

Report on DOT Significant Rulemakings

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Federal Aviation Administration

Federal Aviation Administration

1. **Revisions to Digital Flight Data Recorder Regulations for B-737 Airplanes and for Part 125 Operators** Red

Popular Title: Digital Flight Data Recorder/B-737

RIN 2120-AG87

Stage: Final Rule

Previous Stage: NPRM: Publication Date 11/18/1999; End of Comment Period 12/20/1999; SNPRM Publication Date 09/05/06; End of Comment Period 12/04/06

Abstract: This rulemaking would amend the regulations governing flight data recorders to increase the number of digital flight data recorder parameters for all Boeing 737 series airplanes manufactured after August 18, 2000. This change is based on safety recommendations from the National Transportation Safety Board following its investigations of two accidents and several incidents involving 737s. This rulemaking would also adopt a prohibition on deviations from flight recorder requirements for all airplanes operated under part 125.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 02/15/1999

Docket Number: FAA-1999-6482

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/29/2000	11/03/3000	10/25/2000
To OMB	06/28/2000	12/04/2000	12/26/2000
Returned by OMB			09/18/2001
Resubmitted to OST		04/30/2004	05/04/2004
Returned to Mode			09/08/2004
Resubmitted to OST/3		12/01/2004	11/08/2004
Resubmitted to OST/4			03/07/2005
Returned to Mode/2			06/13/2005
Resubmitted to OST/5		06/12/2008	06/20/2008
Resubmitted to OMB		07/21/2008	
OMB Clearance	07/28/2000	10/21/2008	
Publication Date	08/11/2000	10/30/2008	

Explanation for any delay: Unanticipated issues requiring further analysis

Federal Register Citation for Final Rule: None

2. **Aging Aircraft Program (Widespread Fatigue Damage)** Red**Popular Title:** Aging Aircraft Widespread Fatigue**RIN 2120-AI05****Stage:** Final Rule**Previous Stage:** NPRM: Publication Date 4/18/2006; End of Comment Period 7/17/2006; Extended Comment Period 7/17/2006; End of Extended Comment Period 9/18/2006.

Abstract: This rulemaking would require design approval holders to establish limits of validity (LOVs) of the engineering data that support the maintenance programs for certain transport category airplanes, and it would require them to determine if maintenance actions are needed to prevent widespread fatigue damage before an airplane reaches its LOV. This rulemaking would require operators of any affected airplane to incorporate the LOV into the airworthiness limitations section of the instructions for continued airworthiness. This rulemaking would also prohibit operation of an affected airplane beyond the LOV, unless an operator has incorporated an extended LOV and any necessary service information into its maintenance program.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: None**Legal Deadline:** None**Rulemaking Project Initiated:** 02/14/2004**Docket Number:** FAA-2006-24281**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/14/2007	07/29/2008	
To OMB	06/20/2007	08/29/2008	
OMB Clearance	09/20/2007	11/28/2008	
Publication Date	09/28/2007	12/08/2008	

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

Federal Aviation Administration

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| 3. | Washington, DC, Metropolitan Area Special Flight Rules Area | Green |
|----|--|-------|

Popular Title: DC Flight Rules

RIN 2120-AI17

Stage: Final Rule

Previous Stage: NPRM: Publication Date: 08/04/2005; End of Comment Period 11/02/2005; Publication Date for Extension of Comment Period 11/07/2005; End of Extended Comment Period 02/06/2006.

Abstract: This rulemaking would codify restrictions for certain aircraft operations in the Washington, DC, Metropolitan Area. This action is necessary because of the ongoing threat of terrorist attacks. The FAA intends by this action to help the Department of Homeland Security and the Department of Defense protect national assets in the National Capital region. We are developing the rule in conjunction with the Department of Defense and Department of Homeland Security.

Effects:

Regulatory Flexibility Act

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 08/18/2003

Docket Number: FAA-2004-17005

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	10/31/2008		
To OMB	11/26/2008		
OMB Clearance	01/08/2009		
Publication Date	01/16/2009		

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

4. **Transport Airplane Fuel Tank Flammability Reduction** Red**Popular Title:** Fuel Tank Flammability/Inerting**RIN 2120-AI23****Stage:** Final Rule**Previous Stage:** NPRM: Publication Date 11/23/2006; End of Comment Period 3/23/2006; Extension of Comment Period 3/21/2006; End of Extended Comment Period 5/08/2006. NPRM: Publication Date 11/23/2005; End of Comment Period 03/23/2006; Extension of Comment Period 03/21/2006; End of Extended Comment Period 05/08/2006.**Abstract:** This rulemaking would require that flammability reduction means be incorporated into existing airplanes, newly manufactured airplanes, and new designs. It establishes new design standards for future and pending applications for type certification as well as new operating rules for retrofitting existing airplanes.**Effects:**

- Economically Significant
- Major
- Regulatory Flexibility Act
- EU
- NAFTA
- Foreign

Prompting action: None**Legal Deadline:** None**Rulemaking Project Initiated:** 02/17/2004**Docket Number:** FAA-2005-22997**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/14/2007	06/26/2007	07/13/2007
Returned to Mode			08/13/2007
Resubmitted to OST			08/27/2007
Returned to Mode/2			09/10/2007
Resubmitted to OST/2			09/25/2007
To OMB	06/20/2007	02/08/2008	02/15/2008
OMB Clearance	09/20/2007	07/15/2008	07/09/2008
Publication Date	09/28/2007	07/29/2008	

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

5. Part 145: Repair Stations--Ratings and Quality System	Green
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Popular Title: Part 145

RIN 2120-AI53

Stage: Final Rule

Previous Stage:None

Abstract: This rulemaking would amend the regulations for repair stations by revising the system of ratings and requiring repair stations to establish a quality program. This rulemaking would add changes critical to maintaining safety. These include: requiring a repair station to maintain a capability list; requiring a repair station to designate a chief inspector; requiring permanent housing for all repair stations for their facilities, equipment, materials, and personnel; and identifying reasons for denying a repair station certificate, especially when a previously held certificate has been revoked. In addition, the rulemaking would clarify recent revisions to the repair station regulations. This action is necessary to reflect changes in aviation technology and repair station business practices.

Effects:

EU
NAFTA
Foreign

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 09/18/2001

Docket Number: FAA-2006-26408

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	11/18/2008	02/13/2009	
To OMB	01/20/2009	04/14/2009	
OMB Clearance	03/20/2009	06/16/2009	
Publication Date	03/25/2009	06/24/2009	

Explanation for any delay: Awaiting development of additional data

Federal Register Citation for Final Rule: None

6. **Security Related Considerations in the Design and Operation of Transport Category Airplanes** Red

Popular Title: Security Considerations

RIN 2120-AI66

Stage: Final Rule

Previous Stage: NPRM: Publication Date 01/05/07; End of Comment Period 04/05/07

Abstract: This rulemaking would implement certain security related requirements governing the design of transport category airplanes. The requirements would provide improved airplane design features and greater protection of the cabin, flightdeck, and cargo compartments from the detonation of explosive or incendiary devices, penetration by projectiles, and intrusion by unauthorized persons. The FAA would also require operators to establish a "least risk bomb location" on all affected airplanes and to incorporate certain information into relevant manuals. This rule would adopt several International Civil Aviation Organization standards and harmonize FAA and international regulations.

Effects:

EU
NAFTA
Foreign

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 06/04/2001

Docket Number: FAA-2006-26722

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/24/2008	06/06/2008	05/30/2008
To OMB	05/29/2008	07/29/2008	
OMB Clearance	09/01/2008	10/29/2008	
Publication Date	09/18/2008	11/04/2008	

Explanation for any delay: Unanticipated issues requiring further analysis

Federal Register Citation for Final Rule: None

7. **Congestion Management Rule for LaGuardia Airport** Green**Popular Title:** LaGuardia Airport**RIN 2120-AI70****Stage:** Undetermined**Previous Stage:** NPRM: Publication Date 08/09/06; End of Comment Period 10/30/06; Comment Period Extended 10/24/06; End of Extended Comment Period 12/26/06.**Abstract:** This rulemaking would provide a long-term solution to increased congestion and delay at New York's LaGuardia Airport (LaGuardia). The rulemaking, if adopted, would establish an operational limit on the number of aircraft landing and taking off at the airport. The rulemaking would also allocate the majority of operations as slots to current operators at the airport and stimulate a market by auctioning off a limited number of slots.**Effects:**Economically Significant
Major
Information Collection**Prompting action:** None**Legal Deadline:** None**Rulemaking Project Initiated:** 08/04/2005**Docket Number:** FAA-2006-25709**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

8. **Commuter Operations in Very Light Jets (VLJs)** Red**Popular Title:** VLJ**RIN 2120-AI84****Stage:** NPRM**Previous Stage:**None

Abstract: This rulemaking would change the operation regulations to accommodate the entry into the airspace system of very light jets. These changes are necessary because of the introduction of a new type of airplane as a result of significant changes in the aviation industry. The rulemaking resulted, in part, from recommendations from the Aviation Rulemaking Committee for parts 14 CFR 135/125. The rulemaking would cover pilot crew, equipment, training, and dispatch requirements for the safe operation of this new type of airplane.

