

# Report on DOT Significant Rulemakings

352 page views

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## Federal Aviation Administration

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Federal Aviation Administration

1. **Qualification, Service, and Use of Crewmembers and Aircraft Dispatchers** Red

**Popular Title:** Part 121, Subparts N and O

**RIN 2120-AJ00**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 01/12/2009;End of Comment Period 05/12/2009; Extension of Comment Period 04/20/2009;End of Extended of Comment Period 08/10/2009. SNPRM: Publication Date 05/20/2011;End of Comment Period 07/19/2011;Extension of Comment Period 06/23/2011;End of Extended of Comment Period 09/19/2011.

**Abstract:** This rulemaking would amend the regulations for crewmember and dispatcher training programs in domestic, flag, and supplemental operations. The rulemaking would enhance traditional training programs by requiring the use of flight simulation training devices for flight crewmembers and including additional training requirements in areas that

are critical to safety. The rulemaking would also reorganize and revise the qualification and training requirements. The changes are intended to contribute significantly to reducing aviation accidents.

**Effects:**

Information Collection

**Prompting action:** None

**Legal Deadline:** Final rule : 01/19/2013

**Rulemaking Project Initiated:** 03/12/1999

**Docket Number:** FAA-2008-0677

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/03/2013		
To OMB	07/05/2013		
OMB Clearance	10/04/2013		
Publication Date	10/21/2013		

**Explanation for any delay:** N/A

**Federal Register Citation for Final Rule:** None

Federal Aviation Administration

2. **Supercooled Large Droplet Icing Conditions** Red

**Popular Title:** Supercooled Large Droplet Icing Conditions

**RIN 2120-AJ34**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 6/29/2010; End of Comment Period 08/30/2010; Publication of Extended Comment Period 08/16/2010; End of Extended Comment Period 9/29/2010.

**Abstract:** This rulemaking would amend the airworthiness standards applicable to certain transport category airplanes certificated for flight in icing conditions and the icing airworthiness standards applicable to certain aircraft engines. The rulemaking would improve safety by addressing supercooled large drop icing conditions for transport category airplanes most affected by supercooled large drop icing conditions, mixed phase and ice crystal conditions for all transport category airplanes, and supercooled large drop, mixed phase, and ice crystal icing conditions for all turbine engines. This rulemaking is the result of information gathered from a review of icing accidents and incidents.

**Effects:**

EU  
NAFTA  
Foreign

**Prompting action:** None

**Legal Deadline:** Final Rule : 11/29/2012

**Rulemaking Project Initiated:** 02/04/2008

**Docket Number:** FAA-2010-0636

**Dates for Final Rule:**

Milestone	Originally Scheduled	New Projected	Actual Date

	Date	Date	
To OST	09/20/2011	11/02/2012	
To OMB	10/21/2011	12/03/2012	
OMB Clearance	01/20/2012	03/04/2013	
Publication Date	02/06/2012	03/21/2013	

**Explanation for any delay:** Other, higher priorities

**Federal Register Citation for Final Rule:** None

Federal Aviation Administration

3. **Airport Safety Management System** Red

**Popular Title:** Airport SMS

**RIN 2120-AJ38**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 10/07/2010; End of Comment Period 01/05/2011; Extension of Comment Period 12/10/2010; End of Extended of Comment Period 03/07/2011; Extension of Comment Period 03/07/2011; End of Extended of Comment Period 07/05/2011.

**Abstract:** This rulemaking would require airport operators to institute a safety management system at their airports. This action is necessary to improve safety through conformance with best practices in risk management and promote international harmonization with ICAO standards. The rule is intended to facilitate integration of formal risk management processes within the airport's day-to-day operations.

**Effects:**

Information Collection  
Peer Review

**Prompting action:** None

**Legal Deadline:** Final rule : 11/05/2012

**Rulemaking Project Initiated:** 07/22/2008

**Docket Number:** FAA-2010-0997

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/13/2012		
To OMB	01/14/2013		
OMB Clearance	04/15/2013		
Publication Date	04/29/2013		

**Explanation for any delay:** N/A

**Federal Register Citation for Final Rule:** None

Federal Aviation Administration

4. **Photo Requirements for Pilot Certificates** Red

**Popular Title:** Photo Requirements

**RIN 2120-AJ42**

**Stage:** Undetermined

**Previous Stage:** NPRM: Publication Date 11/19/2010; End of Comment Period 02/17/2011

**Abstract:** This rulemaking would require digital photos on all pilot certificates. This action is necessary to update regulations about pilot plastic certificates. The intended effect of this action is to meet all requirements of the Intelligence Reform and Terrorism Prevention Act. Since the close of the comment period, FAA reauthorization was passed. Sec. 321 of P.L. 112-95 imposes additional requirements for the issuance of improved pilot certificates. The FAA is currently evaluating this rulemaking in light of these requirements.

**Effects:**

Information Collection  
Privacy

**Prompting action:** Statute

**Legal Deadline:** NPRM : 06/17/2012

**Rulemaking Project Initiated:** 09/30/2008

**Docket Number:** FAA-2010-1127

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** Other, higher priorities

**Federal Register Citation for Undetermined:** None

Federal Aviation Administration

5.	<b>Air Ambulance and Commercial Helicopter Operations; Safety Initiatives and Miscellaneous Amendments</b>	Red
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**Popular Title:** Helicopter Safety Initiatives and Misc Amendments

**RIN 2120-AJ53**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 10/12/2010; End of Comment Period 01/01/2011.

**Abstract:** This rulemaking would change equipment and operating requirements for commercial helicopter operations, including many specifically for helicopter air ambulance operations. This rulemaking is necessary to increase crew, passenger, and patient safety. The intended effect is to implement National Transportation Safety Board, Aviation Rulemaking Committee, and internal FAA recommendations.

**Effects:**

None

**Prompting action:** Statute

**Legal Deadline:** 49 U.S.C. 44730(b), as enacted under P.L. 112-95, sec. 306(b) (Feb. 14, 2012), requires issuance of final rule by 6/1/2012 : 06/01/2012  
Final rule : 05/10/2012

**Rulemaking Project Initiated:** 04/15/2009

**Docket Number:** FAA-2010-0982

**Dates for Final Rule:**

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Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	01/04/2012	04/03/2012	04/03/2012
To OMB	02/06/2012	09/10/2012	
OMB Clearance	05/03/2012	12/10/2012	
Publication Date	05/21/2012	12/27/2012	

**Explanation for any delay:** N/A

**Federal Register Citation for Final Rule:** None

Federal Aviation Administration

6. **Operation and Certification of Small Unmanned Aircraft Systems (sUAS)** Red

**Popular Title:** Small Unmanned Aircraft

**RIN 2120-AJ60**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would enable small unmanned aircraft to safely operate in limited portions of the national airspace system (NAS). This action is necessary because it addresses the novel legal or policy issues about the minimum safety parameters for operating recreational remote control model and toy aircraft in the NAS. The intended effect of this action is to develop requirements and standards to ensure that risks are adequately mitigated, such that safety is maintained for the entire aviation community.

**Effects:**

Regulatory Flexibility Act  
Information Collection

**Prompting action:** Statute

**Legal Deadline:** Pub. L. 112-95, sec. 332(b) requires issuance of final rule 18 months after integration plan is submitted to Congress. Integration plan is due Feb. 14, 2013, thus final rule must be issued by 8/14/2014. : 08/14/2014

**Rulemaking Project Initiated:** 07/28/2009

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	01/24/2011	09/02/2011	08/29/2011
Returned to Mode			12/27/2011
Resent to OST		12/30/2011	12/30/2011
To OMB	02/03/2011	06/18/2012	
OMB Clearance	03/07/2011	09/18/2012	
Publication Date	03/10/2011	10/02/2012	
End of Comment Period	07/14/2011	01/02/2013	

**Explanation for any delay:** Unanticipated issues requiring further analysis

**Federal Register Citation for NPRM:** None

Federal Aviation Administration

**Pilot Certification and Qualification Requirements (formerly First Officer)** Red

7. **Qualification Requirements) (HR 5900)**

**Popular Title:** Pilot Certification and Qualification Requirements

**RIN 2120-AJ67**

**Stage:** Final Rule

**Previous Stage:** ANPRM: Publication Date 02/08/2010; End of Comment Period 04/09/2010. NPRM: Publication Date 02/29/2012; Comment Period Closed 04/30/2012.

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

**Effects:**

Regulatory Flexibility Act

**Prompting action:** Statute

**Legal Deadline:** NPRM : 01/28/2011

**Rulemaking Project Initiated:** 10/20/2009

**Docket Number:** FAA-2010-0100

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/31/2012		
To OMB	01/31/2013		
OMB Clearance	05/02/2013		
Publication Date	05/17/2013		

**Explanation for any delay:** N/A

**Federal Register Citation for Final Rule:** None

Federal Aviation Administration

8. **Prohibition Against Certain Flights Within the Territory and Airspace of Afghanistan** Red

**Popular Title:** Afghanistan SFAR

**RIN 2120-AJ69**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 05/26/2010;End of Comment Period 06/10/2010.

**Abstract:** This rulemaking would prohibit flight operations below flight level (FL) 160 within the territory and airspace of Afghanistan by all: U.S. air carriers; U.S. commercial operators; persons exercising the privileges of a U.S. airman certificate, except if the flight is on behalf of a foreign air carrier; and operators of U.S.-registered aircraft, except when such operators are foreign air carriers. The FAA finds this action necessary to prevent a potential hazard to persons and aircraft engaged in such flight operations.

**Effects:**

Foreign

**Prompting action:** Secretarial/Head of Operating Administration Decision

**Legal Deadline:** NPRM : 06/10/2011



**Rulemaking Project Initiated:** 01/08/2010

**Docket Number:**

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/07/2010	03/25/2011	03/21/2011
To OMB	09/14/2010	04/26/2011	05/17/2011
Withdrawn from OMB			07/12/2012
OMB Clearance	09/21/2010	03/09/2012	
Publication Date	09/30/2010	03/23/2012	

**Explanation for any delay:** Unanticipated issues requiring further analysis

**Federal Register Citation for Final Rule:** None

Federal Aviation Administration

9. **Requirement for Wildlife Assessments at Certificated Airports** Red

**Popular Title:** Wildlife Hazard Assessment (WHA)

**RIN 2120-AJ71**

**Stage:** Undetermined

**Previous Stage:**None

**Abstract:** This rulemaking would require a Wildlife Hazard Assessment (scientific evaluation of wildlife populations and their attractants) for certificated airports. This rulemaking would also require periodic completion of a wildlife hazard assessment, or continuous wildlife monitoring as an alternative to the assessment, and clarify requirements for those conducting an assessment. This rulemaking is intended to decrease direct hazards (animals striking aircraft) and indirect hazards (animal burrowing and nesting in or near aircraft or aircraft operations areas).

**Effects:**

None

**Prompting action:** Secretarial/Head of Operating Administration Decision

**Legal Deadline:** None

**Rulemaking Project Initiated:** 03/02/2010

**Docket Number:**

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** Unanticipated issues requiring further analysis

**Federal Register Citation for Undetermined:** None

Federal Aviation Administration



10. **Regulation Of Flight Operations Conducted By Alaska Guide Pilots** Red**Popular Title:** Alaska Guide Pilots**RIN 2120-AJ78****Stage:** Undetermined**Previous Stage:**None

**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.

**Effects:**

Information Collection

**Prompting action:** Statute**Legal Deadline:** None**Rulemaking Project Initiated:** 05/04/2010**Docket Number:****Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** Other, higher priorities**Federal Register Citation for Undetermined:** None

Federal Aviation Administration

11. **Air Carrier Maintenance Training Program** Red**Popular Title:** Air Carrier Maintenance Training**RIN 2120-AJ79****Stage:** Undetermined**Previous Stage:**None

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

**Effects:**

None

**Prompting action:** Statute**Legal Deadline:** Final Rule : 09/26/2012**Rulemaking Project Initiated:** 10/28/2008

**Docket Number:**

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** Other, higher priorities

**Federal Register Citation for Undetermined:** None

Federal Aviation Administration

12. **Installed Systems And Equipment for Use by the Flight Crew** Black

**Popular Title:** Installed Systems And Equipment

**RIN 2120-AJ83**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 02/03/2011; End of Comment Period 04/04/2011.

**Abstract:** This rulemaking would amend design requirements in the airworthiness standards for transport category airplanes in an effort to minimize the occurrence of design-related flightcrew errors. The new design requirements would enable flightcrews to detect and manage their errors when the errors occur. This action would establish uniform airworthiness design standards in the U.S. and Europe.

**Effects:**

EU

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 07/06/2010

**Docket Number:** FAA-2010-1175

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/13/2012		05/02/2012
To OMB	05/14/2012	06/20/2012	
OMB Clearance	08/14/2012	09/20/2012	
Publication Date	08/27/2012	10/04/2012	

**Explanation for any delay:** N/A

**Federal Register Citation for Final Rule:** None

Federal Aviation Administration

13. **Safety Management Systems for Part 121 Certificate Holders** Red

**Popular Title:** SMS for Part 121

**RIN 2120-AJ86**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 11/05/2010; End of Comment Period 02/03/2011; Extended Comment Period 01/31/2011; End of Extended Comment Period 03/07/2011.

**Abstract:** This rulemaking would require each certificate holder operating under 14 CFR part 121 to develop and implement a safety management system (SMS) to improve the safety of its aviation related activities. A safety management system is a comprehensive, process-oriented approach to managing safety throughout an organization. An SMS includes an organization-wide safety policy; formal methods for identifying hazards, controlling, and continually assessing risk and safety performance; and promotion of a safety culture. SMS stresses not only compliance with technical standards but increased emphasis on the overall safety performance of the organization. This rulemaking is required under P.L. 111-216, sec. 215.

