

Report on DOT Significant Rulemakings

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Federal Aviation Administration

Federal Aviation Administration

1. **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	07/29/2009	
To OMB	06/20/2007	08/31/2009	
OMB Clearance	09/20/2007	11/30/2009	
Publication Date	09/28/2007	12/14/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Federal Aviation Administration

2. **Commuter Operations in Very Light Jets (VLJs)** Red

Popular Title: VLJ

RIN 2120-AI84

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would establish a rule to allow passenger-carrying commuter operations to be conducted under the provisions of part 135 using multiengine turbojets, certificated under either part 23 or part 25, configured with 9 or fewer passenger seats. The rulemaking would allow multiengine turbojet operators to provide commuter service to the traveling public, thus accommodating new technologies and a new generation of turbojet airplanes that otherwise would not be allowed in part 135 commuter service. Since 1995, turbojets used in scheduled operations must operate under the provisions of part 121. This current rulemaking resulted, in part, from recommendations from the Aviation Rulemaking Committee for parts 14 CFR 135/125 and covers pilot crew, equipment, training, and dispatch requirements for the safe operation of this new generation airplane.

Effects:

Regulatory Flexibility Act

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	06/05/2009	
To OMB	01/31/2007	07/06/2009	
OMB Clearance	02/27/2007	10/06/2009	
Publication Date	03/13/2007	10/20/2009	
End of Comment Period	06/13/2007	01/20/2010	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for NPRM: None

Federal Aviation Administration

3.	Revisions to the Pilot, Flight Instructor, Ground Instructor, and Pilot School Certification Rules (Part 61)	Green
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Popular Title: Revisions to the Pilot--Part 61

RIN 2120-AI86

Stage: Final Rule

Previous Stage: NPRM: Publication date 02/07/2007 End of Comment Period 05/08/2007.

Abstract: This rulemaking would add training and experience requirements for night vision goggles and simplify the use of training devices. It would allow pilots who have been trained by the U.S. military or law enforcement agencies in the use of night vision goggles to get credit for that training for civilian operations. These changes would clarify our existing regulations. The intended effect of these actions is to allow the use of current aviation devices and to ease transition from military to civilian duty. This rulemaking has been upgraded to significant.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 07/25/2006

Docket Number: FAA-2006-26661

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/26/2009		05/22/2009
To OMB	07/06/2009		
OMB Clearance	10/06/2009		
Publication Date	10/20/2009		

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Federal Aviation Administration

4. **Re-registration and Renewal of Aircraft Registration** Green

Popular Title: Re-registration & Renewal of Aircraft Registration

RIN 2120-AI89

Stage: Final Rule

Previous Stage: NPRM: Publication Date 2/28/2008; End of Comment Period 8/28/2008

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 Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/11/2009	05/28/2009	05/29/2009
To OMB	06/11/2009	06/29/2009	
OMB Clearance	09/11/2009	09/29/2009	
Publication Date	09/25/2009	10/13/2009	

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Federal Aviation Administration

5. **Activation of Ice Protection** Red

Popular Title: Activation of Ice Protection

RIN 2120-AI90

Stage: Final Rule

Previous Stage: NPRM: Publication Date 04/26/2007; End of Comment Period 07/25/2007

Abstract: This rulemaking would amend the airworthiness standards applicable to transport category airplanes certificated for flight in icing conditions. The standards would require a means to ensure timely activation of the airframe ice protection system. This rulemaking is the result of information gathered from a review of icing accidents and incidents, and is intended to improve the level of safety for new airplane designs when operating in icing conditions.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 03/28/2006

Docket Number: FAA-2007-27653

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			12/05/2008
To OMB	02/19/2009	04/19/2009	03/31/2009
OMB Clearance	05/19/2009	07/19/2009	
Publication Date	06/02/2009	08/02/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Federal Aviation Administration

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

RIN 2120-AI92

Stage: Final Rule

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 Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/14/2009		
To OMB	01/14/2010		
OMB Clearance	04/14/2010		
Publication Date	04/28/2010		

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Federal Aviation Administration

7. 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

Federal Aviation Administration

8. **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: FAA-2008-0677

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	01/12/2009	01/12/2009
End of Comment Period	01/10/2008	05/12/2009	05/12/2009

Explanation for any delay: Additional coordination necessary

Federal Register Citation for NPRM: 74 FR 1280

Federal Aviation Administration

9. **Part 121 Pilot Age Limit** Red

Popular Title: Age 65

RIN 2120-AJ01

Stage: Final Rule

Previous Stage:None

Abstract: This rulemaking would correct the language of the Code of Federal Regulations to bring it into conformance with recent legislation raising the upper age limit for pilots serving in domestic, flag, and supplemental operations until they reach their 65th birthday. Congress enacted legislation, effective December 13, 2007, mandating an Age-65 limit for pilots for purposes of Title 49 USC.

Effects:

Economically Significant
Major

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 01/30/2007

Docket Number: FAA-2006-26139

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	03/28/2008		06/26/2008
Returned to Mode			10/01/2008
Resubmitted to OST			10/03/2008
Returned to Mode/2			10/31/2008
Resubmitted to OST/2		11/19/2008	11/17/2008
To OMB	04/29/2008	05/20/2009	05/26/2009
OMB Clearance	07/29/2008	08/26/2009	
Publication Date	08/07/2008	09/08/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Federal Aviation Administration

10. Fire Protection	Yellow
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Popular Title: Fire Protection III

RIN 2120-AJ04

Stage: Final Rule

Previous Stage: NPRM: Publication Date 02/21/2008; End of Comment Period 05/21/2008

Abstract: This rulemaking would change the fire protection standards for issuing original and amended type certificates for aircraft engines and harmonize Federal Aviation Administration and European Aviation Safety Agency certification standards. Harmonization would lower the cost of airplane engine development, enhance safety, simplify international type certifications, codify current industry practices, and clarify existing requirements.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 08/17/1994

