

# 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	12/08/2009	12/30/2009
To OMB	06/20/2007	05/14/2010	05/05/2010
OMB Clearance	09/20/2007	08/05/2010	08/05/2010
Publication Date	09/28/2007	11/04/2010	

**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)** Green

**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. An earlier internet report listed this item as an NPRM with a scheduled publication date of 10/20/09. FAA has decided to terminate this rulemaking.

**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
Termination	12/06/2010		

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

**Federal Register Citation for NPRM:** None

Federal Aviation Administration

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

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

**RIN 2120-AJ00**

**Stage:** SNPRM

**Previous Stage:** NPRM: Publication Date 01/12/2009;End of Comment Period 05/12/2009;Extension of Comment Period 04/20/2009;End of Extension of Comment Period 08/10/2009.

**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:**

Economically Significant  
Major  
Regulatory Flexibility Act  
Information Collection

**Prompting action:** None

**Legal Deadline:** None

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

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

**Dates for SNPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/26/2010	05/27/2010	05/27/2010
Returned to Mode			06/18/2010
Resubmitted to OST		08/27/2010	08/19/2010
Returned to Mode/2			09/29/2010
Resubmitted to OST/2		10/08/2010	10/08/2010
To OMB	03/12/2010	10/29/2010	
OMB Clearance	04/09/2010	11/30/2010	
Publication Date	04/20/2010	12/14/2010	
End of Comment Period	06/21/2010	02/15/2010	

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

**Federal Register Citation for SNPRM:** None

Federal Aviation Administration

4. **Safety Management Systems (SMS)** Black

**Popular Title:** SMS

**RIN 2120-AJ15**

**Stage:** Undetermined

**Previous Stage:** ANPRM: Publication Date 7/23/2009; End of Comment Period 10/21/2009.

**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:** FAA-2009-0671

**Dates for Undetermined:**

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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

5.	<b>Pilot-in-Command Proficiency Check and Other Changes to the Pilot and Pilot School Certification Rules</b>	Green
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**Popular Title:** PIC Proficiency

**RIN 2120-AJ18**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 08/31/2009; End of Comment Period 11/30/2009

**Abstract:** This rulemaking would require proficiency checks for pilots in command (PIC's) 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 definition of "complex 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 rulemaking 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:** FAA-2008-0938

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	11/05/2010	01/07/2011	
To OMB	12/08/2010	02/08/2011	
OMB Clearance	03/09/2011	05/09/2011	
Publication Date	03/24/2011	05/31/2011	

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

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

Federal Aviation Administration

6.	<b>Certification of Turbofan Powered Airplanes and Miscellaneous Amendments</b>	Green
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**Popular Title:** Turbofan Powered Airplanes

**RIN 2120-AJ22**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 8/17/2009; End of Comment Period 11/16/2009; Extension of Comment Period 11/16/2009; End of Extended Comment Period 12/16/2009.

**Abstract:** This rulemaking would address certification and operational issues surrounding the introduction of turbofan powered airplanes. 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 aircraft.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 01/02/2008

**Docket Number:** FAA-2009-0738

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/11/2011		
To OMB	03/11/2011		
OMB Clearance	06/13/2011		
Publication Date	06/27/2011		

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

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

Federal Aviation Administration

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

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

**RIN 2120-AJ34**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would amend the airworthiness standards applicable to transport category airplanes certificated for flight in icing conditions and the icing airworthiness standards applicable to aircraft engines. The rulemaking would improve safety by taking into account supercooled large drop icing conditions for transport category airplanes most affected by supercooled large drop icing conditions. The rulemaking would also include mixed phase and ice crystal conditions for all transport category airplanes, and supercooled large drop, mixed phase, and ice crystal icing conditions for all turbine engines. This rulemaking is the result of information gathered from a review of icing accidents and incidents, and is intended to improve the level of safety for new airplane and engine designs for operations in icing conditions.

**Effects:**

EU

NAFTA

Foreign

**Prompting action:** None

**Legal Deadline:** None

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

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/15/2009	02/16/2010	02/05/2010
To OMB	01/15/2010	03/08/2010	03/19/2010
OMB Clearance	04/15/2010	06/21/2010	06/22/2010
Publication Date	04/29/2010	06/30/2010	06/29/2010
End of Comment Period	07/29/2010	09/30/2010	08/30/2010

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

**Federal Register Citation for NPRM:** 75 FR 37311

Federal Aviation Administration

8.	<b>Restrictions on Operators Employing Former Flight Standards Service Aviation Safety Inspectors</b>	Green
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**Popular Title:** Post Employment Restrictions

**RIN 2120-AJ36**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 11/20/2009; End of Comment Period 2/18/2010.

**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:** FAA-2008-1154

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	01/25/2011		
To OMB	02/25/2011		
OMB Clearance	05/24/2011		
Publication Date	06/10/2011		

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



9. **Airport Safety Management System** Red

**Popular Title:** Airport SMS

**RIN 2120-AJ38**

**Stage:** NPRM

**Previous Stage:**None

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

**Effects:**

Information Collection

Peer Review

**Prompting action:** None

**Legal Deadline:** None

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

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/17/2010	04/27/2010	04/27/2010
To OMB	03/18/2010	06/18/2010	06/17/2010
OMB Clearance	06/18/2010	09/20/2010	09/28/2010
Publication Date	07/02/2010	10/12/2010	10/07/2010
End of Comment Period	10/04/2010	01/12/2011	01/05/2011

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

**Federal Register Citation for NPRM:** 75 FR 62008

Federal Aviation Administration

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

**Popular Title:** Photo Requirements

**RIN 2120-AJ42**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would require digital photos on all pilot certificates. This action is necessary to update regulations about pilot plastic certificates. The intended effect of this action is to meet all requirements of the Intelligence Reform and Terrorism Prevention Act.

**Effects:**

None

**Prompting action:** Statute

**Legal Deadline:** None

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

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/24/2009	03/16/2010	03/10/2010
To OMB	09/24/2009	07/12/2010	07/14/2010
OMB Clearance	12/24/2009	10/14/2010	
Publication Date	01/15/2010	10/28/2010	
End of Comment Period	04/15/2010	01/28/2011	

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

**Federal Register Citation for NPRM:** None

Federal Aviation Administration

11. **Part 121 - Activation of Ice Protection** Green

**Popular Title:** Part 121 - Ice Protection

**RIN 2120-AJ43**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 11/23/2009; End of Comment Period 02/22/2010

**Abstract:** This rulemaking would amend the regulations applicable to operators of certain airplanes used in air carrier service and certificated for flight in icing conditions. The standards would require either the installation of ice detection equipment or changes to the Airplane Flight Manual to ensure timely activation of the airframe ice protection system. This regulation is the result of information gathered from a review of icing accidents and incidents, and it is intended to improve the level of safety when airplanes are operated in icing conditions.

**Effects:**

Regulatory Flexibility Act

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 12/08/1997

**Docket Number:** FAA-2009-0675

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	01/03/2011		
To OMB	02/10/2011		
OMB Clearance	05/10/2011		
Publication Date	05/27/2011		

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

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

Federal Aviation Administration

12. **Part 129 Operations Specifications** Black

**Popular Title:** Part 129 Ops Specs

**RIN 2120-AJ45****Stage:** Final Rule**Previous Stage:** NPRM: Publication Date 05/07/2010; End of Comment Period 08/06/2010.

**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 the process for issuing operations specifications and establishes a regulatory basis for current practices, such as amending, terminating or suspending 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:** FAA-2009-0140**Dates for Final Rule:**

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

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

Federal Aviation Administration

13. <b>Fatigue Tolerance Evaluation of Metallic Structures</b>	Black
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**Popular Title:** Fatigue Tolerance Evaluation of Metallic Structure**RIN 2120-AJ51****Stage:** Undetermined

**Previous Stage:** NPRM: Publication Date 03/12/2010; End of Comment Period 06/10/2010; Extension of Comment Period 05/05/2010; End of Extended of Comment Period 07/30/2010.

**Abstract:** This rulemaking would address advances in the fatigue tolerance evaluation safety requirements for transport category metallic structures. This action is necessary to avoid or reduce catastrophic fatigue failures. The intended effect is increased safety requirements and harmonization with international standards. This rulemaking has been reclassified as nonsignificant. It will not be included in next month's report.

