

# SEPTEMBER 2022

## SIGNIFICANT RULEMAKING REPORT.v.1

### Federal Aviation Administration

#### 1. Airport Safety Management System

**Popular Title:** Airport SMS

**RIN 2120-AJ38**

**Stage:** Final Rule

**Abstract:** This rulemaking would require certain airport certificate holders to develop, implement, maintain, and adhere to a safety management system (SMS) for its aviation related activities. An SMS is a formalized approach to managing safety by developing an organization-wide safety policy, developing formal methods of identifying hazards, analyzing and mitigating risk, developing methods for ensuring continuous safety improvement, and creating organization-wide safety promotion strategies.

**Dates for Final Rule:**

Action	Projected Publication Date	FR Cite
Final Rule	10/28/2022	

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### Federal Aviation Administration

#### 2. Regulation Of Flight Operations Conducted By Alaska Guide Pilots

**Popular Title:** Alaska Guide Pilots

**RIN 2120-AJ78**

**Stage:** Undetermined

**Abstract:** The rulemaking would establish regulations concerning Alaska guide pilot operations. The rulemaking would implement Congressional legislation and establish additional safety requirements for the conduct of these operations. The intended effect of this rulemaking is to enhance the level of safety for persons and property transported in Alaska guide pilot operations. In addition, the rulemaking would add a general provision applicable to pilots operating under the general operating and flight rules concerning falsification, reproduction, and alteration of applications, logbooks, reports, or records. This rulemaking is a statutory mandate under section 732 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, (Pub. Law 106-181).

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

Federal Aviation Administration

**3. System Safety Assessment**

**Popular Title:** System Safety Assessment

**RIN 2120-AJ99**

**Stage:** NPRM

**Abstract:** This rulemaking would standardize regulations and guidance for conducting airplane-level safety assessments of various critical systems installed on transport category airplanes. Current differences happened over time as system safety rules and policies were developed independently. This rulemaking would adopt Aviation Rulemaking Advisory Committee recommendations and harmonize with the European Aviation Safety Agency CS-25.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	04/28/2023	

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Federal Aviation Administration

**4. Drug and Alcohol Testing of Certain Maintenance Provider Employees Located Outside of the United States**

**Popular Title:** Drug & Alcohol Testing for Repair Stations

**RIN 2120-AK09**

**Stage:** NPRM

**Abstract:** This rulemaking would require controlled substance testing of some employees working in repair stations located outside the United States. The intended effect is to increase participation by companies outside of the United States in testing of employees who perform safety critical functions and testing standards similar to those used in the repair stations located in the United States. This action is necessary to increase the level of safety of the flying public. This rulemaking is a statutory mandate under section 308(d) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95).

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

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Federal Aviation Administration

**5. Applying the Flight, Duty, and Rest requirements to Ferry Flights that Follow Domestic, Flag, or Supplemental All-Cargo Operations (Reauthorization)**

**Popular Title:** Tail End Ferry in Part 121

**RIN 2120-AK22**

**Stage:** Undetermined

**Abstract:** This rulemaking would apply the flight, duty, and rest requirements for domestic, flag and supplemental operations to ferry flights that follow domestic, flag or supplemental all-cargo operations. A ferry flight that follows a domestic, flag or supplemental all-cargo operation would be subject to the same flight, duty, and rest rules as the all-cargo operation it follows. This rule is necessary as it would make part 121 flight, duty, and rest limits applicable to tail-end ferry flights that follow an all-cargo operation.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

Federal Aviation Administration

**6. Applying the Flight, Duty, and Rest Requirements to Ferry Flights that Follow Commuter or On-Demand Operations (FAA Reauthorization)**

**Popular Title:** Tail-End Ferry in Part 135

**RIN 2120-AK26**

**Stage:** Undetermined

**Abstract:** This rulemaking would require a flightcrew member who is employed by an air carrier conducting operations under part 135, and who accepts an additional assignment for flying under part 91 from the air carrier or from any other air carrier conducting operations under part 121 or 135, to apply the period of the additional assignment toward any limitation applicable to the flightcrew member relating to duty periods or flight times under part 135.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

Federal Aviation Administration

**7. Pilot Biometric Certificates (FAA Reauthorization)**

**Popular Title:** Pilot Biometric Certificates

**RIN 2120-AK33**

**Stage:** Undetermined

**Abstract:** This rulemaking would require the issuance of pilot certificates that are resistant to tampering, alteration, and counterfeiting. The certificates would include a photograph of the individual to whom the certificate is issued and will be a smart card that is able to accommodate biometric identifiers. Certificates would also be compliant with Federal Information Processing Standards Publication 201 (FIPS-201) or Personal Identity Verification-Interoperability (PIV-I) standards for processing through security checkpoints into airport sterile areas. Under section 321 of the FAA Modernization and Reform Act of 2012 (Pub. Law 112-95), the FAA is required to begin issuing new certificates no later than November 10, 2012.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

Federal Aviation Administration

**8. Aircraft Registration and Airmen Certification Fees**

**Popular Title:** Registry Fees

**RIN 2120-AK37**

**Stage:** NPRM

**Abstract:** This rulemaking would establish fees for airman certificates, medical certificates, and provision of legal opinions pertaining to aircraft registration or recordation. This rulemaking also would revise existing fees for aircraft registration, recording of security interests in aircraft or aircraft parts, and replacement of an airman certificate. This rulemaking addresses provisions of the FAA Modernization and Reform Act of 2012. This rulemaking is intended to recover the estimated costs of the various services and activities for which fees would be established or revised.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	TBD	

Federal Aviation Administration

**9. Permanent Requirement for Helicopters to use the New York North Shore Helicopter Route**

**Popular Title:** New York North Shore Helicopter Route

**RIN 2120-AK39**

**Stage:** Undetermined

**Abstract:** This rulemaking would delete the expiration date and make permanent the requirement to use the New York North Shore Helicopter Route. The current rule requiring use of the route expires on August 6, 2020. This rule will protect and enhance public welfare by making the current rule permanent, thereby continuing to reduce helicopter overflights and attendant noise disturbance over nearby communities.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

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Federal Aviation Administration

**10. Helicopter Air Ambulance Pilot Training and Operational Requirements (HAA II) (FAA Reauthorization)**

**Popular Title:** Helicopter Air Ambulance II

**RIN 2120-AK57**

**Stage:** Undetermined

**Abstract:** This rulemaking would develop training requirements for crew resource management, flight risk evaluation, and operational control of the pilot in command, as well as to develop standards for the use of flight simulation training devices and line-oriented flight training. Additionally, it would establish requirements for the use of safety equipment for flight crewmembers and flight nurses. These changes will aide in the increase in aviation safety and increase survivability in the event of an accident. Without these changes, the Helicopter Air Ambulance industry may continue to see the unacceptable high rate of aircraft accidents. This rulemaking is a statutory mandate under section 306(e) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95).

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

Federal Aviation Administration

11. **Orbital Debris Mitigation Methods for Launch Vehicle Upper Stages**

**Popular Title:** Orbital Debris Mitigation Methods

**RIN 2120-AK81**

**Stage:** NPRM

**Abstract:** This rulemaking would update the existing orbital debris mitigation regulations to more-closely align with the U.S. Government Orbital Debris Mitigation Standard Practices, limit the growth of orbital debris, and reduce the creation of additional debris caused by on-orbit collisions.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	12/28/2022	

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Federal Aviation Administration

12. **Registration and Marking Requirements for Small Unmanned Aircraft**

**Popular Title:** Small UAS Registration

**RIN 2120-AK82**

**Stage:** Final Rule

**Abstract:** This rulemaking would provide an alternative, streamlined and simple, web-based aircraft registration process for the registration of small unmanned aircraft, including small unmanned aircraft operated exclusively for limited recreational operations, to facilitate compliance with the statutory requirement that all aircraft register prior to operation. It would also provide a simpler method for marking small unmanned aircraft that is more appropriate for these aircraft. This action responds to public comments received regarding the proposed registration process in the Operation and Certification of Small Unmanned Aircraft notice of proposed rulemaking, the request for information regarding unmanned aircraft system registration, and the recommendations from the Unmanned Aircraft System Registration Task Force.

**Dates for Final Rule:**

Action	Projected Publication Date	FR Cite
Final Rule	02/00/2024	

Federal Aviation Administration

**13. Unmanned Aircraft Systems Expanded Operations**

**Popular Title:** UAS XOps (DEREG)

**RIN 2120-AL01**

**Stage:** Undetermined

**Abstract:** This rulemaking would enable expanded operations of small unmanned aircraft systems (sUAS) in the national airspace system (NAS). As a result, it would increase the utility of sUAS for operations under 14 CFR part 107 and would advance technology by encouraging innovation in this rapidly developing segment of the aviation industry.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

Federal Aviation Administration

**14. Safe and Secure Operations of Small Unmanned Aircraft Systems**

**Popular Title:** Safe and Secure Ops of UAS

**RIN 2120-AL26**

**Stage:** ANPRM

**Abstract:** This action would solicit public comments for several operational limitations, airspace restrictions, hardware requirements, and associated identification or tracking technologies for Unmanned Aircraft Systems (UAS). The ANPRM will ask a series of questions regarding the balance of needs between UAS operators and the law enforcement and national defense communities. This action is necessary to address safety and security concerns from the homeland security, federal law enforcement, and national defense communities.

**Dates for ANPRM:**

Action	Publication Date	FR Cite
ANPRM	02/13/2019	84 FR 3856
ANPRM Comment Period End	04/15/2019	
Analyzing Comments	06/30/2023	

Federal Aviation Administration

15. Domestic Noise Certification of Supersonic Aircraft

**Popular Title:** Domestic Noise Certification

**RIN 2120-AL29**

**Stage:** Undetermined

**Abstract:** This action would add new supersonic airplanes to the applicability of noise certification regulations and add landing and takeoff noise standards for a certain class of new supersonic airplanes. There is renewed interest in the development of supersonic aircraft, and the regulations would facilitate the continued development of airplanes by specifying the noise limits for the designs, providing the means to certificate the airplanes for subsonic operation in the United States.

**Dates for Undetermined:**

Action	Date	FR Cite
Next Action Undetermined	00/00/0000	

Federal Aviation Administration

16. External Marking Requirement for Small Unmanned Aircraft

**Popular Title:** External Markings UAS

**RIN 2120-AL32**

**Stage:** Final Rule

**Abstract:** This rulemaking would revise the requirements regarding the placement of the unique identifier assigned to a small unmanned aircraft to an external surface of the aircraft. This action is necessary to enhance the safety and security of a person seeking registration information from an unmanned aircraft. This revision will enable the person to view the unique identifier directly without handling the aircraft.