Effects:

None

Prompting action: None**Legal Deadline:** None**Rulemaking Project Initiated:** 03/15/2006**Docket Number:****Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/29/2006	08/12/2008	
To OMB	01/31/2007	09/24/2008	
OMB Clearance	02/27/2007	12/23/2008	
Publication Date	03/13/2007	01/09/2009	
End of Comment Period	06/13/2007	04/09/2009	

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

9. Re-registration and Renewal of Aircraft Registration	Red
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Popular Title: Re-registration & Renewal of Aircraft Registration

RIN 2120-AI89

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would amend requirements concerning the registration of aircraft. The rulemaking is based on the need to increase and maintain the accuracy of aircraft registration information in the Civil Aviation Registry. This rulemaking would ensure aircraft owners periodically provide information regarding changes in registration. The rulemaking would respond to the concerns of law enforcement and other government agencies and would provide more accurate, up-to-date aircraft registration information to all users of the Civil Aviation Registry database.

Effects:

Information Collection

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 11/30/2004

Docket Number: FAA-2008-0188

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	01/24/2007		01/24/2007
Returned to Mode			03/07/2007
Resubmitted to OST		05/11/2007	05/04/2007
Returned to Mode/2			05/23/2007
Resubmitted to OST/2		06/15/2007	06/12/2007
Returned to Mode/3		06/26/2007	06/26/2007
Resubmitted to OST/3		09/19/2007	09/19/2007
To OMB	02/24/2007	12/11/2007	11/28/2007
OMB Clearance	05/24/2007	03/11/2008	02/07/2008
Publication Date	06/08/2007	03/25/2008	02/28/2008
End of Comment Period	08/08/2007	06/30/2008	05/28/2008

Explanation for any delay: Unanticipated issues requiring further analysis

Federal Register Citation for NPRM: 73 FR 10701

Federal Aviation Administration

10.	Automatic Dependent Surveillance - Broadcast (ADS-B) Equipage Mandate To Support Air Traffic Control Service	Black
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Popular Title: ADS-B

RIN 2120-AI92

Stage: Undetermined

Previous Stage: NPRM: Publication Date 10/05/2007; End of Comment Period 11/19/07; Comment Period Extended 01/03/2008; End of Extended Comment Period 03/03/2008.

Abstract: This rulemaking would require Automatic Dependent Surveillance - Broadcast (ADS-B) Out equipment on aircraft to operate in certain classes of airspace within the United States National Airspace System. The rulemaking is necessary to accommodate the expected increase in demand for air transportation, as described in the Next Generation Air Transportation System Integrated Plan. The intended effect of this rule is to provide the Federal Aviation Administration with a comprehensive surveillance system that accommodates the anticipated increase in operations and would provide a platform for additional flight applications and services.

Effects:

- Economically Significant
- Major
- Regulatory Flexibility Act
- EU
- NAFTA
- Foreign

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 09/26/2006

Docket Number: FAA-2007-29305

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

11.	Flight Crewmember Duty Limitations and Rest Requirements	Black
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Popular Title: Duty Limitations And Rest Requirements

RIN 2120-AI93

Stage: Undetermined

Previous Stage: NPRM: Publication Date 12/20/1995; End of Comment Period 03/19/1996; Comment Period Extended 3/20/1996; End of Extended Comment Period 6/19/1996.

Abstract: This rulemaking would amend the regulations on duty period limitations, flight time limitations, and rest requirements for flight crewmembers engaged in air transportation. The changes would respond to the need to ensure that the rules will continue to provide the minimum level of safety. This rulemaking responds to public and congressional interest in regulating flight crewmember rest requirements, NTSB Safety Recommendations, petitions for rulemaking, and scientific data. This action is considered significant because of substantial public interest. The FAA is considering proposing additional changes in response to comments received on the NPRM.

Effects:

- Economically Significant
- Major
- Unfunded Mandate
- Regulatory Flexibility Act

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 11/28/1995

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

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

Popular Title: Part 121, Subparts N and O

RIN 2120-AJ00

Stage: NPRM

Previous Stage:None

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:

Regulatory Flexibility Act
Information Collection

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 03/12/1999

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/27/2007	09/28/2007	10/03/2007
To OMB	05/29/2007	03/03/2008	03/06/2008
OMB Clearance	08/29/2007	07/03/2008	06/06/2008
Publication Date	09/10/2007	08/20/2008	
End of Comment Period	01/10/2008	09/20/2008	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for NPRM: None

13.	Congestion Management Rule for John F. Kennedy International Airport and Newark Liberty International Airport	Green
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Popular Title: Congestion Mgt. JFK/Newark Airport

RIN 2120-AJ28

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would establish procedures to address congestion in the New York City area by assigning slots at John F. Kennedy (JFK) and Newark Liberty (Newark) International Airports in a way that allows carriers to respond to market forces to drive efficient airline behavior. This rulemaking would be a companion to a separate rulemaking initiative addressing congestion mitigation at New York’s LaGuardia airport (RIN 2120-AI70). This rulemaking is similar to that rulemaking, but it takes into consideration the characteristics of both JFK and Newark, including the large number of international flights at these airports and our international obligations. This rulemaking would have one of two alternatives to extend the caps on the operations at the two airports, assign to existing operators the majority of slots at the airports, and create a market by annually auctioning off a limited number of slots in each of the first five years of the rule.

Effects:

- Economically Significant
- Major
- Information Collection
- EU
- NAFTA
- Foreign

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 03/15/2008

Docket Number: FAA-2008-0517

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/09/2008		05/09/2008
To OMB	05/12/2008		05/14/2008
OMB Clearance	05/12/2008		05/15/2008
Publication Date	05/13/2008	05/21/2008	05/21/2008
End of Comment Period	07/14/2008	07/21/2008	07/21/2008

Explanation for any delay: N/A

Federal Register Citation for NPRM: 73 FR 29625

Federal Highway Administration

Federal Highway Administration

14. **Express Lane Demonstration Project** Red

Popular Title: Tolling

RIN 2125-AF07

Stage: Final Rule

Previous Stage:None

Abstract: Pursuant to SAFETEA-LU, this rulemaking would establish requirements, standards, or performance specifications for automated toll collection systems implemented under the Express Lanes Demonstration Project.

Effects:

None

Prompting action: Statute

Legal Deadline: Complete rulemaking : 02/06/2006

Rulemaking Project Initiated: 08/10/2005

Docket Number: FHWA-2006-23597

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/23/2008	07/28/2008	
To OMB	07/23/2008	08/28/2008	
OMB Clearance	10/23/2008	11/28/2008	
Publication Date	11/07/2008	12/12/2008	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

15.	Projects of National and Regional Significance	Red
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Popular Title: PNRS

RIN 2125-AF08

Stage: Final Rule

Previous Stage: NPRM: Publication Date 7/24/2006; End of Comment Period 9/24/2006.

Abstract: This rulemaking would, pursuant to SAFETEA-LU, establish the manner in which the Secretary will evaluate and rate the transportation infrastructure projects based on the results of preliminary engineering, project justification, and the degree of non-Federal financial commitment.

Effects:

None

Prompting action: Statute

Legal Deadline: Final rule : 02/06/2006

Rulemaking Project Initiated: 08/10/2005

Docket Number: FHWA-2005-23393

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	10/04/2007	03/01/2008	03/19/2008
To OMB	11/05/2007	06/17/2008	06/23/2008
OMB Clearance	02/04/2008	09/17/2008	
Publication Date	02/18/2008	09/30/2008	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

16. **Real-Time System Management Information Program** Red

Popular Title: Real-Time Management

RIN 2125-AF19

Stage: NPRM

Previous Stage:None

Abstract: This action would establish a real-time system management information program to provide, in all States, the capability to monitor, in real-time, the traffic and travel conditions of the major highways of the United States. Section 1201 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) provides that the purpose of this program would be to improve the security of the surface transportation system, to address the congestion problems facing motorists, to support improved response to weather events and surface transportation incidents and to facilitate national and regional highway traveler information.

Effects:

None

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 10/31/2006

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	01/11/2007	08/17/2007	08/07/2007
Returned to Mode			09/14/2007
Resubmitted to OST		09/21/2007	09/19/2007
Returned to Mode/2			10/10/2007
Resubmitted to OST/2		10/25/2007	11/01/2007
Returned to Mode/3			02/01/2008
Returned To OST			04/28/2008
To OMB	02/11/2007	08/07/2008	
OMB Clearance	05/11/2007	11/07/2008	
Publication Date	05/31/2007	11/10/2008	
End of Comment Period	07/31/2007	01/10/2009	

Explanation for any delay: Unanticipated issues requiring further analysis

Federal Register Citation for NPRM: None

17. **National Tunnel Inspection Standards** Red

Popular Title: Tunnel Inspection

RIN 2125-AF24

Stage: ANPRM

Previous Stage:None

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 will be modeled after the existing National Bridge Inspection Standards and will include requirements for, among other things, inspection procedures, the qualifications and training of inspectors, and a National Tunnel Inventory.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 01/30/2008

Docket Number:

Dates for ANPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/14/2008	04/28/2008	04/28/2008
Returned to Mode			05/27/2008
Resubmitted to OST		07/18/2008	
To OMB	05/14/2008	08/13/2008	
OMB Clearance	05/28/2008	08/27/2008	
Publication Date	06/04/2008	09/17/2008	
End of Comment Period	09/04/2008	12/17/2008	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for ANPRM: None

Federal Motor Carrier Safety Administration

Federal Motor Carrier Safety Administration

18. **Medical Certification Requirements as Part of the Commercial Driver's License** Red

Popular Title: Medical CDL

RIN 2126-AA10

Stage: Final Rule

Previous Stage: ANPRM: Publication Date 7/15/1994; End of Comment Period 11/14/1994. NPRM: Publication date 11/16/2006; End of Comment Period 2/14/2007.

