM-223; RSPA-98-4952. As a result of comments received to the ANPRM, we have upgraded this rulemaking to significant.

Agency Contact: Susan Gorsky, Senior Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2137-AC68

2320. PIPELINE SAFETY: FURTHER REGULATORY REVIEW; GAS PIPELINE SAFETY STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192

Legal Deadline: None

Abstract: This action would change miscellaneous gas pipeline safety standards to provide clarity, eliminate unnecessary or overly burdensome requirements, and foster economic growth. The proposed changes result from RSPA's further review of the standards and changes recommended by the National Association of Pipeline Safety Representatives (NAPSR) in its November 1992 report on the standards and by the State Industry Regulatory Review Committee in its April 26, 1999, report. The proposed changes would reduce costs in the pipeline industry without compromising safety.

Timetable:

Action	Date	
NPRM	11/13/02	67 FR 68815
Final Rule	07/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket No. RSPA-02-13208. Formerly Docket No. PS-124. The NAPSR report was published November 9, 1993, at 58 FR 59431, as part of the earlier review of the standards.

Early in 1992, RSPA began an extensive review of the Federal gas pipeline safety regulations (49 CFR 192) and invited the public to participate (57 FR 4745; February 7, 1992). RSPA published a notice of proposed rulemaking (NPRM), proposing changes to 38 regulations in part 192 (Notice 1: 57 FR 39572; August 31, 1992). In addition, the National Association of Pipeline Safety Representatives (NAPSR) reported on a separate but related review of part 192. Because the NAPSR report concerned a few of the regulations covered by the NPRM and had similar objectives, we published the report and requested public comment on its various recommended rule changes (Notice 2: 58 FR 59431; November 9, 1992) and later extended the comment period (Notice 3: 58 FR

68382; December 27, 1993). A final rule was published on June 6, 1996.

However, not all the changes suggested by the commenters were incorporated in the final rule. A further review of the regulations in part 192, based on the record in this docket, was initiated in late 1996. This review identified proposals from the Gas Piping Technology Committee (GPTC), the ASME B31.8 (gas pipeline safety standards) committee, and NAPSR that have not yet been addressed.

In October 1997, NAPSR and the gas pipeline industry formed the State Industry Regulatory Review Committee (SIRRC) to discuss the regulatory proposals of NAPSR and other issues. On May 3, 1999, the SIRRC provided OPS a report on outcome of the discussion on 39 proposed changes in the gas pipeline safety regulations.

Most of the SIRRC recommendations will be addressed in a subsequent notice of proposed rulemaking. However, the welding recommendations are being adopted in the periodic update (Docket No. RSPA-99-6106 RIN 2137-AD35). And the corrosion control recommendations are being considered in a review of the gas pipeline corrosion regulations in RIN 2137-AD63.

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RIN: 2137-AD01

2321. PIPELINE SAFETY: RECOMMENDATIONS TO CHANGE HAZARDOUS LIQUID PIPELINE SAFETY STANDARDS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 60101 to 60128

CFR Citation: 49 CFR 195

Legal Deadline: None

Abstract: In 1995, the National Association of Pipeline Safety Representatives (NAPSR) completed its review of the hazardous liquid pipeline safety regulations. NAPSR provided RSPA with 28 recommendations for changes to 49 CFR part 195, the

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hazardous liquid pipeline regulations. NAPSRS's recommendations are aimed at making the regulations more explicit, understandable, and enforceable. This action would address the need to change part 195 as NAPSRS recommended.

Timetable:

Action	Date
NPRM	09/06/02 67 FR 56970
Final Rule	07/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket No. RSPA-97-2717.

Agency Contact: L. M. Furrow, Regulations Manager, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4559

RIN: 2137-AD10

2322. HAZARDOUS MATERIALS: REVISIONS TO INCIDENT REPORTING REQUIREMENTS AND DETAILED HAZARDOUS MATERIALS INCIDENT REPORT DOT FORM

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5105 to 5127

CFR Citation: 49 CFR 171

Legal Deadline: None

Abstract: This rulemaking would revise the hazardous materials incident reporting regulations in 49 CFR part 171, including the hazardous materials incident report (form 5800.1). The goal of this rulemaking is to simplify, update and review the requirements while enhancing the ability of the Research and Special Programs Administration and the DOT modal administrations to gather information vital to increasing safety of transporting hazardous materials.

Timetable:

Action	Date
ANPRM	03/23/99 64 FR 13943
ANPRM Comment Period End	06/21/99
NPRM	07/03/01 66 FR 35155
NPRM Comment Period End	10/01/01
Final Action	06/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal

Additional Information: Docket No. HM-229; RSPA-99-5013.

