



Federal Register

**Monday,
May 16, 2005**

Part XV

**Department of
Transportation**

Semiannual Regulatory Agenda

DEPARTMENT OF TRANSPORTATION (DOT)

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Chs. I-III

23 CFR Chs. I-III

33 CFR Chs. I and IV

46 CFR Chs. I-III

48 CFR Ch. 12

49 CFR Subtitle A, Chs. I-VI and Chs. X-XII

OST Docket 99-5129

Department Regulatory Agenda; Semiannual Summary

AGENCY: Office of the Secretary, DOT.

ACTION: Semiannual regulatory agenda.

SUMMARY: The regulatory agenda is a semiannual summary of all current and projected rulemakings, reviews of existing regulations, and completed actions of the Department. The agenda provides the public with information about the Department of Transportation's regulatory activity. It is expected that this information will enable the public to be more aware of and allow it to more effectively participate in the Department's regulatory activity. The public is also invited to submit comments on any aspect of this agenda.

FOR FURTHER INFORMATION CONTACT:*General*

You should direct all comments and inquiries on the agenda in general to Neil R. Eisner, Assistant General Counsel for Regulation and Enforcement, Department of Transportation, 400 7th Street SW., Washington, DC 20590, (202) 366-4723.

Specific

You should direct all comments and inquiries on particular items in the agenda to the individual listed for the regulation or the general rulemaking contact person for the operating administration in Appendix B.

Individuals who use a telecommunications device for the deaf (TDD) may call (202) 755-7687.

Table of Contents

Supplementary Information:

Background

Significant/Priority Rulemakings

Explanation of Information on the Agenda

Request for Comments

Purpose

Appendix A - Instructions for Obtaining Copies of Regulatory Documents

Appendix B - General Rulemaking Contact Persons

Appendix C - Public Rulemaking Dockets

Appendix D - Review Plans for Section 610 and Other Requirements

Agenda

SUPPLEMENTARY INFORMATION:**Background**

Improvement of our regulations is a prime goal of the Department of Transportation (Department or DOT). There should be no more regulations than necessary and those that are issued should be simpler, more comprehensible, and less burdensome. Regulations should not be issued without appropriate involvement of the public; once issued, they should be periodically reviewed and revised, as needed, to assure that they continue to meet the needs for which they originally were designed.

To help the Department achieve these goals and in accordance with Executive Order 12866 "Regulatory Planning and Review" (58 FR 51735; October 4, 1993) and the Department's Regulatory Policies and Procedures (44 FR 11034; February 26, 1979), the Department prepares a semiannual regulatory agenda. It summarizes all current and projected rulemaking, reviews of existing regulations, and completed actions of the Department. These are matters on which action has begun or is projected during the succeeding 12 months or such longer period as may be anticipated or for which action has been completed since the last agenda.

The agendas are based on reports submitted by the offices initiating the rulemaking and are reviewed by the Department Regulations Council. The Department's last agenda was published in the **Federal Register** on December 13, 2004 (69 FR 73492). The next one is scheduled for publication in the **Federal Register** in October 2005.

Congress recently passed the Norman Y. Mineta Research and Special Programs Improvement Act (P.L. 108-426) and President Bush signed the legislation into law on November 30,

2004. The purpose of the Act is to provide the Department a more focused research organization and establish a separate operating administration for pipeline safety and hazardous materials transportation safety operations. In addition, the Act presents the Department an opportunity to establish model practices in the area of Government budget and information practices in support of the President's Management Agenda initiatives.

As a result, the Department has reorganized and now has two newly created organizations: (1) The safety administration called the Pipeline and Hazardous Materials Safety Administration (PHMSA) will oversee the safety of the more than 800,000 daily shipments of hazardous materials in the United States and the 64 percent of the Nation's energy that is transported by pipelines. The new administration will be dedicated solely to safety by working toward the elimination of transportation-related deaths and injuries in hazardous materials and pipeline transportation, and by promoting transportation solutions that enhance communities and protect the natural environment. PHMSA leadership consists of an Administrator, a Deputy Administrator, a Chief Safety Officer and Associate Administrators, for each of the following areas: Hazardous Materials Safety, Pipeline Safety, and Administration; and Office Directors for each of the following areas: Chief Counsel, Governmental, Public and International Affairs, and Civil Rights. (2) The Research and Innovative Technology Administration (RITA) will enable the Department to more effectively coordinate and manage the Department's research portfolio and expedite implementation of cross-cutting innovative technologies. RITA's resources will be used to:

- coordinate and advance transportation research efforts within DOT;
- support transportation professionals in their research efforts through grants and consulting services, as well as professional development through training centers; and
- inform transportation decisionmakers on intermodal and multi-modal transportation topics through the release of statistics, research reports, and a variety of information products

DOT

via the Internet, publications, and in-person venues such as conferences.

See DOT agency code 2137 for PHMSA and 2139 for RITA.

The Department has created an Internet site that provides general information about its rulemaking responsibilities and activities. It includes hypertext links to numerous other departmental sites providing helpful information about DOT regulation. The web address for this site is <http://regs.dot.gov>.

Additionally, the Department has created a Docket Management System (DMS) List Serve that will automatically provide an email notification when certain documents are put into the dockets. This email notification will provide a link to a document within DMS. The web address to sign-up for this service is <http://dms.dot.gov/emailNotification>.