**Effects:**

Regulatory Flexibility Act  
Information Collection

**Prompting action:** Statute

**Legal Deadline:** Final Rule : 07/30/2012  
NPRM : 10/29/2010

**Rulemaking Project Initiated:** 08/01/2010

**Docket Number:** FAA-2009-0671

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	03/16/2012	03/21/2012	04/12/2012
To OMB	04/16/2012	05/21/2012	
OMB Clearance	07/16/2012	08/21/2012	
Publication Date	07/27/2012	09/04/2012	

**Explanation for any delay:** Unanticipated issues requiring further analysis

**Federal Register Citation for Final Rule:** None

Federal Aviation Administration

14. **Flight Crewmember Mentoring, Leadership and Professional Development (HR 5900)** Red

**Popular Title:** Flight Crewmember Mentoring

**RIN 2120-AJ87**

**Stage:** NPRM

**Previous Stage:** None

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

**Effects:**

Regulatory Flexibility Act  
Information Collection

**Prompting action:** Statute

**Legal Deadline:** NPRM : 07/29/2011

**Rulemaking Project Initiated:** 08/01/2010

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	03/29/2011		03/29/2011
To OMB	04/29/2011	05/16/2011	05/17/2011
OMB Clearance	07/29/2011	04/06/2012	
Publication Date	07/29/2011	04/20/2012	
End of Comment Period	10/26/2011	07/20/2012	

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for NPRM:** None

Federal Aviation Administration

15. **Slot Management and Transparency for LaGuardia Airport, John F. Kennedy International Airport, and Newark Liberty International Airport** Red

**Popular Title:** Slot Management and Transparency

**RIN 2120-AJ89**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would replace the current temporary orders limiting scheduled operations at LaGuardia Airport, John F. Kennedy International Airport, and Newark Liberty International Airport with a more permanent rule to address the issues of congestion and delay at the New York area’s three major commercial airports, while also promoting fair access and competition. The rulemaking would help ensure that congestion and delays are managed by limiting scheduled and unscheduled operations. The rulemaking would also establish a secondary market for U.S. and foreign air carriers to buy, sell, trade, and lease slots amongst each other at each of the three airports. This would allow carriers serving or seeking to serve the New York area airports to exchange slots as their business models and strategic goals require.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 10/21/2010

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	03/25/2011	06/22/2011	06/22/2011
To OMB	04/25/2011	03/10/2012	
OMB Clearance	07/25/2011	06/10/2012	
Publication Date	07/29/2011	06/20/2012	
End of Comment Period	10/27/2011	09/20/2012	

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for NPRM:** None

Federal Aviation Administration

16. **Part 121 Exiting Icing** Red

**Popular Title:** Part 121 Exiting Icing

**RIN 2120-AJ95**

**Stage:** Undetermined

**Previous Stage:**None

**Abstract:** This rulemaking would establish the standards for when flightcrews need to take action to exit icing conditions. If adopted, this rulemaking would apply to aircraft with a maximum takeoff weight of less than 60,000 pounds. This rulemaking is based on recommendations from an Aviation Rulemaking Advisory Committee working group after reviewing certain accidents and incidents. The intended affect of this action is to avoid similar accidents and incidents in the future. This rulemaking replaces RIN 2120-AJ74, for which an NPRM had originally been scheduled for 11/02/2011. This rulemaking has expanded the scope of RIN 2120-AJ74 to include requirements for design approval holders.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 12/22/2009

**Docket Number:**

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** Other, higher priorities

**Federal Register Citation for Undetermined:** None

Federal Aviation Administration

17. **Orbital Debris Mitigation Requirements** Green

**Popular Title:** Orbital Debris

**RIN 2120-AK05**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would reduce the likelihood of creating orbital debris from a launch vehicle's upper stages discarded on orbit. Specifically, the rulemaking would more closely align the FAA regulations with the U.S. Government Orbital Debris Mitigation Standard Practices, as directed by the 2010 National Space Policy. This action is necessary to prevent the near Earth space environment from slowly being littered with debris, which increases the likelihood of collisions either between debris and spacecraft or debris and other

debris. The intended effect of this action would preserve the viability of the Low Earth Orbit region, and preserve the future space environment.

**Effects:**

EIS

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 03/03/2011

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	10/12/2012		
To OMB	11/13/2012		
OMB Clearance	02/13/2013		
Publication Date	02/28/2013		
End of Comment Period	05/31/2013		

**Explanation for any delay:** N/A

**Federal Register Citation for NPRM:** None

Federal Aviation Administration

18.	<b>Drug and Alcohol Testing of Certain Maintenance Provider Employees Located Outside of the United States</b>	Black
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**Popular Title:** Drug & Alcohol Testing for Foreign Repair Stations

**RIN 2120-AK09**

**Stage:** ANPRM

**Previous Stage:**None

**Abstract:** This rulemaking would require controlled substance testing of some employees working in foreign repair stations. This action is necessary to increase the level of safety of the flying public, and the intended effect is to increase participation by countries outside of the United States. This rule is required by the FAA Modernization and Reauthorization Act of 2012.

**Effects:**

- Regulatory Flexibility Act
- EU
- NAFTA
- Foreign

**Prompting action:** Statute

**Legal Deadline:** NPRM : 02/14/2013

**Rulemaking Project Initiated:** 05/01/2012

**Docket Number:**

**Dates for ANPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/31/2012		
To OMB	08/31/2012		

OMB Clearance	09/11/2012		
Publication Date	09/17/2012		
End of Comment Period	11/16/2012		

**Explanation for any delay:** N/A

**Federal Register Citation for ANPRM:** None

Federal Aviation Administration

19.	<b>Requirements for Chemical Oxygen Generators Installed on Transport Category Airplanes (Chemical Oxygen Standards)</b>	Green
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**Popular Title:** Chemical Oxygen Generators

**RIN 2120-AK14**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would introduce type certification requirements for chemical oxygen generator (COG) installations installed on transport category airplanes. This action is necessary to address potential security vulnerabilities with COGs and provide performance-based options for acceptable installations. The intended effect would increase the level of security and safety for future transport airplane designs. This rulemaking was recently downgraded to nonsignificant and will not appear on next month's report.

**Effects:**

None

**Prompting action:** Secretarial/Head of Operating Administration Decision

**Legal Deadline:** None

**Rulemaking Project Initiated:** 01/18/2012

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
Publication Date	07/09/2012	08/24/2012	
End of Comment Period	08/08/2012	09/24/2012	

**Explanation for any delay:** N/A

**Federal Register Citation for NPRM:** None

Federal Aviation Administration

20.	<b>Production and Airworthiness Certification II</b>	Black
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**Popular Title:** Production and Airworthiness Certification II

**RIN 2120-AK20**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would change requirements for certifying aeronautical products and articles. These changes are necessary to address deficiencies in oversight of supplier facilities; allow manufacture of certain airframe components by engine manufacturers; add a requirement that an accountable person be named for certain production approval holders; and add a minor change to marking requirements for certain wood propellers. These changes are intended to address deficiencies in oversight of supplier facilities. This rulemaking has expanded the scope of RIN 2120-AK04.



**Effects:**

None

**Prompting action:** Secretarial/Head of Operating Administration Decision

**Legal Deadline:** None

**Rulemaking Project Initiated:** 07/10/2012

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/16/2013		
To OMB	09/16/2013		
OMB Clearance	12/16/2013		
Publication Date	01/06/2014		
End of Comment Period	04/10/2014		

**Explanation for any delay:** N/A

**Federal Register Citation for NPRM:** None

Federal Aviation Administration

21. **Prohibition of Tail End Ferry in Part 121 (Reauthorization)** Black

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

**RIN 2120-AK22**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would require a flight crewmember 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 of such title, to apply the period of the additional assignment toward any limitation applicable to the flight crewmember relating to duty periods or flight times. This rule is necessary as it will make part 121 flight, duty, and rest limits applicable to tail-end ferries that follow an all-cargo flight.

**Effects:**

None

**Prompting action:** Statute

**Legal Deadline:** Initiation date : 08/14/2012

**Rulemaking Project Initiated:** 07/10/2012

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/30/2013		
To OMB	08/30/2013		
OMB Clearance	11/29/2013		
Publication Date	12/19/2013		
End of Comment Period	02/18/2014		

**Explanation for any delay:** N/A**Federal Register Citation for NPRM:** None**Federal Highway Administration**

Federal Highway Administration

22. **National Tunnel Inspection Standards** Red**Popular Title:** Tunnel Inspection**RIN 2125-AF24****Stage:** SNPRM**Previous Stage:** ANPRM: Publication Date 11/18/08; End of Comment Period 2/17/09.

NPRM: Publication Date 7/22/2010; End of Comment Period 09/20/2010.

**Abstract:** This rulemaking would revise 23 CFR Part 650 -- Bridges, Structures, and Hydraulics, by adding the National Tunnel Inspection Standards (NTIS) under Subpart E. We anticipate that the NTIS may be modeled after the existing National Bridge Inspection Standards and may include requirements for, among other things, inspection procedures, the qualifications and training of inspectors, and a National Tunnel Inventory. The FHWA has changed the stage from a final rule to a SNPRM because MAP-21 broadened FHWA's authority to include all highway tunnels. In addition, it made a number of changes to the NBIS, upon which this rulemaking is based. In order to conform the two processes and to reassess the cost benefit analysis of this rulemaking, a supplemental NPRM is being pursued.

**Effects:**

None

**Prompting action:** None**Legal Deadline:** None**Rulemaking Project Initiated:** 01/30/2008**Docket Number:** FHWA-2008-0038**Dates for SNPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/07/2012		
To OMB	01/07/2013		
OMB Clearance	04/12/2013		
Publication Date	04/24/2013		
End of Comment Period	06/24/2013		

**Explanation for any delay:** N/A**Federal Register Citation for SNPRM:** None

Federal Highway Administration

23. **Pavement Markings** Red**Popular Title:** Pavement Markings**RIN 2125-AF34****Stage:** Undetermined**Previous Stage:** NPRM: Publication Date 4/22/2010; End of Comment Period 8/20/2010.

**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 relating to maintaining minimum levels of retroreflectivity for pavement markings on all roads open to public travel. We originally scheduled publication of a final rule for 12/30/2011. A supplemental NPRM had been scheduled for 05/14/2012.

**Effects:**

None

**Prompting action:** Statute

**Legal Deadline:** None

**Rulemaking Project Initiated:** 12/07/2009

**Docket Number:** FHWA-2009-0139

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** N/A

**Federal Register Citation for Undetermined:** None

Federal Highway Administration

24.	<b>Administration of Engineering and Design Related Service Contracts (RRR)</b>	Black
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**Popular Title:** Administration of Service Contracts (RRR)

**RIN 2125-AF44**

**Stage:** NPRM

**Previous Stage:** None

**Abstract:** As part of our retrospective regulatory review, this rulemaking would revise and update regulations governing the procurement, management, and administration of engineering and design related services directly related to a highway construction project and reimbursed with Federal-aid highway program funding. This rulemaking would align FHWA's regulations with changes in legislation and other applicable regulations. This rulemaking would also address findings and recommendations from national audits and reviews as well as advancements in the state-of-the-practice, and to enhance FHWA's stewardship and oversight of these regulations. This rulemaking was recently downgraded to nonsignificant and will not appear on next month's report.

**Effects:**

None

**Prompting action:** 2011 Retrospective Regulatory Review

**Legal Deadline:** None

**Rulemaking Project Initiated:** 03/14/2012

**Docket Number:** FHWA-2012-0043

**Dates for NPRM:**

Milestone	Originally Scheduled	New Projected	Actual Date

	Date	Date	
Publication Date	10/05/2012	10/26/2012	09/04/2012
End of Comment Period	12/05/2012	12/26/2012	11/05/2012

**Explanation for any delay:** N/A

**Federal Register Citation for NPRM:** 77 FR 53802

**Federal Motor Carrier Safety Administration**

Federal Motor Carrier Safety Administration

25. **Unified Registration System** Red

**Popular Title:** URS

**RIN 2126-AA22**

**Stage:** Final Rule

**Previous Stage:** ANPRM: Publication Date 08/26/96; End of Comment Period 10/26/96. NPRM: Publication Date 05/19/05; End of Comment Period 08/17/05. SNPRM: Publication Date 10/26/11; End of Comment Period 12/27/11.

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

**Effects:**

- Regulatory Flexibility Act
- Information Collection

**Prompting action:** Statute

**Legal Deadline:** Final Rule (SAFETEA-LU) : 08/10/2006  
Final Rule (ICC Act) : 01/01/1998

**Rulemaking Project Initiated:** 01/01/1996

**Docket Number:** FMCSA-1997-2349

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/15/2012	09/28/2012	
To OMB	09/19/2012	11/02/2012	
OMB Clearance	12/20/2012	02/04/2013	
Publication Date	12/31/2012	02/13/2013	

**Explanation for any delay:** Unanticipated issues requiring further analysis

**Federal Register Citation for Final Rule:** None

Federal Motor Carrier Safety Administration

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

**Border****Popular Title:** Mexico-Domiciled Motor Carriers**RIN 2126-AA34****Stage:** Undetermined**Previous Stage:** IFR: Publication Date 03/19/2002; End of Comment Period 04/18/2002.

**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. FMCSA will determine the next steps to be taken after the pilot program on the long haul trucking provisions of NAFTA is completed.

**Effects:**

Information Collection  
NAFTA

**Prompting action:** International Agreement**Legal Deadline:** None**Rulemaking Project Initiated:** 02/07/2001**Docket Number:** FMCSA-98-3298**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** Unanticipated issues requiring further analysis**Federal Register Citation for Undetermined:** None

Federal Motor Carrier Safety Administration

- |     |  |     |
|-----|--|-----|
| 27. | <b>Safety Monitoring System and Compliance Initiative for Mexico-Domiciled Motor Carriers Operating in the United States</b> | Red |
|-----|--|-----|

**Popular Title:** Safety Monitoring**RIN 2126-AA35****Stage:** Undetermined**Previous Stage:** IFR: Publication Date 03/19/2002; End of Comment Period 04/18/2002.

**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. FMCSA will determine the next steps to be taken after the pilot program on the long haul trucking provisions of NAFTA is completed.

**Effects:**

- Regulatory Flexibility Act
- Federalism
- Information Collection
- NAFTA

**Prompting action:** International Agreement

**Legal Deadline:** None

**Rulemaking Project Initiated:** 02/07/2001

**Docket Number:** FMCSA-1998-3299

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** Unanticipated issues requiring further analysis

**Federal Register Citation for Undetermined:** None

Federal Motor Carrier Safety Administration

28. **Certification of Safety Auditors, Safety Investigators, and Safety Inspectors** Red

**Popular Title:** Safety Auditors Certification

**RIN 2126-AA64**

**Stage:** Undetermined

**Previous Stage:** IFR: Date of Publication 03/19/02; Effective Date 06/17/02; End of Comment Period 05/20/02, IFR: Notice Extending Compliance Date 06/17/02; End of Extended C/P 07/17/02. IFR: Notice of Statutory Compliance Date 12/23/03, Reinstated IFR 1/01/04.