Agency Contact: T. Glenn Foster, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2137-AD21

2323. HAZARDOUS MATERIALS: AIR CARRIER EMERGENCY TELEPHONE NUMBER REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 172; 49 CFR 175

Legal Deadline: None

Abstract: The rulemaking addresses safety recommendations from the National Transportation Safety Board to require that air carriers transporting hazardous materials have the means, 24 hours per day, to quickly retrieve and provide to emergency responders consolidated specific information about the identity and location of all hazardous materials on an aircraft in a timely manner.

Timetable:

Action	Date
ANPRM	08/15/00 65 FR 49777
ANPRM Comment Period End	11/13/00
NPRM	02/13/02 67 FR 6669
NPRM Comment Period End	04/26/02
Final Action	03/25/03 68 FR 14341
Final Action Effective	10/01/03
Delayed Compliance Date	10/01/04

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket No. HM-206C; RSPA-00-7762.

Agency Contact: Gigi L. Corbin, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2137-AD29

2324. PIPELINE SAFETY: PERIODIC UPDATES TO PIPELINE SAFETY REQUIREMENTS (1999)

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 et seq

CFR Citation: 49 CFR 190; 49 CFR 191; 49 CFR 192; 49 CFR 195

Legal Deadline: None

Abstract: This periodic update revises and updates the pipeline safety regulations to provide clarity and remove unnecessary burdens to the regulated pipeline community. Revisions include updated references to voluntary specifications and standards incorporated by reference in the pipeline safety regulations, and various clarifications and grammatical corrections. These updates reflect the most recent editions of each specification and standard incorporated by reference. These updates enable pipeline operators to utilize current technology, materials, and practices, thereby reducing costs and enhancing economic growth.

Timetable:

Action	Date
NPRM	03/22/00 65 FR 15290
NPRM Comment Period End	05/22/00
Final Rule	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. RSPA-99-6106

Agency Contact: Richard D. Hurliaux, Manager, Regulations, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4565

RIN: 2137-AD35

2325. HAZARDOUS MATERIALS: ADOPTION OF LATEST IAEA AND OTHER MISCELLANEOUS REVISIONS AND CLARIFICATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171 to 180

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Legal Deadline: None

Abstract: This rulemaking harmonizes the requirements for the packaging and transportation of Class 7 (radioactive) materials with the International Atomic Energy Agency (IAEA) regulations for the safe transportation of radioactive material and the United Nations recommendations.

Timetable:

Action	Date
ANPRM	12/28/99 64 FR 72633
ANPRM Comment Period Extended	03/01/00 65 FR 11028
ANPRM Comment Period End	03/29/00
ANPRM Comment Period End	06/29/00
NPRM	04/30/02 67 FR 21328
NPRM Comment Period End	07/29/02
Final Action	10/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM-230; RSPA-99-6283.

Agency Contact: Charles E. Betts, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2137-AD40

2326. PIPELINE SAFETY: PRODUCER-OPERATED OUTER CONTINENTAL SHELF GAS AND HAZARDOUS LIQUID PIPELINES THAT CROSS DIRECTLY INTO STATE WATERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 et seq

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: None

Abstract: This proposed rule would implement a provision of the December 10, 1996, Memorandum of Understanding (MOU) between the Department of the Interior (DOI) and the Department of Transportation (DOT) regarding Outer Continental Shelf (OCS) Pipelines. This rule would address producer-operated pipelines that cross into State waters without first connecting with a transporting

operator's facility on the OCS. It is complementary to the Direct Final Rule that addressed OCS oil or gas pipelines located upstream of the points at which operating responsibility for the pipelines transfers from a producing operator to a transporting operator (62 FR 61692, November 19, 1997; and 63 FR 126598, March 16, 1998). The proposed rule also would address the procedures by which producer and transportation pipeline operators would petition for permission to operate under either DOT or DOI regulations governing pipeline design, construction, operation, and maintenance according to the operational circumstances of their respective pipelines.

Timetable:

Action	Date
NPRM	04/05/02 67 FR 15355
Final Rule	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. RSPA-99-6132.

Agency Contact: L.E. Herrick, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5523

RIN: 2137-AD42

2327. HAZARDOUS MATERIALS: MISCELLANEOUS AMENDMENTS FOR UNLOADING IM PORTABLE TANKS ON A TRANSPORT VEHICLE — PETITION FOR RULEMAKING

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 177

Legal Deadline: None

Abstract: RSPA is responding to a petition for rulemaking regarding the requirements applicable to the unloading of intermodal (IM) portable tanks while on a transport vehicle.

Timetable:

Action	Date
NPRM	02/22/02 67 FR 8220
NPRM Comment Period End	04/08/02
Final Action	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM-218A; RSPA-01-10533.

Agency Contact: Joan McIntyre, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2137-AD44

2328. HAZARDOUS MATERIALS: TRANSPORTATION OF LITHIUM BATTERIES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 172 to 175

Legal Deadline: None

Abstract: RSPA is revising requirements applicable to lithium batteries for consistency with international requirements.