Docket Number: FAA-2007-28503

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/27/2009	05/01/2009	03/13/2009
To OMB	03/27/2009	04/17/2009	04/21/2009
OMB Clearance	06/29/2009	07/17/2009	
Publication Date	07/13/2009	07/31/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Federal Aviation Administration

11. **Airworthiness Standards: Aircraft Engine Standards Overtorque Limits** Red

Popular Title: Overtorque Limits

RIN 2120-AJ06

Stage: Final Rule

Previous Stage: NPRM: Publication Date 03/26/2008; End of Comment Period 06/24/2008

Abstract: This rulemaking would amend the certification standards for aircraft engines to establish requirements for approval of maximum engine overtorque. Specifically, this rulemaking would add a new engine overtorque test, amend engine ratings and operating limits, and define maximum engine overtorque for certain turbopropeller and turboshaft engines. The rulemaking would harmonize applicable United States (U.S.) and European standards and simplify airworthiness approvals for import and export of aircraft engines.

Effects:

EU

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 10/20/1998

Docket Number: FAA-2007-28502

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/27/2009	04/30/2009	03/31/2009
To OMB	03/27/2009	04/30/2009	05/14/2009
OMB Clearance	06/29/2009	08/14/2009	
Publication Date	07/13/2009	08/21/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Federal Aviation Administration

12. **Safety Management Systems (SMS)** Red

Popular Title: SMS

RIN 2120-AJ15

Stage: ANPRM

Previous Stage:None

Abstract: This rulemaking would require a Safety Management System (SMS) for FAA certificate holders, certain product manufacturers, applicants, and employers. This action is being taken to further enhance the practice of managing safety, conducting risk and system assessments and analysis, undertaking preventive and corrective actions, and creating a safety culture. The intended effect of this action would make the United States compliant with International Civil Aviation Organization (ICAO) annexes.

Effects:

Information Collection

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 09/25/2007

Docket Number:

Dates for ANPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	11/25/2008	02/17/2009	02/12/2009
Returned to Mode			04/15/2009
Resubmitted to OST			04/20/2009
To OMB	12/26/2008	06/02/2009	
OMB Clearance	03/26/2009	06/15/2009	
Publication Date	04/08/2009	06/24/2009	
End of Comment Period	06/08/2009	09/24/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for ANPRM: None

Federal Aviation Administration

13. **Pilot-in-Command Proficiency Check in Single-Piloted Turbojet Airplanes** Red

Popular Title: PIC Proficiency

RIN 2120-AJ18

Stage: NPRM

Previous Stage:None

Abstract: This rule would require proficiency checks for pilots in command (PIC) of single-piloted turbojet powered airplanes, allow pilot schools to use Internet-based training without requiring schools to have a physical ground training facility, allow pilot schools and provisional pilot schools to apply for a combined private pilot certification and instrument rating course, and revise the definitions of "complex airplane" and "high performance airplane." FAA believes these actions are necessary to respond to changes in the aviation industry and to avoid imposing unnecessary regulatory burdens. The intended effect of this rule would be to ensure flight crewmembers have the training and qualifications necessary to operate aircraft safely.

Effects:

Information Collection

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 07/24/2007

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST		12/12/2008	12/22/2008
To OMB	03/09/2009	04/17/2009	05/01/2009
OMB Clearance	06/09/2009	08/01/2009	
Publication Date	06/23/2009	08/13/2009	
End of Comment Period	09/23/2009	10/13/2009	

Explanation for any delay: Unanticipated impacts requiring further analysis

Federal Register Citation for NPRM: None

Federal Aviation Administration

14. Certification of Turbojets	Yellow
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Popular Title: Turbojets

RIN 2120-AJ22

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would address certification and operational issues surrounding the introduction of light jets. This action is necessary to standardize certification requirements and consolidate these requirements into one location. The intent is to ensure the same standards apply to all light jets.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 01/02/2008

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/19/2009	03/09/2009	03/03/2009
To OMB	03/19/2009	04/03/2009	05/01/2009
OMB Clearance	06/19/2009	08/01/2009	
Publication Date	07/06/2009	08/13/2009	
End of Comment Period	10/06/2009	10/13/2009	

Explanation for any delay: Lack of staffing

Federal Register Citation for NPRM: None

Federal Aviation Administration

15. **Flightcrew Alerting (Formerly Warning, Caution and Advisory Lights)** Green

Popular Title: Flightcrew Alerting

RIN 2120-AJ35

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would amend the airworthiness standards for transport category airplanes regarding definitions, prioritization, color requirements, and performance. These changes would update the latest technology and functionality concerning flightcrew alerting. This rulemaking is necessary to add additional alerting functions and to consolidate and standardize definitions and regulations for flightcrew warning, caution, and advisory systems.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 09/26/2000

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/08/2008		12/08/2008
To OMB	03/02/2009	04/09/2009	04/15/2009
OMB Clearance	06/02/2009	07/09/2009	
Publication Date	06/16/2009	07/21/2009	
End of Comment Period	08/17/2009	09/21/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for NPRM: None

Federal Aviation Administration

16.	Restrictions on Operators Employing Former Flight Standards Service Aviation Safety Inspectors	Yellow
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Popular Title: Post Employment Restrictions

RIN 2120-AJ36

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would prohibit a certificate holder from employing or contracting with a former Aviation Safety Inspector (ASI) or other person with certificate holder oversight responsibilities to act as an agent or to represent that certificate holder in any matter before the FAA. This restriction would apply if the person, in the proceeding two year period, has (a) served as, or was responsible for oversight of, a Flight Standards Service ASI; and (b) had the responsibility to inspect, or oversee the inspection of, the operations of the certificate holder. The rulemaking would enhance the FAA’s ability to properly perform its safety mission and to ensure that every passenger can have complete confidence in the integrity of the programs and operations administered by the FAA.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 06/16/2008