**Abstract:** This rulemaking would require that any safety inspection, safety audit, or compliance review be conducted by a certified inspector, auditor, or investigator. It is required by section 211 of the Motor Carrier Safety Improvement Act. Based on comments to the Interim Final Rule (IFR), the agency will issue a NPRM that addresses issues not

clarified in the IFR.

**Effects:**

None

**Prompting action:** Statute

**Legal Deadline:** NPRM : 12/09/2000

**Rulemaking Project Initiated:** 12/09/1999

**Docket Number:** FMCSA-2001-11060

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** Other, higher priorities

**Federal Register Citation for Undetermined:** None

Federal Motor Carrier Safety Administration

29.	<b>Limitations on the Issuance of Commercial Driver Licenses with a Hazardous Materials Endorsement</b>	Red
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**Popular Title:** USA PATRIOT Act Rule

**RIN 2126-AA70**

**Stage:** Undetermined

**Previous Stage:** IFR: Publication Date 04/29/2005.

**Abstract:** This rulemaking would prohibit States from issuing, renewing, transferring or upgrading a commercial driver's license (CDL) with a hazardous materials endorsement, unless the Transportation Security Administration (TSA) has first conducted a background check on the applicant and determined the applicant does not pose a security risk warranting denial of the hazardous materials endorsement. FMCSA and TSA simultaneously published interim final rules. FMCSA has published another IFR corresponding to TSA's extension of compliance date. Since this rulemaking conforms to TSA's rulemaking, the rulemaking is dependent upon TSA action. This action is considered significant because of substantial public and congressional interest, and national security.

**Effects:**

NAFTA

**Prompting action:** Statute

**Legal Deadline:** None

**Rulemaking Project Initiated:** 10/26/2001

**Docket Number:** FMCSA-2001-11117

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			

OMB Clearance			
Publication Date			

**Explanation for any delay:** N/A

**Federal Register Citation for Undetermined:** None

Federal Motor Carrier Safety Administration

30. **Qualifications of Drivers; Diabetes Standard** Red

**Popular Title:** Diabetes Standard

**RIN 2126-AA95**

**Stage:** NPRM

**Previous Stage:** ANPRM: Publication Date 03/17/2006; End of Comment Period 06/15/2006.

**Abstract:** This rulemaking action would amend FMCSA's medical qualification standards to allow drivers with insulin-treated diabetes mellitus to operate commercial motor vehicles in interstate commerce, without seeking an exemption from the FMCSRs. This action is required by Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

**Effects:**

None

**Prompting action:** Statute

**Legal Deadline:** Initiate change : 11/10/2005

**Rulemaking Project Initiated:** 08/10/2005

**Docket Number:** FMCSA-2005-23151

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/19/2010	12/09/2012	
To OMB	08/20/2010	01/14/2013	
OMB Clearance	11/19/2010	04/14/2013	
Publication Date	11/30/2010	04/23/2013	
End of Comment Period	01/30/2011	06/23/2013	

**Explanation for any delay:** Lack of staffing  
Unanticipated issues requiring further analysis

**Federal Register Citation for NPRM:** None

Federal Motor Carrier Safety Administration

31. **Consumer Complaint Information** Red

**Popular Title:** Consumer Complaint Information

**RIN 2126-AB01**

**Stage:** Undetermined

**Previous Stage:** NPRM: Publication Date 02/20/2008, End of Comment Period 4/21/2008.

**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). A final



rule was scheduled for 01/07/11.

**Effects:**

Information Collection  
Privacy

**Prompting action:** Statute

**Legal Deadline:** Report in place : 08/10/2006

**Rulemaking Project Initiated:** 08/10/2005

**Docket Number:** FMCSA-2008-0029

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			

**Explanation for any delay:** Lack of resources  
Lack of staffing

**Federal Register Citation for Undetermined:** None

Federal Motor Carrier Safety Administration

32.	<b>Minimum Training Requirements for Entry Level Commercial Motor Vehicle Operations</b>	Black
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**Popular Title:** Entry Level Driver Training

**RIN 2126-AB06**

**Stage:** Undetermined

**Previous Stage:** NPRM: Publication Date 12/26/2007; End of Extended Comment Period 5/23/2008.

**Abstract:** This rulemaking would require behind-the-wheel and classroom training for persons who must hold a commercial driver's license to operate commercial motor vehicles. This action is in response to the U.S. Court of Appeals for the District of Columbia Circuit's December 2005 decision remanding the May 21, 2004, Final Rule, "Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators" to the Agency for further consideration. The rulemaking will consider the effectiveness of CMV driver training in reducing crashes, the appropriate types and levels of training that should be mandated, and related costs.

**Effects:**

Economically Significant  
Major  
Federalism

**Prompting action:** Court Action

**Legal Deadline:** None

**Rulemaking Project Initiated:** 04/19/2006

**Docket Number:** FMCSA-2007-27748

**Dates for Undetermined:**

Milestone	Originally Scheduled	New Projected	Actual Date

	Date	Date	
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** N/A

**Federal Register Citation for Undetermined:** None

Federal Motor Carrier Safety Administration

33. **Carrier Safety Fitness Determination** Red

**Popular Title:** Carrier Safety Fitness Determination

**RIN 2126-AB11**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would revise 49 CFR Part 385, Safety Fitness Procedures, in accordance with the Agency's Compliance, Safety, Accountability (CSA) initiative. CSA is an operational model FMCSA implemented that is designed to help the Agency carry out its compliance and enforcement programs more efficiently and effectively. Currently, the safety fitness rating of a motor carrier is determined based on the results of a very labor intensive compliance review conducted at the carrier's place of business. Aside from roadside inspections and new entrant audits, the compliance review is the Agency's primary intervention. Under CSA, FMCSA would propose to implement a broader array of progressive interventions, some of which allow FMCSA to make contact with more carriers. Through this rulemaking FMCSA would establish safety fitness determinations based on safety data from crashes, inspections, investigations, and violation history rather than just the standard compliance review. This will enable the Agency to assess the safety performance of a greater segment of the motor carrier industry with the goal of further reducing large truck and bus crashes and fatalities.

**Effects:**

Economically Significant

Major

**Prompting action:** Secretarial/Head of Operating Administration Decision

**Legal Deadline:** None

**Rulemaking Project Initiated:** 06/21/2007

**Docket Number:** FMCSA-2004-18898

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	11/12/2007	10/02/2009	09/25/2009
Withdrawn from OST		03/22/2010	03/22/2010
Resubmitted to OST		10/22/2012	
To OMB	12/15/2007	11/22/2012	
OMB Clearance	03/15/2008	02/21/2013	
Publication Date	03/29/2008	03/05/2013	
End of Comment Period	06/29/2008	05/03/2013	

**Explanation for any delay:** Additional coordination necessary  
 Awaiting development of additional data  
 Unanticipated issues requiring further analysis

**Federal Register Citation for NPRM:** None

Federal Motor Carrier Safety Administration

34.	<b>New Entrant Safety Assurance Process: Implementation of Section 210(b) of the Motor Carrier Safety Improvement Act of 1999</b>	<b>Black</b>
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**Popular Title:** MCSIA 210(b) New Entrant Knowledge Test

**RIN 2126-AB17**

**Stage:** Undetermined

**Previous Stage:** ANPRM: Publication Date 08/25/2009; End of Comment Period 10/26/2009.

**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.

**Effects:**

None

**Prompting action:** Court Action

**Legal Deadline:** None

**Rulemaking Project Initiated:** 02/26/2009

**Docket Number:** FMCSA-2001-11061

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** N/A

**Federal Register Citation for Undetermined:** None

Federal Motor Carrier Safety Administration

35.	<b>Commercial Driver's License Drug and Alcohol Clearinghouse</b>	<b>Red</b>
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**Popular Title:** CDL Drug and Alcohol Clearinghouse

**RIN 2126-AB18**

**Stage:** NPRM

**Previous Stage:** None

**Abstract:** This rulemaking would create a central database for verified positive controlled substances and alcohol test results for commercial driver's license (CDL) holders and refusals by such drivers to submit to testing. This rulemaking would require employers of CDL holders and service agents to report positive test results and refusals to test into the

Clearinghouse. Prospective employers, acting on an application for a CDL driver position with the applicant's written consent to access the Clearinghouse, would query the Clearinghouse to determine if any specific information about the driver applicant is in the Clearinghouse before allowing the applicant to be hired and to drive CMVs. This rulemaking is intended to increase highway safety by ensuring CDL holders, who have tested positive or have refused to submit to testing, have completed the U.S. DOT's return-to-duty process before driving CMVs in interstate or intrastate commerce. It is also intended to ensure that employers are meeting their drug and alcohol testing responsibilities.

**Effects:**

Economically Significant  
Major  
Information Collection  
Privacy

**Prompting action:** Secretarial/Head of Operating Administration Decision

**Legal Deadline:** None

**Rulemaking Project Initiated:** 03/01/2009

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/01/2010	06/04/2012	06/07/2012
To OMB	03/01/2010	08/27/2012	
OMB Clearance	05/31/2010	11/27/2012	
Publication Date	06/18/2010	12/04/2012	
End of Comment Period	09/30/2010	02/04/2013	

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for NPRM:** None

Federal Motor Carrier Safety Administration

36.	<b>Electronic On-Board Recorders and Hours of Service Supporting Documents</b>	Green
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**Popular Title:** EOBR and HOS supporting documents

**RIN 2126-AB20**

**Stage:** SNPRM

**Previous Stage:** NPRM: Publication Date 02/01/11; End of Comment Period 04/04/2011, NPRM: Extension of Comment Period 04/13/2011; End of Extended Comment Period 05/23/11; Notice of Intent 02/13/2012.

**Abstract:** This rulemaking will consider revisions to RIN 2126-AA89 (Electronic On-Board Recorders for Hours of Service Drivers) to expand the number of motor carriers required to install and operate Electronic On-Board Recorders (EOBRs). FMCSA has consolidated this follow-up to the EOBR rule with the Hours Of Service Of Drivers: Supporting Documents rulemaking for development of a single NPRM in RIN 2126-AB20. In addressing Hours of Service Supporting Documents requirements in this new rulemaking, FMCSA will consider reducing or eliminating current paperwork burdens associated with supporting documents in favor of expanded EOBR use. In addition it will propose technical standards for an EOBR, address driver harassment issues, and provide clarification and request further comments on several issues. On January 15, 2010, the American Trucking Associations (ATA) filed a Petition for a Writ of Mandamus in the United States Court of Appeals for the District of

Columbia Circuit (D.C. Cir. No. 10-1009). ATA petitioned the court to direct FMCSA to issue an NPRM on supporting documents in conformance with the requirements set forth in section 113 of the HMTAA within 60 days after the issuance of the writ and a final rule no later than 6 months after the issuance of the NPRM. The court granted the petition for writ of mandamus on September 30, 2010, ordering FMCSA to issue an NPRM on the supporting document regulations by December 30, 2010. At the request of the agency, the DC Circuit extended the deadline to January 31, 2011. On April 5, 2010, FMCSA issued a related final rule (RIN 2126-AA89) that required the use of EOBRs by motor carriers with significant hours-of-service violations (75 FR 17208). A petition for judicial review was filed with the Seventh Circuit. On August 26, 2011, the Court vacated the final rule, which removed the technical specifications relied on in this rulemaking.

**Effects:**

Economically Significant  
Major  
Unfunded Mandate  
Regulatory Flexibility Act  
Information Collection  
Privacy

**Prompting action:** Court Action

**Legal Deadline:** NPRM : 01/31/2011

**Rulemaking Project Initiated:** 08/26/1994

**Docket Number:**

**Dates for SNPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/28/2012	11/01/2012	
To OMB	11/02/2012	12/06/2012	
OMB Clearance	02/04/2013	03/08/2013	
Publication Date	02/14/2013	03/20/2013	
End of Comment Period	04/18/2013	05/22/2013	

**Explanation for any delay:** N/A

**Federal Register Citation for SNPRM:** None

Federal Motor Carrier Safety Administration

37. **Medical Examiner's Certification Integration** Yellow

**Popular Title:** Medical Examiner's Certification Integration

**RIN 2126-AB40**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would build upon the National Registry (2126-AA97) and Medical Certification (2126-AA10) final rules. This rulemaking would (1) provide for the medical examiner to transmit data from the medical examiner's certificate through FMCSA to the State Driver Licensing Agencies (SDLAs) for Commercial Driver's License (CDL) holders and (2) require increased frequency of medical examiner reporting of medical examiner's certificate data to the National Registry database. This should streamline the process for SDLAs to verify the physical qualifications of CDL holders.

**Effects:**

Economically Significant  
Major  
Information Collection

**Prompting action:** Secretarial/Head of Operating Administration Decision

**Legal Deadline:** None

**Rulemaking Project Initiated:** 04/20/2011

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/17/2012	11/12/2012	
To OMB	05/22/2012	12/17/2012	
OMB Clearance	08/22/2012	03/19/2013	
Publication Date	08/31/2012	03/28/2013	
End of Comment Period	10/31/2012	05/28/2013	

**Explanation for any delay:** Unanticipated issues requiring further analysis

**Federal Register Citation for NPRM:** None

Federal Motor Carrier Safety Administration

38. **Lease and Interchange of Vehicles; Motor Carriers of Passengers** Yellow

**Popular Title:** Bus Leasing

**RIN 2126-AB44**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** The rulemaking would propose to adopt regulations governing the lease and interchange of passenger vehicles to: (1) identify the motor carrier operating a bus or motorcoach and responsible for compliance with the Federal Motor Carrier Safety Regulations; (2) ensure that a lessor surrenders control of the vehicle for the full term of the lease or temporary exchange of vehicles and drivers; and (3) prohibit motor carriers subject to an out-of-service order from leasing their vehicles to other carriers. This action is necessary to ensure that unsafe passenger carriers cannot evade FMCSA oversight and enforcement by operating under the authority of another carrier that exercises no actual control over those operations. This action will ensure that FMCSA, the National Transportation Safety Board (NTSB), and our State partners are able to identify motor carriers transporting passengers in interstate commerce and correctly assign responsibility for regulatory violations during inspections, investigations, compliance reviews, and crash studies.