Timetable:

Action	Date
NPRM	04/02/02 67 FR 15510
NPRM Comment Period End	06/14/02
Final Action	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM Docket: HM-224C; RSPA-02-11989

Agency Contact: John A. Gale, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2137-AD48

2329. HAZARDOUS MATERIALS: REVISION OF THE REQUIREMENTS FOR HAZARDOUS WASTE MANIFESTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

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CFR Citation: 49 CFR 172

Legal Deadline: None

Abstract: The NPRM proposed to update the Hazardous Waste Manifest requirements to accommodate changes the Environmental Protection Agency has proposed, including the use of electronic versions of the Hazardous Waste Manifest and electronic signatures.

Timetable:

Action	Date
NPRM	08/08/01 66 FR 41490
NPRM Comment Period End	10/04/01
Final Action	12/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: HM Docket: HM-206E; RSPA-01-10292.

Agency Contact: Darrell Relerford, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2137-AD50

2330. +PIPELINE SAFETY: PIPELINE INTEGRITY MANAGEMENT IN HIGH-CONSEQUENCE AREAS (GAS TRANSMISSION PIPELINE OPERATORS)

Priority: Other Significant

Legal Authority: 49 USC 5121; 49 USC 60102 to 60104; 49 USC 60108, 60117, 60118, 60124; 49 CFR 1.53

CFR Citation: 49 CFR 192

Legal Deadline: None

Abstract: An October 21, 1999, notice announced a public meeting to consider the need for additional safety and environmental regulations for gas transmission lines, hazardous liquid pipelines, and distribution pipelines in high-density population areas, commercially navigable waterways, and areas unusually sensitive to environmental damage. The public meeting was held on November 18-19, 1999, in Herndon, Virginia. The meeting was to determine the extent to which operators now have integrity

management programs, to explore effective ways to promote their development and implementation by all operators, and to discuss mechanisms to confirm the adequacy of such operator-developed programs. Participants in the meeting discussed a practical definition of high-consequence areas, as well as the need, if any, for increased inspection, enhanced damage prevention, improved emergency response, and other measures to prevent and mitigate pipeline leaks and ruptures in these areas. Comments from the public were due by January 17, 2000.

A final rule was published to require validation/testing of the integrity of certain hazardous liquid pipelines in high-consequence areas (RIN 2137-AD45).

Consideration of a similar gas rule is underway. A public meeting was held on February 12-14, 2001, to present information on integrity requirements for gas transmission pipelines. Additional information was requested June 27, 2001 (66 FR 34318). Rulemakings addressing gas transmission line high-consequence areas, direct assessment, and overall integrity management program will be published in 2002.

Statement of Need: This action would address risks that have evolved as a growing economy brought people closer and closer to pipelines that are constructed in once rural areas. This action would provide added protection to areas where a gas release could do the greatest harm to people, and increase the public's assurance about the safety of pipelines.

In addition, this action would address four recommendations from the National Transportation Safety Board (NTSB): (1) Require periodic testing and inspection to identify corrosion and other time-dependent damage; (2) establish criteria to determine appropriate intervals for inspections and tests, including safe service intervals between pressure testing; (3) determine hazards to public safety from electric resistance welded (ERW) pipe and take appropriate regulatory action; and (4) expedite requirements for installing automatic or remote-operated mainline valves on high-pressure lines to provide for rapid shutdown or failed pipeline segments.

Summary of Legal Basis: Section 60102 of title 49, United States Code,

provides broad authority to address pipeline operations and maintenance. In addition, paragraph (f) of that section requires that the Department prescribe, if necessary, additional standards requiring the periodic inspection of pipelines in high-density population areas, to include any circumstances when an instrumented internal inspection device, or similarly effective inspection method, should be used to inspect the pipeline (49 U.S.C. 60102(f)(2)). Paragraph (j) of that section requires that the Department prescribe standards on the circumstances where an operator of a gas transmission pipeline facility must use remote control valves to shut off the flow of natural gas in the event of a rupture of an interstate natural gas pipeline facility. (49 U.S.C. 60102(j)).

Alternatives: The Office of Pipeline Safety considered several alternatives to provide the necessary increased level of protection to high consequence areas. These alternatives were: (1) No action; (2) prescriptive requirements for inspection and repair of pipelines in high consequence areas; (3) requiring pipeline operators to develop integrity management programs providing for inspection and testing based on risk factors and integration of information related to pipeline risk; and (4) requiring pipeline operators to develop integrity management programs providing for expedited inspection and testing.

Anticipated Cost and Benefits: RSPA has estimated the following costs and benefits from the gas integrity management rulemaking and they have been subjected to peer review by the technical advisory committee charged by statute with reviewing the costs and benefits of proposed regulation.

For option 3, costs for the first year are estimated at \$250M; for years 2-10 at \$90M/year; and years 11-20 at \$65M. In addition to a large amount of qualitative benefits, quantified benefits are estimated to be on order of \$40 million annually.