Significant/Priority Rulemakings

The agenda covers all rules and regulations of the Department. We have classified rules as a DOT agency priority in the agenda if they are, essentially, very costly, controversial, or of substantial public interest under our Regulatory Policies and Procedures. All DOT agency priority rulemaking documents are subject to review by the Secretary of Transportation. If the Office of Management and Budget (OMB) decides a rule is subject to its review under Executive Order 12866, we have classified it as significant in the agenda.

Explanation of Information on the Agenda

The format for this agenda is required by a spring 2005 memorandum from the Office of Management and Budget.

First, the agenda is divided by initiating offices. Then, the agenda is divided into five categories: (1) Prerule stage, (2) proposed rule stage, (3) final rule stage, (4) long-term actions, and (5) completed actions. For each entry, the agenda provides the following information: (1) its "significance;" (2) a short descriptive title; (3) its legal basis; (4) the related regulatory citation in the Code of Federal Regulations; (5) any legal deadline and, if so, for what action (e.g., NPRM, final rule); (6) an abstract; (7) a timetable, including the earliest expected date for a decision on whether to take the action; (8) whether the rulemaking will affect small entities and/or levels of government and, if so,

which categories; (9) whether a Regulatory Flexibility Act (RFA) analysis is required (for rules that would have a significant economic impact on a substantial number of small entities); (10) a listing of any analyses an office will prepare or has prepared for the action (With minor exceptions, DOT requires an economic analysis for all its rulemakings.); (11) an agency contact office or official who can provide further information; (12) a Regulation Identifier Number (RIN) assigned to identify an individual rulemaking in the agenda and facilitate tracing further action on the issue; (13) whether the action is subject to the Unfunded Mandates Reform Act; (14) whether the action is subject to the Energy Act; and (15) whether the action is major under the congressional review provisions of the Small Business Regulatory Enforcement Fairness Act. If there is information that does not fit in the other categories, it will be included under a separate heading entitled "Additional Information."

For nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements (such as the Federal Aviation Administration's Airspace Rules), to keep those requirements operationally current, we only include the general category of the regulations, the identity of a contact office or official, and an indication of the expected number of regulations; we do not list individual regulations.

In the "Timetable" column, we use abbreviations to indicate the particular documents being considered. ANPRM stands for Advance Notice of Proposed Rulemaking, SNPRM for Supplemental Notice of Proposed Rulemaking, and NPRM for Notice of Proposed Rulemaking. Listing a future date in this column does not mean we have made a decision to issue a document; it is the earliest date on which we expect to make a decision on whether to issue it. In addition, these dates are based on current schedules. Information received subsequent to the issuance of this agenda could result in a decision not to take regulatory action or in changes to proposed publication dates. For example, the need for further evaluation could result in a later publication date; evidence of a greater need for the regulation could result in an earlier publication date.

Finally, a dot (•) preceding an entry indicates that the entry appears in the agenda for the first time.

Request for Comments*General*

Our agenda is intended primarily for the use of the public. Since its inception, we have made modifications and refinements that we believe provide the public with more helpful information, as well as make the agenda easier to use. We would like you, the public, to make suggestions or comments on how the agenda could be further improved.

Reviews

We also seek your suggestions on which of our existing regulations you believe need to be reviewed to determine whether they should be revised or revoked. We particularly draw your attention to the Department's review plan in Appendix D. We are undertaking a significant review for 2005 of where revisions, improvements, or sunsets are appropriate on DOT rules, and invite public comments as to this topic.

Regulatory Flexibility Act

The Department is especially interested in obtaining information on requirements that have a "significant economic impact on a substantial number of small entities" and, therefore, must be reviewed under the Regulatory Flexibility Act. If you have any suggested regulations, please submit them to us, along with your explanation of why they should be reviewed.

In accordance with the Regulatory Flexibility Act, comments are specifically invited on regulations that we have targeted for review under section 610 of the Act. The phrase (Section 610 Review) appears at the end of the title for these reviews. Please see Appendix D for the Department's section 610 review plans.

Federalism

Executive Order 13132 requires us to develop an accountable process to ensure "meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications." "Policies that have federalism implications" are defined in the Executive Order to include regulations that have substantial direct effects on the States, on the relationship between the national government and the States, or on the

DOT

distribution of power and responsibilities among the various levels of government. Therefore, we encourage State and local governments to provide us with information about how the Department's rulemakings impact them.

Purpose

The Department is publishing this regulatory agenda in the **Federal Register** to share with interested members of the public the Department's preliminary expectations regarding its future regulatory actions. This should enable the public to be more aware of the Department's regulatory activity and should result in more effective public participation. This publication in the **Federal Register** does not impose any binding obligation on the Department or any of the offices within the Department with regard to any specific item on the agenda. Regulatory action, in addition to the items listed, is not precluded.

Issued in Washington, DC, March 27, 2005.

Norman Y. Mineta,
Secretary of Transportation.

Appendix A — Instructions for Obtaining Copies of Regulatory Documents

To obtain a copy of a specific regulatory document in the agenda, you should communicate directly with the contact person listed with the regulation at the address below. We note that most if not all such documents, including the Semiannual Agenda, are available through our Internet-accessible docket at <http://dms.dot.gov>. See Appendix C for more information.

Federal Highway Administration (FHWA)

(Name of contact person), Federal Highway Administration, 400 7th Street SW., Washington, DC 20590.

Federal Motor Carrier Safety Administration (FMCSA)

(Name of contact person), Federal Motor Carrier Safety Administration, 400 7th Street SW., Washington, DC 20590.