**Dates for Final Rule:**

Action	Projected/Publication Date	FR Cite
Final Rule	02/00/2024	



Federal Aviation Administration

**17. Prohibit or Restrict the Operation of an Unmanned Aircraft in Close Proximity to a Fixed Site Facility**

**Popular Title:** UAS Flight Restrictions

**RIN 2120-AL33**

**Stage:** NPRM

**Abstract:** This action would implement section 2209, Applications for designation, of Public Law 114-190, the FAA Extension, Safety and Security Act of 2016 (130 Stat. 634). Specifically, this rule would establish the criteria and procedures for the operator or proprietor of eligible fixed site facilities to apply to the FAA for a UAS-specific flight restriction. In addition, this rule would establish the substantive criteria based on the enumerated statutory considerations (i.e. national security and aviation safety) that the FAA will use in determining to grant or deny a petition, as well as the procedures for notifying the petitioner of the determination made and the process for resubmission of any denial. Lastly, this rule would establish the process to be used by the FAA to implement the UAS-specific flight restriction and notify the public.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	06/30/2023	

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Federal Aviation Administration

**18. Flight Attendant Duty Period Limitations and Rest Requirements**

**Popular Title:** Flight Attendant Flight, Duty and Rest

**RIN 2120-AL41**

**Stage:** Final Rule

**Abstract:** This rulemaking would be responsive to Public Law 115-254, section 335(a), which requires the FAA to modify the rest periods required in 14 CFR section 121.467 to a minimum of 10 hours, without an option to reduce the rest period.

**Dates for Final Rule:**

Action	Projected/ Publication Date(s)	FR Cite
NPRM	11/02/2021	86 FR 60424
NPRM Comment Period End	01/03/2022	
Final Rule	02/28/2023	

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Federal Aviation Administration

**19. Transport Airplane Certification Streamlining**

**Popular Title:** Transport Airplane Certification Modernization

**RIN 2120-AL42**

**Stage:** NPRM

**Abstract:** This rulemaking would address Aviation Rulemaking Advisory Committee (ARAC) Regulatory Reform Recommendations, harmonize with European Aviation Safety Agency (EASA) CS-25, codify commonly used special conditions, and exemptions for the Title 14 Code of Federal Regulations (14 CFR) Part 25. This NPRM is necessary to streamline certification of transport category aviation products and modernize the regulations to better address new technologies proposed by applicants.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	05/30/2023	

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Federal Aviation Administration

**20. Prohibition Against Certain Flights in the Territory and Airspace of Venezuela**

**Popular Title:** Venezuela SFAR

**RIN 2120-AL48**

**Stage:** Final Rule

**Abstract:** On May 1, 2019, the FAA issued KICZ Notice to Airmen (NOTAM) A0013/19, prohibiting certain flight operations in the territory and airspace of Venezuela at altitudes below Flight Level (FL) 260 by all: U.S. air carriers; U.S. commercial operators; persons exercising the privileges of an airman certificate issued by the FAA, except when such persons are operating U.S.-registered aircraft for a foreign air carrier; and operators of U.S.-registered civil aircraft, except where the operator of such aircraft is a foreign air carrier, due to increasing political instability and tensions in Venezuela and the associated inadvertent risk to flight operations. This rulemaking will add a new Special Federal Aviation Regulation (SFAR) to incorporate the flight prohibition contained in KICZ NOTAM A0013/19 into the Code of Federal Regulations.

**Dates for Final Rule:**

Action	Projected Publication Date	FR Cite
Final Rule	12/29/2022	

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## Federal Aviation Administration

### 21. Modernization of Special Airworthiness Certification

**Popular Title:** MOSAIC

**RIN 2120-AL50**

**Stage:** NPRM

**Abstract:** This rule will amend numerous provisions concerning aircraft that hold special airworthiness certificates and airman that operate and maintain those aircraft. Specifically, this rule will expand the scope of aircraft that may be certificated as light-sport aircraft (LSA), increasing margins for incorporation of safety-enhancing designs, increasing the overall robustness of LSA, enabling a more useful load for fuel and passengers, enabling electric propulsion, and other performance enhancements. This rule will meet a Congressional mandate to enable space support vehicles to obtain an experimental certificate for commercial operations without an air carrier certificate or exemption. Finally, this rule will segregate the experimental category into operations involving experiments and those that don't to facilitate better safety oversight.

**Dates for Final Rule:**

Action	Projected Publication Date	FR Cite
NPRM	05/00/2023	

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### 22. Medical Certification Standards for Commercial Balloon Operations

**Popular Title:** Balloon Medical

**RIN 2120-AL51**

**Stage:** Final Rule

**Abstract:** This rulemaking would enhance safety oversight of commercial balloon operators and implement section 318 (Applicability of Medical Certification Standards to Operators of Air Balloons) of the FAA Reauthorization Act of 2018.

**Dates for Final Rule:**

Action	Projected Publication Date	FR Cite
NPRM	11/18/2021	86 FR 64419
NPRM Comment Period End	01/18/2022	
Final Rule	05/30/2023	

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**Federal Aviation Administration**

**23. Prohibition Regarding Weapons**

**Popular Title:** Prohibition Regarding Weapons

**RIN 2120-AL52**

**Stage:** NPRM

**Abstract:** This rulemaking would Implement the following requirement of the FAA Reauthorization Act of 2018: Section 363, Prohibition Regarding Weapons, provides as follows: (a) IN GENERAL. – Unless authorized by the Administrator, a person may not operate an unmanned aircraft or unmanned aircraft system that is equipped or armed with a dangerous weapon. (b) DANGEROUS WEAPON DEFINED. – In this section, the term "dangerous weapon" has the meaning given that term in section 930(g)(2) of title 18, United States Code. (c) PENALTY. – A person who violates this section is liable to the United States Government for a civil penalty of not more than \$25,000 for each violation.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	Terminated 02/15/2022	

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**Federal Aviation Administration**

**24. Security Considerations in the Design and Operation of the Flightdeck on Transport Category Airplanes**

**Popular Title:** Secondary Flightdeck Barriers

**RIN 2120-AL59**

**Stage:** NPRM

**Abstract:** This rulemaking would implement a mandate in the FAA Reauthorization Act of 2018 by requiring that certain airplanes operating in domestic commercial service have an installed physical secondary barrier that protects the flightdeck from unauthorized intrusion when the flightdeck door is opened.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	08/01/2022	87 FR 46892
NPRM Comment Period End	09/30/2022	

Federal Aviation Administration

**25. Safety Management System (SMS) for Parts 21, 91, 135 and 145**

**Popular Title:** SMS

**RIN 2120-AL60**

**Stage:** NPRM

**Abstract:** This rulemaking would apply the requirements of 14 CFR part 5, with appropriate modifications. As a result, this rulemaking would require persons engaged in the design and production of aircraft, engines, or propellers; certificate holders that conduct common carriage operations under part 135; persons engaged in maintaining part 121 aircraft under part 145; and persons conducting certain, specific types of air tour operations under Part 91 to implement a Safety Management System.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	09/30/2022	

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Federal Aviation Administration

**26. Prohibition Against Certain Flights in the Kabul Flight Information Region (FIR) (OAKX)**

**Popular Title:** Kabul FIR

**RIN 2120-AL71**

**Stage:** Final Rule

**Abstract:** This action prohibits certain flight operations in the Kabul Flight Information Region (FIR) (OAKX) at altitudes below Flight Level 260 (FL260) by all: U.S. air carriers; U.S. commercial operators; persons exercising the privileges of an airman certificate issued by the FAA, except when such persons are operating U.S.-registered aircraft for a foreign air carrier; and operators of U.S.-registered civil aircraft, except when the operator of such aircraft is a foreign air carrier.

**Dates for Final Rule:**

Action	Projected Publication Date	FR Cite
Final Rule	12/28/2022	

Federal Aviation Administration

## **27. Prohibition Against Certain Flights in the Tehran Flight Information Region (FIR) (OIIX)**

**Popular Title:** Tehran FIR

**RIN 2120-AL75**

**Stage:** Final Rule

**Abstract:** The FAA has initiated a rulemaking action to support the agency's evaluation of whether circumstances warrant the extension or amendment of the prohibition against certain U.S. flight operations in the Tehran Flight Information Region (FIR) (OIIX) at all altitudes, or whether the agency should allow the rule to expire as scheduled. The flight prohibition applies to all: U.S. air carriers; U.S. commercial operators; persons exercising the privileges of an airman certificate issued by the FAA, except when such persons are operating U.S.-registered aircraft for a foreign air carrier; and operators of U.S.-registered civil aircraft, except when the operator of such aircraft is a foreign air carrier. The FAA is assessing if an extension of the flight prohibition will be necessary to address continuing hazards to persons and aircraft engaged in flight operations subject to the rule. The agency will also determine if any modifications to the parameters of the flight prohibition, if extended, would be appropriate at this time, based on the risks to the safety of U.S. civil aviation, or whether the agency should allow the rule to expire as scheduled.

**Dates for Final Rule:**

Action	Projected Publication Date	FR Cite
Publication	10/28/2022	

**Federal Aviation Administration**

## **28. Prohibition Against Certain Flights in the Baghdad Flight Information Region (FIR) (ORBB)**

**Popular Title:** Baghdad FIR

**RIN 2120-AL76**

**Stage:** Final Rule

**Abstract:** The FAA has initiated a rulemaking action to support the agency's evaluation of whether circumstances warrant the extension or amendment of the prohibition against certain U.S. flight operations in the Baghdad Flight Information Region (FIR) (ORBB) at altitudes below Flight Level 320 (FL320), or whether the agency should allow the rule to expire as scheduled. The flight prohibition applies to all: U.S. air carriers; U.S. commercial operators; persons exercising the privileges of an airman certificate issued by the FAA, except when such persons are operating U.S.-registered aircraft for a foreign air carrier; and operators of U.S.-registered civil aircraft, except when the operator of such aircraft is a foreign air carrier. The FAA is assessing if an extension of the flight prohibition will be necessary to address continuing hazards to persons and aircraft engaged in flight operations subject to the rule. The agency will also consider whether modifications to the parameters of the flight prohibition, if extended, would be appropriate at this time, based on the risks to the safety of U.S. civil aviation, or whether the agency should allow the rule to expire as scheduled.

**Dates for Final Rule:**

<b>Action</b>	<b>Projected Publication Date</b>	<b>FR Cite</b>
<b>Publication</b>	<b>10/28/2022</b>	

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## Federal Highway Administration

### 29. Pavement Markings

**Popular Title:** Pavement Markings

**RIN 2125-AF34**

**Stage:** Final Rule

**Abstract:** This rulemaking would amend the Manual on Uniform Traffic Control Devices, incorporated by reference in 23 CFR part 655, subpart F, to include standards, guidance, options, and supporting information related to maintaining minimum levels of retroreflectivity for pavement markings on all roads open to public travel.

**Dates for Final Rule:**

<b>Action</b>	<b>Publication Date</b>	<b>FR Cite</b>
<b>Final Rule</b>	<b>08/05/2022</b>	<b>87 FR 47921</b>
<b>Final Rule Effective Date</b>	<b>09/06/2022</b>	

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## Federal Highway Administration

### 30. National Bridge Inspection Standards (MAP-21)

**Popular Title:** NBIS

**RIN 2125-AF55**

**Stage:** Final Rule

**Abstract:** This rulemaking would update 23 CFR Part 650, Subpart C, National Bridge Inspection Standards, to incorporate changes made by section 1111 of MAP-21. This rulemaking would also update this Subpart to provide clarification of the requirements related to complex structures, critical findings, and inspection intervals. Finally, this rulemaking would update 23 CFR Part 650 by removing Subparts D and G as the programs covered by these regulations have been eliminated.