Risks: In conjunction with the existing pipeline safety requirements, this action creates a protective superstructure through more comprehensive assessment, repair, preventive, and mitigative actions in those areas (high consequence areas) where a failure would do the greatest damage. This assessment process will produce better information about

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problems that may have been missed and creates checks and balances to assure that the best use is made of available information to correct the problems.

Timetable:

Action	Date
NPRM - Integrity Management Program	01/28/03 68 FR 4278
Final Rule	11/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. RSPA-00-7666.

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RIN: 2137-AD54

2331. PIPELINE SAFETY: HAZARDOUS LIQUID PIPELINE OPERATOR ANNUAL REPORTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5103; 49 USC 60102; 49 USC 60104; 49 USC 60108; 49 USC 60109; 49 USC 60118; 49 CFR 1.53

CFR Citation: 49 CFR 195

Legal Deadline: None

Abstract: This rulemaking would amend the pipeline safety regulations to require hazardous liquid pipeline operators to submit a Hazardous Liquid Operator Annual Report. The information on the hazardous liquid operator annual report form is needed to normalize hazardous liquid accident information for identifying safety trends in the accident data. The inventory information that the annual report would provide addresses a major deficiency in the current information collection. Through a separate rulemaking, RSPA is also improving the hazardous liquid accident form by expanding "failure cause" categories and collecting more detailed information about the impact of failed pipelines. Together with the improved hazardous liquid accident report, the proposed Hazardous Liquid Operator Annual Report will address the

concerns of RSPA/OPS, the National Transportation Safety Board (NTSB), Congress, and others, increase the overall usefulness of the data, and make analysis more efficient and meaningful.

Timetable:

Action	Date
NPRM	07/26/02 67 FR 48844
Final Rule	07/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. RSPA-01-9832.

Agency Contact: Roger Little, Department of Transportation, Research and Special Programs Administration
Phone: 202 366-4569

RIN: 2137-AD59

2332. HAZARDOUS MATERIALS: HARMONIZATION WITH THE UNITED NATIONS RECOMMENDATIONS, INTERNATIONAL MARITIME DANGEROUS GOODS CODE, AND INTERNATIONAL CIVIL AVIATION ORGANIZATION TECHNICAL INSTRUCTIONS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171 to 180

Legal Deadline: None

Abstract: To amend the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to maintain alignment with international standards by incorporating numerous changes to proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air transport quantity limitations and vessel stowage requirements.

Timetable:

Action	Date
NPRM	12/03/02 67 FR 72034
Final Rule - Incorporated by Reference	01/08/03 68 FR 1013
Effective Date - IBR	01/08/03
Final Rule	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket HM-215E.

Agency Contact: Joan McIntyre, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2137-AD66

2333. +HAZARDOUS MATERIALS: SECURITY REQUIREMENTS FOR OFFERORS AND TRANSPORTERS OF HAZARDOUS MATERIALS

Priority: Other Significant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 107; 49 CFR 172; 49 CFR 173; 49 CFR 177; 49 CFR 397

Legal Deadline: None

Abstract: This final rule will establish certain requirements designed to enhance the security of hazardous materials in transportation.

Timetable:

Action	Date
NPRM	05/02/02 67 FR 22028
Comment Period Extended	05/23/02 67 FR 36138
NPRM Comment Period End	07/03/02
Final Action	03/25/03 68 FR 14510
Final Action Effective	03/25/03
Final Rule Information Collection Approval	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket HM-232; RSPA-02-12064.

Agency Contact: Susan Gorsky, Senior Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2137-AD67

2334. HAZARDOUS MATERIALS: REVISION TO PENALTY GUIDELINES

Priority: Info./Admin./Other

Legal Authority: 49 USC 5101 et seq

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CFR Citation: 49 CFR app A to subpart D

Legal Deadline: None

Abstract: This final rule will make revisions to RSPA's guidelines in appendix A to 49 CFR part 107, subpart D, which set forth policy and procedures for assessing civil penalties for violations of the Federal Hazardous Materials Transportation Law and the Hazardous Materials Regulations. This rule will add baseline penalty amounts for additional violations, adjust baseline penalty amounts for other violations, and state that RSPA now considers prior violations for 6 years rather than 5. In addition, this rule will correct a typographical error in the address to where the civil penalty payments must be sent and make editorial changes to procedural regulations for issuing administrative preemption determinations.

Timetable:

Action	Date
Final Action	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Frazer C. Hilder, Attorney, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4400

RIN: 2137-AD71

2335. HAZARDOUS MATERIALS: MISCELLANEOUS REVISIONS TO THE HAZARDOUS MATERIALS REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171 to 173; 49 CFR 177 to 178

Legal Deadline: None

Abstract: This rule proposes to make miscellaneous amendments to the hazardous materials regulations based on petitions for rulemaking and RSPA's initiatives.