**Effects:**

Information Collection  
EU  
NAFTA  
Foreign

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

**Legal Deadline:** None

**Rulemaking Project Initiated:** 03/31/2009

**Docket Number:** FAA-2009-0413

**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

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| 14. | <b>Air Ambulance and Commercial Helicopter Operations; Safety Initiatives and Miscellaneous Amendments</b> | Red |
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**Popular Title:** Helicopter Safety Initiatives and Misc Amendments

**RIN 2120-AJ53**

**Stage:** NPRM

**Previous Stage:**None

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

**Effects:**

Regulatory Flexibility Act

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

**Legal Deadline:** None

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

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	01/29/2010	03/12/2010	03/03/2010
To OMB	03/01/2010	06/06/2010	06/17/2010
OMB Clearance	06/01/2010	09/28/2010	09/28/2010
Publication Date	06/09/2010	10/12/2010	
End of Comment Period	09/09/2010	01/14/2011	

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

**Federal Register Citation for NPRM:** None

15. <b>Flight and Duty Time Limitations and Rest Requirements</b>	Red
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**Popular Title:** Flight/Duty/Rest Requirements

**RIN 2120-AJ58**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would establish one set of flight time limitations, duty period limits, and rest requirements for pilots. The rulemaking is necessary to ensure that pilots have the opportunity to obtain sufficient rest to perform their duties. The objective of the rule is to contribute to and to improve aviation safety. This rulemaking is related to the following: an NPRM (RIN 2120-AF63), and a Withdrawal (RIN 2120-AI93).

**Effects:**

Economically Significant  
Major  
Regulatory Flexibility Act

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

**Legal Deadline:** None

**Rulemaking Project Initiated:** 06/24/2009

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	11/19/2009	02/17/2010	02/17/2010
To OMB	11/24/2009	09/15/2010	08/31/2010
OMB Clearance	12/24/2009	12/15/2010	09/03/2010
Publication Date	12/31/2009	12/26/2010	09/14/2010
End of Comment Period	04/30/2010	11/15/2010	11/15/2010

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

**Federal Register Citation for NPRM:** 75 FR 55852

16. <b>Operation and Certification of Small Unmanned Aircraft Systems (sUAS)</b>	Green
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**Popular Title:** Small Unmanned Aircraft

**RIN 2120-AJ60**

**Stage:** NPRM

**Previous Stage:**None

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

**Effects:**

Regulatory Flexibility Act

**Prompting action:** None

**Legal Deadline:** None

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

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	01/24/2011		
To OMB	02/03/2011		
OMB Clearance	03/07/2011		
Publication Date	03/10/2011		
End of Comment Period	07/14/2011		

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

**Federal Register Citation for NPRM:** None

Federal Aviation Administration

17. **Repair Stations** Yellow

**Popular Title:** Repair Stations

**RIN 2120-AJ61**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would update and revise the regulations for repair stations. The action is necessary because many portions of the current regulations do not reflect current repair station business practices, aircraft maintenance practices, or advances in aircraft technology.

**Effects:**

Regulatory Flexibility Act  
Federalism

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 06/26/2008

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/09/2010	11/15/2010	
To OMB	08/09/2010	12/15/2010	
OMB Clearance	11/08/2010	03/15/2011	
Publication Date	11/29/2010	03/29/2011	
End of Comment Period	02/22/2011	06/29/2011	

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

**Federal Register Citation for NPRM:** None

Federal Aviation Administration

18. **First Officer Qualification Requirements for Part 121 Operations** Green

**Popular Title:** First Officer Qualifications

**RIN 2120-AJ67**

**Stage:** NPRM

**Previous Stage:** ANPRM: Publication Date 02/08/2010; End of Comment Period 04/09/2010

**Abstract:** This rulemaking would gather information on whether current eligibility, training, and qualification requirements are adequate for pilots engaged in part 121 and part 135 operations. This action is necessary because recent airline accidents and incidents have brought considerable attention to the experience level and training of air carrier flight crews. The FAA would use the gathered information to determine the necessity of creating new eligibility, training, and qualification regulations for flight crews and the changes the new regulations might include. The FAA has formed an Aviation Rulemaking Committee to review the information and provide recommendations.

**Effects:**

None

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

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

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

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

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/08/2010		
To OMB	12/21/2010		
OMB Clearance	01/21/2011		
Publication Date	01/28/2011		
End of Comment Period	04/28/2011		

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

**Federal Register Citation for NPRM:** None

Federal Aviation Administration

19. **Update of Overflight Fees** Red

**Popular Title:** Overflight Fees

**RIN 2120-AJ68**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would adjust existing overflight fees by using current FAA cost accounting data and air traffic activity data. This action is necessary because operational costs for providing air traffic control and related services for overflights have increased steadily since they were established in 2001.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

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

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	03/12/2010	05/10/2010	05/12/2010
To OMB	04/12/2010	06/07/2010	06/17/2010
OMB Clearance	07/12/2010	09/07/2010	09/22/2010
Publication Date	07/20/2010	09/24/2010	09/28/2010
End of Comment Period	10/18/2010	12/27/2010	12/27/2010

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

**Federal Register Citation for NPRM:** 75 FR 59661

Federal Aviation Administration

20.

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

Green

**Popular Title:** Afghan SFAR

**RIN 2120-AJ69**

**Stage:** Final Rule

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

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

**Effects:**

None

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

**Legal Deadline:** None

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

**Docket Number:**

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/07/2010	11/08/2010	
To OMB	09/14/2010	11/15/2010	
OMB Clearance	09/21/2010	11/22/2010	
Publication Date	09/30/2010	12/06/2010	

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

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

Federal Aviation Administration

21.

**Requirement for Wildlife Assessments at Certificated Airports**

Green

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



**RIN 2120-AJ71****Stage:** NPRM**Previous Stage:**None

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

**Effects:**

None

**Prompting action:** Secretarial/Head of Operating Administration Decision**Legal Deadline:** None**Rulemaking Project Initiated:** 03/02/2010**Docket Number:****Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/15/2011		
To OMB	03/17/2011		
OMB Clearance	06/14/2011		
Publication Date	06/24/2011		
End of Comment Period	09/22/2011		

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

Federal Aviation Administration

22. **Part 121 Exiting Icing Conditions** Green**Popular Title:** Exiting Icing Conditions**RIN 2120-AJ74****Stage:** NPRM**Previous Stage:**None

**Abstract:** This rulemaking would require detection of ice formation behind the airframe ice protection system and, upon detection, would require the pilot to exit icing conditions. If adopted, this rule would apply to aircraft with a maximum takeoff weight of less than 60,000 pounds. This rulemaking is based on recommendations from an Aviation Rulemaking Advisory Committee working group after reviewing certain accidents and incidents. The intended effect of this action is to avoid similar accidents and incidents in the future.

**Effects:**

Regulatory Flexibility Act

**Prompting action:** None**Legal Deadline:** None**Rulemaking Project Initiated:** 12/22/2009**Docket Number:****Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/16/2011		
To OMB	07/18/2011		
OMB Clearance	10/18/2011		
Publication Date	11/02/2011		
End of Comment Period	01/03/2012		

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

**Federal Register Citation for NPRM:** None

Federal Aviation Administration

23. <b>Air Carrier Maintenance Training Program</b>	Green
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**Popular Title:** Air Carrier Maintenance Training

**RIN 2120-AJ79**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would require maintenance training programs to be approved by the FAA for operators of aircraft with 10 or more passenger seats. This action is intended to address improper maintenance and inspection procedures and improve repair practices. The rulemaking would ensure standardization in the way air carriers perform maintenance. The training program would be administered to any person who performs, inspects, or directs maintenance or directly supervises maintenance, preventive maintenance, alterations, or repairs.

**Effects:**

Economically Significant  
Major

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 05/04/2010

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	01/25/2011		
To OMB	02/24/2011		
OMB Clearance	05/24/2011		
Publication Date	06/01/2011		
End of Comment Period	08/30/2011		

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

**Federal Register Citation for NPRM:** None

Federal Aviation Administration

24. <b>Safety Management Systems--Part 121 (HR 5900)</b>	Black
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**Popular Title:** SMS for Part 121

**RIN 2120-AJ86**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would require all part 121 air carriers to implement a safety management system. Congress passed Public Law 111-216 instructing FAA to conduct a rulemaking to require all part 121 air carriers to implement a safety management system. Congress further required in Public Law 111-216 that the FAA shall consider at a minimum each of the following as part of the SMS rulemaking: an Aviation Safety Action Program (ASAP); a Flight Operational Quality Assurance Program (FOQA); a Line Operations Safety Audit, and an Advance Qualification Program.