Federal Railroad Administration (FRA)

(Name of contact person), Federal Railroad Administration, 400 7th Street SW., Washington, DC 20590.

National Highway Traffic Safety Administration (NHTSA)

(Name of contact person), National Highway Traffic Safety Administration, 400 7th Street SW., Washington, DC 20590.

Federal Transit Administration (FTA)

(Name of contact person), Federal Transit Administration, 400 7th Street SW., Washington, DC 20590.

Saint Lawrence Seaway Development Corporation (SLSDC)

(Name of contact person), Saint Lawrence Seaway Development Corporation, 400 7th Street SW., Room 5424, Washington, DC 20590.

Pipeline and Hazardous Materials Safety Administration (PHMSA)

(Name of contact person), Pipeline and Hazardous Materials Safety Administration (PHMSA), 400 7th Street SW., Washington, DC 20590.

Maritime Administration (MARAD)

Joel C. Richard, Secretary, Maritime Administration, 400 7th Street SW., Room 7210, Washington, DC 20590, (202) 366-5746.

The Research and Innovative Technology Administration (RITA)

(Name of contact person), The Research and Innovative Technology Administration (RITA), 400 7th Street SW., Room 3103, Washington, DC 20590.

Federal Aviation Administration (FAA)

The FAA has a mailing list system for notices and advance notices of proposed rulemaking (NPRMs and ANPRMs). Persons interested in obtaining future copies of all of those documents to be issued by the FAA or only of those concerning certain parts of the Federal Aviation Regulations should request a copy of Advisory Circular No. 11-2, which describes the application procedure, by calling (202) 267-3484 or by writing to: Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue SW., Washington, DC 20591.

Office of the Secretary (OST)

To obtain a copy of a specific regulatory document or to receive future copies of the Department's regulatory agenda write to: Assistant General Counsel for Regulation and Enforcement, C-50, Office of the General

Counsel, Department of Transportation, Washington, DC 20590, (202) 366-4723.

Appendix B - General Rulemaking Contact Persons

The following is a list of persons who can be contacted within the Department for general information concerning the rulemaking process within the various operating administrations.

FAA — Rebecca MacPherson, Office of Chief Counsel, Regulations and Enforcement Division, 800 Independence Avenue SW., Room 915A, Washington, DC 20591; telephone: (202) 267-3073.

FHWA — Julie Downey, Office of Chief Counsel, 400 7th Street SW., Room 4223, Washington, DC 20590; telephone: (202) 366-0761.

FMCSA — Sue Halladay, Regulatory Ombudsman, Room 8202, 400 7th Street SW., Washington, DC 20590; telephone: (202) 366-0596.

FRA — Ivornette N. Lynch, Office of Chief Counsel, 400 7th Street SW., Mail Stop 10, Washington, DC 20590; telephone: (202) 493-6030.

NHTSA — Steve Wood, Office of Chief Counsel, 400 7th Street SW., Room 5219, Washington, DC 20590; telephone: (202) 366-2992.

FTA — Richard Wong, Office of Chief Counsel, 400 7th Street SW., Room 9316, Washington, DC 20590; telephone: (202) 366-4011.

SLSDC — Craig Middlebrook, General Counsel's Office, 400 7th Street SW., Room 5424, Washington, DC 20590; telephone: (202) 366-0091.

PHMSA — Patricia Burke, Office of Chief Counsel, 400 7th Street SW., Room 8405, Washington, DC 20590; telephone: (202) 366-4400.

MARAD — Christine Gurland, Office of Chief Counsel, Maritime Administration, 400 7th Street SW., Room 7221, Washington, DC 20590; telephone: (202) 366-5181.

RITA — Robert Monniere, Office of Chief Counsel, Room 3105, 400 Seventh Street SW., Washington, DC 20590; telephone: (202) 366-5498.

OST — Neil Eisner, Office of Regulation and Enforcement, 400 7th Street SW., Room 10424, Washington, DC 20590; telephone: (202) 366-4723.

DOT

Appendix C — Public Rulemaking Dockets

The public may review or submit comments to the dockets for all of DOT via the Internet at the following address: <http://dms.dot.gov>. Examples of documents that may be in the dockets are proposed rules, public comments received, supporting analyses, studies, and reports. The above referenced internet address allows the public to also sign-up for the DOT List Serve to receive notification when certain documents are placed in the dockets.

The public also may review regulatory dockets at, or deliver comments on proposed rulemakings to, the Dockets Office at 400 7th Street SW., Room PL 401, Washington, DC 20590, 1-800-647-5527. Working Hours: 9-5.

Appendix D - Review Plans for Section 610 and Other Requirements**Part I — The Plan***General*

The Department of Transportation has long recognized the importance of regularly reviewing its existing regulations to determine whether they need to be revised or revoked. Our 1979 Regulatory Policies and Procedures require such reviews. We also have responsibilities under Executive Order 12866 (Regulatory Planning and Review) and section 610 of the Regulatory Flexibility Act to conduct such reviews. This will include the use of plain language techniques in new rules and considering rewriting existing rules when we have the opportunity and resources permit. The Department is currently conducting a number of reviews of existing rules and is engaged in rulemaking actions resulting from these reviews.