**Effects:**

Major  
Information Collection

**Prompting action:** Secretarial/Head of Operating Administration Decision

**Legal Deadline:** None

**Rulemaking Project Initiated:** 09/28/2011

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally	New	Actual

	<b>Scheduled Date</b>	<b>Projected Date</b>	<b>Date</b>
To OST	06/04/2012	11/01/2012	
To OMB	07/09/2012	12/06/2012	
OMB Clearance	10/09/2012	03/08/2013	
Publication Date	10/20/2012	03/19/2013	
End of Comment Period	12/20/2012	05/20/2013	

**Explanation for any delay:** N/A

**Federal Register Citation for NPRM:** None

Federal Motor Carrier Safety Administration

39. **Single Pre-trip Inspection (RRR)** Green

**Popular Title:** Single Pre-trip Inspection (RRR)

**RIN 2126-AB46**

**Stage:** NPRM

**Previous Stage:** None

**Abstract:** The FMCSA would consider whether its existing regulations requiring commercial motor vehicle (CMV) drivers to ensure their vehicles are in safe and proper operating condition at the beginning of the work day include obsolete or redundant requirements that impose unnecessary burdens on the industry. These requirements are found in 49 CFR Part 392, concerning safe driving, and 49 CFR Part 396, concerning inspection, repair and maintenance of CMVs.

**Effects:**

- Economically Significant
- Major
- Regulatory Flexibility Act

**Prompting action:** 2011 Retrospective Regulatory Review

**Legal Deadline:** None

**Rulemaking Project Initiated:** 01/10/2012

**Docket Number:**

**Dates for NPRM:**

<b>Milestone</b>	<b>Originally Scheduled Date</b>	<b>New Projected Date</b>	<b>Actual Date</b>
To OST	01/07/2013		
Publication Date	05/21/2013		
End of Comment Period	07/23/2013		

**Explanation for any delay:** N/A

**Federal Register Citation for NPRM:** None

**Federal Railroad Administration**

Federal Railroad Administration

40. **Critical Incident Stress Plan; "Critical Incident" Definition** Red

**Popular Title:** Critical Incident Stress Plan

**RIN 2130-AC00**

**Stage:** NPRM**Previous Stage:**None

**Abstract:** This rulemaking would seek to define the term "critical incident." This rulemaking would also seek to define program elements appropriate for the rail environment for certain railroad's critical incident response programs, so that appropriate action is taken when a railroad employee is involved in or directly witnesses a critical incident.

**Effects:**

None

**Prompting action:** None**Legal Deadline:** None**Rulemaking Project Initiated:** 11/14/2008**Docket Number:** FRA-2008-0131**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/28/2011	10/15/2012	
To OMB	02/09/2012	11/13/2012	
OMB Clearance	05/09/2012	02/11/2013	
Publication Date	05/18/2012	02/15/2013	
End of Comment Period	07/17/2012	04/16/2013	

**Explanation for any delay:** Additional coordination necessary**Federal Register Citation for NPRM:** None

Federal Railroad Administration

41. **Training Standards for Railroad Employees (RRR)** Green**Popular Title:** Training Standards for RR Employees**RIN 2130-AC06****Stage:** Final Rule**Previous Stage:** NPRM: Publication Date 02/07/2012; Comment Period End 04/09/2012.

**Abstract:** This rulemaking would (1) establish minimum training standards for each class or craft of safety-related employee and equivalent railroad contractor and subcontractor employee that require railroads, contractors, and subcontractors to qualify or otherwise document the proficiency of such employees in each such class and craft regarding their knowledge and ability to comply with Federal railroad safety laws and regulations and railroad rules and procedures intended to implement those laws and regulations, etc.; (2) require submission of railroads', contractors', and subcontractors' training and qualification programs for FRA approval; and (3) establish a minimum training curriculum and ongoing training criteria, testing, and skills evaluation measures for track and equipment inspectors employed by railroads and railroad contractor and subcontractors. It is anticipated that crane operator provisions contained in this rulemaking will further the objectives of EO 13563.

**Effects:**

None

**Prompting action:** 2011 Retrospective Regulatory Review**Legal Deadline:** Final Rule : 10/16/2009**Rulemaking Project Initiated:** 10/16/2008



**Docket Number:** FRA-2009-0033**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	11/01/2012		
To OMB	11/30/2012		
OMB Clearance	02/28/2013		
Publication Date	03/08/2013		

**Explanation for any delay:** N/A**Federal Register Citation for Final Rule:** None

Federal Railroad Administration

42. **Vehicle/Track Interaction Safety Standards; High-Speed and High Cant Deficiency Operations (RRR)** Red

**Popular Title:** Vehicle/Track Interaction, High Speed, High Cant**RIN 2130-AC09****Stage:** Final Rule**Previous Stage:** NPRM: Publication Date 5/10/2010; End of Comment Period 7/9/2010.

**Abstract:** This rulemaking would amend the Track Safety Standards and Passenger Equipment Safety Standards for high-speed train operations and train operations at high cant deficiencies to promote the safe interaction of rail vehicles with the track over which they operate. It would revise both the safety limits for these operations and the process to qualify them. It accounts for a range of vehicle types that are currently used and may likely be used on future high-speed or high cant deficiency rail operations, and would provide safety assurance for train operations in all classes of track. It is based on the results of simulation studies designed to identify track geometry irregularities associated with unsafe wheel forces and acceleration, thorough reviews of vehicle qualification and revenue service test data, and consideration of international practices.

**Effects:**

None

**Prompting action:** Secretarial/Head of Operating Administration Decision**Legal Deadline:** None**Rulemaking Project Initiated:** 06/19/2008**Docket Number:** FRA-2009-0036**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/25/2011	01/31/2012	02/15/2012
To OMB	04/01/2011	05/18/2012	05/24/2012
OMB Clearance	06/30/2011	08/20/2012	
Publication Date	07/12/2011	08/31/2012	

**Explanation for any delay:** Additional coordination necessary**Federal Register Citation for Final Rule:** None

Federal Railroad Administration

43. **Alcohol and Controlled Substance Testing for Maintenance-of-Way Employees**

Red

**Popular Title:** Controlled Substance Testing/Maintenance Employees**RIN 2130-AC10****Stage:** NPRM**Previous Stage:**None

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

**Effects:**

None

**Prompting action:** Statute**Legal Deadline:** Final Rule : 10/16/2010**Rulemaking Project Initiated:** 10/16/2008**Docket Number:** FRA-2009-0039**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/08/2009	04/18/2012	04/06/2012
To OMB	10/07/2009	11/23/2012	
OMB Clearance	01/05/2010	02/21/2013	
Publication Date	01/13/2010	02/28/2013	
End of Comment Period	03/15/2010	04/29/2013	

**Explanation for any delay:** Additional coordination necessary**Federal Register Citation for NPRM:** None

Federal Railroad Administration

44. **Risk Reduction Program (RRR)**

Red

**Popular Title:** Risk Reduction Program**RIN 2130-AC11****Stage:** NPRM**Previous Stage:** ANPRM: Publication Date 12/08/2010; End of Comment Period 02/07/2011

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

**Effects:**

Economically Significant

Major

**Prompting action:** Statute**Legal Deadline:** Final Rule : 10/16/2012**Rulemaking Project Initiated:** 10/16/2008**Docket Number:** FRA-2009-0038**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/15/2011	08/17/2012	08/31/2012
To OMB	07/21/2011	09/17/2012	
OMB Clearance	10/19/2011	12/17/2012	
Publication Date	10/27/2011	12/24/2012	
End of Comment Period	12/27/2011	02/22/2013	

**Explanation for any delay:** Additional coordination necessary  
Awaiting development of additional data

**Federal Register Citation for NPRM:** None

Federal Railroad Administration

45. **Emergency Escape Breathing Apparatus (RRR)** Red**Popular Title:** Emergency Escape Breathing Apparatus**RIN 2130-AC14****Stage:** Final Rule**Previous Stage:** NPRM: Publication Date 10/05/2010, End of Comment Period 12/06/2010.

**Abstract:** This rulemaking would prescribe regulations that require railroads to provide specified emergency escape breathing apparatus for all crew members in locomotive cabs on freight trains carrying poison-inhalation-hazard hazardous material and provide training in its use.

**Effects:**

None

**Prompting action:** Statute**Legal Deadline:** Final Rule : 04/16/2010**Rulemaking Project Initiated:** 10/16/2008**Docket Number:** FRA-2009-0044**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/29/2011	03/06/2013	
To OMB	08/04/2011	04/03/2013	
OMB Clearance	11/02/2011	07/02/2013	
Publication Date	11/09/2011	07/08/2013	

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for Final Rule:** None

Federal Railroad Administration

46. <b>High-Speed Rail Corridor Development and Capital Investment Grants to Support Intercity Passenger Rail Service</b>	Red
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**Popular Title:** High-Speed Rail Corridor Development

**RIN 2130-AC17**

**Stage:** NPRM

**Previous Stage:** None

**Abstract:** This rulemaking would prescribe procedures and schedules for the awarding of grants to eligible applicants under this title to assist in financing the capital costs of facilities, infrastructure, and equipment necessary to provide or improve intercity passenger rail transportation.

**Effects:**

Economically Significant  
Major

**Prompting action:** Statute

**Legal Deadline:** Final Rule - High Speed Development : 10/16/2009  
Final Rule - Capital Investment Grants : 10/16/2010

**Rulemaking Project Initiated:** 10/16/2008

**Docket Number:** FRA-2009-0106

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/10/2010	12/07/2012	
To OMB	06/07/2010	01/07/2013	
OMB Clearance	09/07/2010	04/08/2013	
Publication Date	09/16/2010	04/15/2013	
End of Comment Period	11/16/2010	06/14/2013	

**Explanation for any delay:** Additional coordination necessary  
Lack of resources

**Federal Register Citation for NPRM:** None

Federal Railroad Administration

47. <b>High-Speed Intercity Passenger Rail (HSIPR) Program; Buy America Program Requirements</b>	Green
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**Popular Title:** Buy America Program Requirements

**RIN 2130-AC23**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would establish regulations for FRA's Buy America requirements as part of the High-Speed Intercity Passenger Rail (HSIPR) program. The Passenger Rail Investment and Improvement Act of 2008 (PRIIA) (Division B of Pub. L. 110-432) authorized the appropriation of funds to establish several new passenger rail grant programs, including capital investment grants to support intercity passenger rail service (Â§301), high-speed corridor development (Â§501), and congestion grants (Â§302). FRA has consolidated these and other closely related programs into the HSIPR program, as detailed in FRA's HSIPR Interim Guidance (74 Fed. Reg. 29900 (June 23, 2009)) and FY 2010 Interim Guidance (75 Fed. Reg. 38344 and 38365 (July 1, 2010)). Spending authorized

under PRIIA is subject to the Buy America provision of 49 U.S.C. Â§ 24405(a). This rulemaking would provide standards to govern FRA's application of the Buy America provision of 49 U.S.C. Â§ 24405(a) to all PRIIA-authorized spending as part of the HSIPR program.

**Effects:**

Economically Significant  
Major

**Prompting action:** Statute

**Legal Deadline:** None

**Rulemaking Project Initiated:** 09/14/2010

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/21/2012		02/15/2012
To OMB	03/20/2012	12/13/2012	
OMB Clearance	06/18/2012	03/13/2013	
Publication Date	06/25/2012	03/24/2013	
End of Comment Period	08/24/2012	05/24/2013	

**Explanation for any delay:** N/A

**Federal Register Citation for NPRM:** None

Federal Railroad Administration

48. **Railroad System Safety Program** Red

**Popular Title:** Railroad System Safety Program

**RIN 2130-AC31**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would improve passenger railroad safety through structured, proactive processes and procedures developed by passenger railroad operators. It would require passenger railroads to establish a System Safety Program that would systematically evaluate and manage risks in order to reduce the number and rates of railroad accidents, incidents, injuries and fatalities. This rulemaking was bifurcated from 2130-AC11. This rulemaking was recently downgraded to nonsignificant and will not appear on next month's report.

**Effects:**

None

**Prompting action:** Statute

**Legal Deadline:** Final Rule : 10/16/2012

**Rulemaking Project Initiated:** 10/16/2008

**Docket Number:** FRA-2011-0060

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
Publication Date	05/14/2012	11/13/2012	

End of Comment Period	07/13/2012	01/13/2013	
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**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for NPRM:** None

Federal Railroad Administration

49. <b>Positive Train Control Systems: De Minimis Exception, Yard Movements, En Route Failures; Miscellaneous Grade Crossing/Signal and Train Control Amendments (RRR)</b>	Red
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**Popular Title:** PTC Amendments Grade Crossing & Signal (RRR)

**RIN 2130-AC32**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would revise Positive Train Control regulations by defining the de minimis exception and en route failures, proposing exceptions relating to yard movements that may not be considered on the main line system, and amending regulations governing grade crossing and signal and train control systems. The rulemaking is in response to a petition for rulemaking from the Association of American Railroads.

**Effects:**

None

**Prompting action:** Secretarial/Head of Operating Administration Decision

**Legal Deadline:** None

**Rulemaking Project Initiated:** 06/01/2011

**Docket Number:** FRA-2011-0061

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/30/2011	03/30/2012	03/30/2012
To OMB	02/07/2012	04/27/2012	05/14/2012
OMB Clearance	05/07/2012	09/14/2012	
Publication Date	05/14/2012	09/28/2012	
End of Comment Period	07/13/2012	11/28/2012	

**Explanation for any delay:** Awaiting development of additional data

**Federal Register Citation for NPRM:** None

**Federal Transit Administration**

Federal Transit Administration

50. <b>Capital Project Management</b>	Green
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**Popular Title:** Capital Project Management

**RIN 2132-AA92**

**Stage:** Undetermined

**Previous Stage:** ANPRM: Publication Date 09/10/2009; End of C/P 11/09/2009; Extension of C/P 11/10/2009; End of Extended C/P 01/08/2010. NPRM: Publication Date 9/13/2011; End of C/P: 11/14/2011; Extension of Comment Period: 11/01/2011; End of Extended C/P: 12/02/2011.

**Abstract:** This rulemaking would transform the FTA's Project Management Oversight rule at 49 CFR part 633 into a Capital Project Management rule governing all major capital projects funded under 49 U.S.C. Chapter 53. The rulemaking would consider the appropriate scope of such a rule; the definition of "major capital project"; the management capacity and capability of project sponsors; the requirements for Project Management Plans; the use of risk assessments in project development; and the role and responsibilities of FTA oversight contractors.

**Effects:**

None

**Prompting action:** Statute

**Legal Deadline:** None

**Rulemaking Project Initiated:** 08/10/2005

**Docket Number:** FTA-2009-0030

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** N/A

**Federal Register Citation for Undetermined:** None

Federal Transit Administration

51. **Bus Testing: Updating Testing Procedures** Red

**Popular Title:** Bus Testing: Updating Testing Procedures

**RIN 2132-AB01**

**Stage:** Undetermined

**Previous Stage:** NPRM: Publication Date 03/14/2011; End of Comment Period 05/13/2011; Extension of Comment Period 05/19/2011; End of Extended Comment Period 06/15/2011.