Abstract: This rulemaking would require those commercial driver's license (CDL) drivers who are required to obtain a Federal medical certification for the current status of that certification be made part of the commercial driver's licensing and renewal process, as required by Section 215 of the Motor Carrier Safety Improvement Act. Incorporating the current medical certification status information into the State-administered Commercial Driver's License Information System (CDLIS) driver record would improve highway safety by requiring those drivers who are required by Federal regulations to obtain a medical certificate to provide proof of that medical certification in order to obtain or retain a CDL. It would enable electronic verification of the current medical certification status as part of existing employer and enforcement programs. It would eliminate the requirement for those CDL operators who are required by Federal regulations to obtain a medical certificate to carry their medical examiner's certificate in addition to their CDL since an electronic record would verify that there is a valid medical certificate.

Effects:

Information Collection
Privacy

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 07/15/1993

Docket Number: FMCSA-1997-2210

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/11/2007	06/30/2008	06/27/2008
To OMB	01/14/2008	07/30/2008	
OMB Clearance	04/14/2008	10/30/2008	
Publication Date	04/28/2008	11/05/2008	

Explanation for any delay: Awaiting development of additional data
Unanticipated issues requiring further analysis

Federal Register Citation for Final Rule: None

19.	Unified Registration System	Red
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Popular Title: URS

RIN 2126-AA22

Stage: SNPRM

Previous Stage: ANPRM: Publication Date 8/26/96; End of Comment Period 10/25/96. NPRM: Publication Date 05/19/2005; End of Comment Period 08/17/2005.

Abstract: This rulemaking would replace three current identification and registration systems: the US DOT number identification system, the commercial registration system, and the financial responsibility system, with an online Federal unified registration system. This program 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. The Agency is revising this rulemaking to address amendments directed by SAFETEA-LU. The replacement system for the Single State Registration System, which the ICC Termination Act originally directed be merged under URS, will be addressed separately.

Effects:

- Regulatory Flexibility Act
- Information Collection

Prompting action: Statute

Legal Deadline: Final Rule : 01/01/1998

Rulemaking Project Initiated: 01/01/1996

Docket Number: FMCSA-97-2349

Dates for SNPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/02/2007	09/30/2008	
To OMB	03/08/2007	10/30/2008	
OMB Clearance	06/08/2007	01/30/2009	
Publication Date	06/29/2007	02/13/2009	
End of Comment Period	09/28/2007	05/14/2009	

Explanation for any delay: Additional coordination necessary
 Other, higher priorities
 Unanticipated issues requiring further analysis

Federal Register Citation for SNPRM: None

Federal Motor Carrier Safety Administration

20.	Application by Certain Mexico-Domiciled Motor Carriers to Operate Beyond U.S. Municipalities and Commercial Zones on the U.S.-Mexico Border	Red
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Popular Title: Mexico-Domiciled Motor Carriers

RIN 2126-AA34

Stage: Undetermined

Previous Stage: NPRM: Publication Date 05/03/2001; End of Comment Period 07/02/2001. Interim Final Rule: 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 is waiting for Interim Final Rule experience after the border opens before deciding what to do next on this rulemaking. FMCSA originally planned to publish a final rule by November 20, 2003.

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

21.	Safety Monitoring System and Compliance Initiative for Mexico-Domiciled Motor Carriers Operating in the United States	Red
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Popular Title: Safety Monitoring

RIN 2126-AA35

Stage: Undetermined

Previous Stage: NPRM: Publication Date 05/03/2001; End of Comment Period 07/02/2001. Interim Final Rule: 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 is waiting for Interim Final Rule experience after the border opens before deciding what to do next on this rulemaking. FMCSA originally planned to publish a final rule by November 28, 2003.

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 Approved			
Publication Date			
End of Comment Period			

Explanation for any delay: Unanticipated issues requiring further analysis

Federal Register Citation for Undetermined: None

22.	New Entrant Safety Assurance Process	Red
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Popular Title: New Entrant

RIN 2126-AA59

Stage: Final Rule

Previous Stage: Interim Final Rule: Publication Date 05/13/2002; End of Comment Period 7/12/2002; IFR Effective Date 01/01/2003. NPRM: Publication Date 12/21/2006; End of Comment Period 2/20/2007.

Abstract: This rulemaking would change the New Entrant Safety Assurance Process by raising the standard of compliance for passing the new entrant safety audit. It also would make clarifying changes to some of the existing new entrant regulations. The rule also proposes a separate application procedure and safety oversight system for non-North America-domiciled motor carriers. The proposed rule would improve the Agency's ability to identify at-risk new entrant carriers and would ensure deficiencies in basic safety management controls are corrected before the new entrant is granted permanent registration. These changes would not impose additional operational requirements on any new entrant carrier. All new entrants would continue to receive educational information on how to comply with the safety regulations and be given an opportunity to correct any deficiencies found. FMCSA recognizes many new entrants are small businesses that are unaware of these requirements and continue to need our assistance.

Effects:

Regulatory Flexibility Act
Information Collection

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 12/09/1999

Docket Number: FMCSA-2001-11061

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	11/10/2007	07/08/2008	07/09/2008
To OMB	12/10/2007	07/24/2008	
OMB Clearance	03/17/2008	10/24/2008	
Publication Date	03/31/2008	11/03/2008	

Explanation for any delay: Other, higher priorities
Unanticipated impacts requiring further analysis

Federal Register Citation for Final Rule: None

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

Popular Title: Safety Auditors Certification

RIN 2126-AA64

Stage: NPRM

Previous Stage: Interim Final Rule: Publication Date 03/19/2002; End of Comment Period 05/20/2002; Extension of Compliance 06/17/02; End of Extended Compliance 07/17/02. IFR Extension of Statutory Compliance Date: Publication Date 7/28/2003. Notice of Environmental Assessment: Publication Date 10/02/2003; End of Comment Period 11/03/2003. Notice of Statutory Compliance Date: Publication Date 12/23/2003; Compliance Date 1/01/2004.

Abstract: This rulemaking would require that any safety inspection, audit, or 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 IFR, the agency will issue a SNPRM 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: FAA-2007-28100

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/08/2005	11/14/2008	
To OMB	08/08/2005	12/15/2008	
OMB Clearance	11/07/2005	03/16/2009	
Publication Date	11/14/2005	03/30/2009	
End of Comment Period	01/13/2006	06/30/2009	

Explanation for any delay: Other, higher priorities
 Unanticipated impacts requiring further analysis
 Unanticipated issues requiring further analysis

Federal Register Citation for NPRM: None

Federal Motor Carrier Safety Administration

24.	Limitations on the Issuance of Commercial Driver Licenses with a Hazardous Materials Endorsement	Green
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Popular Title: USA PATRIOT Act Rule

RIN 2126-AA70

Stage: Interim Final Rule/4

Previous Stage: Interim Final Rule: Publication Date 05/05/2003; End of Comment Period 07/07/2003. IFR Delay of Compliance Date: Publication Date 11/07/2003; End of Comment Period 01/06/2004. IFR Delay of Compliance Date: Publication Date 08/19/2004; Interim Final Rule/3: Publication Date 08/19/2004.

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 Interim Final Rule/4:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	03/22/2005		03/21/2005
To OMB			04/14/2005
OMB Clearance			04/25/2005
Publication Approved	05/26/2005		04/25/2005
Publication Date	05/31/2005		04/29/2005

Explanation for any delay: N/A

Federal Register Citation for Interim Final Rule/4: 70 FR 22268

25. **Brokers of Household Goods Transportation by Motor Vehicle** Red

Popular Title: Household Goods Brokers

RIN 2126-AA84

Stage: Final Rule

Previous Stage: ANPRM: Publication Date 12/22/2004; End of Comment Period 02/22/2005. NPRM: Publication date 2/8/2007; End of Comment Period 5/9/2007

Abstract: This rulemaking would address the American Moving and Storage Association's petition for rulemaking and implement certain provisions of Subtitle B of SAFETEA-LU. FMCSA would determine in this rulemaking whether 49 CFR part 371 needs to be amended to protect consumers against unscrupulous brokers of household goods.

Effects:

Information Collection

Prompting action: Statute

Legal Deadline: Final Rule : 08/10/2006

Rulemaking Project Initiated: 05/12/2003

Docket Number: FMCSA-2004-17008

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	10/01/2008		
To OMB	11/01/2008		
OMB Clearance	02/01/2009		
Publication Date	03/01/2009		

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Federal Motor Carrier Safety Administration

26.	Requirements for Intermodal Equipment Providers and Motor Carriers and Drivers Operating Intermodal Equipment	Red
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Popular Title: Intermodal Container Chassis

RIN 2126-AA86

Stage: Final Rule

Previous Stage: NPRM: Publication Approved 11/29/2006;Publication Date 12/21/2006;End of Comment Period 03/21/2007;Extension of Comment Period 04/13/2007;End of Extended Comment Period 05/21/2007.

Abstract: This rulemaking would require entities that offer intermodal container chassis for transportation in interstate commerce to: file a Motor Carrier Identification Report (Form MCS-150); display a USDOT identification number on each chassis offered for such transportation; establish a systematic inspection, repair, and maintenance program to ensure the safe operating condition of each chassis offered for transportation and maintain documentation of the program; and provide a means for effectively responding to driver and motor carrier complaints about the condition of intermodal container chassis. The rulemaking is considered significant because of substantial industry and congressional interest and because it involves other departmental modes. It is required by SAFETEA-LU.