**Dates for Final Rule:**

<b>Action</b>	<b>Publication Date</b>	<b>FR Cite</b>
<b>Final Rule</b>	<b>05/06/2022</b>	<b>87 FR 27396</b>

<b>Final Rule Effective Date</b>	<b>06/06/2022</b>	
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## Federal Highway Administration

### **31. Noise Abatement**

**Popular Title:** Noise

**RIN 2125-AF78**

**Stage:** NPRM

**Abstract:** As part of our retrospective regulatory review, the FHWA intends to update 23 CFR Part 772. This part was substantially updated in 2010; however, substantial comments from stakeholders and the public have suggested that the part could be rewritten for clarity and ease of use. The FHWA will assess ways to streamline its regulation, increase clarity, and improve the Noise Abatement process.

**Dates for NPRM:**

<b>Action</b>	<b>Projected Publication Date</b>	<b>FR Cite</b>
<b>NPRM</b>	<b>02/10/2023</b>	

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## Federal Highway Administration

### **32. Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs**

**Popular Title:** Uniform Act

**RIN 2125-AF79**

**Stage:** Final Rule

**Abstract:** The FHWA is proposing to amend its Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 regulations at 49 CFR part 24. The revisions are prompted by enactment of the Moving Ahead for Progress in the 21st Century Act (MAP-21). Section 1521 of MAP-21 amendments included increases in statutory relocation benefits and a reduction of length of occupancy requirements. This proposal is intended to develop regulations on the use of those amendments. The FHWA is also proposing to update the Uniform Act regulations to reflect the agency's experience with the Federal-aid highway program since the last comprehensive rulemaking for part 24, which occurred in 2005. The updates include streamlining processes to better meet current Federal-aid highway program needs and eliminating duplicative and outdated regulatory language.

**Dates for Final Rule:**



Action	Projected Publication Date	FR Cite
Final Rule	12/09/2022	

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## Federal Highway Administration

### 33. Manual on Uniform Traffic Control Devices for Streets and Highways

**Popular Title:** MUTCD

**RIN 2125-AF85**

**Stage:** Final Rule

**Abstract:** This rulemaking would update the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) incorporated by reference at 23 CFR part 655. The new edition will update the technical provisions of the 2009 edition to reflect advances in technologies and operational practices that are not currently allowed in the MUTCD.

**Dates for Final Rule:**

Action	Projected Publication Date	FR Cite
Final Rule	05/12/2023	

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## Federal Highway Administration

### 34. Broadband Infrastructure Deployment

**Popular Title:** Broadband Infrastructure Deployment

**RIN 2125-AF92**

**Stage:** Final Rule

**Abstract:** This rulemaking would implement Section 607 of the Mobile Now Act, as included in the Consolidated Appropriations Act, 2018 (Public Law No. 115-141). Section 607 directs the Secretary of Transportation to promulgate regulations to ensure that each State that receives funds under chapter 1 of title 23, United States Code (U.S.C.), meets certain requirements to facilitate the installation of broadband infrastructure. The requirements include broadband consultation among the State department of transportation and appropriate State agencies and a requirement that a State that chooses to provide for the installation of broadband infrastructure in the right-of-way of a Federal-aid highway project under this regulation carry out any appropriate measures to ensure that any existing broadband infrastructure entities are not disadvantaged, as compared to other broadband infrastructure entities, with respect to the program under this regulation.

**Dates for Final Rule:**

Action	Publication Date	FR Cite
Final Rule	12/03/2021	86 FR 68553
Final Rule Effective	03/03/2022	

## Federal Highway Administration

### 35. Statewide and Nonmetropolitan and Metropolitan Transportation Planning

**Popular Title:** The FHWA-FTA Planning Rule

**RIN 2125-AF98**

**Stage:** NPRM

**Abstract:** This joint rulemaking would amend the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) regulations for Statewide and Nonmetropolitan and Metropolitan Transportation Planning and Programming at 23 CFR Part 450. This rulemaking would: implement relevant requirements of the Infrastructure Investment and Jobs Act (Pub. L. 117-58, also known as the "Bipartisan Infrastructure Law"); consider allowing additional flexibility in the development and content of the Transportation Improvement Program/Statewide Transportation Improvement Program (TIP/STIP); and consider other revisions, including updates to the planning factors and plan requirements and changes to improve the transportation planning process.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	01/30/2023	

## Federal Highway Administration

### 36. Greenhouse Gas Emissions Measure

**Popular Title:** Greenhouse Gas Emissions Measure

**RIN 2125-AF99**

**Stage:** NPRM

**Abstract:** This rulemaking would establish a method for the measurement and reporting of greenhouse gas (GHG) emissions associated with transportation under Title 23 of the United States Code (U.S.C.). It is proposed as an addition to existing FHWA regulations that establish a set of performance measures for State departments of transportation (State DOTs) and metropolitan planning organizations (MPOs) to use pursuant to 23 U.S.C. 150(c) or other authorities.

**Dates for NPRM:**

Action	Publication Date	FR Cite
NPRM	07/15/2022	87 FR 42401
NPRM Comment Period End	10/13/2022	

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## Federal Highway Administration

### 37. Highway Bridge and Tunnel Safety Management Directives

**Popular Title:** Bridge and Tunnel Safety Management Directives

**RIN 2125-AG02**

**Stage:** NPRM

**Abstract:** This rulemaking would provide the authority for FHWA to issue binding directives to highway bridge and tunnel owners when FHWA determines that: (a) an unsafe condition exists; (b) the unsafe condition is likely to exist or develop in other highway bridges or tunnels of the same type or design; or (c) a type or design of a highway bridge or tunnel requires specific management procedures or processes to maintain an appropriate level of safety.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	09/23/2023	

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## Federal Highway Administration

### 38. National Electric Vehicle Infrastructure Formula Program

**Popular Title:** NEVI

**RIN 2125-AG10**

**Stage:** NPRM

**Abstract:** This rulemaking would establish minimum standards and requirements for the implementation of the NEVI Formula Program under Title 23 of the United States Code, as required by the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58 (Nov. 15, 2021), Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J.

**Dates for NPRM:**

Action	Publication Date	FR Cite
NPRM	06/22/2022	87 FR 37262
NPRM Comment Period End	08/22/2022	

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## Federal Motor Carrier Safety Administration

### **39. Application by Certain Mexico-Domiciled Motor Carriers to Operate Beyond U.S. Municipalities and Commercial Zones on the U.S.-Mexico Border**

**Popular Title:** Mexico-Domiciled Motor Carriers

**RIN 2126-AA34**

**Stage:** Undetermined

**Abstract:** This rulemaking would change FMCSA regulations to govern applications by Mexican carriers to operate beyond municipalities and commercial zones at the United State-Mexico border. It would also revise the application form, OP-1MX, to be filed by these Mexican motor carriers. The revised form would require additional information about the applicant's business and operating practices to allow the FMCSA to determine if the applicant can meet the safety standards established for operating in interstate commerce in the United States. Carriers that had previously submitted an application would have to submit the updated form. These changes are needed to implement part of the North American Free Trade Agreement (NAFTA). On January 16, 2003, the Ninth Circuit Court remanded this rule, along with two other NAFTA-related rules, to the agency, requiring a full environmental impact statement and an analysis required by the Clean Air Act. On June 7, 2004, the Supreme Court reversed the Ninth Circuit and remanded the case, holding that FMCSA is not required to prepare the environmental documents as ruled by the Ninth Circuit. FMCSA originally planned to publish a final rule by November 20, 2003.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

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## Federal Motor Carrier Safety Administration

### **40. Safety Monitoring System and Compliance Initiative for Mexico-Domiciled Motor Carriers Operating in the United States**

**Popular Title:** Safety Monitoring

**RIN 2126-AA35**

**Stage:** Undetermined

**Abstract:** This rule would implement a safety monitoring system and compliance initiative designed to evaluate the continuing safety fitness of all Mexico-domiciled carriers within 18 months after receiving a provisional Certificate of Registration or provisional authority to operate in the United States. It also would establish suspension and revocation procedures for provisional Certificates of Registration and operating authority and incorporate 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. On January 16, 2003, the Ninth Circuit Court of Appeals remanded this rule, along with two other NAFTA-related rules, to the agency, requiring a full environmental impact statement and an analysis required by the Clean Air Act. On June 7, 2004, the Supreme Court reversed the Ninth Circuit and remanded the case, holding that FMCSA is not required to prepare the environmental documents. FMCSA originally planned to publish a final rule by November 28, 2003.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

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## **Federal Motor Carrier Safety Administration**

### **41. Consumer Complaint Information**

**Popular Title:** Consumer Complaint Information

**RIN 2126-AB01**

**Stage:** Undetermined

**Abstract:** The rulemaking would require each motor carrier of household goods to submit a quarterly report of specific identified information regarding complaints that each receives from shippers and consumers to the Agency. This rule responds to Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

**Federal Motor Carrier Safety Administration**

**42. New Entrant Safety Assurance Process: Implementation of Section 210(b) of the Motor Carrier Safety Improvement Act of 1999**

**Popular Title:** MCSIA 210(b) New Entrant Knowledge Test

**RIN 2126-AB17**

**Stage:** Undetermined

**Abstract:** This rulemaking would consider methods for ensuring a new applicant carrier is knowledgeable about the applicable safety requirements before being granted New Entrant authority. The agency is considering whether to implement a proficiency examination as part of its revised New Entrant Safety Assurance Process as well as other alternatives. This rulemaking responds to issues raised in a petition from Advocates for Highway and Auto Safety regarding new entrant applicant knowledge.

**Dates for Undetermined :**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

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**Federal Motor Carrier Safety Administration**

**43. MAP-21 Enhancements and Other Updates to the Unified Registration System**

**Popular Title:** URS 2

**RIN 2126-AB56**

**Stage:** Undetermined

**Abstract:** FMCSA proposes to implement several provisions of the Moving Ahead for Progress in the 21st Century Act (MAP-21) that relate to the FMCSA's Unified Registration System (URS) as well as update and codify the Agency's procedures for granting, suspending, and revoking registration. These procedures would apply to all entities required to register under the Agency's commercial or safety jurisdiction. Many of the proposed provisions codify existing Agency practices, while others improve on existing processes and procedures. FMCSA proposes this rule to achieve greater transparency, uniformity, efficiency, and predictability with respect to granting, suspending, or revoking registration.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

## Federal Motor Carrier Safety Administration

### 44. Heavy Vehicle Speed Limiters

**Popular Title:** Commercial Motor Vehicle Speed Limiters

**RIN 2126-AB63**

**Stage:** SNPRM

**Abstract:** FMCSA intends to proceed with a motor carrier-based speed limiter rulemaking by preparing a supplemental notice of proposed rulemaking (SNPRM) to follow up on the National Highway Traffic Safety Administration's (NHTSA) and FMCSA's jointly issued September 7, 2016, notice of proposed rulemaking (NPRM) on this subject. The new rulemaking in subsequent consultation with NHTSA, will consider whether additional regulatory actions should be taken concerning CMV manufacturer requirements. Specifically, motor carriers operating commercial motor vehicles (CMVs) in interstate commerce with a gross vehicle weight rating (GVWR) or gross vehicle weight (GVW) of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, that are equipped with an electronic engine control unit (ECU) capable of governing the maximum speed be required to limit the CMV to a speed to be determined by the rulemaking and to maintain that ECU setting for the service life of the vehicle.