Timetable:

Action	Date
NPRM	01/21/03 68 FR 2734
NPRM Comment Period End	03/17/03
Final Rule	09/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM Docket: HM-218B; RSPA-02-13773

Agency Contact: Gigi L. Corbin, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW, Washington, DC 20590
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RIN: 2137-AD73

2336. PIPELINE SAFETY: TECHNICAL REVISIONS TO AGENCY PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 190 60101 et seq

CFR Citation: 49 CFR 190

Legal Deadline: None

Abstract: This rulemaking action makes minor technical changes to internet and mailing addresses, docket procedures, titles, section numbers, and penalty amounts, among other things.

Timetable:

Action	Date
Final Action	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. RSPA-02-14136.

Agency Contact: Lawrence White, Attorney Advisor, Department of Transportation, Research and Special Programs Administration
Phone: 202 366-4400
Fax: 292 366-7041

RIN: 2137-AD77

2337. HAZARDOUS MATERIALS: ENHANCING SECURITY OF EXPLOSIVES TRANSPORTATION

Priority: Other Significant

Legal Authority: 49 USC 5101 et seq

CFR Citation: 49 CFR 174; 49 CFR 175; 49 CFR 176; 49 CFR 177

Legal Deadline: None

Abstract: This rulemaking would incorporate requirements promulgated by the Transportation Security Administration concerning implementation of the Safe Explosives Act (title XI, subtitle C of the Homeland Security Act) into the Hazardous Materials Regulations.

Timetable:

Action	Date
Interim Final Rule	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. HM-232C

Agency Contact: Susan Gorsky, Senior Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2137-AD79

Department of Transportation (DOT)

Long-Term Actions

Research and Special Programs Administration (RSPA)

2338. SAFEGUARDING FOOD FROM CONTAMINATION DURING TRANSPORTATION

Priority: Other Significant

Legal Authority: 49 USC 5701 to 5714

CFR Citation: 49 CFR 1

Legal Deadline: Final, Statutory, August 1, 1991.

Abstract: The Sanitary Food Transportation Act of 1990 (49 USC

5701 et seq.) requires the Secretary of Transportation, in consultation with the Secretaries of Agriculture and Health and Human Services and the Administrator of the Environmental

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Protection Agency, to issue regulations concerning the transportation of food, food additives, drugs, devices, and cosmetics in motor and rail vehicles also used to transport nonfood products that could pose an unreasonable danger to human or animal health when so transported. This rulemaking will implement the statutory requirements. This rulemaking is significant because of substantial public and congressional interest.

Timetable:

Action	Date
ANPRM	02/20/91 56 FR 6934
ANPRM Comment Period Extended to 04/29/1991	03/21/91 56 FR 11982
NPRM	05/21/93 58 FR 29698
Notice of Public Hearing	05/21/93 58 FR 29698
NPRM Comment Period End	10/18/93
Next Action Undetermined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Additional Information: ANALYSIS: Regulatory Evaluation, 05/21/93, 58 FR 29698

Agency Contact: Helen L. Engrum, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2137-AC00

2339. HAZARDOUS MATERIALS: CARGO TANK ROLLOVER REQUIREMENTS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 178

Legal Deadline: None

Abstract: The purpose of this advance notice of proposed rulemaking is to request comments concerning the need, if any, for amending the Hazardous Materials Regulations with regard to standards for cargo tank rollover protection devices on specification

DOT 406, 407, and 412 cargo tank motor vehicles.

Timetable:

Action	Date
ANPRM	11/16/99 64 FR 62161
ANPRM Comment Period End	05/15/00
Next Action Undetermined	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Additional Information: HM Docket: HM-213A; RSPA-99-5921. Based on comments received to the ANPRM, Federal Motor Carrier Safety Administration awarded a contract to review the UMTRI Study. The review is anticipated to be completed in 2004.

Agency Contact: Michael Stevens, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, Washington, DC 20590

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RIN: 2137-AD34

Department of Transportation (DOT)

Completed Actions

Research and Special Programs Administration (RSPA)

2340. HAZARDOUS MATERIALS: RETENTION OF SHIPPING PAPERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 172; 49 CFR 174 to 177

Legal Deadline: None

Abstract: This action amends the Hazardous Materials Regulations by requiring shippers and carriers to retain a copy of the hazardous material shipping paper or an electronic image of the shipping paper for a period of 375 days. A one-year retention of shipping papers is a current statutory requirement in 49 U.S.C. 5110(e); this rule makes the public, which relies almost exclusively on the HMR, aware of this requirement.

Timetable:

Action	Date
NPRM	09/12/01 66 FR 47443
NPRM Comment Period End	11/13/01

Action	Date
Final Action	07/12/02 67 FR 46123
Final Action Effective	08/12/02
Final Rule; Response to Petitions	11/01/02 67 FR 66571
Effective Date	11/01/02

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Additional Information: Docket No. HM-207B; RSPA-01-10568.