**Abstract:** This rulemaking would amend FTA's bus testing procedures to more accurately reflect passenger loads by updating the average passenger weight to incorporate recent statistical data. This action would affect those transit bus manufacturers who may need to upgrade vehicle components or modify vehicle configurations to better accommodate heavier weight loads.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 01/28/2010

**Docket Number:**

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date

To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** N/A

**Federal Register Citation for Undetermined:** None

Federal Transit Administration

52. **Major Capital Investment Projects (RRR)** Red

**Popular Title:** New Starts (RRR)

**RIN 2132-AB02**

**Stage:** Final Rule

**Previous Stage:** ANPRM: Publication Date 6/3/2010; End of Comment Period 8/2/2010.  
 NPRM: Publication Date 01/25/2012; End of Comment Period 03/26/2012.

**Abstract:** This rulemaking would create a new regulatory framework for FTA's evaluation and rating of projects seeking funding under the discretionary New Starts and Small Starts programs authorized by 49 U.S.C. 5309. Specifically, this rulemaking would simplify the measures for assessing the mobility improvements and cost-effectiveness of projects; would place greater emphasis on the environmental benefits of projects and the effects of projects on local economic development; would clarify the criteria for assessing the local financial commitment of project sponsors; would streamline the evaluation process for projects that remain within a certain envelope of cost and scope during the project development process; and would provide a very quick evaluation process for certain types of projects seeking funding under the Small Starts program.

**Effects:**

Economically Significant  
 Major

**Prompting action:** Statute

**Legal Deadline:** Final Rule by : 04/07/2006

**Rulemaking Project Initiated:** 03/08/2010

**Docket Number:** FTA-2010-0009

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/15/2012		05/16/2012
To OMB	07/17/2012	06/12/2012	07/30/2012
OMB Clearance	10/17/2012	09/10/2012	
Publication Date	10/31/2012	10/01/2012	

**Explanation for any delay:** N/A

**Federal Register Citation for Final Rule:** None

Federal Transit Administration

53. **Environmental Impact and Related Procedures (RRR)** Green

**Popular Title:** Environmental Impact (RRR)



**RIN 2132-AB03**

**Stage:** Final Rule

**Previous Stage:** NPRM: Date of Publication 03/15/2012; End of Comment Period: 05/14/2012.

**Abstract:** This rulemaking proposes to establish a number of categorical exclusions (CE) from the requirement that an environmental assessment or an environmental impact statement be prepared under section 102 of the National Environmental Policy Act of 1969 (NEPA) for FTA-funded actions. The proposed CEs were developed after an extensive effort, in line with Council on Environmental Quality guidance, to identify activities that FTA believes do not have a significant effect on the environment. The proposed CEs covers some of the same actions as existing CEs, but would provide a tool that would expedite the delivery of transit projects without compromising environmental quality. The rulemaking would also make targeted revisions to the joint FTA/FHWA NEPA regulation that would only apply to FTA and would serve to support FTA's focus on streamlining its environmental process.

**Effects:**

None

**Prompting action:** Presidential Direction

**Legal Deadline:** None

**Rulemaking Project Initiated:** 09/15/2011

**Docket Number:**

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/24/2012		08/27/2012
To OMB	09/21/2012		
OMB Clearance	11/29/2012		
Publication Date	12/12/2012		

**Explanation for any delay:** N/A

**Federal Register Citation for Final Rule:** None

**Maritime Administration**

Maritime Administration

54.	<b>Regulations To Be Followed by All Departments, Agencies and Shippers Having Responsibility To Provide a Preference for U.S.-Flag Vessels in the Shipment of Cargoes on Ocean Vessels (RRR)</b>	Red
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**Popular Title:** Cargo Preference (RRR)

**RIN 2133-AB74**

**Stage:** Undetermined

**Previous Stage:** ANPRM: Publication Date 01/28/99; End of Comment Period 03/29/99; Withdrawn 02/14/05

**Abstract:** This rulemaking would revise and clarify the Cargo Preference rules that have not been revised substantially since 1971. Revisions would include an updated purpose and definitions section along with the removal of obsolete provisions. This rulemaking also would establish a new Part 383 to implement the Cargo Preference regulations. This rulemaking would cover P.L. 110-417, Section 3511, National Defense Authorization Act for

FY2009 changes to the cargo preference rules. The rulemaking also would include compromise, assessment, mitigation, settlement, and collection of civil penalties. Originally the agency had two separate rulemakings in process under RIN 2133-AB74 and 2133-AB75. RIN 2133-AB74 would have revised existing regulations and RIN 2133-AB75 would have established a new part 383: Guidance and Civil Penalties and implement P.L. 110-417, Section 3511, National Defense Authorization Act for FY 2009. MARAD has decided it would be more efficient to merge both efforts under one; RIN 2133-AB75 has been merged with this action.

**Effects:**

- Regulatory Flexibility Act
- Information Collection
- Foreign

**Prompting action:** 2011 Retrospective Regulatory Review

**Legal Deadline:** None

**Rulemaking Project Initiated:** 06/21/2008

**Docket Number:**

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** N/A

**Federal Register Citation for Undetermined:** None

**National Highway Traffic Safety Administration**

National Highway Traffic Safety Administration

55. **FMVSS No. 122 Motorcycle Brake Systems Upgrade** Green

**Popular Title:** Motorcycle Brake Systems GTR

**RIN 2127-AK16**

**Stage:** Final Rule

**Previous Stage:** NPRM 9/17/2008; End of C/P 11/17/08

**Abstract:** This rulemaking would upgrade FMVSS No. 122, Motorcycle Brake Systems, by adopting the best practices from motorcycle brake performance requirements from various National standards, including FMVSS No. 122, UNECE Regulation 78, and Japan Safety Standards 12-61, among others pursuant to the proposed Global Technical Regulations (GTR). The upgrade would include several braking tests, which would include stops on a high friction test surface from low, medium and high speeds; wet brake tests; heat fade tests, and antilock brake system performance tests on both high and low friction test surfaces.

**Effects:**

- EU
- Foreign

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 02/12/2008

**Docket Number:** NHTSA-2008-0150

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			05/24/2012
To OMB	06/28/2012		08/20/2012
OMB Clearance	12/21/2012		08/20/2012
Publication Date	12/31/2012		08/24/2012

**Explanation for any delay:** N/A

**Federal Register Citation for Final Rule:** 77 FR 51649

National Highway Traffic Safety Administration

56. **Federal Motor Vehicle Safety Standard No. 111, Rearview Mirrors (RRR)** Red

**Popular Title:** Rearview Visibility

**RIN 2127-AK43**

**Stage:** Final Rule

**Previous Stage:** ANPRM: Publication Date 03/04/09; End of Comment Period 05/04/09.  
 NPRM: Publication Date 12/07/2010; End of Comment Period 02/07/2011. NPRM Re-opened Comment Period: Publication Date 03/02/2011; End of Re-opened Comment Period 04/18/2011.

**Abstract:** This rulemaking would amend Federal Motor Vehicle Standard No. 111; Rearview Mirrors, to reflect requirements contained in the Cameron Gulbransen Kids Transportation Safety Act of 2007. The Act requires that NHTSA expand the required field of view to enable the driver of a motor vehicle to detect areas behind the motor vehicle to reduce death and injury resulting from backing incidents, particularly incidents involving small children and disabled persons. According to the Act, such a standard may be met by the provision of additional mirrors, sensors, cameras, or other technology to expand the driver's field of view.

**Effects:**

- Economically Significant
- Major
- EU
- NAFTA
- Foreign

**Prompting action:** Statute

**Legal Deadline:** FR per Letter to Congress : 12/31/2011  
 FR per 2nd Letter to Congress : 02/29/2012  
 FR per 3rd Letter to Congress : 12/31/2012  
 Initiate rulemaking : 02/28/2009  
 Final Rule : 02/28/2011

**Rulemaking Project Initiated:** 02/28/2008

**Docket Number:** NHTSA-2009-0041

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
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	Date	Date	
To OST	08/10/2011	10/03/2011	10/03/2011
To OMB	09/24/2011	11/03/2011	11/14/2011
OMB Clearance	12/23/2011	12/23/2012	
Publication Date	12/31/2011	12/31/2012	

**Explanation for any delay:** Additional research and data analysis necessary.

**Federal Register Citation for Final Rule:** None

National Highway Traffic Safety Administration

57. **Require Installation of Seat Belts on Motorcoaches, FMVSS No. 208** Red

**Popular Title:** Seat Belts on Motorcoaches

**RIN 2127-AK56**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 08/18/2010; End Of Comment Period 10/1/2010.

**Abstract:** This rulemaking would require the installation of lap/shoulder belts in newly-manufactured motorcoaches. Specifically, this rulemaking would establish a new definition for motorcoaches in 49 CFR Part 571.3. It would also amend Federal Motor Vehicle Safety Standard No. 208, Occupant Crash Protection, to require the installation of lap/shoulder belts at all driver and passenger seating positions. It would also require the installation of lap/shoulder belts at driver seating positions of large school buses in FMVSS No. 208. This rulemaking responds, in part, to recommendations made by the National Transportation Safety Board for improving bus safety and to a newly enacted statutory mandate in MAP-21 to require seat belts in certain buses.

**Effects:**

- Economically Significant
- Major
- EU
- NAFTA
- Foreign

**Prompting action:** None

**Legal Deadline:** Final Rule : 07/05/2013

**Rulemaking Project Initiated:** 08/12/2009

**Docket Number:** NHTSA-2010-0112

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/14/2011	05/14/2012	05/09/2012
To OMB	10/26/2011	06/26/2012	
OMB Clearance	01/25/2012	09/25/2012	
Publication Date	01/30/2012	09/28/2012	

**Explanation for any delay:** Unanticipated issues requiring further analysis

**Federal Register Citation for Final Rule:** None

National Highway Traffic Safety Administration

58. **Alternative Fuel Vehicle Badging and Fuel Compartment Labels on Alternative Fuel Usage** Red

**Popular Title:** \* Alternative Fuel Usage Labeling & Badging**RIN 2127-AK75****Stage:** NPRM**Previous Stage:**None

**Abstract:** This rulemaking would respond to requirements of the Energy Independence and Security Act of 2007 (EISA), Title 1, Subtitle A, Section 105, as it amends 49 USC Â§ 32908, to implement Consumer Information and Consumer Education programs related to fuel economy, GHG, other emissions, and alternative fuels. EISA directs the Secretary of Transportation to label vehicles with a permanent and prominent display that an automobile is capable of operating on alternative fuels, and to include in the owner's manual for vehicles capable of operating on alternative fuels information that describes that capability and the benefits of using alternative fuels, including the renewable nature and environmental benefits of using alternative fuels. Additionally, EISA requires a label to be attached to the fuel compartment of vehicles capable of operating on alternative fuels, with the form of alternative fuel stated on the label. EISA, signed into Law on December 19, 2007, requires that the Secretary issue a final rule not later than 42 months after the date of the enactment.

**Effects:**

EU  
NAFTA  
Foreign

**Prompting action:** Statute**Legal Deadline:** Final rule : 06/19/2011**Rulemaking Project Initiated:** 12/19/2007**Docket Number:****Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/19/2010	08/18/2012	08/20/2012
To OMB	08/26/2010	09/25/2012	
OMB Clearance	11/25/2010	11/28/2012	
Publication Date	11/30/2010	12/03/2012	
End of Comment Period	01/31/2011	02/04/2013	

**Explanation for any delay:** Unanticipated issues requiring further analysis**Federal Register Citation for NPRM:** None

National Highway Traffic Safety Administration

59. **Tire Fuel Efficiency Consumer Information - Part 2** Green**Popular Title:** \* Tire Fuel Efficiency Part 2**RIN 2127-AK76****Stage:** SNPRM**Previous Stage:** NPRM: Publication Date 06/22/2009; Comment Period End 08/21/2009.

**Abstract:** This rulemaking would respond to requirements of the Energy Independence & 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.

**Effects:**

EU  
NAFTA  
Foreign

**Prompting action:** Statute**Legal Deadline:** None**Rulemaking Project Initiated:** 12/19/2007**Docket Number:** NHTSA-2011-0099**Dates for SNPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/03/2012	11/01/2012	
To OMB	05/14/2012	12/11/2012	
OMB Clearance	08/13/2012	03/10/2013	
Publication Date	08/15/2012	03/15/2013	
End of Comment Period	10/15/2012	05/15/2013	

**Explanation for any delay:** Additional coordination necessary**Federal Register Citation for SNPRM:** None

National Highway Traffic Safety Administration

60.	<b>Passenger Car and Light Truck Corporate Average Fuel Economy Standards MYs 2017 and Beyond (RRR)</b>	Red
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**Popular Title:** CAFE 2017 and Beyond**RIN 2127-AK79****Stage:** Final Rule**Previous Stage:** Notice of Intent: 10/13/2010. Supplemental Notice of Intent: Publication Date 12/08/2010. Supplemental Notice of Intent: Signed by DOT Secretary and EPA Administrator 7/29/2011.

**Abstract:** This rulemaking established Corporate Average Fuel Economy (CAFE) standards for light trucks and passenger cars for model years 2017 through 2021 and set augural standards for model year 2022 through 2025 vehicles. This rulemaking responds to requirements of the Energy Policy and Conservation Act, as amended by the Energy Independence and Security Act of 2007. The statute requires that CAFE standards be prescribed separately for passenger automobiles and non-passenger automobiles to achieve a combined fleet fuel economy of at least 35 mpg by model year 2020. For model years 2021 and beyond, the statute requires that the average fuel economy required to be attained by each fleet of passenger and non-passenger automobiles be the maximum feasible for each model year. The law requires the standards be set at least 18 months prior to the start of the model year. On May 21, 2010, President Obama issued a memorandum directing NHTSA and EPA to conduct a joint rulemaking (NHTSA regulating fuel economy and EPA regulating greenhouse gas emissions), and to issue a Notice of Intent to Issue a Proposed Rule (NOI) by September 30, 2010. NHTSA completed this objective, subsequently issuing a Notice of Proposed Rulemaking (NPRM) in November, 2011, and a Final Rule on August 28, 2012. The estimated total incremental cost for this program is \$154B (2010 dollars), incremental benefits \$630B (3% discount rate) and \$503B (7% discount rate), and incremental net benefits \$476B (3% discount rate) and \$356B (7% discount rate).