**Dates for SNPRM:**

Action	Projected Publication Date	FR Cite
SNPRM	06/30/2023	

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## Federal Motor Carrier Safety Administration

### 45. Broker and Freight Forwarder Financial Responsibility

**Popular Title:** Broker Trust Funds and Surety Bonds

**RIN 2126-AC10**

**Stage:** NPRM

**Abstract:** The Agency issued an ANPRM seeking comment in September 2018. In the NPRM, the Agency will propose changes to the broker/freight forwarder financial responsibility requirements as required by MAP-21.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	01/25/2023	

Federal Motor Carrier Safety Administration

**46. Safe Integration of Automated Driving Systems-Equipped Commercial Motor Vehicles**

**Popular Title:** ADS CMVs

**RIN 2126-AC17**

**Stage:** NPRM

**Abstract:** FMCSA proposes to amend certain Federal Motor Carrier Safety Regulations (FMCSRs) to ensure the safe introduction of automated driving systems (ADS)-equipped commercial motor vehicles (CMVs) onto the Nation's roadways. The proposed changes to the CMV operations, inspection, repair, and maintenance regulations prioritize safety and security, promote innovation, foster a consistent regulatory approach to ADS-equipped CMVs, and recognize the difference between human operators and ADS.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	01/18/2023	

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Federal Motor Carrier Safety Administration

**47. Application for Employment**

**Popular Title:** Application for Employment

**RIN 2126-AC13**

**Stage:** Undetermined

**Abstract:** FMCSA is considering changes to the requirement to have prospective drivers complete an employment application. FMCSA requests comment on the value of and need for this requirement. Comment also is sought on ways the requirement for an employment application could be changed to reduce the associated paperwork burdens for drivers and motor carriers, including but not limited to the complete elimination of the requirement.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	



Federal Motor Carrier Safety Administration

**48. Hours of Service of Drivers of Commercial Motor Vehicles; Transportation of Agricultural Commodities**

**Popular Title:** HOS - Ag Commodities

**RIN 2126-AC24**

**Stage:** Undetermined

**Abstract:** FMCSA clarifies the definition of the terms "any agricultural commodity," "livestock," and "non-processed food," as the terms are used in the definition of "agricultural commodity" for the purposes of the Agency's "Hours of Service (HOS) of Drivers" regulations. Under current regulations, drivers transporting agricultural commodities, including livestock, from the source of the commodities to a location within 150 air miles of the source, during harvest and planting seasons as defined by each State, are exempt from the HOS requirements. Additionally, the HOS requirement for a 30-minute rest break does not apply to drivers transporting livestock in interstate commerce while the livestock are on the commercial motor vehicle. This interim final rule (IFR) clarifies the meaning of these existing definitional terms to ensure that the HOS exemptions are utilized as Congress intended.

**Dates for Interim Final Rule:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

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Federal Motor Carrier Safety Administration

**49. Wearing of Face Masks While on Conveyances and at Transportation Hubs**

**Popular Title:** Face Mask Rule

**RIN 2126-AC45**

**Stage:** Undetermined

**Abstract:** FMCSA requires for-hire and private carriers to comply with emergency orders, directives, or standards to protect public health and safety issued by the Centers for Disease Control and Prevention (CDC), the Transportation Security Administration (TSA), or the Occupational Safety and Health Administration (OSHA), or any other Federal agency or subagency, to the extent the orders, directives, or standards are applicable to such for-hire and private carriers.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

## Federal Motor Carrier Safety Administration

### 50. Automatic Emergency Braking Systems

**Popular Title:** AEB Systems

**RIN 2126-AC49**

**Stage:** NPRM

**Abstract:** This joint rulemaking of the National Highway Traffic Safety Administration (NHTSA) and Federal Motor Carrier Administration (FMCSA) will be seeking comments on a proposal to require and/or standardize equipment performance for automatic emergency braking (AEB) systems on heavy trucks (2127-AM36). The rulemaking is expected to propose performance standards and motor carrier maintenance requirements for AEB systems on heavy trucks and accompanying test procedures for measuring the performance of the AEB systems in NHTSA compliance testing.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	01/30/2023	

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## Federal Motor Carrier Safety Administration

### 51. Safety Fitness Procedures

**Popular Title:** Safety Fitness Procedures

**RIN 2126-AC52**

**Stage:** ANPRM

**Abstract:** FMCSA is seeking information on how the Agency might use data and resources more effectively to identify unfit motor carriers and to remove them from the Nation's roadways. FMCSA would seek public comment about the use of available safety data, including inspection data, in determining carrier fitness to operate. The Agency would also seek public input on possible changes to the current three-tier safety fitness rating structure. The action would also include a review of the list of Federal Motor Carrier Safety Regulations (FMCSRs) that the Agency uses in its safety fitness rating methodology.

**Dates for ANPRM:**

Action	Projected Publication Date	FR Cite
ANPRM	01/30/2023	

# Federal Railroad Administration

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## 52. Emergency Escape Breathing Apparatus

**Popular Title:** Emergency Escape Breathing Apparatus  
**RIN 2130-AC14**  
**Stage:** SNPRM

**Abstract:** Section 413 of the Rail Safety Improvement Act of 2008 (RSIA) requires the Secretary to prescribe regulations requiring railroads to provide an emergency escape breathing apparatus (EEBA), and training in its use, for all crew members in locomotive cabs on freight trains carrying poison-inhalation-hazard hazardous material and provide training in its use. In addition, the National Transportation Safety Board (NTSB) issued Safety Recommendation R-05-17 which recommended that FRA determine the most effective methods of providing EEBA for all crewmembers on freight trains carrying hazardous materials that would pose an inhalation hazard in the event of unintentional release, and then require railroads to provide those EEBA's, and training in their use, to their crewmembers. On October 5, 2010, FRA published an NPRM proposing to require railroads to implement the EEBA requirements of the RSIA. Based on the cost-benefit analysis in the NPRM, and the comments received in response to the NPRM, FRA issued a guidance document rather than a final rule. The railroads could use the guidance document to develop EEBA programs to protect railroad employees involved in transporting hazardous materials posing an inhalation hazard. However, NTSB did not find that the guidance document satisfied its recommendation, and the statutory mandate still remains. Given the open statutory mandate and the passage of time since the publication of the NPRM, FRA will issue a Supplemental Notice of Proposed Rulemaking to ensure it has the most up-to-date information concerning EEBA's.

**Dates for SNPRM:**

Action	Date	FR Cite
SNPRM	05/31/2023	

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Federal Railroad Administration

## 53. Locomotive Recording Devices

**Popular Title:** Locomotive Recording Devices  
**RIN 2130-AC51**  
**Stage:** Final Rule

**Abstract:** The FAST Act requires the Secretary to promulgate regulations requiring each railroad carrier that provides regularly scheduled intercity rail passenger or commuter rail passenger transportation to the public to install inward- and outward-facing image recording devices in all controlling locomotives of passenger trains. This rulemaking would require the installation of inward- and outward-facing locomotive video cameras on controlling locomotives of passenger trains. The recordings would be used to help determine the cause of railroad accidents and to prevent similar accidents.

They would also be used to ensure passenger railroad employee compliance with applicable Federal railroad safety regulations and railroad rules, particularly regulations prohibiting the use of personal electronic devices. This rulemaking attempts to fulfill NTSB recommendations urging FRA to adopt regulations requiring locomotive-mounted audio and video recording devices. FRA is requesting comments regarding whether audio recording devices should be required.

**Dates for Final Rule:**

Action	Date	FR Cite
Final Rule	01/31/2023	

**Federal Railroad Administration**

**54. Amendments to Brake System Safety Standards Governing Operations Using Electronic Air Brake Slip System**

**Popular Title:** Brakes III

**RIN** 2130-AC82

**Stage:** Undetermined

**Abstract:** This rulemaking proposes to amend FRA’s brake system safety standards to govern operations using the eABS system developed by AAR member railroads. This rulemaking would provide an alternative regulatory framework for railroads to utilize when choosing to use the eABS system, but the rulemaking would not require railroads to change their operations to use the system. The rulemaking would extend the distance individual rail cars may be moved without stopping for brake and mechanical inspections and tests if the cars have a valid eABS system record. The rulemaking also proposes to allow railroads to add multiple cars to a train or remove multiple cars from a train without conducting additional brake tests as currently required if the train is solely made up of cars with eABS records. Currently, FRA regulations restrict the location and manner in which cars may be added or removed to a train without triggering the requirement for additional brake tests.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

**Federal Railroad Administration**

**55. Railroad Noise Emission Compliance Regulations**

**Popular Title:** High Speed Rail Noise

**RIN 2130-AC83**

**Stage:** NPRM

**Abstract:** The Noise Control Act of 1972 requires EPA to promulgate regulations setting the standards for noise emissions from railroad equipment and facilities, and it requires FRA (as delegated by the Secretary) to enforce those standards. EPA's noise emission standards and FRA's compliance regulations for train operations were issued in the 1970s and are not suitable for high-speed train operations above 160 m.p.h. EPA and FRA anticipate any change for these higher-speed operations to be consistent with international practice. In the absence of a rule change, implementation of higher-speed train operations may be impractical and/or restricted to a limited number of market participants and types of technologies. Accordingly, FRA expects the rulemaking to be an enabling, deregulatory action.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	03/31/2023	

**Federal Railroad Administration**

**56. Train Crew Staffing**

**Popular Title:** Train Crew Staffing

**RIN 2130-AC88**

**Stage:** Final Rule

**Abstract:** This rulemaking would address the potential safety impact of one-person train operations, including appropriate measures to mitigate an accident's impact and severity, and the patchwork of State laws concerning minimum crew staffing requirements. This rulemaking would address the issue of minimum requirements for the size of different train crew staffs, depending on the type of operations.

