

*Title:* Causal Analysis and Countermeasures to Reduce Rail-Related Suicides.

*OMB Control Number:* 2130–New.

*Abstract:* Pedestrian trespassing on railroad property resulting in serious injury or death is one of the two most serious safety problems—the second being grade crossing collisions—facing the railroad industry and its regulators not only in the United States but also in other countries. It is widely believed in the United States that the reported prevalence and incidence of railway suicide vastly under-represents the nature and extent of the problem. There is no central reporting system within the railroad industry or suicide prevention field that provides verifiable information about how many trespass deaths are accidental versus intentional. Therefore, there are no verifiable measures of the extent of rail-related suicides in this country. While railroad companies must report trespass incidents resulting in serious injury or death to the U.S. Federal Railroad Administration (FRA), injuries or deaths that are ruled by a medical examiner or coroner to be intentional are not reported. Preliminary figures from 2006 indicate there were approximately 500 deaths and 360 injuries reported to FRA—an increase of 100 incidents over the previous year—but suicides are not represented in these numbers. Unverifiable estimates from a number of sources range from 150 to more than 300 suicides per year on the U.S. railways. Like any other incident on the rail system, a suicide on the tracks results in equipment and facility damage, delays to train schedules, and trauma to railroad personnel involved in the incidents. As a result, FRA last year awarded a grant for the first phase of a five-year project to reduce suicides on the rail system to the Railroad Research Foundation (part of the Association of American Railroads) and its subcontractor, the American Association of Suicidology (AAS). In the course of the five-year project, the research project's goals include: (i) A prevalence assessment to determine verifiable numbers of suicides on the rail system; (ii) Development of a standardized reporting tool for industry use; (iii) A causal analysis and root cause analysis of suicide incidents that occur during the grant cycle; and (iv) Design and implementation of suicide prevention measures for the nation's rail system to reduce suicide injuries and deaths. AAS is also receiving a grant from the Federal Transit Administration (FTA) to study suicides on commuter rail lines throughout the country. Consequently, AAS has expanded its

study to include commuter lines as well, and will be using the same collection instruments once they are approved by the Office of Management and Budget.

This collection of information pertains to Phase II of the project, the causal analysis. In order to understand as much as possible about people who intend to die by placing themselves in the path of a train and, therefore, to design prevention strategies, AAS intends to conduct 70 psychological autopsies over the course of two years on people who die by rail-related suicide. Psychological autopsy is a recognized and accepted method for obtaining information about physical, emotional, and circumstantial contributors to a person's death. The 70 psychological autopsies proposed for the FRA and FTA projects will involve interviews with witnesses to these incidents—rail and commuter personnel and members of the public—as well as family members, friends, employers, and co-workers. After conducting a root cause analysis of this data, AAS will then work with the industry to design, pilot test, and implement effective countermeasures with the goal of reducing deaths, injuries, and psychological trauma.

*Form Number(s):* FRA F 6180.125A; FRA F 6180.125B.

*Affected Public:* Railroad Personnel, Members of the Public, Affected Family and Friends.

*Respondent Universe:* 210 Railroad Personnel/Members of the Public/Affected Family and Friends.

*Frequency of Submission:* On occasion.

*Estimated Annual Burden:* 60 hours.

*Status:* Regular Review.

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

**Authority:** 44 U.S.C. §§ 3501–3520.

Issued in Washington, DC on January 31, 2007.

**D.J. Stadler,**

*Director, Office of Budget, Federal Railroad Administration.*

[FR Doc. E7–1826 Filed 2–5–07; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2006–26656; Notice 2]

#### Continental Tire North America, Grant of Petition for Decision of Inconsequential Noncompliance

Continental Tire North America (Continental) has determined that certain tires it produced in 2006 do not comply with S5.5(f) of 49 CFR 571.139, Federal Motor Vehicle Safety Standard (FMVSS) No. 139, “New pneumatic radial tires for light vehicles.” Pursuant to 49 U.S.C. 30118(d) and 30120(h), Continental has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR Part 573, “Defect and Noncompliance Reports.” Notice of receipt of a petition was published, with a 30-day comment period, on December 26, 2006, in the **Federal Register** (71 FR 77436). NHTSA received no comments.

Affected are a total of approximately 1,369 model 225/70R16 103S Continental and General replacement tires manufactured during October 2006. S5.5(f) of FMVSS No. 139 requires the actual number of plies in the tread area to be molded on both sidewalls of each tire. The noncompliant tires are marked on the sidewall “TREAD 5 PLYES 2 STEEL + 2 POLYESTER + 1 NYLON” whereas the correct marking should be “TREAD 4 PLYES 2 STEEL + 2 POLYESTER.” Continental has corrected the problem that caused these errors so that they will not be repeated in future production.

Continental Tire believes that the noncompliance is inconsequential to motor vehicle safety and that no corrective action is warranted. Continental Tire states,

All other sidewall identification markings and safety information are correct. This noncompliant sidewall marking does not affect the safety, performance and durability of the tire; the tires were built as designed.

The agency agrees with Continental that the noncompliance is inconsequential to motor vehicle safety. The agency believes that the true measure of inconsequentiality to motor vehicle safety in this case is that there is no effect of the noncompliance on the operational safety of vehicles on which these tires are mounted. The safety of people working in the tire retread, repair, and recycling industries must also be considered.