Section 610 Review Plan

Section 610 requires that we conduct reviews of rules that (1) have been published within the last ten years and (2) have a “significant economic impact on a substantial number of small entities” (SEIOSNOSE). It also requires that we publish in the **Federal Register** each year a list of any such rules that we will review during the next year. The Office of the Secretary and each of the Department’s Operating Administrations have a 10-year review plan. These reviews are in accordance with section 610 of the Regulatory Flexibility Act.

Other Review Plan(s)

All elements of the Department, except for Federal Aviation Administration (FAA), have also elected to use this 10-year plan process to comply with the review requirements of the Department’s Regulatory Policies and Procedures, and Executive Order 12866. FAA is using a different approach, which is described in part II to this Appendix.

Changes to the Review Plan

Some reviews may be conducted earlier than scheduled. For example, to the extent resources permit, the plain language reviews will be conducted more quickly. Other events, such as accidents, may result in the need to conduct earlier reviews of some rules. Other factors may also result in the need to make changes; for example, we may make changes in response to public comment on this plan or in response to a Presidentially mandated review. If there is any change to the review plan, we will note the change in the following Unified Agenda. For any section 610 review, we will provide the required notice prior to the review.

Part II — The Review Process*The Analysis*

Generally, the agencies have divided their rules into 10 different groups and plan to analyze one group each year. For purposes of these reviews, a year will coincide with the fall-to-fall schedule for publication of the Agenda. Thus, Year 1 (1998) began in the fall of 1998 and ends in the fall of 1999; Year 2 (1999) begins in the fall of 1999 and ends in the fall of 2000; and so on. We request public comment on the timing of the reviews. For example, is there a reason for scheduling an analysis and review for a particular rule earlier than we have? Any comments concerning the plan or particular analyses can be submitted to the regulatory contacts listed in Appendix B, General Rulemaking Contact Persons.

Section 610 Review

The agency will analyze each of the rules in a given year’s group to determine whether any rule has a SEIOSNOSE and, thus, requires review in accordance with section 610 of the Regulatory Flexibility Act. The level of analysis will, of course, depend on the nature of the rule and its applicability.

Publication of agencies’ section 610 analyses list each fall in this Agenda

provides the public with notice and an opportunity to comment consistent with the requirements of the Regulatory Flexibility Act. We request that public comments be submitted to us early in the analysis year concerning the small entity impact of the rules to help us in making our determinations.

In each fall Agenda, the agency will publish the results of the analyses it has completed during the previous year. For rules that had a negative finding on SEIOSNOSE, we will give a short explanation (e.g., “these rules only establish petition processes that have no cost impact” or “these rules do not apply to any small entities”). For parts, subparts, or other discrete sections of rules that do have a SEIOSNOSE, we will announce that we will be conducting a formal section 610 review during the following 12 months. At this stage, we will add an entry to the Agenda in the prerulemaking section describing the review in more detail. We also will seek public comment on how best to lessen the impact of these rules and provide a name or docket to which public comments can be submitted. In some cases, the section 610 review may be part of another unrelated review of the rule. In such a case, we plan to clearly indicate which parts of the review are being conducted under section 610.

Other Reviews

The agency will also examine the specified rules to determine whether any other reasons exist for revising or revoking the rule or for rewriting the rule in plain language. In each fall Agenda, the agency will also publish information on the results of the examinations completed during the previous year.

FAA

The Federal Aviation Administration, in addition to reviewing its rules in accordance with the schedule below, has established a process by which the public is asked for its comments on which rules need review the most. Any information that the FAA receives in connection with its annual section 610 analyses would, of course, also be reviewed in the spirit of E.O. 12866. In addition, in response to a recommendation of the White House Commission on Aviation Safety and Security, the FAA has completed a review of all its existing regulations to identify those in need of rewriting as performance-based or plain language

DOT

regulations. The agency also reviewed ongoing regulatory projects and proposals to identify additional candidates for revision. In all, the agency reviewed 68 parts of the CFR, containing 3,884 sections, appendices, and Special Federal Aviation Regulations. In addition to using plain language in its current and future regulations, the FAA intends to revise those regulations identified in its study when it has the opportunity and resources to do so.

FMCSA

As noted in the Fall 2003 Semiannual Regulatory Agenda, FMCSA has begun a 5-year analysis and review of its regulations to eliminate duplication and unnecessary requirements and to clarify rules to help small businesses comply. The agency's 5-year review plan coincides with the Department's 10-year schedule for meeting Section 610 requirements.

FTA

FTA will undertake an analysis and review of its regulations to eliminate duplication and unnecessary

requirements, to update and clarify its rules, and to bring them into conformity with the next statutory reauthorization.

Part III — List of Pending Section 610 Reviews

The Agenda identifies the pending DOT Section 610 Reviews by inserting (Section 610 Review) after the title for the specific entry. Also, a Governmentwide list of section 610 reviews can be located in an index at the end of the Agenda. For further information on the pending reviews, see the Agenda entries.