**Effects:**

Economically Significant

Major  
EIS  
EU  
NAFTA  
Foreign

**Prompting action:** Statute

**Legal Deadline:** Final Rule : 04/01/2015

**Rulemaking Project Initiated:** 05/27/2010

**Docket Number:** NHTSA-2010-0131

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/13/2012		07/18/2012
To OMB	07/13/2012		07/18/2012
OMB Clearance	08/12/2012		08/27/2012
Publication Date	08/15/2012		

**Explanation for any delay:** N/A

**Federal Register Citation for Final Rule:** None

National Highway Traffic Safety Administration

61. **Mandatory Event Data Recorder Requirements (RRR)** Yellow

**Popular Title:** \* Mandatory EDR Requirements

**RIN 2127-AK86**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would establish a new Federal motor vehicle safety standard to mandate the installation of Event Data Recorders (EDR) in light vehicles. The standard would incorporate the current 49 CFR Part 563, which established the current reporting requirement of voluntarily installed EDRs in light vehicles. Part 563 presently requires vehicle manufacturers who are voluntarily installing EDRs to be in compliance with the regulation by September 1, 2012. This rulemaking would not affect the 2012 compliance date for voluntarily-installed EDRs. Furthermore, this rulemaking would not modify any of the Part 563 data elements, data capture and format requirements, data retrieval specifications, or data survivability and crash test requirements. Moreover, this rulemaking to mandate EDRs across the entire light vehicle fleet could contribute to advancements in vehicle designs, and advanced restraint and other safety countermeasures. The estimated total incremental costs associated with this rulemaking would be \$24.4 million (2009 dollars), which is measured from a baseline of 91.6 percent EDR installation to 100 percent installation, assuming the sale of 15.5 million light vehicles per year.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 02/22/2011

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally	New	Actual
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	<b>Scheduled Date</b>	<b>Projected Date</b>	<b>Date</b>
To OST	06/15/2011	09/20/2011	09/13/2011
To OMB	07/26/2011	01/03/2012	02/01/2012
OMB Clearance	10/25/2011	09/22/2012	
Publication Date	10/31/2011	09/28/2012	
End of Comment Period	12/31/2011	11/28/2012	

**Explanation for any delay:** N/A

**Federal Register Citation for NPRM:** None

National Highway Traffic Safety Administration

62. **Upgrade of Event Data Recorder Requirements** Red

**Popular Title:** Light Vehicle Upgrade of EDR Requirements

**RIN 2127-AK87**

**Stage:** Undetermined

**Previous Stage:**None

**Abstract:** This rulemaking would expand the utility of the amount and type of data Event Data Recorders (EDRs) capture in light vehicles in the event of a crash. The rulemaking would consider requiring some of the optional data elements specified in 49 CFR Part 563. Part 563 established the current reporting requirement of voluntarily installed EDRs in light vehicles. In addition, this rulemaking would make revisions to the optional data elements to account for the latest advances in vehicle safety. Part 563 presently requires vehicle manufacturers who are voluntarily installing EDRs to be in compliance with the regulation by September 1, 2012. In a separate rulemaking (2127-AK86 Mandatory Part 563 Event Data Recorder Requirements), the agency would propose requiring that all light vehicles comply with the requirements specified in current 49 CFR 563. This rulemaking would seek additional information from the public and expand upon that initiative. Moreover, this rulemaking would contribute to advancements in vehicle designs, advanced restraints and other safety countermeasures. The costs are expected to be minimal since some vehicle manufacturers presently capture additional data beyond Part 563 in their EDRs.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 02/22/2011

**Docket Number:**

**Dates for Undetermined:**

<b>Milestone</b>	<b>Originally Scheduled Date</b>	<b>New Projected Date</b>	<b>Actual Date</b>
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** Lack of resources

**Federal Register Citation for Undetermined:** None



63. **Heavy Vehicle Speed Limiters** Red**Popular Title:** Heavy Vehicle Speed Limiters**RIN 2127-AK92****Stage:** NPRM**Previous Stage:**None

**Abstract:** This rulemaking would respond to petitions from ATA and Roadsafe America to require the installation of speed limiting devices on heavy trucks. In response to the petitions, NHTSA requested public comment on the subject and received thousands of comments supporting the petitioner's request. Based on the available safety data and the ancillary benefit of reduced fuel consumption, this rulemaking would consider a new Federal Motor Vehicle Safety Standard that would require the installation of speed limiting devices on heavy trucks. We believe this rule would have minimal cost, as all heavy trucks already have these devices installed, although some vehicles do not have the limit set. This rule would decrease the estimated 1,115 fatal crashes annually involving vehicles with a GVWR of over 11,793.4 kg (26,000 lbs) on roads with posted speed limits of 55 mph or above.

**Effects:**

Economically Significant  
Major

**Prompting action:** None**Legal Deadline:** None**Rulemaking Project Initiated:** 03/18/2011**Docket Number:****Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/11/2011	08/11/2012	
To OMB	09/24/2011	09/24/2012	
OMB Clearance	12/23/2011	12/23/2012	
Publication Date	12/31/2011	12/30/2012	
End of Comment Period	03/02/2012	02/28/2013	

**Explanation for any delay:** Additional coordination necessary**Federal Register Citation for NPRM:** None64. **Sound for Hybrid and Electric Vehicles** Green**Popular Title:** \* Quieter Vehicles Sound Alert**RIN 2127-AK93****Stage:** NPRM**Previous Stage:**None

**Abstract:** This rulemaking would respond to The Pedestrian Safety Enhancement Act of 2010, which directs the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

**Effects:**

Economically Significant  
 Major  
 EU  
 NAFTA  
 Foreign

**Prompting action:** None

**Legal Deadline:** Initiate rulemaking : 07/05/2012  
 Final Rule : 01/03/2014

**Rulemaking Project Initiated:** 03/18/2011

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/14/2012		03/07/2012
To OMB	03/27/2012		05/08/2012
OMB Clearance	06/27/2012	09/22/2012	
Publication Date	07/05/2012	09/28/2012	
End of Comment Period	09/05/2012	11/28/2012	

**Explanation for any delay:** N/A

**Federal Register Citation for NPRM:** None

National Highway Traffic Safety Administration

65.	<b>Establish Side Impact Performance Requirements for Child Restraint Systems</b>	Green
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**Popular Title:** Side Impact Test Procedure for CRS

**RIN 2127-AK95**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking 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. It is estimated that the costs and benefits of this rulemaking will be minimal. This rulemaking would be responsive to requirements of the Moving Ahead for Progress in the 21st Century (MAP-21) Act.

**Effects:**

EU  
 NAFTA  
 Foreign

**Prompting action:** None

**Legal Deadline:** Final Rule : 07/05/2014

**Rulemaking Project Initiated:** 03/18/2011

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date

To OST	07/20/2012	10/06/2012	
To OMB	08/24/2012	11/11/2012	
OMB Clearance	11/23/2012	02/10/2013	
Publication Date	11/30/2012	02/15/2013	
End of Comment Period	01/30/2013	04/15/3013	

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for NPRM:** None

National Highway Traffic Safety Administration

66. **Motorcoach Rollover Structural Integrity** Red

**Popular Title:** Motorcoach Rollover Structural Integrity

**RIN 2127-AK96**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would promulgate a new FMVSS for rollover structural integrity requirements for motorcoaches. In August 2007, NHTSA published a motorcoach safety plan identifying four specific priority items: seat belts on motorcoaches, rollover structural integrity, emergency evacuation, and fire safety. The DOT published a comprehensive motorcoach safety action plan in November 2009 that reiterated NHTSA's motorcoach safety priorities. This rulemaking also addresses 6 recommendations issued by the NTSB on motorcoach roof strength and structural integrity and is responsive to requirements of the Moving Ahead for Progress in the 21st Century (MAP-21) Act.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** Publish Final Rule : 07/05/2014

**Rulemaking Project Initiated:** 03/18/2011

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/12/2011	10/28/2011	11/10/2011
Returned to Mode			05/11/2012
To OMB	09/23/2011	08/16/2012	
OMB Clearance	12/23/2011	11/15/2012	
Publication Date	12/30/2011	11/30/2012	
End of Comment Period	03/02/2012	01/30/2013	

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for NPRM:** None

National Highway Traffic Safety Administration

67. **Electronic Stability Control Systems for Heavy Vehicles** Red

**Popular Title:** Truck Tractor Electronic Stability Control

**RIN 2127-AK97**

**Stage:** Undetermined

**Previous Stage:** NPRM 05/23/12; End of C/P: 08/21/12

**Abstract:** This rulemaking would promulgate a new Federal standard that would require stability control systems on truck tractors and motorcoaches that address both rollover and loss of control crashes, after an extensive research program to evaluate the available technologies, an evaluation of the costs and benefits, and a review of manufacturer’s product plans. Rollover and loss of control crashes involving heavy vehicles is a serious safety issue that is responsible for 304 fatalities and 2,738 injuries annually. They are also a major cause of traffic tie-ups, resulting in millions of dollars of lost productivity and excess energy consumption each year. Suppliers and truck and motorcoach manufacturers have developed stability control technology for heavy vehicles to mitigate these types of crashes. Our preliminary estimate produces an effectiveness range of thirty-seven to fifty-six percent against single-vehicle tractor-trailer rollover crashes and three to fourteen percent against loss of control crashes that result from skidding on the road surface. With these effectiveness estimates, annually, we estimate 29 - 66 lives would be saved, 517 - 979 MAIS 1-5 injuries would be reduced, and 810 - 1,693 crashes that involved property damage only would be eliminated. Additionally, it would save \$10 - \$26 million in property damage and travel delays. Based on the technology unit costs and affected vehicles, we estimate technology costs would be \$55 to 107 million, annually. However, the costs savings from reducing travel delay and property damage would produce net benefits of \$128 - \$372 million. This rulemaking is responsive to requirements of the Moving Ahead for Progress in the 21st Century (MAP-21) Act.

**Effects:**

- Economically Significant
- Major
- Federalism

**Prompting action:** None

**Legal Deadline:** Final Rule : 07/05/2014

**Rulemaking Project Initiated:** 03/18/2011

**Docket Number:**

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** N/A

**Federal Register Citation for Undetermined:** None

National Highway Traffic Safety Administration

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

**Popular Title:** Novelty Helmets Enforcement

**RIN 2127-AL01**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would reduce the sale and use of novelty motorcycle helmets.

The rulemaking would set forth an interpretation that clarifies that novelty helmets are within the reach of 49 USC 30102(a)(7), motor vehicle equipment. In addition, this rulemaking would propose preliminary screening requirements that could be used by laboratories, law enforcement, or Customs and Border Protection to identify helmets that are not designed to comply with FMVSS No. 218.

**Effects:**

EU  
NAFTA  
Foreign

**Prompting action:** None**Legal Deadline:** None**Rulemaking Project Initiated:** 04/21/2011**Docket Number:****Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	10/12/2011	10/09/2012	
To OMB	11/23/2011	11/21/2012	
OMB Clearance	02/22/2012	02/20/2013	
Publication Date	02/29/2012	02/28/2013	
End of Comment Period	04/30/2012	03/30/2013	

**Explanation for any delay:** Additional coordination necessary**Federal Register Citation for NPRM:** None

National Highway Traffic Safety Administration

69.	<b>Amend Definition of Motorcycle in 49 CFR 571.3 to Exclude Enclosed 3-Wheeled Passenger Vehicles</b>	Black
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**Popular Title:** Amend Definition of Motorcycle**RIN 2127-AL15****Stage:** NPRM**Previous Stage:**None

**Abstract:** This rulemaking would change the regulatory definition of motorcycle to exclude three-wheeled vehicles that are configured like passenger cars. Under the existing regulatory definition of motorcycle in Part 571.3, three-wheeled motor vehicles are classified as motorcycles. This is appropriate for motorcycles with sidecars, trikes, and other three-wheeled vehicles that are based on a motorcycle-like configuration. However, other three-wheeled vehicles have passenger-car characteristics such as fully enclosed cabins, hinged doors with roll-up windows, steering wheels, and side-by-side seating. Because these car-like vehicles ride on three wheels instead of four, they are not required to meet federal safety standards for passenger cars (although they are subject to motorcycle safety standards.) Various car-like three-wheeled vehicle models have been imported into the U.S. and have been available for sale to the public. NHTSA believes consumers who purchase these vehicles are likely to assume that these vehicles have the same safety features and crash protection as passenger cars certified to federal safety standards.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 02/10/2012

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	10/04/2012	11/14/2012	
To OMB	11/22/2012	12/20/2012	
OMB Clearance	02/21/2013	03/20/2013	
Publication Date	02/26/2013	03/31/2013	
End of Comment Period	04/27/2013	05/30/2013	

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for NPRM:** None

**Office of the Secretary**

Office of the Secretary

70. **Protection of Sensitive Security Information** Red

**Popular Title:** SSI-TSA

**RIN 2105-AD59**

**Stage:** Undetermined

**Previous Stage:** Interim Final Rule: Publication Date 05/18/2004; End of Comment Period 07/19/2004.

**Abstract:** This rulemaking would finalize a May 2004 interim final rule and respond to any comments received on that action. This is a joint rulemaking between DOT and the Transportation Security Administration. A final rule was originally scheduled for 10/31/06.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 09/02/2002

**Docket Number:** TSA-2003-15569

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for Undetermined:** None

Office of the Secretary

71. **Prioritization and Allocation Authority Exercised By the Secretary of Transportation Under the Defense Production Act** Red**Popular Title:** Defense Production Act (DPA)**RIN 2105-AD83****Stage:** Final Rule**Previous Stage:** NPRM: Publication Date 02/15/2011; End of Comment Period 03/17/2011.

**Abstract:** This rulemaking would clarify the prioritization and allocation authorities exercised by the Secretary of Transportation under the Defense Production Act (DPA). The DPA is the President's primary authority to ensure timely availability of private sector resources for national defense. In addition to military and energy activities, the definition of "national defense" includes emergency preparedness activities conducted pursuant to Title VI of The Robert T. Stafford Disaster Relief and Emergency Assistance Act and the protection and restoration of critical infrastructure. Under Title I of the DPA, the President has the authority to require the acceptance and prioritization of contracts and orders -- and to allocate materials, services, and facilities -- in support of the national defense. Under Section 201 of Executive Order 12919, the President has delegated these prioritization and allocation authorities to the Secretary of Transportation for all forms of civil transportation. In the 2009 DPA reauthorization legislation, Congress mandated that each Federal agency with delegated authority under Title I of the DPA develop final rules that establish standards and procedures for implementing its delegated authority in emergency and nonemergency conditions. Additionally, Congress mandated that, to the extent practicable, the rules be consistent and unified. DOT is part of an interagency working group, along with the other delegated agencies, that is developing consistent unified rules.