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	03/17/2009	04/01/2009	04/01/2009
Returned to Mode			04/29/2009
To OMB	04/17/2009	07/13/2009	
OMB Clearance	07/17/2009	10/13/2009	
Publication Date	07/31/2009	10/27/2009	
End of Comment Period	08/31/2009	11/27/2009	

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Aviation Administration

17. **Production and Airworthiness Approvals** Red

Popular Title: Production and Airworthiness Approvals

RIN 2120-AJ44

Stage: Final Rule

Previous Stage: NPRM: Publication Date 10/05/2006; End of Comment Period 01/03/2007; Extended Comment Period Publication Date 12/20/06; End of Extended Comment Period Date 02/05/2007

Abstract: This rulemaking would amend the certification procedures and identification requirements for aeronautical products and articles. These amendments would update and standardize those requirements for production approval holders (PAHs), revise export airworthiness approval requirements to facilitate global manufacturing, move all part-marking requirements from part 21 to part 45, and amend the identification requirements for products and articles. The intent of these changes is to continue to promote safety by ensuring that aircraft, and products and articles designed specifically for use in aircraft, wherever manufactured, meet appropriate minimum standards for design and construction. This rulemaking was split from RIN 2120-AI78.

Effects:

- Regulatory Flexibility Act
- EU
- NAFTA
- Foreign

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 06/04/2001

Docket Number: FAA-2006-25877

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	01/16/2009	05/15/2009	05/26/2009
To OMB	03/16/2009	06/26/2009	
OMB Clearance	06/16/2009	09/28/2009	
Publication Date	06/30/2009	10/13/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Federal Aviation Administration

18. **Part 129 Operations Specifications** Green

Popular Title: Part 129 Ops Specs

RIN 2120-AJ45

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would clarify and standardize the rules for application, amendment, suspension or revocation of operations specifications issued to foreign air carriers operating in the United States. This action is necessary to update our processes for Operations Specifications. The intent of this action is to permit operations specifications to be easily revised and updated to meet international standards and the changing aviation environment.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: International Agreement

Legal Deadline: None

Rulemaking Project Initiated: 10/02/2004

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/22/2009		
To OMB	08/24/2009		
OMB Clearance	11/24/2009		
Publication Date	12/08/2009		
End of Comment Period	03/08/2010		

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Aviation Administration

19.	Congestion Management Rule for John F. Kennedy International Airport and Newark Liberty International Airport	Green
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Popular Title: JFK-EWR Congestion Management Recession

RIN 2120-AJ48

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would rescind the final rule on Congestion Management for John F. Kennedy International Airport and Newark Liberty International Airport. The final rule established procedures to address congestion in the New York City area by assigning slots at John F. Kennedy (JFK) and Newark Liberty (Newark) International Airports, assigning to existing operators the majority of slots at the airports, and creating a market by annually auctioning off a limited number of slots in each of the first five years of the rule. The final rule also contained provisions for minimum usage, capping unscheduled operations, and withdrawal for operational need. The rule was scheduled to sunset in ten years.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 01/22/2009

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/27/2009		03/03/2009
To OMB	03/16/2009		03/22/2009
OMB Clearance	03/18/2009	05/17/2009	05/06/2009
Publication Date	04/07/2009	06/03/2009	05/14/2009
End of Comment Period	04/22/2009	08/03/2009	06/15/2009

Explanation for any delay: N/A

Federal Register Citation for NPRM: 74 FR 22714

Federal Aviation Administration

20. **Congestion Management Rule for LaGuardia Airport** Green

Popular Title: LGA Congestion Management Recission

RIN 2120-AJ49

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would rescind the final rule on Congestion Management for LaGuardia Airport. The final rule established procedures to address congestion in the New York City area by assigning slots at LaGuardia Airport (LaGuardia), assigning to existing operators the majority of slots at the airports, and creating a market by annually auctioning off a limited number of slots in each of the first five years of the rule. The final rule also contained provisions for minimum usage, capping unscheduled operations, and withdrawal for operational need. The rule was scheduled to sunset in ten years.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 01/22/2009

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/27/2009		03/03/2009
To OMB	03/16/2009		03/22/2009
OMB Clearance	03/18/2009	05/17/2009	05/06/2009
Publication Date	04/07/2009	06/03/2009	05/14/2009
End of Comment Period	04/22/2009	08/03/2009	06/15/2009

Explanation for any delay: N/A

Federal Register Citation for NPRM: 74 FR 22717

Federal Highway Administration

Federal Highway Administration

21. **Express Lane Demonstration Program** Red

Popular Title: Tolling

RIN 2125-AF07

Stage: Final Rule

Previous Stage: NPRM: Publication Date 09/20/2007; End of Comment Period 11/19/2007.

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 Program.

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	10/10/2008	10/10/2008
Returned to Mode			12/02/2008
Resubmitted to OST			12/05/2008
Returned to Mode/2			12/20/2009
Resubmitted to OST/2		05/28/2009	05/06/2009
To OMB	07/23/2008	07/01/2009	
OMB Clearance	10/23/2008	10/01/2009	
Publication Date	11/07/2008	10/07/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Federal Highway Administration

22. **Real-Time System Management Information Program** Green

Popular Title: Real-Time Management

RIN 2125-AF19

Stage: Final Rule

Previous Stage: NPRM: Publication Date 1/14/2009; End of Comment Period 4/14/2009.