Effects:

- Regulatory Flexibility Act
- Information Collection

Prompting action: Statute

Legal Deadline: Final Rule : 08/10/2006

Rulemaking Project Initiated: 01/26/2004

Docket Number: FMCSA-2005-23315

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/10/2007	07/14/2008	
To OMB	01/10/2008	07/31/2008	
OMB Clearance	04/10/2008	10/31/2008	
Publication Date	04/24/2008	11/10/2008	

Explanation for any delay: Additional coordination necessary
 Other, higher priorities
 Unanticipated issues requiring further analysis

Federal Register Citation for Final Rule: None

27. **Electronic On-Board Recorders for Hours-of-Service Compliance** Red**Popular Title:** Electronic On-Board Recorders**RIN 2126-AA89****Stage:** Final Rule**Previous Stage:** ANPRM: Publication Date 9/01/2004; End of Comment Period 11/30/2004. NPRM: Publication Date 01/18/2007; End of Comment Period 04/18/2007.**Abstract:** This rulemaking would amend the Federal Motor Carrier Safety Regulations to incorporate new performance standards for electronic on-board recorders (EOBRs) to document compliance with the Federal hours-of-service rules. This would help ensure that performance standards for EOBRs are appropriate and reflect state-of-the-art communication and information management technologies. The rulemaking would consider the potential benefits and costs of requiring motor carriers to install and use EOBRs and evaluate alternative approaches including: 1) mandating such practice industry-wide, 2) limiting the requirement to motor carriers with certain characteristics, and 3) allowing EOBR use to remain voluntary.**Effects:**

- Information Collection
- Privacy
- Peer Review

Prompting action: Court Action**Legal Deadline:** None**Rulemaking Project Initiated:** 08/09/2004**Docket Number:** FMCSA-2004-18940**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/03/2008	07/14/2008	
To OMB	06/05/2008	08/01/2008	
OMB Clearance	09/05/2008	10/28/2008	
Publication Date	09/19/2008	10/31/2008	

Explanation for any delay: Awaiting development of additional data**Federal Register Citation for Final Rule:** None

28.	Qualifications of Drivers; Diabetes Standard	Black
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Popular Title: Diabetes Standard

RIN 2126-AA95

Stage: Undetermined

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 in response to Section 4129 of the Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The diabetes standard is in review with FMCSA, after being evaluated by a medical expert panel and the Agency’s Medical Review Board.

Effects:

None

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 08/10/2005

Docket Number: FMCSA-2005-23151

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

29. **National Registry of Certified Medical Examiners** Red

Popular Title: National Registry

RIN 2126-AA97

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking would establish training, testing and certification standards for medical examiners responsible for certifying that interstate commercial motor vehicle drivers meet established physical qualifications standards; provide a database (or National Registry) of medical examiners that meet the prescribed standards for use by motor carriers, drivers, and Federal and State enforcement personnel in determining whether a medical examiner is qualified to conduct examinations of interstate truck and bus drivers; and require medical examiners to transmit electronically to FMCSA the name of the driver and a numerical identifier for each driver that is examined. The rulemaking would also establish the process by which medical examiners that fail to meet or maintain the minimum standards would be removed from the National Registry. This action is in response to section 4116 of SAFETEA-LU.

Effects:

- Economically Significant
- Major
- Unfunded Mandate
- Regulatory Flexibility Act
- Information Collection
- Privacy

Prompting action: Statute

Legal Deadline: Final Rule : 08/10/2006

Rulemaking Project Initiated: 08/10/2005

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/21/2006	06/02/2008	05/30/2008
To OMB	08/21/2006	07/30/2008	
OMB Clearance	11/20/2006	10/30/2008	
Publication Date	11/28/2006	11/14/2008	

Explanation for any delay: Additional coordination necessary
Other, higher priorities

Federal Register Citation for NPRM: None

30. **Consumer Complaint Information** Red**Popular Title:** Consumer Complaint Information**RIN 2126-AB01****Stage:** NPRM**Previous Stage:**None**Abstract:** The rulemaking would require each motor carrier of household goods to submit a quarterly report of specific identified information. This rule responds to SAFETEA-LU.**Effects:**

Information Collection

Privacy

Prompting action: Statute**Legal Deadline:** None**Rulemaking Project Initiated:** 08/10/2005**Docket Number:** FMCSA-2008-0029**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	10/16/2006	08/08/2007	08/08/2007
To OMB	11/16/2006	10/04/2007	09/27/2007
OMB Clearance	02/16/2007	01/04/2008	01/17/2008
Publication Date	02/28/2007	02/08/2008	02/20/2008
End of Comment Period	04/30/2007	04/08/2008	04/21/2008

Explanation for any delay: Additional coordination necessary
 Unanticipated impacts requiring further analysis
 Unanticipated issues requiring further analysis

Federal Register Citation for NPRM: 72 FR 9266

31.	Commercial Driver's License Testing and Commercial Learner's Permit Standards	Red
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Popular Title: Commercial Learner's Permit

RIN 2126-AB02

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would establish revisions to the commercial driver's license knowledge and skills testing standards as required by section 4019 of TEA-21, implement fraud detection and prevention initiatives at the State driver licensing agencies as required by the SAFE Port Act of 2006, and establish new minimum Federal standards for States to issue commercial learner's permits (CLPs), based in part on the requirements of section 4122 of SAFETEA-LU. In addition, to ensuring the applicant has the appropriate knowledge and skills to operate a commercial motor vehicle, this rule would establish the minimum information that must be on the CLP document and the electronic driver's record. The rule would also establish maximum issuance and renewal periods, establish a minimum age limit, address issues related to a driver's State of Domicile, and incorporate previous regulatory guidance into the Federal regulations. This rule would also address issues raised in the SAFE Port Act.

Effects:

- Regulatory Flexibility Act
- Federalism
- Information Collection

Prompting action: Statute

Legal Deadline: Publish by Final Rule by : 04/13/2008

Rulemaking Project Initiated: 08/10/2005

Docket Number: FMCSA-2007-27659

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	11/21/2006	08/09/2007	08/21/2007
To OMB	12/21/2006	12/17/2007	12/11/2007
OMB Clearance	03/21/2007	03/17/2008	03/18/2008
Publication Date	03/30/2007	04/07/2008	04/09/2008
End of Comment Period	05/30/2007	06/07/2008	06/09/2008

Explanation for any delay: Additional coordination necessary

Federal Register Citation for NPRM: 73 FR 19282

32. **Railroad Highway Grade Crossing Safety** Red

Popular Title: Railroad Highway Grade Crossing Safety

RIN 2126-AB04

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would prohibit operators of commercial motor vehicles (CMVs) from driving onto a railroad grade crossing unless there is sufficient space to drive completely through the crossing without stopping. It is intended to reduce the incidence of collisions between trains and CMVs. This rulemaking action is required by the Hazardous Materials Transportation Authorization Act of 1994.

Effects:

None

Prompting action: Statute

Legal Deadline: Final Rule : 02/16/1995

Rulemaking Project Initiated: 08/16/1994

Docket Number: FMCSA-2006-25660

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/01/2007	09/02/2008	
To OMB	06/07/2007	10/02/2008	
OMB Clearance	09/07/2007	01/05/2009	
Publication Date	09/17/2007	01/20/2009	
End of Comment Period	11/17/2007	04/20/2009	

Explanation for any delay: Additional coordination necessary
Other, higher priorities

Federal Register Citation for NPRM: None

33. **Minimum Training Requirements for Entry Level Commercial Motor Vehicle Operations** Red

Popular Title: Entry Level Driver Training

RIN 2126-AB06

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would require behind-the-wheel 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 behind-the-wheel 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 NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/01/2007	05/01/2007	05/08/2007
To OMB	02/28/2007	08/10/2007	08/09/2007
OMB Clearance	05/31/2007	11/09/2007	11/29/2007
Publication Date	06/07/2007	12/26/2007	12/26/2007
End of Comment Period	09/07/2007	03/26/2008	03/26/2008
Publication Date for Extension of Comment Period			03/24/2008
End of Extended Comment Period			05/23/2008
Extension of Comment Period			
End of Reopened Comment Period			

Explanation for any delay: Additional coordination necessary
Other, higher priorities

Federal Register Citation for NPRM: 72 FR 73226

34.	Carrier Safety Fitness Determination	Red
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Popular Title: CSA 2010 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 major new initiative, Comprehensive Safety Analysis (CSA) 2010. CSA 2010 is a new operational model FMCSA plans to implement 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 audits, the compliance review is the Agency’s primary intervention. Under CSA 2010, 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 consisting of crashes, inspections, and violation history rather than 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:

None

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	08/01/2008	
To OMB	12/15/2007	08/30/2008	
OMB Clearance	03/15/2008	12/01/2008	
Publication Date	03/29/2008	12/09/2008	
End of Comment Period	06/29/2008	02/09/2009	

Explanation for any delay: Awaiting development of additional data
Unanticipated impacts requiring further analysis

Federal Register Citation for NPRM: None

35. **Hours of Service of Drivers** Green**Popular Title:** Hours of Service of Drivers**RIN 2126-AB14****Stage:** Final Rule**Previous Stage:** None

Abstract: A rulemaking action was initiated in response to the July 2007 decision by the US Court of Appeals for the District of Columbia Circuit that vacated specific provisions of the Agency's Hours of Service rule published on August 25, 2005. The Court invalidated two provisions: the first relates to increasing the daily driving limit from 10 to 11 hours; the second provision permits drivers to restart their count of weekly accumulations of hours after taking 34 consecutive hours off duty. The Court's mandate issued on December 27, 2007; The Agency issued the Interim Final Rule to establish what hours of service are in effect.