**Dates for Final Rule:**

Action	Projected Publication Date	FR Cite
Final Rule	TBD	

**Federal Railroad Administration**

**57. Dispatcher Certification**

**Popular Title:** Dispatcher Certification

**RIN 2130-AC91**

**Stage:** NPRM

**Abstract:** This proposed rule would require railroads and railroad contractors to have a formal program for certifying dispatchers. As part of the program, railroads and railroad contractors would be required to have a formal process for training dispatchers and determining that all persons are competent before permitting them to serve as dispatchers. FRA is proposing this regulation to ensure that only those persons who meet minimum Federal safety standards serve as dispatchers, in order to reduce the rate and severity of accidents and incidents and to improve railroad safety.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	02/28/2023	

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**Federal Railroad Administration**

**58. Signal Employee Certification**

**Popular Title:** Signal Employee Certification

**RIN 2130-AC92**

**Stage:** NPRM

**Abstract:** This proposed rule would require railroads and railroad contractors to have a formal program for certifying signal employees. As part of the program, railroads and railroad contractors would be required to have a formal process for training signal employees and determining that all persons are competent before permitting them to serve as signal employees. FRA is proposing this regulation to ensure that only those persons who meet minimum Federal safety standards serve as signal employees, in order to reduce the rate and severity of accidents and incidents and to improve railroad safety.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	02/28/2023	

# Federal Transit Administration

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## 59. Buy America

RIN 2132-AB16

Stage: NPRM

**Abstract:** This rulemaking would amend 49 CFR Part 661 to incorporate changes made by MAP-21 and the Bipartisan Infrastructure Law and to make other updates and amendments.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	01/23/2023	

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## Federal Transit Administration

## 60. Rail Transit Roadway Worker Protection

**Popular Title:** Rail Transit Roadway Worker Protection

RIN 2132-AB41

Stage: NPRM

**E.O. 12866 Designation:** Not Significant

**Abstract:** This rule would establish minimum baseline standards and risk-based redundant protection requirements for Rail Transit Roadway Worker Protection (RWP). It would apply to rail fixed guideway public transportation systems, and State safety oversight agencies would oversee rail systems' implementation of the requirements. The purpose of this rulemaking is to reduce fatalities and serious injury events involving rail transit workers that occupy the rail roadway during hours of operation.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	04/19/2023	

## Federal Transit Administration

### 61. State Safety Oversight

**Popular Title:** State Safety Oversight

**RIN 2132-AB42**

**Stage:** NPRM

**E.O. 12866 Designation:** Not Significant

**Abstract:** This rulemaking will amend 49 CFR Part 674 to introduce changes to clarify State safety oversight agencies' (SSOA) oversight responsibilities, which will enhance the operation and efficiency of the FTA State Safety Oversight Program and reduce instances of noncompliance with Part 674. Topics of proposed changes include accident notifications and investigations, corrective action plans, annual safety status reports, FTA annual report submissions, allegation of noncompliance, and State safety oversight communications. In addition, the proposed rulemaking will incorporate the new requirement for State safety oversight agency authority to conduct inspections, as established in the Bipartisan Infrastructure Law, enacted as the Infrastructure Investment and Jobs Act.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	04/28/2023	

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## Federal Transit Administration

### 62. Public Transportation Safety Certification Training Program

**Popular Title:** Public Transportation Safety Certification Training Program

**RIN 2132-AB43**

**Stage:** NPRM

**E.O. 12866 Designation:** Not Significant

**Abstract:** This rulemaking will amend 49 CFR Part 672 to amend training course information, including course titles and hours, in Appendix A. This amendment will allow FTA to make changes to the training curriculum to reflect new requirements, including risk-based inspection and risk reduction programs, established for the Public Transportation Safety Program (49 U.S.C. 5329) through the Bipartisan Infrastructure Law, enacted as the Infrastructure Investment and Jobs Act.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	06/01/2023	



Federal Transit Administration

**63. Public Transportation Agency Safety Plans**

**Popular Title:** Public Transportation Agency Safety Plans

**RIN 2132-AB44**

**Stage:** NPRM

**Abstract:** This rulemaking will amend 49 CFR Part 673 to incorporate new requirements established for the Public Transportation Safety Program (49 U.S.C. 5329) through the Bipartisan Infrastructure Law, enacted as the Infrastructure Investment and Jobs Act. The Bipartisan Infrastructure Law requires recipients of section 5307 funds that serve urbanized areas with populations of 200,000 or more to undertake the following activities: Establish a Safety Committee, composed of representatives of frontline employees and management, that is responsible for identifying, recommending, and analyzing the effectiveness of risk-based mitigations or strategies to reduce consequences identified in the agencies' safety risk assessment. Develop, and add to their agency safety plan, a risk reduction program for transit operations to improve safety by reducing the number and rates of accidents, injuries, and assaults on transit workers based on data submitted to the national transit database. Set risk reduction performance targets using a three-year rolling average of the data submitted by the recipient to the National Transit Database.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	02/15/2023	

Federal Transit Administration

**64. Statewide and Nonmetropolitan and Metropolitan Transportation Planning**

**Popular Title:** None

**RIN 2132-AB45**

**Stage:** NPRM

**Abstract:** This joint rulemaking would amend the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) regulations for Statewide and Nonmetropolitan and Metropolitan Transportation Planning and Programming at 23 CFR Part 450. This rulemaking would: implement relevant requirements of the Infrastructure Investment and Jobs Act (Pub. L. 117-58, also known as the "Bipartisan Infrastructure Law"); consider allowing additional flexibility in the development and content of the Transportation Improvement Program/Statewide Transportation Improvement Program (TIP/STIP); and consider other revisions, including updates to the planning factors and plan requirements and changes to improve the transportation planning process.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	01/30/2023	

# National Highway Traffic Safety Administration

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## 65. Tire Fuel Efficiency Consumer Information - Part 2

**Popular Title:** Tire Fuel Efficiency Part 2 (DEREG)

**RIN** 2127-AK76

**Stage:** SNPRM

**Abstract:** This rulemaking would respond to requirements of the Energy Independence and Security Act of 2007 to establish a national tire fuel efficiency consumer information program for replacement tires designed for use on motor vehicles. On March 30, 2010, NHTSA published a final rule specifying the test procedures to be used to rate the performance of replacement passenger car tires for this new program (75 FR 15893). This rulemaking would address how this information would be made available to consumers.

**Dates for SNPRM:**

Action	Projected Publication Date	FR Cite
SNPRM	09/30/2022	

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## National Highway Traffic Safety Administration

## 66. Heavy Vehicle Speed Limiters

**Popular Title:** Heavy Vehicle Speed Limiters

**RIN** 2127-AK92

**Stage:** Undetermined

**Abstract:** This joint NHTSA and FMCSA rulemaking would respond to petitions from American Trucking Association and Roadsafe America to require the installation of speed limiting devices on heavy vehicles.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

**National Highway Traffic Safety Administration**

**67. Establish Side Impact Performance Requirements for Child Restraint Systems (MAP-21)**

**Popular Title:** Side Impact Test Procedure for CRS

**RIN 2127-AK95**

**Stage:** Final Rule

**Abstract:** This rulemaking, if finalized, would include side impact performance requirements, a side impact test procedure, and the use of a new side impact dummy in FMVSS No. 213, "Child restraint systems," to evaluate the performance of child restraint systems in side impacts. This rulemaking is mandated by MAP-21.

**Dates for Final Rule:**

Action	Publication Date	FR Cite
Final Rule	06/30/2022	87 FR 39234
Final Rule Effective Date	08/01/2022	

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**National Highway Traffic Safety Administration**

**68. FMVSS No. 218 and Enforcement Policy Concerning Novelty Helmets**

**Popular Title:** Novelty Helmets Enforcement

**RIN 2127-AL01**

**Stage:** Undetermined

**Abstract:** In the Fall of 2020, NHTSA announced its plan to withdraw its May 21, 2015, notice of proposed rulemaking to amend Federal Motor Vehicle Safety Standard FMVSS No. 218, Motorcycle helmets. This rulemaking proposed adding a definition of motorcycle helmet, adding preliminary screening requirements, and adding an alternate compliance process. NHTSA is considering potential next steps.

**Dates for Long-Term Actions:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

## National Highway Traffic Safety Administration

### 69. Consumer Information on Fuel Economy, Emissions, and Alternative Fuel Usage

**Popular Title:** Alternative Fuel Consumer Information

**RIN 2127-AL12**

**Stage:** Undetermined

**Abstract:** This rulemaking would as required by the Energy Independence and Security Act of 2007 (EISA) and promulgated under 49 U.S.C. § 32908(g), develop and implement a consumer information campaign to: (1) improve understanding of automobile performance related to fuel economy, greenhouse gas emissions, and other pollutant emissions; (2) inform consumers of the benefits of using alternative fuels and the location of alternative fueling stations; (3) and increase awareness of automotive thermal management technologies. This rulemaking is the third, and final, phase of consumer information initiatives required by EISA. The first phase promulgated new Fuel Economy and Environment labels for new automobiles and was finalized in May 2011 (2127-AK73). The second phase (2127-AK75), currently being developed, addresses EISA requirements to: affix a permanent and prominent display that identifies new automobiles that are capable of operating on alternative fuels; attach a label to the fuel tank filler compartment of alternative fuel vehicles; and include in the owner's manual for vehicles capable of operating on alternative fuels information describing the benefits of using alternative fuels, including their renewable nature and environmental benefits.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

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## National Highway Traffic Safety Administration

### 70. Rear Seat Belt Reminder System

**Popular Title:** Rear Seat Belt Reminder System

**RIN 2127-AL37**

**Stage:** NPRM

**Abstract:** This notice proposes to amend FMVSS No. 208, "Occupant crash protection," to require automobile manufacturers to install a seat belt reminder system for certain designated seating positions in passenger vehicles. This notice also responds in part to a petition for rulemaking submitted by Public Citizen and Advocates for Highway and Auto Safety, as well as MAP-21 requirements.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	05/30/2022	

**National Highway Traffic Safety Administration**

**71. Federal Motor Vehicle Safety Standard (FMVSS) 150 - Vehicle to Vehicle (V2V) Communication**

**Popular Title:** Vehicle to Vehicle (V2V) Communication

**RIN 2127-AL55**

**Stage:** Undetermined

**Abstract:** This rulemaking would require that all light vehicles be capable of V2V communication by use of on-board dedicated short-range radio communication (DSRC) devices, which would broadcast messages about a vehicle's speed, heading, brake status, and other information to other vehicles and receive the same information from the messages, with extended range and "line-of-sight" capabilities.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

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**National Highway Traffic Safety Administration**

**72. Retroreflective Tape and Underride Guards for Single Unit Trucks**

**Popular Title:** Retroreflective Tape for Single Unit Trucks

**RIN 2127-AL57**

**Stage:** Undetermined

**Abstract:** This July 2015 ANPRM requested comment on NHTSA's analysis of the costs and benefits of amending the FMVSS to single unit trucks (SUTs) either to be equipped with improved rear underride guards or with retroreflective tape to improve visibility to other drivers. NHTSA is considering potential next steps.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

**National Highway Traffic Safety Administration**

**73. Requirements for Importing Motor Vehicles and Motor Vehicle Equipment**

**Popular Title:** Importing Motor Vehicles and Equipment

**RIN 2127-AL61**

**Stage:** NPRM

**Abstract:** This rulemaking would propose requirements necessary to identify and track imported products by name and the manufacturer's address, and each retailer or distributor to which the manufacturer directly supplied motor vehicles or motor vehicle equipment.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	04/30/2023	

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**National Highway Traffic Safety Administration**

**74. 49 CFR Part 577 Defect and Noncompliance Notification**

**Popular Title:** Part 577 Defect and Noncompliance Notifications

**RIN 2127-AL66**

**Stage:** SNPRM

**Abstract:** This rulemaking, if finalized, would respond to Section 24104 of the FAST Act directing the Secretary to issue a rule requiring manufacturers "notification by electronic means in addition to notification by first class mail" to owners for defects and noncompliance of motor vehicles. MAP-21 allowed the Secretary discretion for the notification to be "in a manner other than, or in addition to, first class mail." MAP-21 also authorized the Secretary of Transportation to improve the efficacy of recalls by requiring manufacturers to send additional notifications of defects or noncompliance if a second notification by the manufacturer does not result in an adequate number of motor vehicles or replacement equipment being returned for remedy. 49 U.S.C. § 30119(e).