**Effects:**

Information Collection

**Prompting action:** Statute**Legal Deadline:** Final rule : 06/27/2010**Rulemaking Project Initiated:** 01/07/2009**Docket Number:****Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/15/2011	09/22/2011	08/18/2011
To OMB	10/17/2011	11/17/2011	11/17/2011
OMB Clearance	01/17/2012	07/27/2012	08/03/2012
Publication Date	01/31/2012	08/08/2012	

**Explanation for any delay:** N/A**Federal Register Citation for Final Rule:** None

Office of the Secretary

72. **Use of the Seat-Strapping Method for Carrying a Wheelchair on an Aircraft** Red**Popular Title:** Seat-Strapping**RIN 2105-AD87****Stage:** Final Rule**Previous Stage:** NPRM: Publication Date 06/03/2011; End of Comment Period 08/02/2011.**Abstract:** This rulemaking would address whether carriers should be allowed to utilize the

seat-strapping method to stow a passenger's wheelchair in the aircraft cabin.

**Effects:**

Regulatory Flexibility Act

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 04/30/2009

**Docket Number:**

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	11/09/2011	04/02/2012	02/23/2012
Returned to Mode		04/09/2012	03/12/2012
Resubmitted to OST		05/10/2012	06/07/2012
To OMB	12/21/2011	07/06/2012	07/26/2012
OMB Clearance	03/20/2012	10/05/2012	
Publication Date	04/03/2012	10/15/2012	

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for Final Rule:** None

Office of the Secretary

73. **Stowage of Wheelchairs, other Mobility Aids and other Assistive Devices** Red

**Popular Title:** Stowage and Assistive Devices

**RIN 2105-AD90**

**Stage:** Undetermined

**Previous Stage:**None

**Abstract:** This rulemaking would amend 14 CFR Part 382 (Part 382) by including Subpart I (14 CFR 382.121-382.133) in the list of subparts with which a U.S. carrier must comply with respect to passengers traveling under its code on flights operated by a foreign carrier between two foreign points. This rulemaking would also amend Part 382 to eliminate the labeling requirements for FAA approved portable oxygen concentrators and specify that ventilators, respirators and Continuous Positive Airway Pressure (CPAP) machines must be allowed for use in the passenger cabin as long as they comply with applicable safety, security, and hazardous materials rules. In addition, this rule would amend the provision in Part 382 that allows carriers to require a passenger who wishes to use an FAA-approved portable oxygen concentrator in the aircraft cabin to provide a medical certificate dated within 10 days of the passenger's initial flight.

**Effects:**

- EU
- NAFTA
- Foreign

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 03/02/2009

**Docket Number:**

**Dates for Undetermined:**

Milestone	Originally	New	Actual
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	Scheduled Date	Projected Date	Date
To OST			
To OMB			
OMB Clearance			
Publication Date			
End of Comment Period			

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for Undetermined:** None

Office of the Secretary

74. **Accessibility of Airports** Green

**Popular Title:** Accessibility of Airports

**RIN 2105-AD91**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 09/29/2011; End of Comment Period 11/28/2011.

**Abstract:** The rulemaking would include new provisions related to service animal relief areas and closed captioning of televisions and audio-visual displays for airports that mirror the new requirements applicable to airlines set forth in the amended 14 CFR Part 382. It would also reorganize the provision in 49 CFR Part 27 regarding lifts used to transfer disabled passengers to and from the tarmac.

**Effects:**

- EU
- NAFTA
- Foreign

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 01/03/2009

**Docket Number:**

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/23/2012		
To OMB	08/20/2012		
OMB Clearance	11/19/2012		
Publication Date	12/04/2012		

**Explanation for any delay:** N/A

**Federal Register Citation for Final Rule:** None

Office of the Secretary

75. **Accessibility of Carrier Websites and Ticket Kiosks** Red

**Popular Title:** ACAA SNPRM 1

**RIN 2105-AD96**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 06/08/2010; Comment Period 08/09/2010.

SNPRM: Publication Date 09/26/2011; End of Comment Period 11/25/2011; Extension of Comment Period 11/21/2011; End of Extended Comment Period 01/09/2012.

**Abstract:** This is the first of two supplemental notices of proposed rulemaking (SNPRM) to follow-up on air travel accessibility issues discussed in the preamble of the 2008 final Air Carrier Access Act (ACAA) rule but deferred for final decision to a later rulemaking. (The second SNPRM is RIN 2105-AE12.) This rulemaking action would consider: (1) whether carriers should be required to make Web sites they operate and on which their agents sell airport transportation on their behalf accessible to people with disabilities; and (2) whether automated kiosks operated by carriers at U.S. airports should be required to be accessible.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 09/15/2009

**Docket Number:**

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/07/2012	08/20/2012	08/23/2012
To OMB	06/08/2012	09/27/2012	
OMB Clearance	09/07/2012	12/26/2012	
Publication Date	09/14/2012	01/08/2013	

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for Final Rule:** None

Office of the Secretary

76. **Smoking of Electronic Cigarettes On Commercial Aircraft** Red

**Popular Title:** E-Cigarette

**RIN 2105-AE06**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 09/15/2011; End of Comment Period 11/14/2011.

**Abstract:** This rulemaking would amend the general regulatory language in 14 CFR Part 252 to explicitly ban the smoking of electronic cigarettes on air carrier and foreign air carrier flights in scheduled intrastate, interstate, and foreign air transportation.

**Effects:**

Foreign

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 11/04/2010

**Docket Number:**

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/10/2012	12/07/2012	
To OMB	05/08/2012	01/11/2013	

OMB Clearance	08/06/2012	04/08/2013	
Publication Date	08/20/2012	04/22/2013	

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for Final Rule:** None

Office of the Secretary

77. **Enhancing Airline Passenger Protections III** Red

**Popular Title:** Airline Psgr. Protections III

**RIN 2105-AE11**

**Stage:** SNPRM

**Previous Stage:** NPRM: Publication Date 12/08/2008; Comment Period End 02/06/2009.  
NPRM Extension of Comment Period: Publication date 02/06/2009; Extension of Comment Period End 03/09/2009.

**Abstract:** This rulemaking would address the following issues: (1) whether the Department should require a marketing carrier to provide assistance to its code-share partner when a flight operated by the code-share partner experiences a lengthy tarmac delay; (2) whether the Department should enhance disclosure requirements on code-share operations, including requiring on-time performance data, reporting of certain data code-share operations, and codifying the statutory amendment of 49 U.S.C. 41712(c) regarding website schedule disclosure of code-share operations; (3) whether the Department should expand the on-time performance "reporting carrier" pool to include smaller carriers; (4) whether the Department should require travel agents to adopt minimum customer service standards in relation to the sale of air transportation; (5) whether the Department should require ticket agents to disclose the carriers whose tickets they sell or do not sell and information regarding any incentive payments they receive in connection with the sale of air transportation; (6) whether the Department should require ticket agents to disclose any preferential display of individual fares or carriers in the ticket agent's internet displays; (7) whether the Department should require additional or special disclosures regarding certain substantial fees, e.g., oversize or overweight baggage fees; (8) whether the Department should prohibit post-purchase price increase for all services and products not purchased with the ticket or whether it is sufficient to prohibit post-purchase prices increases for baggage charges that traditionally have been included in the ticket price; and (9) whether the Department should require that ancillary fees be displayed through all sale channels.

**Effects:**

Regulatory Flexibility Act

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 04/18/2011

**Docket Number:**

**Dates for SNPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/30/2011	10/01/2012	
To OMB	09/30/2011	10/22/2012	
OMB Clearance	12/30/2011	01/21/2013	
Publication Date	01/06/2012	01/29/2013	
End of Comment Period	03/06/2012	03/30/2013	

**Explanation for any delay:** Awaiting development of additional data

**Federal Register Citation for SNPRM:** None

Office of the Secretary

78. **Carrier-Supplied Medical Oxygen, Accessible In-Flight Entertainment Systems, Service Animals, and Accessible Lavatories on Single-Aisle Aircraft** Red

**Popular Title:** ACAA SNPRM 2

**RIN 2105-AE12**

**Stage:** SNPRM

**Previous Stage:** NPRM: Publication Date 06/08/2010; Comment Period End 08/09/2010.

**Abstract:** This is the second of two supplemental notices of proposed rulemaking (SNPRM) to follow-up on air travel accessibility issues discussed in the preamble of the 2008 final Air Carrier Access Act (ACAA) rule but deferred for final decision to a later rulemaking. (The first SNPRM is RIN 2105-AD96.) This rulemaking action would consider (1) whether there are safety-related reasons for excluding service animals other than dogs that may be specific to foreign carriers; (2) whether carriers should be required to supply in-flight medical oxygen for a fee to passengers who require it to access air transportation; (3) whether providing accessible in-flight entertainment to passengers with disabilities is technically and economically feasible; (4) whether certain changes should be made to provisions allowing carriers to require medical documentation and 48 hours advance notice from users of emotional support and psychiatric service animals; and (5) whether carriers should be required to report to the Department annually the number of requests for wheelchair assistance they receive. The rulemaking would also seek public comment on the feasibility of requiring accessible lavatories on certain single-aisle aircraft, expanding the applicability of certain required seating accommodations, and clarifications of certain requirements pertaining to the carriage of service animals.

**Effects:**

None

**Prompting action:** Secretarial/Head of Operating Administration Decision

**Legal Deadline:** None

**Rulemaking Project Initiated:** 04/25/2011

**Docket Number:**

**Dates for SNPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/27/2011	12/12/2012	
To OMB	07/30/2011	01/15/2013	
OMB Clearance	10/25/2011	04/15/2013	
Publication Date	10/31/2011	04/24/2013	
End of Comment Period	12/31/2011	06/23/2013	

**Explanation for any delay:** Additional coordination necessary  
Awaiting development of additional data  
Unanticipated issues requiring further analysis

**Federal Register Citation for SNPRM:** None

Office of the Secretary

79. **Transportation for Individuals with Disabilities: Reasonable Modification** Green

**Popular Title:** ADA: Reasonable Accommodation**RIN 2105-AE15****Stage:** Final Rule**Previous Stage:** None.

**Abstract:** This action continues a rulemaking initiated under RIN 2105-AD54. It would add to the Department's ADA regulations a requirement, parallel to that in other DOT and Department of Justice ADA rules, that regulated entities reasonably modify policies and practices where necessary to ensure nondiscriminatory transportation services for individuals with disabilities, except where doing so would fundamentally alter the service.

**Effects:**

None

**Prompting action:** Secretarial/Head of Operating Administration Decision**Legal Deadline:** None**Rulemaking Project Initiated:** 02/06/2006**Docket Number:****Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/15/2012	09/17/2012	
To OMB	05/15/2012	10/17/2012	
OMB Clearance	08/15/2011	01/17/2013	
Publication Date	08/31/2012	01/28/2013	

**Explanation for any delay:** N/A**Federal Register Citation for Final Rule:** None

### Pipeline and Hazardous Materials Safety Administration

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 Pipeline and Hazardous Materials Safety Administration

 80. **Hazardous Materials: Bulk Loading and Unloading Operations** Red
**Popular Title:** Loading/Unloading**RIN 2137-AE37****Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 03/11/2011; End of Comment Period 05/10/2011. End of extended Comment Period 06/09/2011.

**Abstract:** This rulemaking would amend the Hazardous Materials Regulations to require each person (i.e., carrier or facility) who engages in cargo tank loading or unloading operations to perform a risk assessment of the loading and unloading operation and develop and implement safe operating procedures based upon the results of the risk assessment. These amendments would include the operational procedures requirements to address several aspects of loading and unloading, including provisions for facilities to develop maintenance testing programs for transfer equipment (i.e., hose maintenance programs) used to load or unload cargo tank motor vehicles (CTMVs). In addition, this rulemaking would require each employee who engages in cargo tank loading or unloading operations to receive training and be evaluated on the employee's qualifications to perform loading or unloading functions. This rulemaking is intended to reduce the risk associated with the loading and unloading of cargo tank motor vehicles that contain hazardous materials.

**Effects:**

Information Collection

**Prompting action:** Secretarial/Head of Operating Administration Decision

**Legal Deadline:** None

**Rulemaking Project Initiated:** 10/28/2008

**Docket Number:** PHMSA-2007-28119

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/26/2011	04/06/2012	05/02/2012
Returned to Mode			06/06/2012
Resubmitted to OST		08/23/2012	
To OMB	02/02/2012	09/17/2012	
OMB Clearance	05/02/2012	12/17/2012	
Publication Date	05/11/2012	12/26/2012	

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for Final Rule:** None

Pipeline and Hazardous Materials Safety Administration

81. **Pipeline Safety: Enforcement of State Excavation Damage Laws** Red

**Popular Title:** Pipeline Safety: Excavation Damage Laws

**RIN 2137-AE43**

**Stage:** Final Rule

**Previous Stage:** NPRM 4/02/2012; End of C/P 07/09/2012; End of C/P 06/01/2012; Extension of C/P 05/30/2012; End of Extended C/P 07/09/2012

**Abstract:** The PIPES Act provides PHMSA with the authority to enforce excavation damage laws in those states that have inadequate enforcement. This rulemaking would consider standards for excavators and operators to follow when conducting excavation in a vicinity of a pipeline and the administrative procedures to be used for enforcement proceedings.

**Effects:**

None

**Prompting action:** Statute

**Legal Deadline:** None

**Rulemaking Project Initiated:** 03/30/2009

**Docket Number:** PHMSA 2009-0192

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	03/25/2013		
To OMB	04/25/2013		
OMB Clearance	07/25/2013		
Publication Date	08/05/2013		
End of Comment Period	10/04/2013		

**Explanation for any delay:** N/A**Federal Register Citation for Final Rule:** None

Pipeline and Hazardous Materials Safety Administration

82.	<b>Hazardous Materials: Revisions to Requirements for the Transportation of Lithium Batteries</b>	Red
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**Popular Title:** Transportation of Lithium Batteries**RIN 2137-AE44****Stage:** Final Rule**Previous Stage:** NPRM: Publication Date 1/11/2010; End of C/P 3/12/2010. C/P reopened: 04/11/2012, C/P closed 05/11/2012.