**Effects:**

Major  
Regulatory Flexibility Act

**Prompting action:** Statute

**Legal Deadline:** Congressional Action requires Safety Management System (SMS)for part 121 NPRM be issued within 90 days (10/29/2010) and a final rule within 24 months (07/30/2010). : 10/29/2010

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

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	10/08/2010		
To OMB	10/15/2010		
OMB Clearance	10/22/2010		
Publication Date	10/29/2010		
End of Comment Period	01/31/2011		

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

**Federal Register Citation for NPRM:** None

**Federal Highway Administration**

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Federal Highway Administration

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

**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	02/02/2010	02/02/2010
To OMB	09/28/2009	07/02/2010	07/14/2010
OMB Clearance	12/28/2009	10/02/2010	
Publication Date	01/04/2010	10/15/2010	

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

Federal Highway Administration

26. **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	01/26/2010	01/06/2010
To OMB	03/22/2010	04/08/2010	04/14/2010
OMB Clearance	06/22/2010	07/10/2010	06/15/2010
Publication Date	07/23/2010	07/23/2010	07/22/2010
End of Comment Period	09/23/2010	09/23/2010	09/20/2010

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

**Federal Motor Carrier Safety Administration**

Federal Motor Carrier Safety Administration

27. **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 Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The replacement system for the Single State Registration System, which the ICC Termination Act originally directed be merged under URS, was addressed separately in RIN 2126-AB09. The cargo insurance portion of this rulemaking has been split off into RIN 2126-AB21.

**Effects:**

Regulatory Flexibility Act

Information Collection

**Prompting action:** Statute

**Legal Deadline:** Final Rule (SAFETEA-LU) : 08/10/2006

Final Rule (ICC Act) : 01/01/1998

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

**Docket Number:** FMCSA-97-2349

**Dates for SNPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/02/2007	10/11/2010	
To OMB	03/08/2007	11/15/2010	
OMB Clearance	06/08/2007	02/15/2011	
Publication Date	06/29/2007	03/01/2011	
End of Comment Period	09/28/2007	05/03/2011	

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

Lack of resources

Unanticipated issues requiring further analysis

**Federal Register Citation for SNPRM:** None

Federal Motor Carrier Safety Administration

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

**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 any pending 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

- |     |  |     |
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| 29. | <b>Safety Monitoring System and Compliance Initiative for Mexico-Domiciled Motor Carriers Operating in the United States</b> | 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 any pending 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 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

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

**Popular Title:** Safety Auditors Certification

**RIN 2126-AA64**

**Stage:** NPRM

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

**Abstract:** This rulemaking would require that any safety inspection, safety audit, or compliance review be conducted by a certified inspector, auditor, or investigator. It is



required by section 211 of the Motor Carrier Safety Improvement Act. Based on comments to the Interim Final Rule (IFR), the agency will issue a NPRM that addresses issues not clarified in the IFR.

**Effects:**

None

**Prompting action:** Statute

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

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

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

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/08/2005	04/04/2011	
To OMB	08/08/2005	05/06/2011	
OMB Clearance	11/07/2005	08/05/2011	
Publication Date	11/14/2005	08/16/2011	
End of Comment Period	01/13/2006	10/18/2011	

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

**Federal Register Citation for NPRM:** None

Federal Motor Carrier Safety Administration

31.	<b>Limitations on the Issuance of Commercial Driver Licenses with a Hazardous Materials Endorsement</b>	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:**

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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

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

**Popular Title:** Household Goods Brokers

**RIN 2126-AA84**

**Stage:** Final Rule

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

**Abstract:** This rulemaking would address the American Moving and Storage Association's petition for rulemaking and implement certain provisions of Subtitle B of SAFETEA-LU. FMCSA would determine in this rulemaking whether 49 CFR part 371 needs to be amended to protect consumers against unscrupulous brokers of household goods. This rulemaking has been downgraded and will not appear in next month's report.

**Effects:**

Information Collection

**Prompting action:** Statute

**Legal Deadline:** Final Rule : 08/10/2006

**Rulemaking Project Initiated:** 05/12/2003

**Docket Number:** FMCSA-2004-17008

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
Publication Date	03/01/2009	10/26/2010	

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

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

Federal Motor Carrier Safety Administration

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

**Popular Title:** Diabetes Standard

**RIN 2126-AA95**

**Stage:** NPRM

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

**Abstract:** This rulemaking action would amend FMCSA's medical qualification standards to allow drivers with insulin-treated diabetes mellitus to operate commercial motor vehicles in

interstate commerce, without seeking an exemption from the FMCSRs. This action is required by Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

**Effects:**

None

**Prompting action:** Statute

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

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

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

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/19/2010	07/05/2011	
To OMB	08/20/2010	08/05/2011	
OMB Clearance	11/19/2010	11/08/2011	
Publication Date	11/30/2010	11/17/2011	
End of Comment Period	01/30/2011	01/17/2012	

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

**Federal Register Citation for NPRM:** None

Federal Motor Carrier Safety Administration

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

**Popular Title:** National Registry

**RIN 2126-AA97**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 12/01/08; End of Comment Period 01/30/09

**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 (SAFETEA-LU).

**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:** FMCSA-2008-0363

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/21/2009	02/14/2011	
To OMB	01/21/2010	03/21/2011	
OMB Clearance	04/21/2010	06/20/2011	
Publication Date	05/05/2010	07/01/2011	

**Explanation for any delay:** Additional coordination necessary  
Lack of resources  
Unanticipated issues requiring further analysis

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

Federal Motor Carrier Safety Administration

35. **Consumer Complaint Information** Red

**Popular Title:** Consumer Complaint Information

**RIN 2126-AB01**

**Stage:** Final Rule

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

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

**Effects:**

Information Collection  
Privacy

**Prompting action:** Statute

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

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

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

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/23/2010	03/14/2011	
To OMB	09/24/2010	04/15/2011	
OMB Clearance	12/24/2010	07/15/2011	
Publication Date	01/07/2011	07/26/2011	

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

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

Federal Motor Carrier Safety Administration

36. **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 Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (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 rulemaking 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	10/11/2010	10/04/2010
To OMB	10/30/2009	11/11/2010	
OMB Clearance	01/29/2010	02/11/2011	
Publication Date	02/19/2010	02/25/2011	

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

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

Federal Motor Carrier Safety Administration

37.	Minimum Training Requirements for Entry Level Commercial Motor Vehicle Operations	Red
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**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	01/17/2011	
To OMB	11/16/2009	02/17/2011	
OMB Clearance	02/16/2010	05/20/2011	
Publication Date	02/26/2010	05/27/2011	

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

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

Federal Motor Carrier Safety Administration

38. **Carrier Safety Fitness Determination** Red

**Popular Title:** Carrier Safety Fitness Determination

**RIN 2126-AB11**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would revise 49 CFR Part 385, Safety Fitness Procedures, in accordance with the Agency's 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:**

Economically Significant  
Major

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

**Legal Deadline:** None

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

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

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	11/12/2007	10/02/2009	09/25/2009
Withdrawn from OST		03/22/2010	03/22/2010
Resubmitted to OST		12/27/2010	
To OMB	12/15/2007	03/04/2011	
OMB Clearance	03/15/2008	06/06/2011	
Publication Date	03/29/2008	06/15/2011	
End of Comment Period	06/29/2008	08/15/2011	

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

**Federal Register Citation for NPRM:** None

Federal Motor Carrier Safety Administration

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

**RIN 2126-AB17**

**Stage:** Undetermined

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

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

**Effects:**

None

**Prompting action:** Court Action

**Legal Deadline:** None

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

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

**Dates for Undetermined:**

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

OMB Clearance			
Publication Date			
End of Comment Period			

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

**Federal Register Citation for Undetermined:** None

Federal Motor Carrier Safety Administration

40. **Commercial Driver's License Drug and Alcohol Clearinghouse** Red

**Popular Title:** CDL Drug and Alcohol Database

**RIN 2126-AB18**

**Stage:** NPRM

**Previous Stage:** None

**Abstract:** This rulemaking would create a central database for verified positive controlled substances and alcohol test results for commercial driver's license (CDL) holders and refusals by such drivers to submit to testing. This rulemaking would require employers of CDL holders and service agents to report positive test results and refusals to test into the database. Prospective employers, acting on an application for a CDL driver position with the applicant's written consent to access the database, would query the database to determine if any specific information about the driver applicant is in the database before allowing the applicant to be hired and to drive CMVs. This rulemaking is intended to increase highway safety by ensuring CDL holders, who have tested positive or have refused to submit to testing, have completed the U.S. DOT's return-to-duty process before driving CMVs in interstate or intrastate commerce. It is also intended to ensure that employers are meeting their drug and alcohol testing responsibilities.