**Dates for SNPRM:**

Action	Projected Publication Date	FR Cite
SNPRM	08/30/2022	

National Highway Traffic Safety Administration

**75. Amend the Labeling Requirement for Visual Inspection of Compressed Natural Gas Fuel Containers Specified in FMVSS No. 304, Compressed Natural Gas Fuel Container Integrity**

**Popular Title:** Amend CNG Fuel Container Integrity (DEREG)

**RIN 2127-AL88**

**Stage:** Final Rule

**Abstract:** This action addresses the crashworthiness regulations that may be necessary to facilitate the certification of new vehicle designs equipped without driver controls.

**Dates for Final Rule:**

Action	Publication Date	FR Cite
Final Rule	02/11/2022	49 CFR 571

National Highway Traffic Safety Administration

**76. Pilot Program for Collaborative Research on Motor Vehicles with High or Full Driving Automation**

**Popular Title:** ADS Pilot Program

**RIN 2127-AL99**

**Stage:** ANPRM

**Abstract:** NHTSA plans to withdraw this rulemaking. Based on further agency analysis, the proposals discussed in the ANPRM may be considered in a NHTSA rulemaking titled "Expansion of Temporary Exemption Program to Domestic Manufacturers for Research, Demonstrations, and Other Purposes".

**Dates for ANPRM:**

Action	Projected Publication Date	FR Cite
Withdrawal	03/30/2022	

National Highway Traffic Safety Administration

**77. Facilitating New Automated Driving System Vehicle Designs for Crash Avoidance Testing**

**Popular Title:** Facilitating ADS Designs  
**RIN 2127-AM00**  
**Stage:** ANPRM

**Abstract:** This notice sought comment on crash avoidance test procedures to facilitate the safe introduction and certification of new vehicle designs equipped with automated driving systems. NHTSA is developing the appropriate analysis of requirements that are necessary to maintain existing levels of safety while enabling innovative vehicle designs and removing or modifying those requirements that would no longer be appropriate if a human driver will not be operating the vehicle.

**Dates for ANPRM:**

Action	Publication Date(s)	FR Cite
ANPRM	05/28/2019	84 FR 24433
ANPRM Comment Period End	07/29/2019	
ANPRM Comment Period End Extended	07/29/2019	84 FR 36563
Analyzing Comments	09/30/2022	
Next Action Undetermined	00/00/0000	

## National Highway Traffic Safety Administration

### 78. Occupant Protection for Automated Driving Systems

**Popular Title:** Occupant Protection for ADS  
**RIN 2127-AM06**  
**Stage:** Final Rule

**Abstract:** This action addresses the crashworthiness regulations that may be necessary to facilitate the certification of new vehicle designs equipped without driver controls.

**Dates for ANPRM:**

Action	Publication Date	FR Cite
Final Rule	03/30/2022	87 FR 18560
Final Rule Effective	09/26/2022	



**National Highway Traffic Safety Administration**

**79. Consideration for Telltales, Indicators and Warnings in Vehicles Equipped with Automated Driving Systems**

**Popular Title:** None

**RIN** 2127-AM07

**Stage:** Undetermined

**Abstract:** This notice seeks comments on amending the Federal motor vehicle safety standards to address the applicability and appropriateness of safety messaging (telltales, indicators, and warnings) in new vehicle designs without conventional driver controls.

**Dates for Undetermined:**

Action	Publication Date	FR Cite
Undetermined	00/00/0000	

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**National Highway Traffic Safety Administration**

**80. Framework for Automated Driving Systems Safety**

**Popular Title:** Safety Principles for Automated Driving Systems

**RIN** 2127-AM15

**Stage:** ANPRM

**Abstract:** This notice seeks comments on amending the Federal motor vehicle safety standards to address the applicability and appropriateness of safety messaging (telltales, indicators, and warnings) in new vehicle designs without conventional driver controls.

**Dates for ANPRM:**

Action	Publication Date(s)	FR Cite
ANPRM	12/03/2020	85 FR 78058
Comment Period Extended	01/29/2021	86 FR 7523
ANPRM Comment Period End	02/02/2021	
ANPRM Comment Period End Extended End	04/01/2021	
Analyzing Comments	11/30/2021	
Next Action Undetermined	00/00/0000	

**National Highway Traffic Safety Administration**

**81. Corporate Average Fuel Economy (CAFE) Civil Penalties**

**Popular Title:** CAFE Civil Penalties Effective Date

**RIN 2127-AM32**

**Stage:** Final Rule

**Abstract:** Pursuant to Executive Order 13990, this action reconsiders an interim final rule regarding the timing of an increase to the civil penalty rate applicable to automobile manufacturers that fail to meet applicable corporate average fuel economy (CAFE) standards

**Dates for Final Rule:**

Action	Publication Date	FR Cite
Final Rule	04/01/2022	87 FR 18994
Final Rule Effective Date	05/31/2022	

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**National Highway Traffic Safety Administration**

**82. Corporate Average Fuel Economy (CAFE) Preemption**

**Popular Title:** CAFE Preemption

**RIN 2127-AM33**

**Stage:** Final Rule

**Abstract:** This action would repeal of The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program, 84 FR 51310 (Sept. 27, 2019) ("SAFE I Rule").

**Dates for Final Rule :**

Action	Projected Publication Date	FR Cite
Final Rule	12/29/2021	86 FR 74236
Final Rule Effective Date	01/28/2022	

**National Highway Traffic Safety Administration**

**83. Passenger Car and Light Truck Corporate Average Fuel Economy Standards**

**Popular Title:** Passenger Car CAFE Standards

**RIN 2127-AM34**

**Stage:** Final Rule

**Abstract:** This notice will seek comment on a proposal to reconsider Corporate Average Fuel Economy (CAFE) standards for passenger cars and light trucks that were established in the agency's April 30, 2020 final rule.

**Dates for Final Rule :**

Action	Projected Publication Date	FR Cite
Final Rule	05/02/2022	87 FR 25710
Final Rule Effective Date	07/01/2022	

**National Highway Traffic Safety Administration**

**84. Heavy Vehicle Automatic Emergency Braking**

**Popular Title:** Heavy Vehicle AEB

**RIN 2127-AM36**

**Stage:** NPRM

**Abstract:** This notice will seek comments on a proposal to require and/or standardize equipment performance for automatic emergency braking on heavy trucks. The agency previously published a notice (80 FR 62487) on October 16, 2015, granting a petition for rulemaking submitted by the Truck Safety Coalition, the Center for Auto Safety, Advocates for Highway and Auto Safety, and Road Safe America (dated February 19, 2015), to establish a safety standard to require automatic forward collision avoidance and mitigation (FCAM) systems on certain heavy vehicles. For several years, NHTSA has researched forward collision avoidance and mitigation technology on heavy vehicles, including forward collision warning and automatic emergency braking systems. This rulemaking proposes test procedures for measuring performance of these systems.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	01/30/2023	

**National Highway Traffic Safety Administration**

**85. Light Vehicle Automatic Emergency Braking (AEB) with Pedestrian AEB**

**Popular Title:** Light Vehicle AEB and PAEB

**RIN 2127-AM37**

**Stage:** NPRM

**Abstract:** This notice will seek comment on a proposal to require and/or standardize performance for Light Vehicle Automatic Emergency Braking (AEB), including Pedestrian AEB (PAEB), on all newly manufactured light vehicles. A vehicle with AEB detects crash imminent situations in which the vehicle is moving forward towards another vehicle and/or a pedestrian, and automatically applies the brakes to prevent the crash from occurring, or to mitigate the severity of the crash. This rulemaking would set performance requirements and would specify a test procedure under which compliance with those requirements would be measured.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	12/30/2022	

**National Highway Traffic Safety Administration**

**86. Fuel Efficiency and Greenhouse Gas Standards for Medium- and Heavy-Duty Engines and Vehicles**

**Popular Title:** MDHD Fuel Efficiency Standards

**RIN 2127-AM39**

**Stage:** NPRM

**Abstract:** This notice addresses coordination between NHTSA and the Environmental Protection Agency related to fuel efficiency and greenhouse gas standards for medium and heavy-duty engines and vehicles.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	09/30/2022	

**National Highway Traffic Safety Administration**

**87. Rear Designated Seating Position Alert**

**Popular Title:** Rear Designated Seating Position Alert

**RIN 2127-AM49**

**Stage:** Undetermined

**Abstract:** This rulemaking is issued pursuant to a statutory mandate in the Bipartisan Infrastructure Law (BIL) to amend Federal Motor Vehicle Safety Standards to require a system to include a distinct auditory and visual alert, which may be combined with a haptic alert, and shall be activated when the vehicle motor is deactivated by the operator.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Undetermined	00/00/0000	

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**National Highway Traffic Safety Administration**

**88. Advanced Impaired Driving Technology**

**Popular Title:** Advanced Impaired Driving Technology

**RIN 2127-AM50**

**Stage:** Undetermined

**Abstract:** Pursuant to a statutory mandate in the Bipartisan Infrastructure Law, this rulemaking would prescribe a Federal Motor Vehicle Safety Standard to require passenger motor vehicles manufactured after the effective date of that standard to be equipped with advanced drunk and impaired driving prevention technology. This notice seeks public comment on how NHTSA could propose to set minimum performance requirements and specify a test procedure(s) under which compliance with any such requirements could be measured.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Undetermined	00/00/0000	

## National Highway Traffic Safety Administration

### 89. Light Vehicle CAFE Standards Beyond MY 2026

**Popular Title:** CAFE Standards Beyond MY 2026

**RIN 2127-AM55**

**Stage:** NPRM

**Abstract:** In response to Executive Order 14037, this notice proposes the next phase of NHTSA's corporate average fuel economy (CAFE) standards for passenger cars and light trucks.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	03/30/2023	

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## Office of the Secretary

### 90. Carrier-Supplied Medical Oxygen, Service Request Reporting, and Seating Accommodations with Extra Legroom

**Popular Title:** Medical Oxygen; Legroom; Accommodation Requests

**RIN 2105-AE12**

**Stage:** Undetermined

**Abstract:** This rulemaking would follow up on air travel accessibility issues discussed in the preamble of the 2008 Air Carrier Access Act (ACAA) final rule. This rulemaking would consider (1) whether carriers should be required to supply in-flight medical oxygen for a fee to passengers who require it to access air transportation; (2) whether carriers should be required to report to the Department annually the number of requests for disability assistance they receive; and (3) whether to broaden the scope of passengers with disabilities who must be afforded seats with extra leg room, and whether carriers should be required to provide seating accommodations with extra leg room in all classes of service. The issue of whether carriers should be required to provide accessible lavatories on single aisle aircraft has been transferred to RIN 2105-AE32. The topic of service animals is removed from this rulemaking action and will be addressed in a new rulemaking action under RIN 2105-AE63. (The issue of Accessibility of Web Sites and Automated Kiosks at U.S. Airports was addressed under RIN 2105-AD96.) This rulemaking would follow up on air travel accessibility issues discussed in the preamble of the 2008 Air Carrier Access Act (ACAA) final rule.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