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

**Effects:**

Regulatory Flexibility Act

**Prompting action:** Secretarial/Head of Operating Administration Decision**Legal Deadline:** None**Rulemaking Project Initiated:** 03/26/2009**Docket Number:** PHMSA-2009-0095**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/29/2012	08/22/2012	09/18/2012
To OMB	09/19/2012	09/19/2012	
OMB Clearance	12/18/2012	12/18/2012	
Publication Date	12/28/2012	12/28/2012	

**Explanation for any delay:** N/A**Federal Register Citation for Final Rule:** None

Pipeline and Hazardous Materials Safety Administration

83.	<b>Hazardous Materials: Safety Requirements for External Product Piping on Cargo Tanks Transporting Flammable Liquids (Wetlines)</b>	Red
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**Popular Title:** Wetlines**RIN 2137-AE53****Stage:** Undetermined

**Previous Stage:** NPRM: Publication Date 01/27/2011; End of Comment Period 03/28/2011. NPRM: Extension of Comment Period 03/17/2011; End of Extended Comment Period 04/27/2011.

**Abstract:** The rulemaking would amend the Hazardous Materials Regulations to prohibit flammable liquids from being transported in unprotected product piping on existing and newly manufactured DOT specification cargo tank motor vehicles. The status of this rule is

now undetermined as a statutorily mandated GAO report must be completed before any further action is taken.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 09/01/2009

**Docket Number:** PHMSA-2009-0303

**Dates for Undetermined:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			
To OMB			
OMB Clearance			
Publication Date			

**Explanation for any delay:** N/A

**Federal Register Citation for Undetermined:** None

Pipeline and Hazardous Materials Safety Administration

84. **Pipeline Safety: Safety of On-Shore Liquid Hazardous Pipelines** Red

**Popular Title:** Liquid Hazardous Pipelines

**RIN 2137-AE66**

**Stage:** NPRM

**Previous Stage:** ANPRM: Publication Date 10/18/2010; End of Comment Period 01/18/2011; Extension of Comment Period 01/04/2011; End of Extended Comment Period 02/18/2011.

**Abstract:** This rulemaking would address effective procedures that hazardous liquid operators can use to improve the protection of High Consequence Areas (HCA) and other vulnerable areas along their hazardous liquid onshore pipelines. PHMSA is considering whether changes are needed to the regulations covering hazardous liquid onshore pipelines, whether other areas should be included as HCAs for integrity management (IM) protections, what the repair timeframes should be for areas outside the HCAs that are assessed as part of the IM program, whether leak detection standards are necessary, valve spacing requirements are needed on new construction or existing pipelines, and PHMSA should extend regulation to certain pipelines currently exempt from regulation. The agency would also address the public safety and environmental aspects any new requirements, as well as the cost implications and regulatory burden.

**Effects:**

Economically Significant  
Major  
Regulatory Flexibility Act

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 08/13/2010

**Docket Number:** PHMSA-2010-0229

**Dates for NPRM:**

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Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	11/18/2011	05/22/2012	06/13/2012
Returned to Mode			06/28/2012
Resubmitted to OST		07/16/2012	
To OMB	12/16/2011	08/16/2012	
OMB Clearance	03/19/2012	11/16/2012	
Publication Date	03/30/2012	11/25/2012	
End of Comment Period	05/30/2012	01/25/2013	

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for NPRM:** None

Pipeline and Hazardous Materials Safety Administration

85.	<b>Hazardous Materials: Revision of Requirements for Fireworks Approvals (RRR)</b>	Red
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**Popular Title:** Fireworks Approvals (RRR)

**RIN 2137-AE70**

**Stage:** NPRM

**Previous Stage:** None

**Abstract:** This rulemaking would amend the HMR by revising and clarifying requirements for the examination, testing, certification, and transportation of certain Division 1.4G consumer fireworks (UN0336 Fireworks). Further, this rulemaking would establish DOT-approved fireworks certification agencies that will provide an alternative to the approval process for Division 1.4G consumer fireworks. PHMSA is also proposing to revise procedural regulations pertaining to certification agencies. These proposed actions, if adopted, will clarify regulations with respect to PHMSA's fireworks approval process and provide regulatory flexibility in seeking authorization for the transportation of Division 1.4G consumer fireworks. This rulemaking was recently downgraded to nonsignificant and will not appear on next month's report.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 09/27/2010

**Docket Number:** PHMSA-2010-0320

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
Publication Date	01/19/2012	08/31/2012	08/30/2012
End of Comment Period	04/19/2012	10/30/2012	10/29/2012

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for NPRM:** 77 FR 52636

Pipeline and Hazardous Materials Safety Administration

86.	<b>Pipeline Safety: Excess Flow Valves In Applications Other Than Single-</b>	Red
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**Family Residences in Gas Distribution Systems****Popular Title:** Excess Flow Valves**RIN 2137-AE71****Stage:** ANPRM**Previous Stage:** ANPRM 11/25/2011; CP ended 2/18/12; CP extended to 3/19/2012

**Abstract:** This rulemaking would require excess flow valves (EFVs) be installed in all new and renewed gas service lines, for structures other than single family dwellings, when the operating conditions are compatible with readily available valves. These changes would be in response to NTSB and PHMSA investigations of current EFV installation practices. The intended effect of the rule is to increase the level of safety for structures other than single family dwellings currently subject to Federal pipeline safety regulation.

**Effects:**

None

**Prompting action:** None**Legal Deadline:** None**Rulemaking Project Initiated:** 10/01/2010**Docket Number:** PHMSA-2011-0009**Dates for ANPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/02/2011		07/29/2011
To OMB	06/30/2011	09/16/2011	09/26/2011
OMB Clearance	07/14/2011	11/04/2011	11/02/2011
Publication Date	07/25/2011	11/17/2011	11/25/2011
End of Comment Period	10/25/2011	01/19/2012	02/18/2012
Extension of Comment Period			02/02/2012
End of Extended Comment Period			03/19/2012

**Explanation for any delay:** Additional coordination necessary**Federal Register Citation for ANPRM:** None

Pipeline and Hazardous Materials Safety Administration

87. **Pipeline Safety: Gas Transmission (RRR)**

Red

**Popular Title:** Gas Transmission (RRR)**RIN 2137-AE72****Stage:** NPRM**Previous Stage:** ANPRM 8/25/2011; End of C/P 12/02/2011; End of Extended C/P 1/20/2012

**Abstract:** In this rulemaking PHMSA will be revisiting the requirements in the Pipeline Safety Regulations addressing integrity management principles for Gas Transmission pipelines. In particular, PHMSA will be reviewing the definition of an HCA ( including the concept of a potential impact radius), the repair criteria for both HCA and non-HCA areas, requiring the use of automatic and remote controlled shut off valves, valve spacing, and whether applying the integrity management program requirements to additional areas would mitigate the need for class location requirements.

**Effects:**

None

**Prompting action:** 2011 Retrospective Regulatory Review

**Legal Deadline:** None

**Rulemaking Project Initiated:** 01/04/2011

**Docket Number:** PHMSA-2011-0023

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	03/25/2013		
To OMB	04/25/2013		
OMB Clearance	07/25/2013		
Publication Date	08/05/2013		
End of Comment Period	10/04/2013		

**Explanation for any delay:** N/A

**Federal Register Citation for NPRM:** None

Pipeline and Hazardous Materials Safety Administration

88. **Hazardous Materials: Reverse Logistics (RRR)** Green

**Popular Title:** Reverse Logistics (RRR)

**RIN 2137-AE81**

**Stage:** ANPRM

**Previous Stage:** ANPRM 07/05/2012, End of C/P: 10/03/2012.

**Abstract:** This rulemaking would address changes to the Hazardous Materials Regulations (HMR) that are applicable to reverse logistics. The issue of reverse logistics involves the transportation of hazardous materials that have been damaged or returned from the retailer to a return center. Specifically, the rulemaking would establish a regulatory definition of ‘reverse logistics’ and outline the responsibilities of those that offer hazardous materials returned by retail customers.

**Effects:**

None

**Prompting action:** 2011 Retrospective Regulatory Review

**Legal Deadline:** None

**Rulemaking Project Initiated:** 04/08/2011

**Docket Number:** PHMSA-2011-0143

**Dates for ANPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/10/2012	04/10/2012	03/27/2012
To OMB	05/11/2012	05/10/2012	05/14/2012
OMB Clearance	06/15/2012	06/07/2012	06/21/2012
Publication Date	06/29/2012	06/29/2012	07/05/2012
End of Comment Period	08/29/2012	08/29/2012	10/03/2012

**Explanation for any delay:** N/A

**Federal Register Citation for ANPRM:** 77 FR 39662

89. <b>Hazardous Materials: Incorporation of Certain Special Permits and Competent Authorities into the HMR (RRR)</b>	Green
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**Popular Title:** Special Permits and Competent Authorities (RRR)

**RIN 2137-AE82**

**Stage:** NPRM

**Previous Stage:** None

**Abstract:** This rulemaking would amend the Hazardous Materials Regulations (HMR) to incorporate provisions contained in certain widely used or longstanding special permits and competent authorities that have established safety records. Incorporating such provisions into the HMR is intended to provide wider access to the regulatory flexibility offered in the special permits and competent authorities. The adoption of the provisions would eliminate the need for numerous application and renewal requests. The special permits proposed to be added to the regulations here would allow the transportation of "Self-heating" solid, organic n.o.s. (spent bleaching earth) in sift-proof bulk packaging; would allow the use of regulated medical waste shipping names and markings that differ from those prescribed in the HMR; would allow for the transportation of Class 9 solid coal pitch compounds in non-specification open top or closed-top sift-proof metal cans or fiber drums; and would allow for the transportation of self-inflating life-saving appliances that contain non-specification steel cylinders when being transported between a vessel and an authorized facility for servicing. This rulemaking action would facilitate commerce activity and reduce paperwork burdens while maintaining an appropriate level of safety. Incorporation of these provisions would reduce the compliance burden and cost on both industry and government.

**Effects:**

None

**Prompting action:** 2011 Retrospective Regulatory Review

**Legal Deadline:** None

**Rulemaking Project Initiated:** 04/18/2011

**Docket Number:** PHMSA-2011-0158

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/24/2012	09/19/2012	
To OMB	06/21/2012	10/16/2012	
OMB Clearance	09/19/2012	01/15/2013	
Publication Date	09/28/2012	01/24/2013	
End of Comment Period	11/28/2012	03/25/2013	

**Explanation for any delay:** N/A

**Federal Register Citation for NPRM:** None

90. <b>Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments (RRR)</b>	Black
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**Popular Title:** Updates of References to Technical Standards (RRR)

**RIN 2137-AE85**

**Stage:** NPRM

**Previous Stage:** None

**Abstract:** This rulemaking would amend the pipeline safety regulations to incorporate by reference all or parts of new, updated, or reaffirmed editions of voluntary consensus standards. The use of voluntary consensus standards allows pipeline operators to use the most current industry technologies, materials, and management practices available in today's market. It also would make non-substantive edits and clarify regulatory language in certain provisions. These amendments to the pipeline safety regulations would not require pipeline operators to undertake any significant new pipeline safety initiatives.

**Effects:**

None

**Prompting action:** 2011 Retrospective Regulatory Review**Legal Deadline:** None**Rulemaking Project Initiated:** 12/06/2011**Docket Number:****Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST		03/01/2013	
To OMB		03/29/2013	
OMB Clearance		06/28/2013	
Publication Date	06/29/2012	07/09/2013	
End of Comment Period	08/31/2012	09/09/2013	

**Explanation for any delay:** N/A**Federal Register Citation for NPRM:** None

Pipeline and Hazardous Materials Safety Administration

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| 91. | <b>Hazardous Materials: Rail Petitions and Recommendations to Improve the Safety of Railroad Tank Car Transportation (RRR)</b> | Green |
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**Popular Title:** Rail Petitions (RRR)**RIN 2137-AE91****Stage:** ANPRM**Previous Stage:** None

**Abstract:** PHMSA is considering amendments that would enhance safety and revise and clarify the HMR applicable to the transportation of hazardous materials by rail. This action responds to petitions for rulemaking submitted by the regulated community and NTSB recommendations that are associated with the petitions. Specifically, these amendments would identify elements of non-conformity that do not require a movement approval from the Federal Railroad Administration (FRA); correct an unsafe condition associated with pressure relief valves (PRV) on rail cars transporting carbon dioxide, refrigerated liquid; revise outdated regulations applicable to the repair and maintenance of DOT Specification 110, DOT Specification 106, and ICC 27 tank car tanks (ton tanks); except ruptured discs from removal if the inspection itself damages, changes, or alters the intended operation of the device; and enhance the standards for DOT Specification 111 tank cars used to transport Packing Group I and II hazardous materials.

**Effects:**

None

**Prompting action:** Secretarial/Head of Operating Administration Decision

**Legal Deadline:** None

**Rulemaking Project Initiated:** 04/13/2012

**Docket Number:** PHMSA-2012-0082

**Dates for ANPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/10/2012		08/10/2012
To OMB	10/10/2012		
OMB Clearance	10/24/2012		
Publication Date	10/31/2012		
End of Comment Period	12/31/2012		

**Explanation for any delay:** N/A

**Federal Register Citation for ANPRM:** None

**Research and Innovative Technology Administration**

Research and Innovative Technology Administration

92. **Reporting Ancillary Airline Passenger Revenues** Green

**Popular Title:** Reporting Ancillary Airline Passenger Revenues

**RIN 2139-AA13**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 07/15/2011; End of Comment Period 09/13/2011.

**Abstract:** This rulemaking would collect more detailed revenue information regarding airline imposed fees from those air carriers meeting the definition of "large certificated air carriers." Many air carriers have adopted fees for such services as checked baggage, carry-on baggage, meals, on-board entertainment, internet connections, pillows, blankets, early boarding, canceling or changing reservations, unaccompanied minors, pet transportation, etc. The rulemaking would also change the way the Department computes mishandled baggage rates from mishandled baggage reports per domestic enplanement to mishandled bags per checked bags.

**Effects:**

Information Collection

**Prompting action:** Secretarial/Head of Operating Administration Decision

**Legal Deadline:** None

**Rulemaking Project Initiated:** 10/01/2010

**Docket Number:** RITA 2011-0001

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	03/21/2012	01/02/2013	
To OMB	04/25/2012	01/31/2013	
OMB Clearance	07/25/2012	05/01/2013	
Publication Date	07/31/2012	05/08/2013	

**Explanation for any delay:** N/A

***Federal Register Citation for Final Rule:*** None