Effects:

None

Prompting action: Court Action**Legal Deadline:** None**Rulemaking Project Initiated:** 07/27/2007**Docket Number:** FMCSA-2004-19608**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/01/2008	07/14/2008	
To OMB	09/01/2008	07/30/2008	
OMB Clearance	12/01/2008	10/28/2008	
Publication Date	12/12/2008	10/31/2008	

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

Federal Railroad Administration

Federal Railroad Administration

36. **Amendments to Design Standards for Pressurized Railroad Tank Cars** Green

Popular Title: Pressurized Tank Cars

RIN 2130-AB69

Stage: Interim Final Rule

Previous Stage: NPRM: Publication Date 04/01/2008;End of Comment Period 06/02/2008.

Abstract: This rulemaking would amend the existing design standards for pressurized tank cars pursuant to section 9005 of SAFETEA-LU. This rulemaking would improve the crashworthiness protection of railroad tank cars designed to transport poisonous by inhalation (PIH) materials by establishing enhanced tank car performance standards for head and shell impacts, as well as operational restrictions for trains transporting PIH materials.

Effects:

Economically Significant

Major

Information Collection

Prompting action: Statute

Legal Deadline: NPRM : 02/10/2007

Rulemaking Project Initiated: 08/10/2005

Docket Number: FRA-2006-25169

Dates for Interim Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/31/2008		
To OMB	08/29/2008		
OMB Clearance	12/01/2008		
Publication Date	12/09/2008		
End of Comment Period	02/09/2009		

Explanation for any delay: N/A

Federal Register Citation for Interim Final Rule: None

37. **Grant Program for Local Rail Line Relocation and Improvement Projects** Red

Popular Title: Rail Relocation and Improvement

RIN 2130-AB74

Stage: Final Rule

Previous Stage: NPRM: Publication Date 01/17/2007;End of Comment Period 03/05/2007.

Abstract: This rulemaking would address the establishment of a grant program authorizing the Secretary to provide financial assistance to States for local rail line relocation and improvement projects. This rulemaking would create a new part to title 49 of the Code of Federal Regulations; establish regulations governing financial assistance under Part 261, including the project selection criteria; and solicit applications for Capital Grants for Rail Line Relocation Projects. This rulemaking is required by Section 9002 of the Safe Accountable, Flexible, Efficient Transportation Act: A legacy for Users (SAFETEA-LU). Section 9002 authorizes, but does not appropriate, \$350,000,000 per year for each of the fiscal years (FY) 2006 through 2009 for the purpose of funding a grant program to provide financial assistance for local rail line relocation and improvement projects. For FY 2008, Congress authorized \$20,040,200 for the grant program and allocated \$5,135,200 of that amount towards specific projects.

Effects:

Economically Significant
Major

Prompting action: Statute

Legal Deadline: Temporary Rules : 04/01/2006
Final Rule : 10/01/2006

Rulemaking Project Initiated: 08/10/2005

Docket Number: FRA-2006-23774

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/03/2007		07/02/2007
Returned to Mode			07/27/2007
Resubmitted to OST		08/29/2007	08/29/2007
Returned to Mode/2			09/11/2007
Resubmitted to OST/2		03/03/2008	03/26/2008
Publication Date	11/27/2007	06/11/2008	07/11/2008

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: 73 FR 39875

38. **Regulatory Relief for Electronically Controlled Pneumatic Brake System Implementation** Green

Popular Title: ECP Brake Systems

RIN 2130-AB84

Stage: Final Rule

Previous Stage: NPRM: 09/04/2007; End of Comment Period; 11/05/2007.

Abstract: This rulemaking would establish criteria for operating trains equipped with Electronically Controlled Pneumatic Brake System technology. This rulemaking would also provide regulatory relief, when necessary, to promote the transition to Electronically Controlled Brake System technology within the rail industry. This rulemaking relates to, but is separate from, the waiver proceeding under Docket No. FRA-2006-26435.

Effects:

Economically Significant
Major

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 08/17/2006

Docket Number: FRA-2006-26175

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/03/2008		06/04/2008
To OMB	07/03/2008	07/16/2008	
OMB Clearance	10/01/2008	10/10/2008	
Publication Date	10/15/2008	10/20/2008	

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

39. **Hours of Service Record Keeping** Red**Popular Title:** Hours of Service Record Keeping**RIN 2130-AB85****Stage:** NPRM**Previous Stage:**None

Abstract: This rulemaking would revise the hours of service record keeping regulations to allow for the use of electronic record keeping systems. It would also clarify the existing hours of service recordkeeping regulations to ensure that they are applied consistently to both paper and electronic records. It would also ensure that all records, whether created manually or electronically, would allow for proper enforcement of the hours of service law.

Effects:

Information Collection

Prompting action: None**Legal Deadline:** None**Rulemaking Project Initiated:** 08/02/2006**Docket Number:** FRA-2006-26176**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/31/2007	10/28/2008	
To OMB	02/08/2008	12/05/2008	
OMB Clearance	05/08/2008	03/05/2009	
Publication Date	05/15/2008	03/20/2009	
End of Comment Period	06/16/2008	05/20/2009	

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

40. **Amendments to the Railroad Rehabilitation and Improvement Financing (RRIF) Program** Green

Popular Title: Railroad Rehabilitation and Improvement Financing

RIN 2130-AB91

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would amend eligibility and application form and content criteria for the Railroad Rehabilitation and Improvement Financing (RRIF) Program to ensure the long-term sustainability of the program, promote competition in the railroad industry, and reduce the risk of default for applicants and the Government.

Effects:

Information Collection

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 11/09/2007

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/11/2008		04/11/2008
To OMB	04/23/2008	05/06/2008	05/16/2008
OMB Clearance	06/23/2008	07/06/2008	05/30/2008
Publication Date	06/29/2008	07/12/2008	06/09/2008
End of Comment Period	08/28/2008	09/12/2008	08/08/2008

Explanation for any delay: N/A

Federal Register Citation for NPRM: 73 FR 32515

Federal Transit Administration

Federal Transit Administration

41. **Major Capital Investment Projects - New/Small Starts** Black

Popular Title: New/Small Starts

RIN 2132-AA81

Stage: Undetermined

Previous Stage: ANPRM: Publication Date 01/30/2006; End of Comment Period 03/10/2006. NPRM: Publication Date 08/03/2007; End of Comment Period 11/01/2007.

Abstract: This rulemaking would establish a simplified evaluation process for projects seeking less than \$75 million in New Starts funds. The rule will set out FTA's evaluation and rating process for proposed projects based on the results of project justification and local financial commitment. This action is mandated by SAFETEA-LU. A final rule had been scheduled for July 3, 2008. FTA is making a determination of what their next action will be because the 2008 Appropriations Act prohibits a Final Rule.

Effects:

Economically Significant

Major

Regulatory Flexibility Act

Prompting action: Statute

Legal Deadline: Final rule : 04/07/2006

Rulemaking Project Initiated: 08/10/2005

Docket Number: FTA-2006-25737

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

42. **Bus Testing: Phase-In of Brake Performance and Emissions Testing, and Program Updates** Black

Popular Title: Bus Testing Phase-In

RIN 2132-AA95

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would modify the Bus Testing rule to incorporate tests for brake performance and emissions. This rulemaking would also update and clarify the existing regulation found at 49 CFR 665. This rulemaking has been downgraded and will not appear on next month's report.

Effects:

None

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 07/18/2007

Docket Number: FTA-2007-0011

Dates for NPRM:

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 NPRM: None

43. **Contractor Performance Assessment for Capital Investment Program** Black**Popular Title:** Contractor Performance**RIN 2132-AA96****Stage:** Undetermined**Previous Stage:**None

Abstract: On August 10, 2005, the President signed the Safe, Accountable, Flexible, and Efficient Transportation Equity Act-A Legacy for Users (SAFETEA-LU). Section 3011 of SAFETEA-LU made a number of changes to 49 U.S.C. 5309 ("Section 5309"), which authorizes the Federal Transit Administration's (FTA's) capital investment grant program. SAFETEA-LU emphasized the need to improve the accuracy of the estimates of ridership and costs used to support the selection of a major capital investment ("New Start") as a locally preferred alternative (LPA) for Section 5309 funds. Federal transit law supports the use of incentives to encourage the development of more reliable cost and ridership estimates for New Starts funded under Section 5309. A number of provisions in Section 5309 recognize that contractors to grant recipients play an important role in increasing the reliability of forecasting methods to estimate costs and utilization of New Starts projects. This rulemaking would establish a new part 612 in the Code of Federal Regulations. It would encourage accurate cost and ridership estimates through the award of additional New Starts funds to project sponsors, which they can choose to pass along to their contractors. FTA is considering the effect of recently-enacted statutory language concerning the issuance of final rules under 49 U.S.C. 5309 on this rulemaking.