**Effects:**

Information Collection

Privacy

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

**Legal Deadline:** None

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

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/01/2010	02/21/2011	
To OMB	03/01/2010	03/25/2011	
OMB Clearance	05/31/2010	06/24/2011	
Publication Date	06/18/2010	07/05/2011	
End of Comment Period	09/30/2010	09/05/2011	

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

**Federal Register Citation for NPRM:** None

Federal Motor Carrier Safety Administration

41. **Electronic On-Board Recorders and Hours of Service Supporting Documents** Red

**Popular Title:** EOBR and HoS supporting documents

**RIN 2126-AB20**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking will consider revisions to RIN 2126-AA89 (Electronic On-Board Recorders for Hours of Service Drivers) to expand the number of motor carriers required to install and operate Electronic On-Board Recorders (EOBRs). FMCSA is consolidating this follow-up to the EOBR rule with the Hours Of Service Of Drivers: Supporting Documents rulemaking for development of a single NPRM in RIN 2126-AB20. In addressing Hours of Service Supporting Documents requirements in this new rulemaking, FMCSA will consider reducing or eliminating current paperwork burdens associated with supporting documents in favor of expanded EOBR use.

**Effects:**

Unfunded Mandate  
Information Collection  
Privacy

**Prompting action:** None

**Legal Deadline:** None

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

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/05/2010	10/07/2010	10/04/2010
To OMB	05/14/2010	10/25/2010	
OMB Clearance	08/20/2010	12/16/2010	
Publication Date	09/03/2010	12/23/2010	
End of Comment Period	12/03/2010	02/25/2011	

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

**Federal Register Citation for NPRM:** None

Federal Motor Carrier Safety Administration

42.	<b>Drivers of Commercial Motor Vehicles: Limiting the Use of Wireless Communication Devices</b>	Green
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**Popular Title:** Texting

**RIN 2126-AB22**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 04/01/2010;End of Comment Period 05/03/2010.

**Abstract:** This rulemaking would ban text messaging while operating a commercial motor vehicle. This rulemaking is in response to Federal Motor Carrier Safety Administration-sponsored studies that analyzed safety incidents and distracted drivers. This rulemaking would also address the National Transportation Safety Board's "Most Wanted List" of safety recommendations.

**Effects:**

None

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



**Legal Deadline:** None

**Rulemaking Project Initiated:** 09/11/2009

**Docket Number:** FMCSA-2009-0370

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/16/2010	08/02/2010	07/23/2010
To OMB	09/13/2010	08/23/2010	08/24/2010
OMB Clearance	10/01/2010	09/10/2010	09/17/2010
Publication Date	10/08/2010	09/17/2010	09/27/2010

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

**Federal Register Citation for Final Rule:** 75 FR 59118

Federal Motor Carrier Safety Administration

43. **Hours of Service** Green

**Popular Title:** HOS (Settlement Agreement)

**RIN 2126-AB26**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** On October 26, 2009, Public Citizen, et al. (Petitioners) and FMCSA entered into a settlement agreement under which Petitioners' petition for judicial review of the November 19, 2008, Final Rule on drivers' hours of service will be held in abeyance pending the publication of an NPRM reevaluating the Hours of Service rule.

**Effects:**

Economically Significant  
Major  
Regulatory Flexibility Act  
EIS

**Prompting action:** Settlement Agreement

**Legal Deadline:** Final Rule : 07/26/2011  
NPRM to OMB : 07/26/2010

**Rulemaking Project Initiated:** 10/26/2009

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/24/2010		06/23/2010
To OMB	07/26/2010		07/26/2010
OMB Clearance	10/26/2010		
Publication Date	11/04/2010		
End of Comment Period	01/04/2011		

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

**Federal Register Citation for NPRM:** None

Federal Motor Carrier Safety Administration

44. **Drivers of Commercial Vehicles: Restricting the Use of Cellular Phones** Red

**Popular Title:** Restricting the Use of Cellular Phones

**RIN 2126-AB29**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would restrict the use of cell phones while operating a commercial motor vehicle. This rulemaking is in response to Federal Motor Carrier Safety Administration-sponsored studies that analyzed safety incidents and distracted drivers. This rulemaking would also address the National Transportation Safety Board's "Most Wanted List" of safety recommendations.

**Effects:**

None

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

**Legal Deadline:** None

**Rulemaking Project Initiated:** 12/01/2009

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/29/2010	08/11/2010	08/23/2010
To OMB	05/17/2010	09/08/2010	09/14/2010
OMB Clearance	05/28/2010	12/08/2010	
Publication Date	07/02/2010	12/26/2010	
End of Comment Period	09/03/2010	02/23/2011	

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

**Federal Register Citation for NPRM:** None

Federal Motor Carrier Safety Administration

45. **Drivers of CMVs: Addressing Distracted Driving** Red

**Popular Title:** Distracted Driving

**RIN 2126-AB32**

**Stage:** ANPRM

**Previous Stage:**None

**Abstract:** The Federal Motor Carrier Safety Administration (FMCSA) and Pipeline and Hazardous Materials Safety Administration (PHMSA) are considering a rulemaking to limit or restrict the use of electronic devices or certain activities by commercial motor vehicle (CMV) drivers operating in interstate commerce and for drivers of CMVs containing a quantity of hazardous materials requiring placarding under Part 172 of the 49 CFR or any quantity of a select agent or toxin listed in 42 CFR Part 73. The Agencies have considered the results of recent research concerning distracted driving, and ideas and concepts from FMCSA's Motor Carrier Safety Advisory Committee and now seeks public comment and information to assist the Agencies in determining whether additional regulatory action is needed as a follow-up to previous regulatory actions.

**Effects:**

None

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

**Legal Deadline:** None

**Rulemaking Project Initiated:** 08/20/2010

**Docket Number:**

**Dates for ANPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/10/2010		09/13/2010
To OMB	09/15/2010	09/17/2010	09/22/2010
OMB Clearance	09/20/2010	10/10/2010	10/04/2010
Publication Date	09/22/2010	10/25/2010	
End of Comment Period	11/22/2010	12/26/2010	

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

**Federal Register Citation for ANPRM:** None

### Federal Railroad Administration

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Federal Railroad Administration

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

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

**RIN 2130-AB96**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 11/25/2009; End of Comment Period 1/25/2010.

**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 Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/08/2010	11/29/2010	
To OMB	05/14/2010	01/05/2011	
OMB Clearance	08/12/2010	04/04/2011	

Publication Date	08/26/2010	04/15/2011	
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**Explanation for any delay:** Additional coordination necessary

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

Federal Railroad Administration

47.	<b>Positive Train Control</b>	Green
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**Popular Title:** Positive Train Control Implementation

**RIN 2130-AC03**

**Stage:** Final Rule/2

**Previous Stage:** NPRM: Publication Date 07/21/2009; End of Comment Period 08/20/2009. Final Rule with Request for Comments: Publication Date 01/15/2010;End of Comment Period 02/16/2010.

**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. A Final Rule with Request for comments was issued on 01/16/2010 and FRA is currently preparing responses to the comments received.