Office of the Secretary

**91. Use of Mobile Wireless Devices for Voice Calls on Aircraft**

**Popular Title:** Mobile Wireless Devices

**RIN 2105-AE30**

**Stage:** Undetermined

**Abstract:** Abstract: Section 403 of the 2018 FAA Reauthorization Act requires DOT to issue regulations prohibiting passengers from engaging in voice communications using a mobile device onboard aircraft on scheduled passenger flights within the United States with limited exceptions. The Federal Communications Commission (FCC) has rules restricting airborne use of mobile devices that can operate on certain commercial mobile frequencies. However, the FCC does not prohibit voice calls over Wi-Fi. Also, many U.S. air carriers have the capability of allowing their passengers to make and receive voice calls in-flight over Wi-Fi though the Department is unaware of any U.S. carrier that permits voice calls. This rulemaking would implement the 2018 FAA Act by prohibiting airlines from allowing passengers to engage in voice communications using a mobile device onboard aircraft, regardless of whether the call is made on a commercial mobile frequency, Wi-Fi, or other means.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

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Office of the Secretary

**92. Accessible In-Flight Entertainment**

**Popular Title:** Accessible IFE

**RIN 2105-AE32**

**Stage:** Undetermined

**Abstract:** This rulemaking follows-up on an air travel accessibility issue discussed in the preamble of the 2008 Air Carrier Access Act (ACAA) final rule on whether carriers should be required to ensure that the same in-flight entertainment available to all passengers is accessible to passengers with disabilities. In 2016, a DOT negotiated rulemaking committee reached consensus on both in-flight entertainment and accessible lavatories. The topic of accessible lavatories on single-aisle aircraft was removed from RIN 2105-AE12 and was addressed in a separate rulemaking action under RIN 2105-AE88 and RIN 2105-AE89. The topic of service animals was removed from RIN 2105-AE12 and was addressed in a separate rulemaking action under RIN 2105-AE63.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

Office of the Secretary

**93. Air Transportation Consumer Protection Requirements for Ticket Agents**

**Popular Title:** Consumer Protection Reqs: Air Transp. Ticket Agent

**RIN 2105-AE57**

**Stage:** Undetermined

**Abstract:** This rulemaking would address a number of proposals to enhance protections for air travelers and to improve the air travel environment. Specifically, this rulemaking would enhance airline passenger protections by addressing whether to codify in regulation a definition of the term "ticket agent." The rulemaking would also consider whether to require large travel agents to adopt minimum customer service standards and prohibit the unfair and deceptive practice of post-purchase price increases. These issues, previously part of a rulemaking known as Airline Pricing Transparency and Other Consumer Protection Issues, (2105-AE11) have been separated into this proceeding.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

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Office of the Secretary

**94. Processing Buy America and Buy American Waivers Based on Nonavailability**

**Popular Title:** Buy America(n) Nonavailability Waivers

**RIN 2105-AE79**

**Stage:** NPRM

**Abstract:** This rule will establish the applicable regulatory standard for waivers from the Buy America requirement on the basis that a product or item is not manufactured in the United States meeting the applicable Buy America requirement. This standard will require the use of items and products with the maximum known amount of domestic content. The rule will also establish the required information, which is expected to be consistent across the Department, the applicants must provide in applying for such waivers.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	09/04/2022	



Office of the Secretary

**95. Accessible Lavatories on Single-Aisle Aircraft**

**Popular Title:** Accessible Lavatories on Single-Aisle Aircraft

**RIN 2105-AE89**

**Stage:** Final Rule

**Abstract:** This rulemaking would require that airlines make lavatories on new single-aisle aircraft large enough, equivalent to that currently found on twin-aisle aircraft, to permit a passenger with a disability (with the help of an assistant, if necessary) to approach, enter, and maneuver within the aircraft lavatory as necessary to use all lavatory facilities and leave by means of the aircraft's on-board wheelchair. This rulemaking also addressed the topic of whether airlines should be required to take steps to improve the accessibility of lavatories on single-aisle aircraft short of increasing the size of the lavatories that was transferred from RIN 2105-AE88. The rulemaking would ensure the accessibility of features within an aircraft lavatory, including but not limited to, toilet seat, assist handles, faucets, flush control, attendant call buttons, lavatory controls and dispensers, lavatory door sill, and door locks. The rulemaking would also consider standards for the on-board wheelchair to improve its safety/maneuverability and easily permit its entry into the aircraft lavatory.

**Dates for Final Rule:**

Action	Publication Date	FR Cite
Final Rule	04/10/2023	

Office of the Secretary

**96. Procedures for Considering Environmental Impacts**

**Popular Title:** NEPA Procedures

**RIN 2105-AE97**

**Stage:** Undetermined

**Abstract:** This rulemaking would update the U.S. Department of Transportation's procedures implementing the National Environmental Policy Act (NEPA), which requires agencies to consider the environmental impacts of proposed major Federal actions. The Department last updated its procedures in 1985. This rulemaking would make DOT's environmental review process more efficient and effective.

**Dates for Undetermined:**

Action	Projected Publication Date	FR Cite
Next Action Undetermined	00/00/0000	

Office of the Secretary

**97. Airline Ticket Refunds and Consumer Protections**

**Popular Title:** Airline Ticket Refunds

**RIN 2105-AF04**

**Stage:** NPRM

**Abstract:** The Department of Transportation has consistently interpreted 49 U.S.C. 41712, which prohibits U.S. air carriers, foreign air carriers, and ticket agents from engaging in unfair practices in the sale of air transportation, to require carriers and ticket agents to provide requested refunds to passengers when a carrier cancels or significantly changes a flight to, from, or within the United States. This rulemaking would clarify that, under the Department's rule requiring airlines to provide prompt refunds when ticket refunds are due and its rule requiring ticket agents to make refunds promptly when service cannot be performed as contracted, carriers and ticket agents must provide prompt ticket refunds to passengers when a carrier cancels or makes a significant change to a flight. This rulemaking would define cancellation and significant change, including addressing whether new itineraries involving delays of a certain length or additional stops constitute a significant change requiring a refund. This rulemaking would also address protections for consumers who are unable to travel due to government restrictions.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	08/22/2022	
NPRM Comment Period End	11/22/2022	

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Office of the Secretary

**98. Equitable Access to Transit Facilities**

**Popular Title:** Equitable Transit

**RIN 2105-AF07**

**Stage:** Long-Term Action

**Abstract:** This rulemaking would explore the following revisions to minimum guidelines for accessibility for buildings and facilities: (1) secondary elevators to improve the reliability of access to stations and facilities for persons unable to negotiate stairs or escalators; (2) improvements in wayfinding that would benefit all riders, but particularly those who are blind, have low vision, have cognitive disabilities, or are neurodiverse, and are prevented from otherwise navigating the system independently; and (3) induction loops that would bring clarity to announcements and emergency instructions to people who are deaf or hard of hearing.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	03/14/2023	

Office of the Secretary

**99. Transportation for Individuals with Disabilities; Service Animals and Technical Corrections**

**Popular Title:** ADA Service Animals

**RIN 2105-AF08**

**Stage:** NPRM

**Abstract:** This rulemaking updates the definition of service animal under 49 C.F.R. 37.3 to ensure consistency across Federal regulations. The current definition leaves transportation modes other than air transportation subject to accommodating unusual service animals, such as reptiles and primates. The updated definition would be consistent with that applicable to air transportation and other industries. The rulemaking would also make a number of technical corrections needed to amend or remove outdated regulatory provisions.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	11/11/2022	

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Office of the Secretary

**100. Transportation for Individuals with Disabilities; Adoption of Accessibility Standards for Buses and Vans**

**Popular Title:** Bus and Van ADA Standards

**RIN 2105-AF09**

**Stage:** NPRM

**Abstract:** This rulemaking would adopt the Access Board's updated accessibility guidelines for buses and vans at 36 C.F.R. Part 1192.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	04/18/2023	

Office of the Secretary

**101. Enhancing Transparency of Airline Ancillary Service Fees**

**Popular Title:** Transparency of Airline Ancillary Fees

**RIN 2105-AF10**

**Stage:** NPRM

**Abstract:** This rulemaking would amend DOT's aviation consumer protection regulations to ensure that consumers have ancillary fee information, including "baggage fees," "change fees," "cancellation fees," and seat fees that impact families traveling with children at the time of ticket purchase. This rulemaking would also examine whether fees for certain ancillary services should be disclosed at the first point in a search process where a fare is listed. This rulemaking implements section 5, paragraph (m)(i)(F) of Executive Order 14036 on Promoting Competition in the American Economy, which directs the Department to better protect consumers and improve competition.

**Dates for NPRM:**

Action	Publication Date	FR Cite
NPRM	10/28/2022	

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Office of the Secretary

**102. Periodic Reviews of Basic Essential Air Service Levels**

**Popular Title:** None

**RIN 2105-AF13**

**Stage:** NPRM

**Abstract:** This rulemaking would align the Departments regulations for periodic review of levels of basic essential air service (EAS) for eligible communities with its current practices. The original process for periodic reviews, established in 1985, involves a paper-based questionnaire process that is no longer practical in light of current technology and EAS program practices, as well as a subsequent statutory amendment that established minimum level of service requirements. Currently, the EAS program periodically reviews EAS service at eligible communities through its air carrier selection process, as well as direct contact with the communities by email, telephone, and on-site visits. This ongoing interaction with eligible communities is more effective than the protracted, static, and antiquated paper-based questionnaire process in DOT's regulations. This rulemaking would update DOT's regulations to incorporate the more modern and effective process for periodic reviews.

**Dates for NPRM:**

Action	Publication Date	FR Cite
NPRM	03/23/2023	

Office of the Secretary

**103. Ensuring Safe Accommodations for Air Travelers with Disabilities Using Wheelchairs**

**Popular Title:** Wheelchair Safety

**RIN 2105-AF14**

**Stage:** NPRM

**Abstract:** This rulemaking would amend 14 CFR Part 382 to enhance the safety of air travel for individuals with disabilities who use wheelchairs. Specifically, this rulemaking would (1) clarify that an airline's current regulatory obligation to provide individuals with disabilities connecting, enplaning, and deplaning assistance, upon request, inherently includes the obligation that the assistance provided be "safe;" (2) make airline mishandling of assistive devices a per se regulatory violation subject to administrative penalties; and, (3) require airlines to provide hands-on training to their employees and contractors who physically assist passengers with mobility disabilities or handle battery-powered wheelchairs or scooters.