**OFFICE OF THE SECRETARY
SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Review Year	
1	14 CFR parts 200 through 212	1998	1999
2	14 CFR parts 213 through 232	1999	2000
3	14 CFR parts 234 through 254	2000	2001
4	14 CFR parts 255 through 298 and 49 CFR part 40	2001	2002
5	14 CFR parts 300 through 373	2002	2003
6	14 CFR parts 374 through 398	2003	2004
7	14 CFR part 399 and 49 CFR parts 1 through 11	2004	2005
8	49 CFR parts 17 through 28	2005	2006
9	49 CFR parts 29 through 39 and parts 41 through 89	2006	2007
10	49 CFR parts 91 through 99, 48 CFR parts 1201 through 1253, and new parts and subparts	2007	2008

Year 3 (2000) List of rules analyzed and a summary of the results

14 CFR part 240 — Inspection of accounts and property

- Section 610: There is no SEIOSNOSE. The rule does not have any independent impact on small entities and primarily deals with internal agency procedure.
- Plain Language: OST's plain language review of this rule indicates a need for substantial revision because of out-of-date references to the Civil Aeronautics Board, its offices, and related statutes.
- General: This rule deals with the credentials used by "special agents" and "auditors," who have authority under statute to inspect accounts and property of air carriers, foreign air carriers and ticket agents. The rule has not been substantially updated since 1975.

Year 5 (2002) List of rules analyzed and a summary of the results

14 CFR part 300 — Rules of conduct in DOT proceedings under this chapter

- Section 610: This rule applies to small entities, but does not result in a substantial economic impact because it is procedural in nature.
- Plain Language: OST's plain language review of this rule indicates no need for substantial revision. The rule was last substantially revised in 2000.
- General: This rule sets for the rules of conduct for parties and DOT officials in aviation economic and enforcement proceedings.

14 CFR part 314 — Employee protection program

- Section 610: There is no SEIOSNOSE. This rule does not apply to a significant number of small entities.
- Plain Language: DOT plans to remove this part to reflect the elimination of the underlying statutory authority for the program.
- General: This rule implements a provision of the Airline Deregulation Act of 1978 that established an employee protection program. The rule sets forth procedures for DOT to determine whether a qualifying bankruptcy or a major contraction of an air carriers has occurred as a result of the Airline Deregulation Act. Congress repealed the program effective August 7, 1998. Since then, DOT has lacked a statutory basis for action in this area.

14 CFR part 330 — Procedures for compensation of air carriers

- Section 610: This rule has had a SEIOSNOSE. Under the rule, many small air carriers received compensation for losses incurred as a result of the terrorist attacks of September 11, 2001. DOT created a small carrier set-aside to provide expedited procedures and compensation for small air carriers.
- Plain Language: OST's plain language review of this rule indicates no need for substantial revision. The rule was last revised in 2002.

DOT

- General: This rule establishes procedures to compensate air carriers for specified losses incurred as a result of the terrorist attacks of September 11, 2001.

Year 6 (2003) List of rules analyzed and a summary of the results

14 CFR part 374 — Implementation of the consumer credit protection act with respect to air carriers and foreign air carriers

- Section 610: There is no SEIOSNOSE. This rule does not apply to a significant number of small entities.
- Plain Language: OST's plain language review of this rule indicates no need for substantial revision. The rule was last substantially updated in 1997.
- General: This rule states DOT's responsibility to enforce air carrier and foreign air carrier compliance with specified provision of the Consumer Credit Protection Act and Regulations B and Z of the Board of Governors of the Federal Reserve System. As a result, air carriers and foreign air carriers must meet certain standards when engaging in consumer credit transactions or be subject to civil penalties.

14 CFR part 374a — Extension of credit by airlines to Federal political candidates

- Section 610: There is no SEIOSNOSE. This rule does not apply to a significant number of small entities.
- Plain Language: OST's plain language review of this rule indicates a need for revision to eliminate some outdated references to the Civil Aeronautics Board and to clarify the rule generally. The rule was last revised in 1995.
- General: This rule regulates the extension of credit by air carriers to candidates for Federal office, or to any person on behalf of such a candidate, for goods furnished or services rendered in connection with the campaign of such candidate for nomination for election, or election to office.

14 CFR part 375 — Navigation of foreign civil aircraft within the United States

- Section 610: No SEIOSNOSE. The rule does not have a significant impact on a substantial number of small entities.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- General: This rule was last revised in 1986. We are currently in the process of proposing revisions to streamline certain aspects of the rule.

14 CFR part 377— Continuance of expired authorizations by operation of law pending final determination of applications for renewal thereof

- Section 610: No SEIOSNOSE. The rule does not have a significant impact on a substantial number of small entities.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- General: This rule was last revised in 2000. If additional updates become desirable, changes will be proposed

14 CFR part 380 — Public Charters

- Section 610: No SEIOSNOSE. This regulation does not have a significant impact on a substantial number of small entities.
- Plain Language: This regulation was totally revised in 1998 to simplify wording and reduce requirements for the applicants.
- General: This regulation requires Public Charter applicants to provide protection for their participant's funds and expectations.

14 CFR part 381 — Special Event Tours

- Section 610: No SEIOSNOSE. This regulation does not have a significant impact on the substantial number of small entities.
- Plain Language: This regulation was revised in 1994, was written in plain language and contains no confusing or wordy language.
- General: This part provides addition protection for participants attending sporting, social, religious, cultural or political events as Public Charters.

14 CFR part 389 — Fees and charges for special services

- Section 610: No SEIOSNOSE. The rule does not have a significant economic impact on a substantial number of small entities.
- Plain Language: We are reviewing this section to identify wordy or confusing language and will make appropriate revisions.
- General: Since this part has not been revised for a number of years, we will be eliminating some outdated and unnecessary sections and updating others.