**Effects:**

Economically Significant

Major

Regulatory Flexibility Act

**Prompting action:** Statute

**Legal Deadline:** None

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

**Docket Number:** FRA-2008-0132

**Dates for Final Rule/2:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/23/2010		04/24/2010
To OMB	05/25/2010	06/01/2010	06/02/2010
OMB Clearance	08/23/2010	08/30/2010	09/07/2010
Publication Date	09/07/2010	09/14/2010	09/27/2010

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

**Federal Register Citation for Final Rule/2:** 75 CFR 59108

Federal Railroad Administration

48.	<b>Alcohol and Controlled Substance Testing for Maintenance-of-Way Employees</b>	Red
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**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	11/01/2010	
To OMB	10/07/2009	12/08/2010	
OMB Clearance	01/05/2010	03/08/2011	
Publication Date	01/13/2010	03/15/2011	
End of Comment Period	03/15/2010	05/16/2011	

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

**Federal Register Citation for NPRM:** None

Federal Railroad Administration

49. **Risk Reduction Program** Red

**Popular Title:** Risk Reduction Program

**RIN 2130-AC11**

**Stage:** ANPRM

**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. The rulemaking 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 ANPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/02/2010	08/16/2010	07/30/2010
To OMB	05/03/2010	09/03/2010	09/23/2010
OMB Clearance	05/17/2010	10/07/2010	
Publication Date	05/25/2010	10/15/2010	
End of Comment Period	07/26/2010	12/15/2010	

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

**Federal Register Citation for ANPRM:** None

Federal Railroad Administration

50. **Hours of Service: Passenger Train Employees** Red

**Popular Title:** Hours of Service - Passenger Train Employees

**RIN 2130-AC15**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would establish hours of service requirements for train employees engaged in commuter and intercity passenger rail transport.

**Effects:**

Economically Significant

Major

Information Collection

**Prompting action:** Statute

**Legal Deadline:** Final Rule : 10/16/2011

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

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	11/12/2009	12/27/2010	
To OMB	12/10/2009	02/01/2011	
OMB Clearance	03/10/2010	05/02/2011	
Publication Date	03/18/2010	05/10/2011	
End of Comment Period	05/18/2010	07/05/2011	

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

**Federal Register Citation for NPRM:** None

Federal Railroad Administration

51. **High-Speed Rail Corridor Development and Capital Investment Grants to Support Intercity Passenger Rail Service** Red

**Popular Title:** High-Speed Rail Corridor Development

**RIN 2130-AC17**

**Stage:** NPRM

**Previous Stage:** : None

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

**Effects:**

Economically Significant

Major

**Prompting action:** Statute

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

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

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

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/10/2010	03/18/2011	
To OMB	06/07/2010	04/22/2011	
OMB Clearance	09/07/2010	07/21/2011	
Publication Date	09/16/2010	07/29/2011	
End of Comment Period	11/16/2010	09/27/2011	

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

**Federal Register Citation for NPRM:** None

Federal Railroad Administration

52. **Restriction of Improper Use of Cellular Telephones and Other Electronic and Electrical Devices** Green

**Popular Title:** Restriction of Cellular Telephones and Devices

**RIN 2130-AC21**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 05/18/2010;End of Comment Period 06/17/2010.

**Abstract:** This rulemaking would restrict railroad operating employees from improperly using cellular telephones and other distracting electronic and electrical devices.

**Effects:**

None

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

**Legal Deadline:** None

**Rulemaking Project Initiated:** 11/09/2009

**Docket Number:** FRA-2009-0118

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/27/2010	08/23/2010	08/23/2010
To OMB	09/27/2010	09/03/2010	09/07/2010
OMB Clearance	10/15/2010	09/17/2010	09/20/2010
Publication Date	10/28/2010	09/21/2010	09/27/2010

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

**Federal Register Citation for Final Rule:** 75 CFR 59580

**Federal Transit Administration**

**53. Major Capital Investment Projects****Red****Popular Title:** New Starts (Major Capital Investment Projects)**RIN 2132-AB02****Stage:** ANPRM**Previous Stage:** : Publication Approved ;Publication Date ;End of Comment Period .

**Abstract:** This rulemaking, mandated specifically by 49 U.S.C. 5309(e)(9), is intended to make changes to the regulations that govern the New Starts discretionary funding program authorized by 49 U.S.C. 5309. FTA's initial rulemaking on this subject (RIN 2132-AA81), initiated to meet the statutory deadline, was terminated as the result of subsequent Congressional action prohibiting FTA from issuing a rule.

**Effects:**

None

**Prompting action:** Statute**Legal Deadline:** Final Rule by : 04/07/2006**Rulemaking Project Initiated:** 03/08/2010**Docket Number:** FTA-2010-0009**Dates for ANPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/02/2010		04/01/2010
To OMB	04/09/2010		04/27/2010
OMB Clearance	04/23/2010	05/28/2010	05/28/2010
Publication Date	04/30/2010	06/04/2010	06/03/2010
End of Comment Period	06/29/2010	07/05/2010	08/02/2010

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

**Federal Register Citation for ANPRM:** 75 FR 31383**Maritime Administration**

Maritime Administration

**54. Foreign Reconstruction and Rebuild Determinations****Red****Popular Title:** Foreign Reconstruction and Rebuild Determinations**RIN 2133-AB69****Stage:** Withdrawal

**Previous Stage:** Notice Requesting Comments: Publication Date 11/14/2007; End of Comment Period 1/14/2008.

**Abstract:** This rulemaking would have considered whether to amend the Capital Construction Fund and cargo preference regulations to set out specific procedures for determining when a vessel is no longer eligible for such programs because the vessel has been either reconstructed or rebuilt abroad. The rule is being withdrawn because the issue has been addressed by court decisions.

**Effects:**

Foreign

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



**Legal Deadline:** None

**Rulemaking Project Initiated:** 05/29/2007

**Docket Number:**

**Dates for Withdrawal:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/11/2010	09/10/2010	09/24/2010
Publication Date	07/16/2010	10/14/2010	

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

**Federal Register Citation for Withdrawal:** None

Maritime Administration

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

**RIN 2133-AB74**

**Stage:** Undetermined

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

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

**Effects:**

Information Collection

Foreign

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

**Legal Deadline:** None

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

**Docket Number:**

**Dates for Undetermined:**

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

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

**Federal Register Citation for Undetermined:** None

Maritime Administration

56.	<b>Cargo Preference - Compromise, Assessment, Mitigation, Settlement &amp; Collection of Civil Penalties</b>	Black
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**Popular Title:** Cargo Preference Statutory Changes

**RIN 2133-AB75**

**Stage:** Undetermined

**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:** 10/14/2008

**Docket Number:**

**Dates for Undetermined:**

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

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

**Federal Register Citation for Undetermined:** None

**National Highway Traffic Safety Administration**

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National Highway Traffic Safety Administration

57. **Ejection Mitigation** Red

**Popular Title:** Ejection Mitigation

**RIN 2127-AK23**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 12/2/2009; End of Comment Period 2/2/2010.

**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 Safe, Accountable, Flexible, Efficient, Transportation Equity Act (SAFETEA-LU) 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." SAFETEA-LU also requires that, if the Secretary determines that the subject final rule deadline cannot be met, the Secretary shall notify and provide an explanation to the Senate Committee on Commerce, Science and Transportation and the House of Representatives Committee on Energy and Commerce of the delay. On September 24, 2009, the Secretary provided appropriate notification to Congress that the final rule will be delayed until January 31, 2011.

**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:** NHTSA-2009-0183

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/17/2010	10/11/2010	
To OMB	10/29/2010	10/29/2010	
OMB Clearance	01/28/2011	01/28/2011	
Publication Date	01/31/2011	01/31/2011	

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

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

National Highway Traffic Safety Administration

58. **Federal Motor Vehicle Safety Standard No. 111, Rearview Mirrors** Red

**Popular Title:** Rearview Mirrors

**RIN 2127-AK43**

**Stage:** NPRM

**Previous Stage:** ANPRM: Publication Date 03/04/09; End of Comment Period 05/04/09

**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  
Final Rule : 02/28/2011

**Rulemaking Project Initiated:** 11/06/2008

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

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	10/17/2009	06/18/2010	06/16/2010
To OMB	11/26/2009	08/09/2010	08/13/2010
OMB Clearance	02/25/2010	11/09/2010	
Publication Date	02/28/2010	11/17/2010	
End of Comment Period	04/27/2010	01/16/2011	

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

**Federal Register Citation for NPRM:** None

National Highway Traffic Safety Administration

59. **FMVSS No. 118 Automatic Reversal Systems** Red

**Popular Title:** Automatic Reversal Systems

**RIN 2127-AK52**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 9/01/2009; End of Comment Period 11/02/2009.

**Abstract:** This rulemaking would require automatic reversal systems (ARS) only on those windows that close without continuous actuation of the window switch by the window operator. This rulemaking was initiated per requirements in the Cameron Gulbransen Kids Transportation Safety Act of 2007.