Effects:

None

Prompting action: Secretarial/Head of Operating Administration Decision**Legal Deadline:** None**Rulemaking Project Initiated:** 07/17/2007**Docket Number:** FTA-2008-0005**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

44. **Rear Convex Cross-View Mirrors**

Red

Popular Title: Convex Mirrors

RIN 2127-AG41

Stage: Withdrawal

Previous Stage: NPRM: Publication Date 09/12/2005; End of Comment Period 11/14/2005.

Abstract: This rulemaking would upgrade the rearward visibility of commercial straight trucks. The agency believes that requiring a rear detection system will reduce fatalities, injuries, and property damage by giving truck operators the ability to detect objects behind the truck. Various possible counter-measures are being examined now in follow-up testing, including visual and non-visual object detection systems. This action will be withdrawn. After further research is completed and evaluated, the agency will determine what further action is warranted.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 06/28/1996

Docket Number: NHTSA-2006-25017

Dates for Withdrawal:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/06/2006	04/18/2008	04/21/2008
Publication Approved	06/09/2006	06/10/2008	06/11/2008
Publication Date	06/14/2006	07/31/2008	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Withdrawal: None

45. **Roof Crush Resistance** Red

Popular Title: Roof Crush Resistance

RIN 2127-AG51

Stage: Final Rule

Previous Stage: Request for Comments: Publication Date 10/22/01; End of Comment Period 12/06/01. NPRM: Publication Date 8/23/05; End of Comment Period 11/21/05. SNPRM: Publication date 1/30/08; End of Comment Period 3/17/09; Ext. of Comment Period 3/14/08; End of Ext. Comment Period 2/27/08. SNPRM: Publication Date 1/30/08; End of Comment Period 3/17/08; Extension of Comment Period 3/14/08; End of Extended Comment Period 3/27/08.

Abstract: This rulemaking would upgrade vehicle roof crush requirements. It is part of the agency's comprehensive response to mitigate the number of fatalities and injuries resulting from vehicle rollovers. Rollover crashes constitute about 3 percent of passenger vehicle crashes, but about one third (10,000) of the occupant fatalities. Light trucks are more prone to rollover, and they represent about half of the U.S. fleet. This rulemaking is significant because of public interest in vehicle safety.

Effects:

- Economically Significant
- Major
- Unfunded Mandate
- EU
- NAFTA
- Foreign

Prompting action: Statute

Legal Deadline: Final Rule : 07/01/2008

Rulemaking Project Initiated: 07/13/1996

Docket Number: NHTSA-2008-0015

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/01/2008	08/17/2008	
To OMB	06/20/2008	09/02/2008	
OMB Clearance	06/25/2008	09/29/2008	
Publication Date	07/01/2008	10/01/2008	

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

Federal Register Citation for Final Rule: None

46. **Part 571.3 Definitions, Designated Seating Position** Red**Popular Title:** Definitions, Designated Seating Position**RIN 2127-AI94****Stage:** Final Rule**Previous Stage:** NPRM: Publication Date 06/22/2005; End of Comment Period 08/22/2005.**Abstract:** This rulemaking would amend part 571.3 Definitions, to redefine the term designated seating position (DSP) in order to establish an objective criteria that is more enforceable.**Effects:**

EU

NAFTA

Foreign

Prompting action: None**Legal Deadline:** None**Rulemaking Project Initiated:** 12/16/2002**Docket Number:** NHTSA-2005-21600**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/08/2006	03/16/2007	03/21/2007
Returned to Mode			04/17/2007
Resubmitted to OST		08/31/2007	08/09/2007
To OMB	10/20/2006	01/10/2008	01/24/2008
OMB Clearance	01/22/2007	04/24/2008	03/20/2008
Publication Date	01/31/2007	07/31/2008	

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

47. **Reduced Stopping Distance Requirements for Truck Tractors** Red

Popular Title: Reduced Stopping Distance for Truck Tractors

RIN 2127-AJ37

Stage: Final Rule

Previous Stage: NPRM: Publication Date: 12/15/2005; End of Comment Period 4/14/2006.

Abstract: This rulemaking would reduce stopping distance requirements for truck tractors equipped with air brake systems. Advances in heavy vehicle braking systems show that improved stopping performance is attainable for these vehicles. Such improvements would reduce the stopping distance disparity with light vehicles, and would result in fewer deaths and injuries and reduce property damage due to fewer crashes between truck tractors and light vehicles.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 04/02/2004

Docket Number: NHTSA-2005-21462

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	01/12/2007	08/07/2008	
To OMB	02/23/2007	09/18/2008	
OMB Clearance	05/25/2007	12/17/2008	
Publication Date	05/31/2007	12/31/2008	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

48. **Subpart T Hybrid III-10C Dummy, 10-Year-Old Child** Red**Popular Title:** Hybrid Dummy**RIN 2127-AJ49****Stage:** Final Rule**Previous Stage:** NPRM: Publication Date 07/13/2005; End of Comment Period 09/12/2005.

Abstract: This rulemaking would incorporate the Hybrid III ten-year old dummy into Part 572 for potential application in Federal motor vehicle safety standards (FMVSS) such as FMVSS No. 213, Child restraint systems. Anton's Law, signed by the President on December 4, 2002, specified in Section 4 that within 24 months, the Secretary of Transportation shall develop and evaluate an anthropomorphic test device that simulates a 10-year old child for use in testing child restraints used in passenger motor vehicles. The evaluation and testing of such a device has been completed by NHTSA. This rulemaking would include rationale for the dummy performance response requirements; detailed dummy design drawings and specifications; and a procedures manual for the dummy inspection, assembly and disassembly.

Effects:

EU
NAFTA
Foreign

Prompting action: None**Legal Deadline:** None**Rulemaking Project Initiated:** 09/16/2004**Docket Number:** 2007-0048**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/20/2007	09/15/2008	
To OMB	01/31/2008	10/29/2008	
OMB Clearance	04/30/2008	01/28/2009	
Publication Date	05/15/2008	02/15/2009	

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

49. **Tire Identification and Recordkeeping, 49 CFR Part 574**

Green

Popular Title: Tire Identification and Recordkeeping**RIN 2127-AK11****Stage:** Final Rule**Previous Stage:** NPRM: Publication Date 01/24/2008; End of NPRM Comment Period 03/24/2008.**Abstract:** This rulemaking would allow additional electronic methods (Internet, etc.) to be used for tire registration, in addition to the currently-required paper forms, in order to reduce the paperwork burden as directed under the Paperwork Reduction Act. 49 CFR Part 574 sets tire registration requirements for tire company-owned tire dealers and for independent tire dealers.**Effects:**

- Information Collection
- EU
- NAFTA
- Foreign

Prompting action: None**Legal Deadline:** None**Rulemaking Project Initiated:** 09/19/2007**Docket Number:** NHTSA-2008-0014**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	10/02/2008		
To OMB	11/10/2008		
OMB Clearance	02/15/2009		
Publication Date	02/28/2009		

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

50. **Ejection Mitigation**

Red

Popular Title: Ejection Mitigation**RIN 2127-AK23****Stage:** NPRM**Previous Stage:**None

Abstract: This rulemaking would create a new Federal Motor Vehicle Safety Standard (FMVSS) for reducing occupant ejection. Currently, there are over 52,000 annual ejections in motor vehicle crashes, and over 10,000 ejected fatalities per year. This rulemaking would propose new requirements for reducing occupant ejection through passenger vehicle side windows. The requirement would be an occupant containment requirement on the amount of allowable excursion through passenger vehicle side windows. The SAFETEA-LU legislation requires that: "[t]he Secretary shall also initiate a rulemaking proceeding to establish performance standards to reduce complete and partial ejections of vehicle occupants from outboard seating positions. In formulating the standards the Secretary shall consider various ejection mitigation systems. The Secretary shall issue a final rule under this paragraph no later than October 1, 2009."

Effects:

- Economically Significant
- Major
- Unfunded Mandate
- EU
- NAFTA
- Foreign

Prompting action: Statute**Legal Deadline:** Final Rule : 10/01/2009**Rulemaking Project Initiated:** 08/10/2005**Docket Number:****Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/30/2008	07/15/2008	
To OMB	06/30/2008	08/29/2008	
OMB Clearance	09/25/2008	11/28/2008	
Publication Date	09/28/2008	12/19/2008	
End of Comment Period	11/30/2008	02/19/2009	

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

51. **Early Warning Reporting Information** Red**Popular Title:** EWR Information**RIN 2127-AK28****Stage:** NPRM**Previous Stage:**None

Abstract: This rulemaking would amend certain provisions of the early warning reporting (EWR) rule published pursuant to the Transportation Recall, Enhancement, Accountability and Documentation (TREAD) Act. This rulemaking would modify the threshold for submitting quarterly EWR reports for some manufacturers and add new requirements to maintain the consistency of the EWR data from quarter to quarter. This rulemaking has been upgraded and its status will now be reported.

Effects:

Regulatory Flexibility Act

EU

NAFTA

Foreign

Prompting action: None**Legal Deadline:** None**Rulemaking Project Initiated:** 02/20/2008**Docket Number:****Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/18/2008	08/18/2008	
To OMB	07/31/2008	09/22/2008	
OMB Clearance	10/31/2008	12/21/2008	
Publication Date	11/14/2008	01/17/2009	
End of Comment Period	01/13/2008	03/17/2009	

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

National Highway Traffic Safety Administration

52. **Passenger Car and Light Truck Corporate Average Fuel Economy 2011-2015** Red

Popular Title: Car and Light Truck CAFE 2011-2015

RIN 2127-AK29

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would address Corporate Average Fuel Economy (CAFE) Standards for light trucks and for passenger cars for model years 2011-2015. CAFE standards must be set at least 18 months prior to the start of a model year. This action is also subject to a direction by the President of the United States to complete rulemaking in 2008.