14 CFR part 398 — Guidelines for individual determinations of basic essential air service

- Section 610: No SEIOSNOSE. The rule does not have an economic impact on a substantial number of small communities.
- Plain language: Where confusing or wordy language is identified, we will make revisions
- General: This section has not been revised since 1995. We will update consistent with current practice and propose streamlining by eliminating some outdated and unnecessary sections.

Year 6 (2003) List of rules continuing to be analyzed

14 CFR part 382 — Nondiscrimination on the basis of disability in air travel

14 CFR part 383 — Civil penalties

14 CFR part 385 — Staff assignments and review of action under assignment

Year 7 (Fall 2004) List of rules that will be analyzed during the next year

14 CFR part 399 — Statements of general policy

49 CFR part 1 — Organization and delegation of powers and duties

49 CFR part 3 — Official seal

DOT

- 49 CFR part 5— Rulemaking procedures
- 49 CFR part 6— Implementation of Equal Access to Justice Act in agency proceedings
- 49 CFR part 7— Public availability of information
- 49 CFR part 8— Classified information: Classification/declassification/access
- 49 CFR part 9— Testimony of employees of the Department and production of records in legal proceedings
- 49 CFR part 10— Maintenance of and access to records pertaining to individuals
- 49 CFR part 11— Protection of human subjects

**FEDERAL AVIATION ADMINISTRATION
SECTION 610 REVIEW PLAN**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	14 CFR parts 1 through 21	1998	1999
2	14 CFR parts 23 through 34	1999	2000
3	14 CFR parts 35 through 49	2000	2001
4 *	14 CFR parts 61 through 77	2001	2002
5	14 CFR parts 91 through 105	2002	2003
6	14 CFR parts 107 through 133	2003	2004
7	14 CFR parts 135 through 147	2004	2005
8	14 CFR parts 150 through 169	2005	2006
9	14 CFR parts 170 through 198	2006	2007
10	14 CFR parts 400 through 415	2007	2008

* FAA will also review all other rules dealing with alcohol and drugs

Year 6 (Fall 2003) List of rules continuing to be analyzed

- 14 CFR part 91 — General operating and flight rules
- 14 CFR part 93 — Special air traffic rules and airport traffic patterns
- 14 CFR part 95 — IFR altitudes
- 14 CFR part 99 — Security control of air traffic
- 14 CFR part 101 — Moored balloons, kites, unmanned rockets and unmanned free balloons
- 14 CFR part 103 — Ultralight vehicles
- 14 CFR part 105 — Parachute operations

The agency was unable to perform these analyses during review year 6 due to the need to perform other high priority safety regulatory actions designed to further reduce the air carrier and general aviation accident rate. Addressing these issues required a level of agency resources that precluded carrying out the above planned analyses. The FAA recognizes the importance of reviewing the impact of existing rules on small entities and has taken action to assure that reviews will occur in year seven. The agency will also develop a schedule to assure that all FAA regulations are reviewed within the 10 year plan.

Year 7 (Fall 2004) List of rules scheduled to be analyzed during the next year (Due to limited resources the analysis of these rules will be delayed)

- 14 CFR part 141 — Pilot schools
- 14 CFR part 142 — Training centers
- 14 CFR part 145 — Repair stations
- 14 CFR part 147 — Aviation maintenance technician schools

**FEDERAL HIGHWAY ADMINISTRATION
SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	None	1998	1999
2	None	1999	2000
3	23 CFR parts 450, 657 and 771	2000	2001
4	23 CFR parts 1-260	2001	2002
5	23 CFR parts 420, 460-480	2002	2003
6	23 CFR part 500	2003	2004
7	23 CFR parts 600-656, 658-669	2004	2005
8	23 CFR parts 710-924	2005	2006
9	23 CFR parts 1200-1252	2006	2007
10	New parts and subparts	2007	2008

Federal-Aid Highway Program

The FHWA has adopted regulations in title 23 of the CFR, chapter I, related to the Federal-aid highway program. These regulations implement and carry out the provisions of Federal law relating to the administration of Federal

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aid for highways. The primary law authorizing Federal aid for highways is chapter I of title 23 of the USC. Section 145 of title 23 expressly provides for a federally assisted State program. For this reason, the regulations adopted by the FHWA in title 23 of the CFR primarily relate to the requirements that States must meet to receive Federal funds for the construction and other work related to highways. Because the regulations in title 23 primarily relate to States, which are not defined as small entities under the Regulatory Flexibility Act, the FHWA believes that its regulations in title 23 do not have a significant economic impact on a substantial number of small entities. The FHWA solicits public comment on this preliminary conclusion.

Year 6 (Fall 2003) List of Rules analyzed and summary of the results

23 CFR part 500 — Management and Monitoring Systems

- Section 610: No SEIOSNOSE. These rules apply primarily to State transportation agencies and have no significant impact on small entities.
- Plain Language: While FHWA's plain language review of this regulation indicates no need for substantial revision, the statutory basis for this regulation has been amended and, as such, the FHWA is considering revising the regulation.