**Effects:**

EU  
NAFTA  
Foreign

**Prompting action:** Statute

**Legal Deadline:** Initiate Rulemaking : 08/28/2009  
Final Rule : 08/28/2010

**Rulemaking Project Initiated:** 06/25/2009

**Docket Number:** NHTSA-2009-0154

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/11/2010	10/15/2010	
To OMB	05/26/2010	11/27/2010	
OMB Clearance	08/25/2010	02/28/2011	
Publication Date	08/28/2010	03/01/2011	

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

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

National Highway Traffic Safety Administration

60. <b>Require Installation of Seat Belts on Motorcoaches, FMVSS No. 208</b>	Red
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**Popular Title:** Seat Belts on Motorcoaches

**RIN 2127-AK56**

**Stage:** NPRM

**Previous Stage:**None

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

**Effects:**

EU  
NAFTA  
Foreign

**Prompting action:** None

**Legal Deadline:** None

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

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

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/23/2009	11/21/2009	11/13/2009
Returned to Mode			01/16/2010
Resubmitted to OST			03/15/2010
To OMB	10/24/2009	06/09/2010	05/06/2010
OMB Clearance	01/25/2010	09/09/2010	08/10/2010
Publication Date	02/05/2010	09/16/2010	08/18/2010
End of Comment Period	04/05/2010	10/16/2010	10/18/2010

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

**Federal Register Citation for NPRM:** 75 FR 50958

National Highway Traffic Safety Administration

61. <b>Vehicle Labeling - Fuel Economy, Greenhouse Gas and Other Emissions</b>	Green
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**Popular Title:** Fuel Economy Vehicle Labeling

**RIN 2127-AK73**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would respond to requirements of the Energy Independence and Security Act of 2007 (EISA), Title 1, Subtitle A, Section 105, as it amends 49 USC § 32908, to implement regulations to display new information on the vehicle label that would make it easy for consumers to compare fuel economy, greenhouse gas and other emissions of automobiles at the point of purchase. EISA, signed into Law on December 19, 2007, requires

that the Secretary issue a final rule not later than 42 months after the date of the enactment.

**Effects:**

EU  
NAFTA  
Foreign

**Prompting action:** Statute

**Legal Deadline:** Final rule : 06/19/2011

**Rulemaking Project Initiated:** 12/19/2007

**Docket Number:** NHTSA-2010-0087

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/19/2010		07/01/2010
To OMB	08/26/2010		07/29/2010
OMB Clearance	11/25/2010		08/27/2010
Publication Date	11/30/2010	09/23/2010	09/23/2010
End of Comment Period	01/31/2011	11/23/2010	11/22/2010

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

**Federal Register Citation for NPRM:** 75 FR 58077

National Highway Traffic Safety Administration

62.	<b>Commercial Medium- and Heavy-Duty On-Highway Vehicles and Work Truck Fuel Efficiency Standards</b>	Green
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**Popular Title:** Medium- and Heavy-Duty Truck Fuel Efficiency

**RIN 2127-AK74**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would respond to requirements of the Energy Policy and Conservation Act, as amended by the Energy Independence and Security Act of 2007. The statute requires that rulemaking begin with a report by the National Academy of Sciences evaluating medium-duty and heavy-duty truck fuel economy standards. The National Academy provided Congress and NHTSA with this report on March 18, 2010. EISA then requires that NHTSA provide Congress a report that examines the fuel efficiency of commercial medium- and heavy-duty on-highway vehicles and work trucks and determines the appropriate test procedures and methodologies for measuring the fuel efficiency of such vehicles, the appropriate metric for measuring the fuel efficiency of such vehicles, the range of factors that affect the fuel efficiency of these vehicles, and other factors that could impact a program to improve the fuel efficiency of these vehicles. Once that report has been delivered to Congress, NHTSA has 24 months to complete a final rule establishing a fuel efficiency program for these vehicles. The law provides that the new standards must provide at least 4 full model years of regulatory leadtime and 3 full model years of regulatory stability (i.e., the standards must remain in effect for 3 years before they may be amended). On May 21, 2010, President Obama issued a memorandum directing NHTSA and EPA conduct a joint rulemaking (NHTSA regulating fuel efficiency and EPA regulating greenhouse gas emissions), and to issue a final rule by July 30, 2011.

**Effects:**

Economically Significant

Major  
Unfunded Mandate  
EIS  
EU  
NAFTA  
Foreign

**Prompting action:** Statute

**Legal Deadline:** Report to Congress : 09/30/2010  
Final rule : 09/28/2012

**Rulemaking Project Initiated:** 12/19/2007

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/27/2011	08/04/2010	08/04/2010
To OMB	06/26/2011	08/11/2010	08/11/2010
OMB Clearance	09/25/2011	10/18/2010	
Publication Date	09/30/2011	10/25/2010	
End of Comment Period	11/30/2011	12/24/2010	

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

**Federal Register Citation for NPRM:** None

National Highway Traffic Safety Administration

63.	<b>Consumer Information of Fuel Economy, Emissions and Alternative Fuel Usage -Fuel Tank Labels</b>	Red
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**Popular Title:** Fuel Economy Fuel Tank Labelling

**RIN 2127-AK75**

**Stage:** NPRM

**Previous Stage:**None

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

**Effects:**

EU  
NAFTA  
Foreign

**Prompting action:** Statute

**Legal Deadline:** Final rule : 06/19/2011

**Rulemaking Project Initiated:** 12/19/2007

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/19/2010	10/25/2010	
To OMB	08/26/2010	11/20/2010	
OMB Clearance	11/25/2010	02/20/2011	
Publication Date	11/30/2010	01/23/2011	
End of Comment Period	01/31/2011	03/23/2011	

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

**Federal Register Citation for NPRM:** None

National Highway Traffic Safety Administration

64. **Tire Fuel Efficiency Consumer Information - Part 2** Green

**Popular Title:** Tire Efficiency Consumer Information Labelling

**RIN 2127-AK76**

**Stage:** NPRM

**Previous Stage:**None

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

**Effects:**

EU  
NAFTA  
Foreign

**Prompting action:** Statute

**Legal Deadline:** None

**Rulemaking Project Initiated:** 12/19/2007

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/10/2011	03/10/2011	
To OMB	03/24/2011	04/24/2011	
OMB Clearance	06/23/2011	07/23/2011	
Publication Date	06/30/2011	07/29/2011	
End of Comment Period	08/29/2011	09/29/2011	

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

**Federal Register Citation for NPRM:** None

National Highway Traffic Safety Administration



65.	<b>Passenger Car and Light Truck Corporate Average Fuel Economy Standards MYs 2017 and Beyond</b>	Green
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**Popular Title:** CAFE 2017 and Beyond

**RIN 2127-AK79**

**Stage:** Notice

**Previous Stage:**None

**Abstract:** This rulemaking would establish Corporate Average Fuel Economy (CAFE) standards for light trucks and passenger cars for model years 2017 and beyond. This rulemaking would respond to requirements of the Energy Policy and Conservation Act, as amended by the Energy Independence and Security Act of 2007. The statute requires that CAFE standards be prescribed separately for passenger automobiles and non-passenger automobiles to achieve a combined fleet fuel economy of at least 35 mpg by model year 2020. For model years 2021 and beyond, the statute requires that the average fuel economy required to be attained by each fleet of passenger and non-passenger automobiles be the maximum feasible for each model year. The law requires the standards be set at least 18 months prior to the start of the model year. On May 21, 2010, President Obama issued a memorandum directing NHTSA and EPA to conduct a joint rulemaking (NHTSA regulating fuel economy and EPA regulating greenhouse gas emissions), and to issue a Notice of Intent to Issue a Proposed Rule (NOI) by September 30, 2010.