Effects:

- Economically Significant
- Major
- Unfunded Mandate
- EIS
- EU
- NAFTA
- Foreign

Prompting action: Statute

Legal Deadline: Final Rule : 04/01/2009

Rulemaking Project Initiated: 12/28/2007

Docket Number: NHTSA-2008-0089

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/08/2008	02/19/2008	02/19/2008
To OMB	03/14/2008	02/20/2008	02/20/2008
OMB Clearance	03/21/2008	04/21/2008	04/21/2008
Publication Date	03/28/2008	05/02/2008	05/02/2008
End of Comment Period	06/27/2008	07/01/2008	07/01/2008

Explanation for any delay: Additional coordination necessary

Federal Register Citation for NPRM: 73 FR 24351

Office of the Secretary

Office of the Secretary

53. **Accessibility of Passenger Vessels to Individuals with Disabilities** Black

Popular Title: Accessibility-passenger vessels

RIN 2105-AB87

Stage: Final Rule

Previous Stage: ANPRM: Publication Date 11/29/2004;End of Comment Period 03/28/2005;Publication Date for Extension of Comment Period 03/28/2005;End of Extended Comment Period 07/28/2005. NPRM: Publication Date 1/23/2007; End of Comment Period 4/23/2007; Extension of Comment Period 4/13/2007; End of Extended Comment Period 6/22/2007; Reopening of Comment Period 4/8/2006; End of Reopened Comment Period 4/23/2008.

Abstract: The Department's Americans with Disabilities Act (ADA) final rule, published September 6, 1991, reserved portions of the rule concerning passenger vessels. The ADA covers passenger vessels, but issuing accessibility requirements for vessels involves complex issues unlike those affecting land transportation. This rulemaking would address these issues and propose feasible requirements to make passenger vessels accessible to, and usable by, individuals with disabilities. This rulemaking is waiting to be downgraded.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 07/26/1990

Docket Number: OST-2007-26829

Dates for Final Rule:

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 Final Rule: None

54. **Aviation Data Requirements Review and Modernization Program** Black**Popular Title:** Aviation Data**RIN 2105-AC71****Stage:** Undetermined

Previous Stage: ANPRM: Publication Date 07/15/1998; End of Comment Period 09/14/1998; End of Reply Comment Period 10/13/1998. NPRM: Publication Date 02/17/2005; End of Comment Period 04/18/2005; Extension of Comment Period Publication Date 07/18/2005; End of Extended Comment Period 9/18/2005.

Abstract: This rulemaking requested public comments from reporting carriers and aviation data users on the nature, scope, source, and means for collecting, processing, and distributing airline traffic, fare, and financial data. Specifically, it invited comments on whether existing airline traffic, fare, and financial data should be amended, supplemented, or replaced; whether selected forms and reports should be retained, modified, or eliminated; whether OST should require all aviation data to be filed electronically; and how the aviation data system should be reengineered to enhance efficiency and to reduce costs for both the Department and the airline industry.

Effects:

None

Prompting action: None**Legal Deadline:** None**Rulemaking Project Initiated:** 04/15/1998**Docket Number:** OST-1998-4043**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

55.	Procedures for Transportation Workplace Drug and Alcohol Testing Programs	Red
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Popular Title: Specimen Validity Testing

RIN 2105-AD26

Stage: Final Rule

Previous Stage: Interim Final Rule: Publication Date 05/28/2003. NPRM: Publication Date 10/31/2005; End of Comment Period 12/31/2005.

Abstract: This rulemaking would amend certain provisions of its drug and alcohol testing procedures to change instructions to laboratories, medical review officers, and employers with respect to adulterated, substituted, diluted, and invalid specimen results. This action would create consistency with specimen validity requirements established by the U.S. Department of Health and Human Services and modify some measures taken in other rulemaking actions. Also, this rulemaking would include rulemaking action specified in RINs 2105-AD47 and 2105-AD55. This action was inadvertently published under RIN 2105-AD55 (73 FR 35961, June 25, 2008).

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 02/13/2003

Docket Number: OST-2003-15245

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	03/25/2007	12/27/2007	12/12/2007
To OMB	04/25/2007	01/20/2008	03/19/2008
OMB Clearance	07/25/2007	05/20/2008	05/28/2008
Publication Date	07/30/2007	05/30/2008	06/25/2008

Explanation for any delay: Lack of resources
Lack of staffing

Federal Register Citation for Final Rule: 73 FR 35961

56.	Protection of Sensitive Security Information	Black
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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 publish a Final Rule addressing the May 2004 Interim Final Rule and respond to any comments. As of January 31, 2007, this rulemaking is on hold pending the receipt of additional information from DHS. The schedule cannot be further updated until this information is received.**Effects:**

None

Prompting action: None**Legal Deadline:** None**Rulemaking Project Initiated:** 09/02/2002**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

57. Credit Assistance for Surface Transportation Projects	Red
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Popular Title: TIFIA Update**RIN 2105-AD70****Stage:** NPRM**Previous Stage:**None

Abstract: This rulemaking would amend the TIFIA rule to implement recent statutory changes and incorporate certain other changes that the DOT believes will improve the efficiency of the program and its usefulness to borrowers. This rulemaking would also extend applicability of the rule to the Maritime Administration.

Effects:

None

Prompting action: None**Legal Deadline:** None**Rulemaking Project Initiated:** 04/17/2007**Docket Number:** OST-2000-7401**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/18/2007	07/18/2008	
To OMB	06/18/2007	08/18/2008	
OMB Clearance	09/18/2007	11/18/2008	
Publication Date	09/28/2007	11/26/2008	
End of Comment Period	11/28/2007	01/26/2009	

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

58. **Enhancing Airline Passenger Protections**

Green

Popular Title: Aviation Consumer**RIN 2105-AD72****Stage:** NPRM**Previous Stage:** ANPRM: Publication Date 11/22/2007; End of Comment Period 1/22/2008.

Abstract: This rulemaking would propose to enhance airline passenger protections in the following ways: (1) require carriers to adopt contingency plans for lengthy tarmac delays and to incorporate these plans in their contracts of carriage, (2) require carriers to respond to consumer problems, (3) declare the operation of flights that remain chronically delayed to be an unfair and deceptive practice and an unfair method of competition, (4) require carriers to publish delay data on their websites, and (5) require carriers to adopt customer service plans, incorporate these in their contracts of carriage, and audit their adherence to their plans.

Effects:

None

Prompting action: Secretarial/Head of Operating Administration Decision**Legal Deadline:** None**Rulemaking Project Initiated:** 09/04/2007**Docket Number:** DOT-OST-2007-0022**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/16/2008	07/02/2008	07/03/2008
To OMB	06/27/2008	07/18/2008	
OMB Clearance	09/27/2008	10/18/2008	
Publication Date	09/30/2008	10/21/2008	
End of Comment Period	11/30/2008	12/22/2008	

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

Pipeline and Hazardous Materials Safety Administration

Pipeline and Hazardous Materials Safety Administration

59. **Hazardous Materials: Miscellaneous Packaging Amendments** Green

Popular Title: Packaging Requirements

RIN 2137-AD89

Stage: Final Rule

Previous Stage: NPRM: Publication Date 08/31/2006; End of Comment Period 11/30/2006.

Abstract: This rulemaking would add provisions for Large Packagings and revise the specification requirements for non-bulk packagings and portable tanks. This rulemaking would address issues raised through enforcement actions and requests for clarification of the regulations by packaging manufacturers, third-part labs, and shippers. Also, this action would address packaging closures, design modifications that may or may not require recertification. This rulemaking was just upgraded to significant by OMB and PHMSA is adjusting its schedule to accommodate this change.

Effects:

EU
NAFTA
Foreign

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 09/16/2003

Docket Number: PHMSA-2006-25736

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/19/2008		
To OMB	10/24/2008		
OMB Clearance	01/22/2009		
Publication Date	01/29/2009		

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

60.	Pipeline Safety: Protecting Unusually Sensitive Areas from Rural Onshore Hazardous Liquid Gathering Lines and Low-Stress Lines	Red
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Popular Title: Petroleum Gathering Lines and Low Stress Lines

RIN 2137-AD98

Stage: Final Rule

Previous Stage: SNPRM: Publication Date 05/18/2007;End of Comment Period 06/18/2007

Abstract: This rulemaking would establish limited safety rules for rural onshore hazardous liquid gathering pipelines and low stress pipelines that are within a defined buffer of an unusually sensitive area. These areas include drinking water and ecological resource areas, which are particularly vulnerable to a pipeline release. The safety requirements would address the most common threats to the integrity of these pipelines.

Effects:

None

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 02/04/2004

Docket Number: PHMSA-2005-23141

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/10/2007	03/19/2008	02/26/2008
To OMB	10/12/2007	04/18/2008	04/02/2008
OMB Clearance	01/10/2008	07/18/2008	05/23/2008
Publication Date	01/18/2008	07/24/2008	06/03/2008

Explanation for any delay: Unanticipated issues requiring further analysis

Federal Register Citation for Final Rule: 73 FR 31634

61.	Hazardous Materials: Enhancing Rail Transportation Safety and Security for Hazardous Materials Shipments	Green
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Popular Title: Rail routing rule

RIN 2137-AE02

Stage: Final Rule

Previous Stage: NPRM: Publication Date 12/21/2006; End of Comment Period: 02/20/2007 Interim Final Rule: Publication Date 04/16/2008; End of Comment Period 05/16/2008.