Year 7 (Fall 2004) List of Rule(s) that will be analyzed during the next year

23 CFR part 620 — Engineering

23 CFR part 625 — Design Standards for Highways

23 CFR part 626 — Pavement Policy

23 CFR part 627 — Value Engineering

23 CFR part 630 — Preconstruction Procedures

23 CFR part 633 — Required Contract Provisions

23 CFR part 635 — Construction and Maintenance

23 CFR part 636 — Design-Build Contracting

23 CFR part 637 — Construction Inspection and Approval

23 CFR part 640 — Certification acceptance

23 CFR part 645 — Utilities

23 CFR part 646 — Railroads

23 CFR part 650 — Bridges, Structures, and Hydraulics

23 CFR part 652 — Pedestrian and Bicycle Accommodations and Projects

23 CFR part 655 — Traffic Operations

23 CFR part 656 — Carpool and Vanpool Projects

23 CFR part 658 — Truck size and weight, route designations—length, width and weight limitations

23 CFR part 660 — Special Programs (Direct Federal)

23 CFR part 661 — Indian Reservation Roads

23 CFR part 668 — Emergency Relief Program

23 CFR part 669 — Enforcement of Heavy Vehicle Use Tax

**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	None	1998	1999
2	None	1999	2000
3	None	2000	2001
4	None	2001	2002
5	None	2002	2003
6	49 CFR parts 372 subpart A, 381, 386, and 388-389	2003	2004
7	49 CFR parts 325, 350, 355, 382-385, 390-393, and 396-399	2004	2005
8	49 CFR parts 356, 367, 370-371, 372 subparts B-C, 373-374, 376, and 379	2005	2006
9	49 CFR parts 360, 365-366, 368, 377-378, and 387	2006	2007
10	49 CFR 375, 395, and new parts and subparts	2007	2008

Year 6 (Fall 2004) List of rules analyzed and a summary of the results

49 CFR part 372 — Subpart A — Exemptions

- Section 610: No SEIOSNOSE. These rules have no significant economic impact on a substantial number of small entities because they identify certain transportation exempt from economic regulation.
- Plain Language: This subpart is easy to read and understand; therefore, no rewrite is currently planned.
- General: This subpart contains provisions designed to reduce the economic impact on small entities.

49 CFR part 381 — Waivers, Exemptions and Pilot Programs

- Section 610: No SEIOSNOSE. These rules have no significant economic impact on a substantial number of small entities because they explain the requirements and procedures for submitting and handling requests for waivers and applications for exemptions and the initiation and administration of pilot programs.
- Plain Language: These rules were very clearly written.

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- General: FMCSA adopted as final interim regulations in part 381 in 2004.
- 49 CFR part 386 — Rules of Practice for Motor Carrier, Broker, Freight Forwarder, and Hazardous Materials Proceedings
- Section 610: No SEIOSNOSE. These rules have no significant economic impact on a substantial number of small entities because they are procedural rules that apply in agency administrative enforcement proceedings for violations of the motor carrier safety regulations and the economic regulations.
- Plain Language: Where confusing or wordy language is identified, we will make revisions.
- General: FMCSA published a supplemental NPRM proposing revisions to part 386 in 2004.
- 49 CFR part 388 — Cooperative Agreements with States
- Section 610: No SEIOSNOSE. These regulations have no significant economic impact on a substantial number of small entities because they apply to States that are not small entities and govern how the agency enters into cooperative agreements with States.
- Plain Language: The text is clear and well organized; therefore, no rewrite is currently planned.
- General: Participation in these procedures is voluntary.
- 49 CFR part 389 — Rulemaking Procedures — Federal Motor Carrier Safety Regulations
- Section 610: No SEIOSNOSE. These regulations have no significant economic impact on a substantial number of small entities because they merely describe the agency’s rulemaking procedures. Participation in these agency procedures is voluntary.
- Plain Language: The text is clear and well organized; therefore, no rewrite is currently planned.
- General: Participation in these procedures is voluntary.

Year 7 (Fall 2005) List of rules to be analyzed during the next year

- 49 CFR part 325 — Compliance with interstate motor carrier noise emission standards
- 49 CFR part 350 — Commercial motor carrier safety assistance program
- 49 CFR part 355 — Compatibility of State laws and regulations affecting interstate motor carrier operations
- 49 CFR part 382 — Controlled substances and alcohol use and testing
- 49 CFR part 383 — Commercial driver’s license standards; requirements and penalties
- 49 CFR part 384 — State compliance with commercial driver’s license program
- 49 CFR part 385 — Safety Fitness Procedures
- 49 CFR part 390 — Federal motor carrier safety regulations; general
- 49 CFR part 391 — Qualifications of drivers
- 49 CFR part 392 — Driving of commercial motor vehicles
- 49 CFR part 393 — Parts and accessories necessary for safety operation
- 49 CFR part 396 — Inspection, repair, and maintenance
- 49 CFR part 397 — Transportation of hazardous materials; driving and parking rules
- 49 CFR part 398 — Transportation of migrant workers
- 49 CFR part 399 — Employee safety and health standards

**NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR parts 501 through 526 and 571.213	1998	1999
2	49 CFR parts 571.131, 571.217, 571.220-571.222	1999	2000
3	49 CFR parts 571.101-571.110, and 571.135	2000	2001
4	49 CFR parts 529-579, except 571	2001	2002
5	49 CFR parts 571.111-571.129, and 580-590	2002	2003
6	49 CFR part 571.201-571.212	2003	2004
7	49 CFR parts 571.214-571.219, except 571.217	2004	2005
8	49 CFR parts 591-594	2005	2006
9	49 CFR parts 571.223-571.304, 500, and new parts and subparts under 49 CFR	2006	2007
10	23 CFR parts 1200-1300, and new parts and subparts	2007	2008

Year 5 (Fall 2002) List of rules analyzed and a summary of the results

- 49 CFR part 571.111 — Rearview mirrors
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 571.112 — [Reserved]
- 49 CFR part 571.113 — Hood latch system
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 571.114 — Theft protection