Although tire construction affects the strength and durability, neither the

agency nor the tire industry provides information relating tire strength and durability to the number of plies and types of ply cord material in the tread and sidewall. Therefore, tire dealers and customers should consider the tire construction information along with other information such as the load capacity, maximum inflation pressure, and tread wear, temperature, and traction ratings, to assess performance capabilities of various tires. In the agency's judgment, the incorrect labeling of the tire construction information will have an inconsequential effect on motor vehicle safety because most consumers do not base tire purchases or vehicle operation parameters on the number of plies in a tire.

The agency believes the noncompliance will have no measurable effect on the safety of the tire retread, repair, and recycling industries. The use of steel cord construction in the sidewall and tread is the primary safety concern of these industries. In this case, since the tire sidewalls are marked correctly for the number of steel plies, this potential safety concern does not exist.

In consideration of the foregoing, NHTSA has decided that the petitioner has met its burden of persuasion that the noncompliance described is inconsequential to motor vehicle safety. Accordingly, Continental's petition is granted and the petitioner is exempted from the obligation of providing notification of, and a remedy for, the noncompliance.

**Authority:** 49 U.S.C. 30118, 30120; delegations of authority at CFR 1.50 and 501.8.

Issued on: January 30, 2007.

**Daniel C. Smith,**

*Associate Administrator for Enforcement.*

[FR Doc. E7-1843 Filed 2-5-07; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Ex Parte No. 290 (Sub-No. 4)]

### Railroad Cost Recovery Procedures—Productivity Adjustment

**AGENCY:** Surface Transportation Board.

**ACTION:** Proposed adoption of a Railroad Cost Recovery Procedures Productivity Adjustment.

**SUMMARY:** The Surface Transportation Board proposes to adopt 1.017 (1.7%) as the measure of average change in railroad productivity for the 2001-2005

(5-year) averaging period. This value is a decline of 0.2 of a percentage point from the current measure of 1.9% that was developed for the 2000-2004 period.

**DATES:** Comments are due February 20, 2007.

**EFFECTIVE DATE:** The proposed productivity adjustment is effective March 1, 2007.

**ADDRESSES:** Send comments (an original and 10 copies) referring to STB Ex Parte No. 290 (Sub-No. 4) to: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

**FOR FURTHER INFORMATION CONTACT:** Mac Frampton, (202) 565-1541. [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339].

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision, which is available on our Web site <http://www.stb.dot.gov>. To purchase a copy of the full decision, write to, e-mail or call the Board's contractor, ASAP Document Solutions; 9332 Annapolis Rd., Suite 103, Lanham, MD 20706; e-mail [asapdc@verizon.net](mailto:asapdc@verizon.net); phone (202) 306-4004. [Assistance for the hearing impaired is available through FIRS: 1-800-877-8339].

This action will not significantly affect either the quality of the human environment or energy conservation.

Pursuant to 5 U.S.C. 605(b), we conclude that our action will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Decided: January 30, 2007.

By the Board, Chairman Nottingham, Vice Chairman Buttrey, and Commissioner Mulvey.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. E7-1818 Filed 2-5-07; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2007-27159]

### Amendments to Highway Safety Program Guidelines

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Request for comments, highway safety program guidelines.

**SUMMARY:** Section 402 of title 23 of the United States Code requires the

Secretary of Transportation to promulgate uniform guidelines for State highway safety programs.

NHTSA is seeking comments on proposed amendments to six (6) of the existing guidelines and one (1) new guideline to reflect program methodology and approaches that have proven to be successful and are based on sound science and program administration. The guidelines the agency proposes to revise are as follows: Guideline No. 4 Driver Education; Guideline No. 5 Non-Commercial Driver Licensing (formerly Driver Licensing); Guideline No. 7 Judicial and Court Services (formerly Traffic Courts); Guideline No. 10 Traffic Records; Guideline No. 17 Pupil Transportation Safety; and Guideline No. 21 Roadway Safety. This notice also proposes a new guideline, Guideline No. 12 Prosecutor Training and Outreach. NHTSA has developed Guideline No. 12 because it has found that conducting educational and training outreach to judges and prosecutors is an important element for law enforcement efforts to be truly effective as a deterrent to dangerous driving behaviors.

NHTSA believes the proposed revisions and additions will provide more accurate, current and detailed guidance to the States. The guidelines will be made publicly available on the NHTSA Web site.

**DATES:** You should submit your comments early enough to ensure that Docket Management receives them not later than 30 days after publication in the **Federal Register**.

**ADDRESSES:** You may submit comments in writing to: Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. Alternatively, you may submit your comments electronically by logging onto the Docket Management System (DMS) Web site at <http://dms.dot.gov>. Click on "Help & Information" or "Help/Info" to view instructions for filing your comments electronically. Regardless of how you submit your comments, you should mention the docket number of this document.

**FOR FURTHER INFORMATION CONTACT:** The following persons at the National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590:

*For technical and policy issues:*

Susan Kirinich, Research and Program Development, telephone (202) 366-1755, facsimile (202) 366-7149.

*For legal issues:*

Allison Rusnak, Office of the Chief Counsel, telephone (202) 366-1834, facsimile (202) 366-3820.