Abstract: In consultation with the Federal Railroad Administration (FRA), PHMSA would revise the current requirements on the safe and secure transportation of hazardous materials transported in commerce by rail. It may require rail carriers to (1) compile annual data on certain shipments of hazardous materials and use the data to analyze safety and security risks along rail transportation routes where those materials are transported; (2) assess alternative routing options and make routing decisions based on those assessments; and (3) clarify the current security plan requirements to address en route storage and delays in transit. This rulemaking was scheduled to have a final rule published by 12/24/2007. However, to address matters raised by the Implementing Recommendations of the 9/11 Commission Act of 2007 (Pub.L110-53, 121 Stat. 266), PHMSA will first issue the rule as an IFR.

Effects:

- Regulatory Flexibility Act
- Information Collection

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: Final Rule : 05/03/2008

Rulemaking Project Initiated: 05/01/2004

Docket Number: PHMSA-RSPA-2004-18730

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/01/2008		
To OMB	09/05/2008		
OMB Clearance	12/05/2008		
Publication Date	12/15/2008		

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

62.	Hazardous Materials: Requirements for Storage of Explosives During Transportation	Red
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Popular Title: Storage of Explosives

RIN 2137-AE06

Stage: ANPRM

Previous Stage:None

Abstract: This rulemaking would address the current safety and security risks associated with the storage of explosives during transportation. The HMR require shipments stored during transportation to conform to the same requirements that apply when the shipments are actually moving and for the shipping company to have security plans covering its shipments. Otherwise, the HMR do not include specific requirements for facilities at which explosives or other high-hazard materials are stored during transportation. The HMR do not establish specific standards for storage facilities nor do they limit the amount of material that may be stored in a single location. Through this rulemaking, the agency will evaluate the adequacy of existing regulatory requirements and the need for additional, more specific requirements. In particular, the agency is considering whether current industry standards applicable to the storage of explosives should be incorporated by reference into the HMR.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 01/01/2005

Docket Number: PHMSA-2005-22987

Dates for ANPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/23/2005		05/24/2005
Returned to Mode			05/24/2005
Resubmitted to OST			05/26/2005
Returned to Mode/2			06/14/2005
Resubmitted to OST/2		06/30/2005	06/22/2005
To OMB	06/24/2005	10/11/2005	10/17/2005
OMB Clearance	09/22/2005	01/17/2006	11/09/2005
Publication Date	09/29/2005	01/24/2006	11/16/2005
End of Comment Period	11/28/2005	02/14/2006	02/14/2006
Reopening of Comment Period		07/07/2008	07/03/2008
End of Reopened Comment Period		09/08/2008	10/01/2008

Explanation for any delay: Additional coordination necessary

Federal Register Citation for ANPRM: 70 FR 69493

63. **Hazardous Materials: Enforcement Regulations** Red

Popular Title: Package Inspection Authority

RIN 2137-AE13

Stage: NPRM

Previous Stage:None

Abstract: Pursuant to a mandate in SAFETEA-LU (section 7118 of P.L. 109-59), this rulemaking would establish procedural regulations to implement authority provided to DOT to open packages believed to contain hazardous materials; remove such packages from transportation; gather information; order the package transported to a facility for examination and analysis; obtain assistance from qualified persons; and issue emergency restrictions, prohibitions, recalls, or out-of-service orders to abate an imminent hazard.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: Statute

Legal Deadline: Temporary Rule : 10/11/2005
Final Rule : 08/10/2006

Rulemaking Project Initiated: 08/10/2005

Docket Number: PHMSA-2005-22356

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/06/2006	05/23/2008	05/16/2008
Returned to Mode			06/24/2008
Resubmitted to OST		07/11/2008	07/08/2008
To OMB	07/11/2006	08/30/2008	
OMB Clearance	10/11/2006	11/05/2008	
Publication Date	10/18/2006	11/12/2008	
End of Comment Period	12/19/2006	01/12/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for NPRM: None

64.	Pipeline Safety: Distribution Integrity Management	Red
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Popular Title: Distribution Integrity Management

RIN 2137-AE15

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would establish integrity management program requirements appropriate for gas distribution pipeline operators. This rulemaking would require gas distribution pipeline operators to develop and implement programs to better assure the integrity of their pipeline systems.

Effects:

- Economically Significant
- Major
- Information Collection

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 03/02/2006

Docket Number: PHMSA-04-19854

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	01/02/2007	01/02/2008	12/21/2007
To OMB	03/09/2007	03/17/2008	03/20/2008
OMB Clearance	06/11/2007	06/18/2008	06/19/2008
Publication Date	06/20/2007	06/30/2008	06/25/2008
End of Comment Period	09/20/2007	09/30/2008	09/23/2008

Explanation for any delay: Additional coordination necessary
Awaiting outcome of pending legislation

Federal Register Citation for NPRM: 73 FR 36015

65. **Hazardous Materials: Revision of Requirements for Security Plans** Green

Popular Title: Security Plans

RIN 2137-AE22

Stage: NPRM

Previous Stage:None

Abstract: In response to two industry petitions for rulemaking, this rulemaking will reconsider and refine the list of hazardous materials for which security plans are currently required. The industry petitioners asked PHMSA to amend the security plan regulations to create a distinction between hazardous materials that present a significant security risk while in transportation and the vast majority of hazardous materials that pose no significant security risk in transportation.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 05/01/2006

Docket Number: PHMSA-2006-25885

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/15/2008	06/30/2008	06/20/2008
To OMB	06/24/2008	08/06/2008	
OMB Clearance	09/24/2008	11/06/2008	
Publication Date	09/30/2008	11/14/2008	
End of Comment Period	11/30/2008	01/14/2009	

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

66.	Pipeline Safety: Standards for Increasing the Maximum Allowable Operating Pressure for Gas Transmission Pipelines	Yellow
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Popular Title: MAOP for Gas Transmission Pipelines

RIN 2137-AE25

Stage: Final Rule

Previous Stage: NPRM: Publication Approved 03/03/2008;Publication Date 03/12/2008;End of Comment Period 05/12/2008;Extension of Comment Period 05/12/2008;End of Extended Comment Period 05/19/2008.

Abstract: This rulemaking would propose to allow operation of certain steel gas transmission pipelines at pressures based on higher stress levels, resulting in an increase of maximum allowable operating pressure (MAOP) over that currently allowed in the regulations. The rulemaking would also require a new pipeline to meet more rigorous design and construction standards as a condition for an operator to calculate the MAOP based on higher stress levels. The rulemaking would also require the operator of a new or existing pipeline operating at the increased MAOP to comply with added operation and maintenance requirements.

Effects:

Economically Significant
Major

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 05/04/2007

Docket Number: PHMSA-05-23447

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/16/2008		
To OMB	08/19/2008		
OMB Clearance	10/27/2008		
Publication Date	11/07/2008		

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

67.	Control Room Management/Human Factors	Red
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Popular Title: Control Room Management/Human Factors

RIN 2137-AE28

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking would require operators of natural gas pipelines, hazardous liquid pipelines, and liquefied natural gas (LNG) facilities, to identify and employ specific procedures to improve control room operations, controller training, and controller qualifications. It would require operators to develop, implement, and submit to PHMSA (or the appropriate State), a human factors management plan designed to reduce risks associated with human factors. This would require operators to include in their plans a maximum limit on the hours of service for individuals employed as controllers. It would also require operators to periodically review their management of computer-based control system alarms and to verify that the control systems provide accurate and timely information to controllers. This rulemaking would further require each operator to validate the implementation of the program elements applicable to their individual control system.

Effects:

None

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 08/10/2007

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	11/30/2007	03/03/2008	04/14/2008
To OMB	01/04/2007	06/27/2008	06/25/2008
OMB Clearance	04/04/2007	09/26/2008	
Publication Date	04/11/2007	10/07/2008	
End of Comment Period	06/11/2007	12/08/2008	

Explanation for any delay: Lack of staffing

Federal Register Citation for NPRM: None

68.	Hazardous Materials; Combination Packages Containing Liquids Intended for Transport by Aircraft	Green
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Popular Title: Air Packaging

RIN 2137-AE32

Stage: ANPRM

Previous Stage: None

Abstract: Incident data and testing conducted on behalf of DOT indicate many combination packagings authorized for the transportation of hazardous materials may not withstand conditions normally incident to air transportation. PHMSA is considering measures to reduce the incidence of package failures and to minimize the consequences of failures should they occur. PHMSA is soliciting comments on how to accomplish these goals, including measures to verify packaging integrity, such as performance testing, and revisions to packaging requirements, such as the addition of liners or absorbent material.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 06/04/2007

Docket Number: PHMSA-07-29364

Dates for ANPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/16/2008	04/28/2008	04/28/2008
To OMB	05/20/2008	06/02/2008	06/11/2008
OMB Clearance	08/18/2008	09/02/2008	06/26/2008
Publication Date	08/25/2008	09/09/2008	07/07/2008
End of Comment Period	10/24/2008	11/10/2008	09/05/2008

Explanation for any delay: N/A

Federal Register Citation for ANPRM: 73 FR 38361