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:

Economically Significant
Major

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 10/31/2006

Docket Number: FHWA-2006-24219

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/28/2009		
To OMB	09/28/2009		
OMB Clearance	12/28/2009		
Publication Date	01/04/2010		

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Federal Highway Administration

23. **National Tunnel Inspection Standards** Green

Popular Title: Tunnel Inspection

RIN 2125-AF24

Stage: NPRM

Previous Stage: ANPRM: Publication Date 11/18/08; End of Comment Period 2/17/09.

Abstract: This rulemaking would revise 23 CFR Part 650 -- Bridges, Structures, and Hydraulics, by adding the National Tunnel Inspection Standards (NTIS) under Subpart E. We anticipate that the NTIS may be modeled after the existing National Bridge Inspection Standards and may include requirements for, among other things, inspection procedures, the qualifications and training of inspectors, and a National Tunnel Inventory.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 01/30/2008

Docket Number: FHWA-2008-0038

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/22/2010	09/04/2009	
To OMB	03/22/2010	10/05/2009	
OMB Clearance	06/22/2010	01/05/2010	
Publication Date	07/23/2010	01/15/2010	
End of Comment Period	09/23/2010	03/15/2010	

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Motor Carrier Safety Administration

Federal Motor Carrier Safety Administration

24. **Unified Registration System** Red

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 (URS). 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 : 08/10/2006

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	08/04/2009	
To OMB	03/08/2007	09/07/2009	
OMB Clearance	06/08/2007	12/07/2009	
Publication Date	06/29/2007	12/17/2009	
End of Comment Period	09/28/2007	03/17/2010	

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

Federal Register Citation for SNPRM: None

Federal Motor Carrier Safety Administration

25.	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 originally planned to publish a final rule by November 20, 2003. FMCSA will determine the next steps to be taken after enactment of legislation authorizing cross border trucking.

Effects:

- Information Collection
- NAFTA

Prompting action: International Agreement

Legal Deadline: None

Rulemaking Project Initiated: 02/07/2001

Docket Number: FMCSA-98-3298

Dates for Undetermined:

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

Explanation for any delay: Unanticipated issues requiring further analysis

Federal Register Citation for Undetermined: None

Federal Motor Carrier Safety Administration

26.	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 originally planned to publish a final rule by November 28, 2003. FMCSA will determine the next steps to be taken after enactment of legislation authorizing cross border trucking.

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

Federal Motor Carrier Safety Administration

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

Popular Title: Safety Auditors Certification

RIN 2126-AA64

Stage: Undetermined

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

Effects:

None

Prompting action: Statute

Legal Deadline: NPRM : 12/09/2000

Rulemaking Project Initiated: 12/09/1999

Docket Number: FAA-2007-28100

Dates for Undetermined:

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

Explanation for any delay: Other, higher priorities

Federal Register Citation for Undetermined: None

Federal Motor Carrier Safety Administration

28.	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

Federal Motor Carrier Safety Administration

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

Popular Title: Household Goods Brokers

RIN 2126-AA84

Stage: Undetermined

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 Undetermined:

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

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Undetermined: None

Federal Motor Carrier Safety Administration

30. **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 (FMCSRs) to incorporate new performance standards for electronic on-board recorders (EOBRs) installed in commercial motor vehicles (CMVs) manufactured 2 years after the effective date of a final rule. On-board hours-of-service recording devices meeting FMCSA's current requirements and voluntarily installed in CMVs manufactured before that date could continue to be used for the remainder of the service life of those CMVs. Motor carriers that have demonstrated a history of serious noncompliance with the hours-of-service (HOS) rules would be subject to mandatory installation of EOBRs meeting the new performance standards (a remedial directive). The motor carrier would then be required to install EOBRs in all of its CMVs regardless of their date of manufacture and to use the devices for HOS recordkeeping for a period of 2 years, unless the carrier already had equipped its vehicles with automatic on-board recording devices (AOBRDs) meeting the Agency's current requirements under 49 CFR 395.15 and could demonstrate to FMCSA that its drivers understand how to use the devices. FMCSA would encourage industry-wide use of EOBRs by providing the following incentives for motor carriers to voluntarily use EOBRs in their CMVs: Revising the Agency's compliance review procedures to permit examination of a random sample of drivers' records of duty status; and providing partial relief from HOS supporting documents requirements, if certain conditions are satisfied.

Effects:

- Economically Significant
- Major
- 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	08/29/2008	09/03/2008
To OMB	06/05/2008	11/13/2008	11/10/2008
Withdrawn from OMB		01/23/2009	01/23/2009
Resubmitted to OST			04/27/2009
Resubmitted to OMB		06/26/2009	
OMB Clearance	09/05/2008	09/26/2009	
Publication Date	09/19/2008	10/16/2009	

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

Federal Register Citation for Final Rule: None

Federal Motor Carrier Safety Administration

31. 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 required by PL 109-59 (2005) Section 4129.

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

Federal Motor Carrier Safety Administration

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

Popular Title: National Registry

RIN 2126-AA97

Stage: Final Rule

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 Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users.

Effects:

- 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 Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/21/2009		
To OMB	01/21/2010		
OMB Clearance	04/21/2010		
Publication Date	05/05/2010		

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Federal Motor Carrier Safety Administration

33. **Consumer Complaint Information** Red

Popular Title: Consumer Complaint Information

RIN 2126-AB01

Stage: Undetermined

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

Abstract: The rulemaking would require each motor carrier of household goods to submit a quarterly report of specific identified information. This rule responds to SAFETEA-LU.