**Effects:**

EIS  
EU  
NAFTA  
Foreign

**Prompting action:** Statute

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

**Rulemaking Project Initiated:** 12/19/2007

**Docket Number:**

**Dates for Notice:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	07/01/2010	09/07/2010	09/22/2010
To OMB	07/28/2010	09/15/2010	09/22/2010
OMB Clearance	09/27/2010	09/30/2010	09/30/2010
Publication Date	09/30/2010	10/08/2010	

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

**Federal Register Citation for Notice:** None

**Office of the Secretary**

Office of the Secretary

66.	<b>Accessibility of Passenger Vessels to Individuals with Disabilities</b>	Red
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**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:** This rulemaking would address accessibility issues and propose feasible requirements to make passenger vessels accessible to, and usable by, individuals with disabilities. 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.

**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	10/05/2009	09/17/2009
Resubmitted to OST			11/02/2009
To OMB	07/23/2009	01/15/2009	01/20/2010
OMB Clearance	10/23/2009	05/15/2010	05/21/2010
Publication Date	11/25/2009	06/30/2010	07/06/2010
End of Comment Period			10/04/2010

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

**Federal Register Citation for Final Rule:** 75 FR 38877

Office of the Secretary

67. 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

Office of the Secretary

68.

<b>Transportation for Individuals with Disabilities" Miscellaneous Amendments</b>	Green
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**Popular Title:** ADA Miscellaneous Amendments

**RIN 2105-AD54**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 02/27/2006; End of Comment Period 4/28/2006; Extension of Comment Period 5/1/2006; End of Extended Comment Period 7/28/2006.

**Abstract:** This rulemaking would amend several regulations regarding rail station platform standards, reasonable modifications of policies and procedures, and pedestrian access; it would also codifying existing DOT procedures for issuing interpretations and guidance.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 08/15/2005

**Docket Number:** OST-2006-23985

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/01/2010		
To OMB	01/08/2011		
OMB Clearance	04/08/2011		
Publication Date	04/15/2011		

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

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

**Popular Title:** SSI-TSA

**RIN 2105-AD59**

**Stage:** Final Rule

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

**Abstract:** This rulemaking would finalize a May 2004 interim final rule and respond to any comments received on that action. This is a joint rulemaking between DOT and the Transportation Security Administration.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

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

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

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	04/30/2006	10/20/2010	
To OMB	07/15/2006	01/04/2011	
OMB Clearance	10/15/2006	03/04/2011	
Publication Date	10/31/2006	03/20/2011	

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

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

70. **Prioritization and Allocation Authority Exercised By the Secretary of Transportation Under the Defense Production Act** Red

**Popular Title:** DPA

**RIN 2105-AD83**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would clarify the prioritization and allocation authorities exercised by the Secretary of Transportation under the Defense Production Act (DPA). The DPA is the President's primary authority to ensure timely availability of private sector resources for national defense. In addition to military and energy activities, the definition of "national defense" includes emergency preparedness activities conducted pursuant to Title VI of The Robert T. Stafford Disaster Relief and Emergency Assistance Act and the protection and restoration of critical infrastructure. Under Title I of the DPA, the President has the authority to require the acceptance and prioritization of contracts and orders -- and to allocate materials, services, and facilities -- in support of the national defense. Under Section 201 of Executive Order 12919, the President has delegated these prioritization and allocation authorities to the Secretary of Transportation for all forms of civil transportation. In the 2009 DPA reauthorization legislation, Congress mandated that each Federal agency with delegated

authority under Title I of the DPA develop final rules that establish standards and procedures for implementing its delegated authority in emergency and nonemergency conditons. Additionally, Congress mandated that, to the extent practicable, the rules be consistent and unified. DOT is part of an interagency working group, along with the other delegated agencies, that is developing consistent unified rules.

**Effects:**

Information Collection

**Prompting action:** Statute

**Legal Deadline:** Final rule : 06/27/2010

**Rulemaking Project Initiated:** 01/07/2009

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	01/09/2009	08/17/2010	09/07/2010
To OMB	02/01/2009	10/06/2010	10/05/2010
OMB Clearance	03/01/2009	12/06/2010	
Publication Date	03/01/2009	12/06/2010	
End of Comment Period	05/01/2009	02/06/2010	

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

**Federal Register Citation for NPRM:** None

Office of the Secretary

71. **NPRM On the Use of the Seat-Strapping Method for Carrying a Wheelchair on an Aircraft** Red

**Popular Title:** Seat-Strapping

**RIN 2105-AD87**

**Stage:** NPRM

**Previous Stage:** None

**Abstract:** This rulemaking would address whether carriers should be allowed to utilize the seat-strapping method to stow a passenger's wheelchair in the aircraft cabin.

**Effects:**

Regulatory Flexibility Act

**Prompting action:** None

**Legal Deadline:** None

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

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	03/05/2010	11/09/2010	
To OMB		12/03/2010	
OMB Clearance		03/03/2011	
Publication Date	03/29/2010	03/10/2011	

End of Comment Period	05/29/2010	05/10/2011	
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**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for NPRM:** None

Office of the Secretary

72. **Stowage of Wheelchairs, other mobility Aids and other Assistive Devices** Red

**Popular Title:** Stowage and Assistive Devices

**RIN 2105-AD90**

**Stage:** NPRM

**Previous Stage:**None

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

**Effects:**

EU

NAFTA

Foreign

**Prompting action:** None

**Legal Deadline:** None

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

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/12/2010	12/20/2010	
To OMB		01/15/2011	
OMB Clearance		04/12/2011	
Publication Date	06/09/2010	04/20/2011	
End of Comment Period	08/09/2010	06/20/2011	

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

**Federal Register Citation for NPRM:** None

Office of the Secretary

73. **Accessibility of Airports** Red

**Popular Title:** Accessibility of Airports

**RIN 2105-AD91**

**Stage:** NPRM

**Previous Stage:** None

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

**Effects:**

EU  
NAFTA  
Foreign

**Prompting action:** None

**Legal Deadline:** None

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

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	03/02/2010	10/25/2010	
To OMB		11/22/2010	
OMB Clearance		02/22/2011	
Publication Date	04/02/2010	03/03/2011	
End of Comment Period	06/02/2010	05/03/2011	

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

**Federal Register Citation for NPRM:** None

Office of the Secretary

74. **Enhancing Airline Passenger Protections - Part 2** Red

**Popular Title:** Aviation Consumer Part 2

**RIN 2105-AD92**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would enhance airline passenger protections by addressing the following areas:(1) contingency plans for lengthy tarmac delays; (2) reporting of tarmac delay data; (3) customer service plans; (4) notification to passengers of flight status changes; (5) inflation adjustment for denied boarding compensation; (6) alternative transportation for passengers on canceled flights; (7) opt-out provisions (e.g. travel insurance); (8) contract of carriage provisions; (9) baggage fees disclosure; and (10) full fare advertising.

**Effects:**

Regulatory Flexibility Act

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 07/01/2008

**Docket Number:** 2007-0022

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date

To OST	02/10/2010	03/16/2010	03/16/2010
To OMB	02/26/2010	03/30/2010	03/31/2010
OMB Clearance	05/26/2010	06/30/2010	05/24/2010
Publication Date	06/01/2010	06/02/2010	06/08/2010
End of Comment Period	08/01/2010	08/05/2010	08/09/2010
Extension of Comment Period			08/03/2010
End of Extended Comment Period			09/23/2010

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

**Federal Register Citation for NPRM:** 75 FR 3601

Office of the Secretary

75.	<b>Carrier-Supplied Medical Oxygen, Service Animals, and Accessibility of Carrier Websites, Kiosks, and In-Flight Entertainment Systems</b>	Red
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**Popular Title:** ACAA SNPRM

**RIN 2105-AD96**

**Stage:** SNPRM

**Previous Stage:**None

**Abstract:** This rulemaking would fulfill a commitment made in the final rule amending the Air Carrier Access Act rules to develop an SNPRM seeking information from the public on: (1) the cost and technical issues involved in requiring carrier website accessibility; (2) whether automated kiosks operated by carriers in airports and elsewhere should be required to be accessible; (3) whether there are safety-related reasons for excluding service animals other than dogs that may be specific to foreign carriers; (4) whether the cost of requiring carriers to supply free in-flight medical oxygen would create an undue burden; and (5) whether providing high-contrast captioning on in-flight entertainment displays is technically and economically feasible.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

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

**Docket Number:**

**Dates for SNPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/12/2010	03/02/2011	
To OMB	09/01/2010	03/28/2011	
OMB Clearance	12/01/2010	06/28/2011	
Publication Date	12/10/2010	07/07/2011	
End of Comment Period	03/10/2011	09/07/2011	

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

**Federal Register Citation for SNPRM:** None

**Pipeline and Hazardous Materials Safety Administration**



76. **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	06/29/2010	06/18/2010
To OMB	01/26/2010	08/04/2010	08/09/2010
OMB Clearance	04/26/2010	11/04/2010	
Publication Date	05/01/2010	11/15/2010	

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

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

Pipeline and Hazardous Materials Safety Administration

77. **Hazardous Materials; Combination Packages Containing Liquids Intended for Transport by Aircraft** Green

**Popular Title:** Air Packaging

**RIN 2137-AE32**

**Stage:** Final Rule

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

NPRM: Publication 5/14/2010; End of Comment Period 7/13/2010.