Agency Contact: Deborah Boothe, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2137-AC64

2341. HAZARDOUS MATERIALS: REQUIREMENTS FOR CARGO TANKS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 107; 49 CFR 173; 49 CFR 178; 49 CFR 180

Legal Deadline: None

Abstract: This rulemaking revises and clarifies certain manufacturing, maintenance and use requirements pertaining to cargo tank motor vehicles that may be used for hazardous materials transportation. FMCSA inspections have resulted in a preliminary determination that these regulations need to be amended to make them more practical, understandable, and enforceable.

Timetable:

Action	Date
NPRM	12/04/01 66 FR 63905
NPRM Comment Period Extended	02/01/02 67 FR 4941

DOT—RSPA

Completed Actions

Action	Date
NPRM Comment Period End	04/04/02
Final Action	04/18/03 68 FR 19258
Final Action Effective	10/01/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Organizations, Businesses, Governmental Jurisdictions**Government Levels Affected:** None**Additional Information:** HM-213; RSPA-98-3554.

Agency Contact: Susan Gorsky, Senior Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2137-AC90**2342. REVISIONS; DEFINITION OF ADMINISTRATOR****Priority:** Info./Admin./Other**Legal Authority:** 33 USC 1321; 49 USC 5101 to 5127, 44701, 60101 et seq; PL 104-121, sec 212 to 213; 49 CFR 1.45 and 1.53**CFR Citation:** 49 CFR 171 to 180; 49 CFR 190 to 199**Legal Deadline:** None**Abstract:** Modifies or adds the definition of "Administrator" for clarification and consistency within the RSPA regulations.**Timetable:**

Action	Date
Final Rule	03/12/03 68 FR 11748
Final Rule Effective	03/12/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Astrid Lopez-Goldberg, Attorney, Department of Transportation, Research and Special Programs Administration
Phone: 202 366-4400

RIN: 2137-AD43**2343. HAZARDOUS MATERIALS: REDUCTION OF REGISTRATION FEES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 107**Legal Deadline:** None**Abstract:** RSPA reduced the hazmat registration fee for all persons who transport or offer for transportation certain categories and quantities of hazmat, replaced the reference to the standard industrial classification (SIC) code with the North American Industry Classification System (NAICS), and clarified the registration fee for not-for-profit organizations.**Timetable:**

Action	Date
NPRM	12/07/00 65 FR 76890
NPRM Comment Period End	02/02/01
NPRM: Status	05/02/01 66 FR 22080
Final Rule	01/09/03 68 FR 1342
Final Action Effective	03/03/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Docket No. HM-208D; RSPA-00-8439.

Agency Contact: Deborah Boothe, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2137-AD53**2344. HAZARDOUS MATERIALS: FRANGIBLE DISCS ON TANK CARS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 173**Legal Deadline:** None**Abstract:** RSPA is proposing to clarify current inspection requirements for frangible discs in pressure relief devices on rail tank cars used to transport hazardous materials. RSPA is terminating this long-term rulemaking action. RSPA may reopen this action, under a new RIN, at an appropriate time in the future.**Timetable:**

Action	Date
Terminated	03/25/03

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** HM Docket: HM-216A

Agency Contact: Eileen Edmonson, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2137-AD57**2345. HAZARDOUS MATERIALS: REVISION TO PERIODIC TIRE CHECK REQUIREMENT FOR MOTOR CARRIERS TRANSPORTING HAZARDOUS MATERIALS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 et seq; 49 USC 322**CFR Citation:** 49 CFR 397**Legal Deadline:** None**Abstract:** This is a joint rulemaking. The Research and Special Programs Administration and the Federal Motor Carrier Safety Administration eliminated an outdated requirement for operators of motor vehicles transporting hazardous materials to stop periodically to check tires.**Timetable:**

Action	Date
NPRM	07/16/02 67 FR 46624
NPRM Comment Period End	08/15/02
Final Action	10/04/02 67 FR 62191
Effective Date	11/04/02

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Docket No. HM-232B; RSPA-02-12773.

Agency Contact: Susan Gorsky, Senior Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2137-AD69

DOT—RSPA

Completed Actions

2346. HAZARDOUS MATERIALS: TRANSPORTATION OF DIVISION 1.5 EXPLOSIVES (BLASTING AGENTS) AND AMMONIUM NITRATE MIXTURES IN BULK

Priority: Substantive, Nonsignificant
Legal Authority: 49 USC 5101 to 5127
CFR Citation: 49 CFR 171 to 173
Legal Deadline: None

Abstract: This rulemaking proposes to revise the packaging for Division 1.5 explosives (blasting agents) and current ammonium nitrate mixtures to

authorize transportation in certain bulk packagings, currently authorized under exemptions. RSPA is terminating this long-term rulemaking action. RSPA may reopen this action, under a new RIN, at an appropriate time in the future.