Effects:

- Information Collection
- Privacy

Prompting action: Statute

Legal Deadline: NPRM : 08/10/2005

Rulemaking Project Initiated: 08/10/2005

Docket Number: FMCSA-2008-0029

Dates for Undetermined:

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

Explanation for any delay: Lack of resources
Lack of staffing
Other, higher priorities

Federal Register Citation for Undetermined: None

Federal Motor Carrier Safety Administration

34. **Commercial Driver's License Testing and Commercial Learner's Permit Standards** Red

Popular Title: Commercial Learner's Permit

RIN 2126-AB02

Stage: Final Rule

Previous Stage: NPRM: Publication Date 4/9/2008 ;End of Comment Period 6/9/2008; End of Extended Comment Period 7/9/2008.

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: Final Rule : 04/13/2008

Rulemaking Project Initiated: 08/10/2005

Docket Number: FMCSA-2007-27659

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	10/01/2009		
To OMB	10/30/2009		
OMB Clearance	01/29/2010		
Publication Date	02/19/2010		

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Federal Motor Carrier Safety Administration

35. **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	06/12/2009	
To OMB	06/07/2007	07/17/2009	
OMB Clearance	09/07/2007	10/19/2009	
Publication Date	09/17/2007	10/27/2009	
End of Comment Period	11/17/2007	12/27/2009	

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

Federal Register Citation for NPRM: None

Federal Motor Carrier Safety Administration

36. **Minimum Training Requirements for Entry Level Commercial Motor Vehicle Operations** Green

Popular Title: Entry Level Driver Training

RIN 2126-AB06

Stage: Final Rule

Previous Stage: NPRM: Publication Date 12/26/2007; End of Comment Period 3/28/2008; Publication Date for Extension of Comment Period 3/21/2008; End of Extended Comment Period 5/23/2008.

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

Effects:

Economically Significant
Major
Federalism

Prompting action: Court Action

Legal Deadline: None

Rulemaking Project Initiated: 04/19/2006

Docket Number: FMCSA-2007-27748

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	10/16/2009		
To OMB	11/16/2009		
OMB Clearance	02/16/2010		
Publication Date	02/26/2010		

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Federal Motor Carrier Safety Administration

37. **Carrier Safety Fitness Determination** Red

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	06/15/2009	
To OMB	12/15/2007	07/15/2009	
OMB Clearance	03/15/2008	10/15/2009	
Publication Date	03/29/2008	10/30/2009	
End of Comment Period	06/29/2008	01/30/2010	

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

Federal Register Citation for NPRM: None

Federal Railroad Administration

Federal Railroad Administration

38. **Hours of Service Record Keeping** Green

Popular Title: Hours of Service Record Keeping

RIN 2130-AB85

Stage: Final Rule

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. This rulemaking was downgraded to nonsignificant.

Effects:

Information Collection

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 08/02/2006

Docket Number: FRA-2006-26176

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/15/2009	04/30/2009	04/30/2009
Publication Date	06/15/2009	06/30/2009	05/27/2009

Explanation for any delay: N/A

Federal Register Citation for Final Rule: 74 FR 25330

Federal Railroad Administration

39. **Roadway Worker Protection; Adjacent-Track On-Track Safety** Red

Popular Title: Roadway Worker Protection; Adjacent-Track On-Track

RIN 2130-AB96

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would simplify the determination regarding whether or not adjacent track protection is required for roadway work groups engaged in large-scale maintenance or construction, pursuant to 49 CFR Part 214. The recent increase in roadway worker fatalities that have occurred on adjacent track has caused some concern at FRA and throughout the industry, even prompting the filing of a petition for emergency order. FRA issued a notice of safety advisory to address the issue in May of 2004; however, it appears that the effects were not long-lasting. This rulemaking is based on the consensus language developed through the Roadway Worker Protection (RWP) Working Group of FRA’s Railroad Safety Advisory Committee (RSAC).

Effects:

None

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 08/20/2008

Docket Number: FRA-2008-0059

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST			11/14/2008
Returned to Mode			11/20/2008
Resubmitted to OST	03/02/2009	04/09/2009	04/03/2009
Returned to Mode/2			04/15/2009
Resubmitted to OST/2		05/05/2009	05/05/2009
To OMB	04/03/2009	06/03/2009	
OMB Clearance	07/06/2009	09/03/2009	
Publication Date	07/22/2009	09/10/2009	
End of Comment Period	09/21/2009	11/10/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for NPRM: None

Federal Railroad Administration

40. **Safety Appliance Standards, Miscellaneous Revisions** Red

Popular Title: Safety Appliance Standards, Miscellaneous Revision

RIN 2130-AB97

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would revise the Federal Railroad Administration's Safety Appliance regulations in 49 CFR part 231 to provide greater flexibility to the industry in creating new car designs while also advancing the safety of those persons who are engaged in activities requiring them to work on and around safety appliance apparatuses. FRA would add a process to the Safety Appliance regulations that would allow an alternative method of compliance. Under this process, railroad industry representatives could submit requests for special approval to build new rail cars in accordance with existing industry safety appliance standards. This rulemaking's designation was upgraded to significant by OMB on 04/21/2009.

Effects:

None

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 07/01/2008

Docket Number: FRA-2008-0116

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/11/2009	07/17/2009	
To OMB	06/04/2009	08/17/2009	
OMB Clearance	09/02/2009	11/17/2009	
Publication Date	09/11/2009	11/20/2009	
End of Comment Period	11/10/2009	01/20/2010	

Explanation for any delay: Lack of resources

Federal Register Citation for NPRM: None

Federal Railroad Administration

41. Positive Train Control	Yellow
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Popular Title: Positive Train Control Implementation

RIN 2130-AC03

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would regulate the submission of Positive Train Control plans; the implementation of the Positive Train Control Systems; and the qualification, installation, maintenance and use of the these systems required under 49 USC 20157 or specifically required by the Federal Railroad Administration.