**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 Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	01/21/2011		
To OMB	02/16/2011		
OMB Clearance	05/17/2011		
Publication Date	05/24/2011		

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

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

Pipeline and Hazardous Materials Safety Administration

78. **Hazardous Materials: Bulk Loading and Unloading Operations** Red

**Popular Title:** Loading/Unloading

**RIN 2137-AE37**

**Stage:** NPRM

**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. PHMSA has decided to publish a proposed rule instead of a pre-rule.

**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 NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	02/12/2010	08/27/2010	08/24/2010
To OMB	03/18/2010	10/30/2010	
OMB Clearance	06/16/2010	01/29/2010	

Publication Date	06/23/2010	02/05/2011	
End of Comment Period	08/23/2010	04/04/2011	

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

**Federal Register Citation for NPRM:** None

Pipeline and Hazardous Materials Safety Administration

79. **Hazardous Materials: Revisions to Requirements for the Transportation of Lithium Batteries** Red

**Popular Title:** Transportation of Lithium Batteries

**RIN 2137-AE44**

**Stage:** Final Rule

**Previous Stage:** NPRM: Publication Date 1/11/2010; End of Comment Period 3/12/2010.

**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:** PHMSA-2009-0095

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/20/2010	09/20/2010	09/20/2010
To OMB	09/23/2010	10/18/2010	10/01/2010
OMB Clearance	12/22/2010	01/17/2011	
Publication Date	01/03/2011	01/24/2011	

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

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

Pipeline and Hazardous Materials Safety Administration

80. **Hazardous Materials: Safety Requirements for External Product Piping on Cargo Tanks Transporting Flammable Liquids (Wetlines)** Red

**Popular Title:** Wetlines

**RIN 2137-AE53**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** The rulemaking would amend the Hazardous Materials Regulations to prohibit flammable liquids from being transported in unprotected product piping on existing and

newly manufactured DOT specification cargo tank motor vehicles.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

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

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

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	12/24/2009	05/03/2010	04/15/2010
To OMB	01/28/2010	06/30/2010	07/14/2010
OMB Clearance	04/28/2010	10/14/2010	
Publication Date	05/05/2010	10/22/2010	
End of Comment Period	07/05/2010	12/22/2010	

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

**Federal Register Citation for NPRM:** None

Pipeline and Hazardous Materials Safety Administration

81. **Hazardous Materials: Limiting the Use of Electronic Devices by Highway** Green

**Popular Title:** Texting

**RIN 2137-AE63**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would restrict the use of electronic devices by drivers during the operation of a motor vehicle containing a quantity of hazardous materials requiring placarding under Part 172 of the 49 CFR or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73. Additionally, in accordance with requirements proposed by the Federal Motor Carrier Safety Administration (FMCSA), motor carriers are prohibited from requiring or allowing drivers of covered motor vehicles to engage in texting while driving. This rulemaking would improve health and safety on the Nation's highways by reducing the prevalence of distracted driving-related crashes, fatalities, and injuries involving drivers of commercial motor vehicles.

**Effects:**

None

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

**Legal Deadline:** None

**Rulemaking Project Initiated:** 08/05/2010

**Docket Number:** PHMSA-2010-0221

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/23/2010		08/18/2010
To OMB	09/03/2010		09/07/2010

OMB Clearance	09/17/2010		09/20/2010
Publication Date	09/21/2010		09/27/2010
End of Comment Period	10/21/2010		10/27/2010

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

**Federal Register Citation for NPRM:** 75 59197

Pipeline and Hazardous Materials Safety Administration

82. **Hazardous Materials: Limiting the Use of Mobile Telephones by Highway** Red

**Popular Title:** Use of Mobile Telephones

**RIN 2137-AE65**

**Stage:** NPRM

**Previous Stage:**None

**Abstract:** This rulemaking would limit the use of mobile telephones by drivers during the operation of a motor vehicle containing a quantity of hazardous materials requiring placarding under Part 172 of the 49 CFR or any quantity of a select agent or toxin listed in 42 CFR Part 73. Additionally, in accordance with requirements proposed by the Federal Motor Carrier Safety Administration (FMCSA), motor carriers would be prohibited from requiring or allowing drivers of covered motor vehicles to engage in the use of mobile telephones while driving. This rulemaking would improve health and safety on the Nation's highways by reducing the prevalence of distracted driving-related crashes, fatalities, and injuries involving drivers of commercial motor vehicles.

**Effects:**

None

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

**Legal Deadline:** None

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

**Docket Number:** PHMSA-2010-0227

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/20/2010		09/22/2010
To OMB	10/08/2010	10/27/2010	
OMB Clearance	11/08/2010	12/14/2010	
Publication Date	11/16/2010	12/23/2010	
End of Comment Period	01/17/2011	03/23/2010	

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

**Federal Register Citation for NPRM:** None

Pipeline and Hazardous Materials Safety Administration

83. **Pipeline Safety: Safety of On-Shore Liquid Hazardous Pipelines** Green

**Popular Title:** Liquid Hazardous Pipelines

**RIN 2137-AE66**

**Stage:** ANPRM

**Previous Stage:**None

**Abstract:** This rulemaking would address effective methods that hazardous liquid operators

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

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** None

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

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

**Dates for ANPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/01/2010		08/25/2010
To OMB	10/05/2010	09/13/2010	09/14/2010
OMB Clearance	10/19/2010	10/03/2010	
Publication Date	10/25/2010	10/10/2010	
End of Comment Period	01/26/2011	01/10/2010	

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

**Federal Register Citation for ANPRM:** None

Pipeline and Hazardous Materials Safety Administration

84. **Drivers of CMVs: Addressing Distracted Driving** Black

**Popular Title:** Distracted Driving

**RIN 2137-AE67**

**Stage:** ANPRM

**Previous Stage:** : .

**Abstract:** The Federal Motor Carrier Safety Administration (FMCSA) and Pipeline and Hazardous Materials Safety Administration (PHMSA) are considering a rulemaking to limit or restrict the use of electronic devices or certain activities by commercial motor vehicle (CMV) drivers operating in interstate commerce and for drivers of CMVs containing a quantity of hazardous materials requiring placarding under Part 172 of the 49 CFR or any quantity of a select agent or toxin listed in 42 CFR Part 73. The Agencies have considered the results of recent research concerning distracted driving, and ideas and concepts from FMCSA's Motor Carrier Safety Advisory Committee and now seeks public comment and information to assist the Agencies in determining whether additional regulatory action is needed as a follow-up to previous regulatory actions.

**Effects:**

None

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

**Legal Deadline:** None

**Rulemaking Project Initiated:** 08/20/2010

**Docket Number:** PHMSA 2010-0254/FMCSA 2010-0312

**Dates for ANPRM:**

<b>Milestone</b>	<b>Originally Scheduled Date</b>	<b>New Projected Date</b>	<b>Actual Date</b>
To OST	09/14/2010		09/14/2010
To OMB	09/22/2010		09/22/2010
OMB Clearance	10/25/2010		10/04/2010
Publication Date	10/27/2010		
End of Comment Period	11/29/2010		

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

***Federal Register Citation for ANPRM:*** None