**Dates for NPRM:**

Action	Publication Date	FR Cite
NPRM	02/06/2023	

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Pipeline and Hazardous Materials Safety Administration

**104. Hazardous Materials: Enhanced Safety Provisions for Lithium Batteries Transported by Aircraft (FAA Reauthorization Act of 2018)**

**Popular Title:** OHMS: Revised Lithium Battery Provisions by Air

**RIN 2137-AF20**

**Stage:** Final Rule

**Abstract:** This rulemaking amends the Hazardous Materials Regulations (HMR) to (1) prohibit the transport of lithium ion cells and batteries as cargo on passenger aircraft; (2) require all lithium ion cells and batteries to be shipped at not more than a 30 percent state of charge on cargo-only aircraft; and (3) limit the use of alternative provisions for small lithium cell or battery to one package per consignment. The amendments do not restrict passengers or crew members from bringing personal items or electronic devices containing lithium cells or batteries aboard aircraft or restrict the air transport of lithium ion cells or batteries when packed with or contained in equipment. To accommodate persons in areas potentially not serviced daily by cargo aircraft, PHMSA provides a limited exception for not more than two replacement lithium cells or batteries specifically used for medical devices to be transported by passenger aircraft and at a state of charge greater than 30 percent, under certain conditions and as approved by the Associate Administrator. This rulemaking is necessary to meet the FAA Reauthorization Act of 2018, address a safety hazard, and harmonize the HMR with emergency amendments to the 2015-2016 edition of the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air.

**Dates for Final Rule:**

Action	Projected Publication Date	FR Cite
Final Rule	01/30/2023	

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**Pipeline and Hazardous Materials Safety Administration**

**105. Hazardous Materials: FAST Act Requirements for Real-Time Train Consist Information by Rail**

**Popular Title:** OHMS: FAST Act for Real-Time Train Consist Info

**RIN 2137-AF21**

**Stage:** NPRM

**Abstract:** This rulemaking action responds to the Fixing America's Surface Transportation (FAST) Act of 2015, which directs the Secretary of Transportation to require Class I railroads that transport hazardous materials to generate accurate, real-time, and electronic train consist information. The Infrastructure Investment and Jobs Act of 2021 amended Section 7302 of the FAST Act to remove the provision requiring railroads to provide electronic train consist information to fusion centers and instead require the electronic train consist information be provided to emergency response officials responding to or investigating an incident involving the transportation of hazardous materials by rail. Finally, the amended language instructs the Secretary of Transportation to issue these regulations no later than December 5, 2022.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	02/27/2023	

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**Pipeline and Hazardous Materials Safety Administration**

**106. Pipeline Safety: Class Location Requirements**

**Popular Title:** OPS: Class Location Requirements

**RIN 2137-AF29**

**Stage:** Final Rule

**Abstract:** This rulemaking action would address class location requirements for natural gas transmission pipelines, specifically as they pertain to actions operators are required to take following class location changes due to population growth near the pipeline. Operators have suggested that performing integrity management measures on pipelines where class locations have changed due to population increases would be an equally safe but less costly alternative to the current requirements of either reducing pressure, pressure testing, or replacing pipe.

**Dates for Final Rule:**

Action	Publication/Projected Date(s)	FR Cite
Final Rule	06/19/2023	

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## Pipeline and Hazardous Materials Safety Administration

### 107. Pipeline Safety: Coastal Ecological Unusually Sensitive Areas

**Popular Title:** OPS: Coastal Ecological Unusually Sensitive Areas

**RIN** 2137-AF31

**Stage:** Final Rule

**Abstract:** As mandated by section 120 of the Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020 (Pub. L. 116-260) and section 19 of the PIPES Act of 2016 (Pub. L. 114-183), PHMSA will amend the definition of unusually sensitive area (USA) to explicitly include the Great Lakes, coastal beaches, and certain coastal waters as USA ecological resources for the purposes of determining whether a pipeline is in a high consequence area (HCA), as defined by 49 CFR 195.450. A hazardous liquid pipeline that could affect these newly-designated areas must be included in an operators' integrity management program.

**Dates for Final Rule:**

Action	Publication Date	FR Cite
Interim Final Rule	12/27/2021	86 FR 73173
Comment Period Ends	02/25/2022	
Effective Date	02/25/2022	
Final Rule	03/01/2023	

Pipeline and Hazardous Materials Safety Administration

**108. Pipeline Safety: Oil Spill Response Plans, Accident Notifications, Inspections and Investigations and other Miscellaneous Pipeline Safety Changes**

**Popular Title:** OPS: OSRP amendments and more

**RIN 2137-AF37**

**Stage:** SNPRM

**Abstract:** This rulemaking would amend Federal Pipeline Safety Regulations for the safety of hazardous liquid pipelines by revising the requirements for facility response plans, revising the definition for accidents, and considering the repeal, replacement, or modification of other specific regulations. The intent of these changes is to reduce unnecessary regulatory burdens and improve regulatory clarity without compromising safety and environmental protection.

**Dates for SNPRM:**

Action	Projected Publication Date	FR Cite
SNPRM	06/30/2023	

Pipeline and Hazardous Materials Safety Administration

**109. Pipeline Safety: Safety of Gas Transmission Pipelines, Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change and Other**

**Popular Title:** OPS:Safety of Gas Transmission Pipelines: IM Impr.

**RIN 2137-AF39**

**Stage:** Final Rule

**Abstract:** This rulemaking would amend the pipeline safety regulations relevant to gas transmission pipelines by adjusting the repair criteria in high consequence areas and creating new criteria for non-high consequence areas, requiring the inspection of pipelines following extreme events, requiring safety features on in-line inspection tool launchers and receivers, updating and bolstering pipeline corrosion control, codifying a management of change process, clarifying certain integrity management provisions, and strengthening integrity management assessment requirements.

**Dates for Final Rule:**

Action	Publication Date	FR Cite
Final Rule	08/24/2022	87 FR 52224



Pipeline and Hazardous Materials Safety Administration

**110. Hazardous Materials: Advancing Safety of Highway, Rail, and Vessel Transportation**

**Popular Title:** OHMS: Modal Safety Advancements

**RIN 2137-AF41**

**Stage:** NPRM

**Abstract:** This rulemaking would amend the Hazardous Materials Regulations to adopt a number of modal specific amendments that would enhance the safe transportation of hazardous materials. PHMSA, in consultation with the Federal Motor Carrier Safety Administration, the Federal Railroad Administration, and the United States Coast Guard, proposes amendments identified during Departmental review and from industry petitions for rulemaking.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	02/13/2023	

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Pipeline and Hazardous Materials Safety Administration

**111. Pipeline Safety: Amendments to Liquefied Natural Gas Facilities**

**Popular Title:** OPS: Liquefied Natural Gas

**RIN 2137-AF45**

**Stage:** NPRM

**Abstract:** This rulemaking would update incorporated industry standards and revise all subparts of part 193 as needed. These updates to part 193 would address the risks associated with today's liquefied natural gas facilities, including permanent, small scale liquefied natural gas pipeline facilities as required by section 27 of the PIPES Act of 2016. These updates would also address section 110 of the PIPES Act of 2020 regarding operating and maintenance standards.

**Dates for NPRM:**

Action	Projected Publication Date(s)	FR Cite
NPRM	05/05/2023	

## Pipeline and Hazardous Materials Safety Administration

### 112. Pipeline Safety: Gas Pipeline Leak Detection and Repair

**Popular Title:** OPS: Gas Pipeline Leak Detection and Repair

**RIN 2137-AF51**

**Stage:** NPRM

**Abstract:** This rulemaking would amend the pipeline safety regulations to enhance requirements for detecting and repairing leaks on new and existing natural gas distribution, gas transmission, and gas gathering pipelines. The proposed rule is necessary to respond to a mandate from Section 113 of the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	03/31/2023	

## Pipeline and Hazardous Materials Safety Administration

### 113. Pipeline Safety: Pipeline Operational Status

**Popular Title:** OPS: Pipeline Operational Status

**RIN 2137-AF52**

**Stage:** Long-Term Actions

**Abstract:** This rulemaking would amend the pipeline safety regulations to define an idled operational status for natural gas and hazardous liquid pipelines that are temporarily removed from service, set operations and maintenance requirements for idled pipelines, and establish inspection requirements for idled pipelines that are returned to service. The proposed rule is necessary to respond to a mandate from the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	04/14/2023	

## Pipeline and Hazardous Materials Safety Administration

### **114. Pipeline Safety: Safety of Gas Distribution Pipelines and Other Pipeline Safety Initiatives**

**Popular Title:** Safety of Gas Distribution Pipelines and Other

**RIN 2137-AF53**

**Stage:** NPRM

**Abstract:** This rulemaking would amend the pipeline safety regulations to enhance the safety requirements for gas distribution pipelines. The proposed rule is necessary to respond to several mandates from Title II of the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020 (PIPES Act of 2020).

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	03/31/2023	

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## Pipeline and Hazardous Materials Safety Administration

### **115. Hazardous Materials: Improving the Safety of Transporting Liquefied Natural Gas**

**Popular Title:** OHMS: Improve Safety of LNG

**RIN 2137-AF54**

**Stage:** NPRM

**Abstract:** This rulemaking would amend the Hazardous Materials Regulations governing transportation of liquefied natural gas (LNG) in rail tank cars. This rulemaking action would incorporate the results of ongoing research efforts and collaboration with other Department of Transportation Operating Administrations and external technical experts; respond to a mandate in Executive Order 13990 for PHMSA to review recent actions that could be obstacles to Administration policies promoting public health and safety, the environment, climate change mitigation; and provide an opportunity for stakeholders to contribute their perspectives on rail transportation of LNG.

**Dates for NPRM:**

Action	Projected Publication Date	FR Cite
NPRM	03/20/2023	

Pipeline and Hazardous Materials Safety Administration

**116. Hazardous Materials: Suspension of HMR Amendments Authorizing Transportation of Liquefied Natural Gas by Rail**

**Popular Title:** OHMS: Suspension of LNG by Rail

**RIN 2137-AF55**

**Stage:** Final Rule

**Abstract:** PHMSA proposes to amend the Hazardous Materials Regulations (HMR) to suspend authorization of liquefied natural gas (LNG) transportation by rail pending completion of the companion rulemaking under RIN 2137-AF54.

**Dates for Final Rule:**

Action	Publication Date	FR Cite
NPRM	11/08/2021	86 FR 61731
NPRM Comment Period End	12/23/2021	
Final Rule	03/13/2023	

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Pipeline and Hazardous Materials Safety Administration

**117. Pipeline Safety – Safety of Carbon Dioxide Pipelines**

**Popular Title:** Carbon Dioxide Pipelines

**RIN 2137-AF60**

**Stage:** NPRM

**Abstract:** This Proposed rulemaking would amend PHMSA's Pipeline Safety Regulations (49 CFR parts 190-199) to adopt revisions that would enhance the safe transportation of carbon dioxide by pipelines to accommodate an anticipated increase in the number of carbon dioxide pipelines and volume of carbon dioxide transported. Also, this proposed rulemaking would include requirements related to emergency preparedness and response for carbon dioxide.

**Dates for NPRM:**

Action	Publication Date	FR Cite
NPRM	10/00/2024	