Timetable:

Action	Date
Terminated	03/25/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. HM-235

Agency Contact: Helen L. Engrum, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2137-AD75

Department of Transportation (DOT) Maritime Administration (MARAD)

Proposed Rule Stage

2347. +CARGO PREFERENCE REGULATIONS—CARRIAGE OF OCEANGOING CARGO GENERATED BY GOVERNMENT PROGRAMS

Priority: Other Significant
Legal Authority: 46 app USC 1101, 1114(b), 1122(d), 1241
CFR Citation: 46 CFR 381; 49 CFR 1.66
Legal Deadline: None

Abstract: This action would clarify the Maritime Administration's cargo preference regulations governing the carriage of oceangoing cargo generated by Government programs. The rulemaking will concern, among other issues: (1) incorporating into part 381 MARAD's existing rules on priority of service of various U.S.-flag services; (2) clarifying how shipper agencies should comply with the existing provisions of the regulations regarding geographic areas and booking cargo on U.S.-flag vessels before foreign-flag vessels; (3) redefining certain terms for clarity to bring them in line with commercial practices; and (4) other related issues. This rule is significant because of public interest.

Timetable:

Action	Date
ANPRM	01/28/99 64 FR 4382
ANPRM Comment Period End	03/29/99
NPRM	05/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Thomas W. Harrelson, Director, Office of Cargo

Preference, Room 8118, Department of Transportation, Maritime Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-5515

RIN: 2133-AB37

2348. • REGULATED TRANSACTIONS INVOLVING DOCUMENTED VESSELS AND OTHER MARITIME INTERESTS: INFLATION ADJUSTMENT OF CIVIL MONETARY PENALTY

Priority: Substantive, Nonsignificant
Legal Authority: 46 app USC 802, 803, 808, 835, 839, 841a, 114(b), 1195; 46 USC 301, 313; 49 CFR 1.66
CFR Citation: 46 CFR 221

Legal Deadline: None

Abstract: The Maritime Administration (MARAD, we, us, or our) will propose regulations amending regulations at 46 CFR Part 221 to adjust our maximum civil monetary penalties or range of minimum and maximum civil penalties. We will do so pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996.

Timetable:

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Joe Macey, Attorney-Advisor, Department of Transportation,

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 Email: joe.macey@marad.dot.gov

RIN: 2133-AB48

2349. • APPLICATION FEE FOR ADMINISTRATIVE WAIVERS OF THE COASTWISE TRADE LAWS

Priority: Substantive, Nonsignificant
Legal Authority: 46 app USC 1114(b); 49 USC 322; PL 105-383; 46 USC 12106 note; 49 CFR 1.66(c)
CFR Citation: 46 CFR 388
Legal Deadline: None

Abstract: Part 388 of 46 CFR prescribes regulations to waive the U.S.-build requirements of the Passenger Vessel Services Act and Section 27 of the Merchant Marine Act, 1920, for eligible vessels to be documented with the appropriate endorsement for employment in the coastwise trade as passenger vessels or uninspected passenger vessels authorized to carry no more than 12 passengers for hire. The Maritime Administration proposes to increase the application fee for administrative waiver of the coastwise trade laws from \$300 to \$500. The increased application fee would closer align the application fee with the actual cost of processing each waiver application.

Timetable:

Action	Date
NPRM	05/00/03

Regulatory Flexibility Analysis Required: No

DOT—MARAD

Proposed Rule Stage

Small Entities Affected: Businesses
Government Levels Affected: None
Agency Contact: Michael Hokana,
 Department of Transportation, Maritime

Administration, MAR-830 Room 7201,
 400 Seventh Street SW., Washington,
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RIN: 2133-AB50

Department of Transportation (DOT)
Maritime Administration (MARAD)

Final Rule Stage

**2350. • ADMINISTRATIVE WAIVERS
 OF THE COASTWISE TRADE LAWS
 FOR ELIGIBLE VESSELS**

Priority: Substantive, Nonsignificant
Legal Authority: 46 app USC 1114(b);
 PL 105-383; 46 USC 12106 note; 49
 CFR 1.66

CFR Citation: 46 CFR 388

Legal Deadline: None

Abstract: This interim final rule will implement regulations to waive the U.S.-built requirements of the Passenger Vessel Services Act and Section 27 of the Merchant Marine Act, 1920, for eligible vessels to be documented with appropriate endorsement for employment in the coastwise trade as passenger vessels or uninspected passenger vessels authorized to carry no more than 12 passengers for hire. The Maritime

Administration intends to publish the interim final rule to implement the changes of the Maritime Transportation Security Act of 2002. The legislative changes lift the sunset provision and require the Secretary of Transportation to revoke an endorsement that was obtained by fraud. The Secretary of Transportation has delegated to MARAD the authority to process applications for waivers of the coastwise laws if the waivers do not adversely affect U.S. vessel builders or U.S.-built vessel coastwise trade businesses.