Effects:

Economically Significant

Major

Regulatory Flexibility Act

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 10/16/2008

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/05/2009	05/29/2009	05/28/2009
To OMB	05/18/2009	06/16/2009	
OMB Clearance	06/01/2009	06/30/2009	
Publication Date	06/12/2009	07/08/2009	
End of Comment Period	08/12/2009	09/08/2009	

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Railroad Administration

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

Popular Title: Controlled Substance Testing Maintenance Employees

RIN 2130-AC10

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would revise the Federal Railroad Administration’s alcohol and drug regulations to cover all employees of railroads, railroad contractors, and subcontractors who perform maintenance-of-way activities. The rulemaking would also make other miscellaneous updates to 14 CFR Part 219.

Effects:

None

Prompting action: Statute

Legal Deadline: Final Rule : 10/16/2010

Rulemaking Project Initiated: 10/16/2008

Docket Number: FRA-2009-0039

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/08/2009		
To OMB	10/07/2009		
OMB Clearance	01/05/2010		
Publication Date	01/13/2010		
End of Comment Period	03/15/2010		

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Railroad Administration

43. **Risk Reduction Program** Black

Popular Title: Risk Reduction Program

RIN 2130-AC11

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would require railroads to submit Risk Reduction Programs for review and approval to the FRA Administrator. These programs would be reviewed for annual compliance. It would also ensure that railroads comply with their Positive Train Control (PTC) schedules and ensure railroads implement PTC by December 31, 2018, except as required by § 104 of the Rail Safety Improvement Act of 2008.

Effects:

Economically Significant
Major

Prompting action: Statute

Legal Deadline: Final Rule : 10/16/2012

Rulemaking Project Initiated: 10/16/2008

Docket Number: FRA-2009-0038

Dates for NPRM:

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

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Maritime Administration

Maritime Administration

44.	Regulations To Be Followed by All Departments, Agencies and Shippers Having Responsibility To Provide a Preference for U.S.-Flag Vessels in the Shipment of Cargoes on Ocean Vessels.	Black
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Popular Title: Cargo Preference NPRM

RIN 2133-AB74

Stage: Undetermined

Previous Stage:None

Abstract: This rulemaking would revise and clarify the Cargo Preference rules that have not been revised substantially since 1971. Revisions would include an updated purpose and definitions section along with the removal of obsolete provisions.

Effects:

Information Collection
Foreign

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 08/21/2008

Docket Number:

Dates for Undetermined:

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

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

Maritime Administration

45. Cargo Preference - Compromise, Assessment, Mitigation, Settlement & Collection of Civil Penalties	Green
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Popular Title: Cargo Preference Statutory Changes

RIN 2133-AB75

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would establish Part 383 of the Cargo Preference regulations. This rulemaking would cover P.L. 110-417, Section 3511 National Defense Authorization Act for FY2009 statutory changes to the cargo preference rules, which have not been substantially revised since 1971. The rulemaking also would include compromise, assessment, mitigation, settlement, and collection of civil penalties.

Effects:

- Regulatory Flexibility Act
- Information Collection
- Foreign

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 01/16/2009

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/16/2009		
To OMB	07/16/2009		
OMB Clearance	10/16/2009		
Publication Date	10/21/2009		
End of Comment Period	12/21/2009		

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

National Highway Traffic Safety Administration

National Highway Traffic Safety Administration

46. **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	09/18/2008	09/18/2008
Returned to Mode			10/01/2008
Resubmitted to OST		03/30/2009	03/30/2009
To OMB	06/20/2008	04/08/2009	04/06/2009
OMB Clearance	06/25/2008	04/25/2009	04/30/2009
Publication Date	07/01/2008	04/30/2009	05/12/2009

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

Federal Register Citation for Final Rule: 74 FR 22347

National Highway Traffic Safety Administration

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	10/07/2008	07/17/2008
Returned to C-50			10/20/2008
To OMB	02/23/2007	10/17/2008	11/03/2008
Withdrawn from OMB			12/16/2008
Returned to Mode			12/19/2008
Resubmitted to OST		04/15/2009	04/16/2009
Resubmitted to OMB		06/14/2009	
OMB Clearance	05/25/2007	09/14/2009	
Publication Date	05/31/2007	09/22/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

National Highway Traffic Safety Administration

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 a rationale for the dummy performance response requirements; detailed dummy design drawings and specifications; and a procedures manual for the dummy inspection, assembly and disassembly. This rulemaking has been downgraded and will not appear in next month's report.

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	11/15/2009	
To OMB	01/31/2008	12/24/2009	
OMB Clearance	04/30/2008	03/25/2010	
Publication Date	05/15/2008	03/30/2010	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

National Highway Traffic Safety Administration

49. **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	06/15/2009	
To OMB	06/30/2008	07/31/2009	
OMB Clearance	09/25/2008	10/30/2009	
Publication Date	09/28/2008	11/21/2009	
End of Comment Period	11/30/2008	01/20/2010	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for NPRM: None

National Highway Traffic Safety Administration

50.	FMVSS No. 114, Theft Protection and Rollaway Prevention	Black
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Popular Title: BTSI

RIN 2127-AK38

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would amend FMVSS No. 114, Theft protection and rollaway prevention, to reflect requirements contained in the Cameron Gulbransen Kids Transportation Safety Act (KT Safety Act) of 2007. The rulemaking would update FMVSS No. 114 to prevent vehicle rollaways by requiring all motor vehicles manufactured for sale after September 1, 2010 and equipped with an automatic transmission, including a park position, to have a system that requires the service brake to be depressed before the transmission can be shifted out of park. The KT Safety Act stipulates that a violation of these requirements shall be treated as a violation of a motor vehicle safety standard prescribed under section 30111 of Title 49, U.S.C. This rulemaking has been downgraded and will not appear on next month's report.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: Statute

Legal Deadline: Publish final rule : 09/01/2010

Rulemaking Project Initiated: 10/16/2008

Docket Number:

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

National Highway Traffic Safety Administration

51. **Uniform Criteria for State Observational Surveys of Seat Belt Use** Green

Popular Title: Uniform Criteria

RIN 2127-AK41

Stage: NPRM

Previous Stage:None

Abstract: Section 2002 of the Safe, Accountable, Flexible, Efficient, Transportation Equity Act; a Legacy for Users (SAFETEA-LU), Pub. L. 109-49, provides that the Secretary of Transportation may not approve a State Highway Safety Program that does not provide safety assurances that the State has conducted an annual state wide seat belt survey in accordance with criteria established by the Secretary. This rulemaking would update the existing criteria, which are found at 23 CFR Part 1340, to develop a more uniform criteria. This rulemaking has been downgraded and will not appear in next month's report.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 10/20/2008

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/30/2009		
To OMB	07/29/2009		
OMB Clearance	10/28/2009		
Publication Date	10/30/2009		
End of Comment Period	12/30/2009		

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

National Highway Traffic Safety Administration

52. **Federal Motor Vehicles Safety Standard No. 111, Rearview Mirrors** Green

Popular Title: Rearview Mirrors

RIN 2127-AK43

Stage: ANPRM

Previous Stage:None

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

Effects:

- EU
- NAFTA
- Foreign

Prompting action: Statute

Legal Deadline: Initiate rulemaking : 02/28/2009
Publish Final Rule : 02/28/2011

Rulemaking Project Initiated: 11/06/2008

Docket Number:

Dates for ANPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/17/2009		02/17/2009
To OMB	03/25/2009		02/20/2009
OMB Clearance	06/24/2009		02/25/2009
Publication Date	06/30/2009	03/06/2009	03/04/2009
End of Comment Period	08/28/2009	05/06/2009	05/04/2009

Explanation for any delay: N/A

Federal Register Citation for ANPRM: 74 FR 9477

National Highway Traffic Safety Administration

53. **Tire Fuel Efficiency Consumer Information** Green

Popular Title: Tire Fuel Efficiency Consumer Information

RIN 2127-AK45

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would establish a new program that would make information about the relative rolling resistance of tires available to purchasers of replacement tires and educate consumers about the effect of tires on automobile fuel efficiency, safety, and durability. The agency is required by the Energy Independence and Security Act of 2007 to establish a national tire fuel efficiency consumer information program for replacement tires designed for use on motor vehicles. Vehicle manufacturers often use low rolling resistance tires on new vehicles to help meet CAFE goals. This rulemaking is significant because it has a statutory mandate and it relates to fuel efficiency.

Effects:

None

Prompting action: Statute

Legal Deadline: Publish Final Rule : 12/18/2009

Rulemaking Project Initiated: 12/18/2007

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/20/2009		04/16/2009
To OMB	05/14/2009	05/22/2009	05/27/2009
OMB Clearance	08/13/2009	08/22/2009	
Publication Date	08/20/2009	08/29/2009	
End of Comment Period	10/20/2009	10/29/2009	

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

National Highway Traffic Safety Administration

54.	Passenger Car and Light Truck Corporate Average Fuel Economy Standards MYs 2012-2016	Green
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Popular Title: CAFE 2012-2016

RIN 2127-AK50

Stage: NPRM

Previous Stage:None

Abstract: This rulemaking would address Corporate Average Fuel Economy (CAFE) standards for light trucks and passenger cars for model years 2012-2016. CAFE standards must be set at least 18 months prior to the start of a model year.

Effects:

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

Prompting action: None

Legal Deadline: Final rule for Model Year 2012 : 04/01/2010

Rulemaking Project Initiated: 08/01/2007

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/26/2009	06/22/2009	
To OMB	06/26/2009	08/03/2009	
OMB Clearance	09/25/2009	11/02/2009	
Publication Date	09/29/2009	11/20/2009	
End of Comment Period	11/29/2009	01/20/2010	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for NPRM: None

Office of the Secretary

Office of the Secretary

55. **Accessibility of Passenger Vessels to Individuals with Disabilities** Green

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.

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	06/24/2009		
To OMB	07/23/2009		
OMB Clearance	10/23/2009		
Publication Date	11/25/2009		

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

56.	Aviation Data Requirements Review and Modernization Program	Black
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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

57. **Protection of Sensitive Security Information** Black**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

58. **Enhancing Airline Passenger Protections**

Green

Popular Title: Aviation Consumer**RIN 2105-AD72****Stage:** Final Rule**Previous Stage:** ANPRM: Publication Date 11/22/2007; End of Comment Period 1/22/2008; Clarification Concerning 3/05/2008. NPRM: Publication Date 12/08/2008;End of Comment Period 02/06/2009;Extension of Comment Period 02/06/2009;End of Extended Comment Period 03/09/2009.**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 Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/30/2009		
To OMB	08/25/2009		
OMB Clearance	11/25/2009		
Publication Date	11/30/2009		

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

Pipeline and Hazardous Materials Safety Administration

Pipeline and Hazardous Materials Safety Administration

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

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 closure design modifications that may or may not require recertification. The schedule for this rulemaking has not been updated because the rulemaking is awaiting a decision on whether to downgrade to nonsignificant.

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	05/01/2009	
To OMB	10/24/2008	06/05/2009	
OMB Clearance	01/22/2009	09/02/2009	
Publication Date	01/29/2009	09/09/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

60. **Hazardous Materials: Requirements for Storage of Explosives During Transportation** Red

Popular Title: Storage of Explosives

RIN 2137-AE06

Stage: NPRM

Previous Stage: ANPRM: Publication Date 11/16/2005; End of Comment Period 02/14/2006; Reopening of Comment Period 7/03/2008; End of Reopened Comment Period 10/01/2008.