This interim final rule also brings the application procedure into compliance with the Government Paperwork Elimination Act (GPEA). GPEA requires that by October 21, 2003, the government must provide "the option of electronic maintenance, submission,

or disclosure of information when practicable as a substitute for paper." Therefore, we will provide the option of electronic filing of the application.

Timetable:

Action	Date
Interim Final Rule	05/00/03

**Regulatory Flexibility Analysis
 Required:** No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Michael Hokana,
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RIN: 2133-AB49

Department of Transportation (DOT)
Maritime Administration (MARAD)

Completed Actions

**2351. REQUIREMENTS TO
 DOCUMENT U.S.-FLAG FISHING
 INDUSTRY VESSELS OF 100 FEET OR
 GREATER IN REGISTERED LENGTH
 AND TO HOLD PREFERRED
 MORTGAGE ON SUCH VESSELS**

Priority: Substantive, Nonsignificant

Legal Authority: PL 107-20

CFR Citation: 46 CFR 356

Legal Deadline: None

Abstract: The Maritime Administration amended its regulations at 46 CFR part 356 which implement the U.S. citizenship requirements set forth in the American Fisheries Act of 1998 (AFA) for vessels of 100 feet or greater in registered length for which a fishery endorsement to the vessel's documentation is sought.

On July 24, 2001, Congress passed a package of amendments to the AFA as

part of the Supplemental Appropriations Act, 2001, section 2202, PL 107-20. This final rule implemented those new statutory requirements for owners and mortgagees of Fishing Vessels, Fish Processing Vessels and Fish Tender Vessels of 100 feet or greater (collectively referred to as "Fishing Industry Vessels"), amended the requirements to hold a preferred mortgage on such Fishing Industry Vessels, and made other minor amendments to the regulations to address issues that arose during the early stages of MARAD's implementation of the new AFA regulations.

Timetable:

Action	Date
NPRM	04/16/02 67 FR 18547
NPRM Comment Period End	06/17/02

Action	Date
Final Rule	02/04/03 68 FR 5564
Final Action Effective	03/06/03

**Regulatory Flexibility Analysis
 Required:** No

Small Entities Affected: No

Government Levels Affected: None

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 Assistance Programs, Department of
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 20590

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RIN: 2133-AB46

DOT—MARAD

Completed Actions

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RIN: 2133-AB46

Department of Transportation (DOT)

Completed Actions

Bureau of Transportation Statistics (BTS)

2352. MODERNIZING THE PASSENGER ORIGIN-DESTINATION SURVEY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 41708; 49 USC 41709

CFR Citation: 14 CFR 241

Legal Deadline: None

Abstract: BTS is notifying the public that it intends to terminate this rulemaking from the Department's regulatory agenda. The agency has decided that a separate rulemaking to address this issue is unnecessary and the agency will work with the Office of Aviation Analysis on a joint rulemaking (RIN 2105-AC71) to propose changes to its Passenger Origin & Destination Survey.

Timetable:

Action	Date
Terminated	04/23/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: M. Clay Moritz, Jr., Acting Chief, Regulations Division, Office of Airline Information, K-14, Department of Transportation, Bureau of Transportation Statistics, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4385

RIN: 2139-AA01

2353. +AMENDMENT TO PART 234 TO COLLECT CAUSAL INFORMATION FOR AIRLINE DELAYS AND CANCELLATIONS

Priority: Other Significant

Legal Authority: PL 106-181, sec 227

CFR Citation: 14 CFR 234

Legal Deadline: None

Abstract: DOT proposes to collect information on the causes of airline delays and cancellations. The information will be used by the Office of the Secretary, the Federal Aviation Administration, air carriers and airport operators to identify specific problem areas within the national aviation system. With this knowledge, the appropriate party or parties can take action to reduce or rectify the problem.

Timetable:

Action	Date
NPRM	12/27/01 66 FR 66833
NPRM Comment Period End	02/25/02
Final Action	11/25/02 67 FR 70535
Final Action Effective	06/01/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: M. Clay Moritz Jr., Acting Chief, Regulations Division, Office of Airline Information, Department of Transportation, Bureau of Transportation Statistics, K-14, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4385

RIN: 2139-AA09

2354. • REPORTS OF MOTOR CARRIERS — CORRECTION OF OBSOLETE REFERENCES AND OTHER MINOR EDITORIAL CORRECTIONS

Priority: Info./Admin./Other

Legal Authority: 49 USC 14123

CFR Citation: 49 CFR 1420

Legal Deadline: None

Abstract: The BTS plans to amend 49 CFR part 1420 to eliminate obsolete agency references to the Interstate Commerce Commission and to make other minor editorial corrections.

Timetable:

Action	Date
Final Action	01/30/03 68 FR 4718
Final Action Effective	01/30/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert A. Monniere, Attorney, Department of Transportation, Bureau of Transportation Statistics, Room 3105/K-2, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2139-AA10

[FR Doc. 03-8006 Filed 5-23-03; 8:45 am]

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