Abstract: This rulemaking would address the current safety and security risks associated with the storage of explosives during transportation. The Hazardous Materials Regulations (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 regulations 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 NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/02/2007	03/01/2010	
To OMB	03/09/2007	04/02/2010	
OMB Clearance	06/07/2007	07/01/2010	
Publication Date	06/14/2007	07/08/2010	
End of Comment Period	08/17/2007	09/08/2010	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for NPRM: None

Pipeline and Hazardous Materials Safety Administration

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

Popular Title: Package Inspection Authority

RIN 2137-AE13

Stage: Final Rule

Previous Stage: NPRM: Publication Date 10/02/2008;End of Comment Period 12/01/2008.

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 Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/22/2009		
To OMB	01/26/2010		
OMB Clearance	04/26/2010		
Publication Date	05/01/2010		

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

62. **Pipeline Safety: Distribution Integrity Management** Green

Popular Title: Distribution Integrity Management

RIN 2137-AE15

Stage: Final Rule

Previous Stage: NPRM Publication Date 06/25/2008;End of Comment Period 09/23/2008;End of Extended Comment Period 10/23/2008

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 Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/19/2009	05/22/2009	05/20/2009
To OMB	03/25/2009	06/25/2009	
OMB Clearance	06/23/2009	09/23/2009	
Publication Date	06/30/2009	09/30/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

63.	Hazardous Materials: Revision of Requirements for Security Plans	Yellow
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Popular Title: Security Plans

RIN 2137-AE22

Stage: Final Rule

Previous Stage: NPRM: Publication Date 9/8/2008; End of Comment Period 11/10/2008.

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 Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/01/2009	07/17/2009	
To OMB	06/04/2009	08/25/2009	
OMB Clearance	09/04/2009	11/25/2009	
Publication Date	09/14/2009	12/04/2009	

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

64. **Control Room Management/Human Factors** Green

Popular Title: Control Room Management/Human Factors

RIN 2137-AE28

Stage: Final Rule

Previous Stage: NPRM: Publication Date 09/12/2008;End of Comment Period 11/12/2008

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: PHMSA-2007-27954

Dates for Final Rule:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/20/2009		05/26/2009
To OMB	08/21/2009		
OMB Clearance	11/20/2009		
Publication Date	11/27/2009		

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

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

RIN 2137-AE32

Stage: NPRM

Previous Stage: ANPRM: Publication 7/07/2008; End of Comment Period 9/5/2008.

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. This rulemaking would require additional 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 NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/10/2009		
To OMB	08/13/2009		
OMB Clearance	11/13/2009		
Publication Date	11/20/2009		
End of Comment Period	01/20/2010		

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Pipeline and Hazardous Materials Safety Administration

66. **Hazardous Materials: Registration and Fee Assessment Program** Green

Popular Title: Registration and Fee Program

RIN 2137-AE35

Stage: Withdrawal

Previous Stage: NPRM: Publication Date 05/05/2008; End of Comment Period 07/14/2008.

Abstract: This rulemaking would amend the statutorily mandated registration and fee assessment program for persons who transport or offer for transportation certain categories and quantities of hazardous materials. For those registrants not qualifying as a small business or not-for-profit organization, PHMSA would increase the fee from \$975 (plus a \$25 administrative fee) to \$2,475 (plus a \$25 administrative fee) for registration year 2009-2010 and following years. For small businesses, the registration fee would remain at its current level of \$975 (plus a \$25 administrative fee). The increase is necessary to fund the national Hazardous Material Emergency Preparedness (HMEP) grants program at its authorized level of \$28,000,000. The purpose of the HMEP grants program is to support hazardous material emergency response planning and training activities by States, local governments, and Indian tribes and related activities in accordance with U.S.C. 5108(b) and 5116.

Effects:

None

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 01/23/2008

Docket Number: PHMSA 2008-0010

Dates for Withdrawal:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/17/2009		04/29/2009
Publication Approved	05/11/2009	06/03/2009	
Publication Date	05/18/2009	06/10/2009	

Explanation for any delay: N/A

Federal Register Citation for Withdrawal: None

Pipeline and Hazardous Materials Safety Administration

67. **Hazardous Materials: Bulk Loading and Unloading Operations** Green

Popular Title: Loading/Unloading

RIN 2137-AE37

Stage: ANPRM

Previous Stage:None

Abstract: This rulemaking would request information from industry that would consider whether additional requirements governing bulk loading and unloading operations are necessary. PHMSA has reviewed transportation incident data and findings of several National Transportation Safety Board and Chemical Safety Board accident investigations involving bulk hazardous materials loading and unloading operations, which suggest there may be opportunities to enhance the safety of such operations. In particular, PHMSA is examining what, if any, safety benefits would accrue from a requirement for persons conducting bulk loading and unloading operations to develop and implement operating procedures governing these operations.

Effects:

Information Collection

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 10/28/2008

Docket Number: PHMSA-2007-28119

Dates for ANPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/08/2009		
To OMB	07/10/2009		
OMB Clearance	07/20/2009		
Publication Date	07/28/2009		
End of Comment Period	09/30/2009		

Explanation for any delay: N/A

Federal Register Citation for ANPRM: None

Pipeline and Hazardous Materials Safety Administration

68. **Hazardous Materials: Revisions to Requirements for the Transportation of Lithium Batteries** Green

Popular Title: Transportation of Lithium Batteries

RIN 2137-AE44

Stage: NPRM

Previous Stage:None

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

Effects:

Regulatory Flexibility Act

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 03/26/2009

Docket Number:

Dates for NPRM:

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/03/2009		
To OMB	09/04/2009		
OMB Clearance	12/04/2009		
Publication Date	12/14/2009		
End of Comment Period	02/19/2010		

Explanation for any delay: N/A

Federal Register Citation for NPRM: None