DOT

- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 571.115 — [Reserved]
- 49 CFR part 571.116 — Motor vehicle brake fluids
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 571.117 — Retreaded pneumatic tires
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 571.118 — Power-operated window, partition, and roof panel systems
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 571.119 — New pneumatic tires for motor vehicles with a GVWR of more than 4,536 kilograms (10,000 pounds) and motorcycles
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: This rule is being amended using plain language techniques. Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 571.120 — Tire selection and rims for motor vehicles with a GVWR of more than 4,536 kilograms (10,000 pounds)
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 571.121 — Air brake systems
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 571.122 — Motorcycle brake systems
- Section 610: No SEIOSNOSE. No small entities are affected.
- Plain Language: This rule is being amended using plain language techniques. Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 571.123 — Motorcycle controls and displays
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 571.124 — Accelerator control systems
- Section 610: No SEIOSNOSE. No small entities are affected.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 571.125 — Warning devices
- Section 610: No SEIOSNOSE. No small entities are affected.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 571.126 — 571.128 — [Reserved]
- 49 CFR part 571.129 — New non-pneumatic tires for passenger cars
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: This rule is revised using plain language techniques. Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 580 — Odometer disclosure requirements
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 581 — Bumper standards
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: This rule is being amended using plain language techniques. Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 582 — Insurance cost information regulation
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
49 CFR part 583 — Automobile parts content labeling

DOT

- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 585 — Advanced air bag phase-in reporting requirements
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 586 — Side impact phase-in reporting requirements
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 587 — Deformable barriers
- Section 610: No SEIOSNOSE. The rule does not have a significant economic impact on a substantial number of small entities.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 588 — Child restraint systems recordkeeping requirements
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.

Year 6 (Fall 2003) List of rules analyzed and a summary of the results

- 49 CFR part 571.201 — Occupant protection in interior impact
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 571.202 — Head restraints
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 571.203 — Impact protection for the driver from the steering control system
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 571.204 — Steering control rearward displacement
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 571.205 — Glazing materials
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 571.206 — Door locks and door retention components
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 571.207 — Seating systems
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: This rule is being amended using plain language techniques. Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 571.208 — Occupant crash protection
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 571.209 — Seat belt assemblies
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 571.210 — Seat belt assembly anchorages
- Section 610: No SEIOSNOSE. No small entities are affected.
- Plain Language: This rule is being amended using plain language techniques. Where confusing or wordy language has been identified, we will make revisions.
- 49 CFR part 571.211 — [Reserved]
- 49 CFR part 571.212 — Windshield mounting

DOT

- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.

Year 7 (Fall 2004) List of Rules that will be analyzed during the next year

- 49 CFR parts 571.214 — Side impact protection
- 49 CFR parts 571.215 — [Reserved]
- 49 CFR parts 571.216 — Roof crush resistance
- 49 CFR parts 571.218 — Motorcycle helmets
- 49 CFR parts 571.219 — Windshield zone intrusion

**FEDERAL RAILROAD ADMINISTRATION
SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR parts 200 through 201	1998	1999
2	49 CFR parts 207, 209, 211, 215, and 256	1999	2000
3	49 CFR parts 210, 212, 214, and 217	2000	2001
4	49 CFR part 219	2001	2002
5	49 CFR parts 218 and 221	2002	2003
6	49 CFR parts 216 and 228 through 229	2003	2004
7	49 CFR parts 223 and 233	2004	2005
8	49 CFR parts 225, 231, and 234	2005	2006
9	49 CFR parts 235 through 236, 250, 260, and 266	2006	2007
10	49 CFR parts 213, 220, 230, 232, 239, 240, and 265	2007	2008

Year 6 (Fall 2003) List of Rules analyzed and a summary of the results

49 CFR part 216 — Special Notice and Emergency Order Procedures: Railroad Track, Locomotive and Equipment

- Section 610: There is no SEIOSNOSE. The rule only applies when a railroad freight car is not in conformity with the FRA Freight Car Safety Standards; when a locomotive is not safe to operate; when railroad passenger equipment is not in conformity with the FRA Passenger Equipment Safety Standards; or when track does not comply with the requirements for the class at which it is being operated. Since the promulgation of the rule in 1976, a total of 23 Emergency Orders to remove track from service have been issued, only two of which were for small railroads. After making the necessary repairs and receiving FRA's certification of safety, these railroads resumed operations. Also, since the smaller railroads normally do not operate in speed ranges above what is established by the FRA for Class I track, small railroads rarely receive Special Notices for Repairs related to track class.
- Plain Language: FRA's plain language review of this rule indicates no need for substantial revision.
- General: Since the rule deals with Special Notices for Repairs of railroad freight cars, locomotives, passenger equipment and track class, and provides for the issuance and review of Emergency Orders for removing dangerously substandard track from service, it provides safety and protection for railroad employees and the public.

49 CFR part 228 — Hours of Service of Railroad Employees

- Section 610: There is no SEIOSNOSE. Since small railroads may extend their employee service hours, on a limited basis, up to a total of 16 hours worked in any 24-hour period, this rule will not create any disproportionate economic burden.
- Plain Language: FRA's plain language review of this rule indicates no need for substantial revision.
- General: Since the rule prescribes reporting and record keeping requirements with respect to the hours of service of each railroad employee and establishes standards and procedures concerning the construction or reconstruction of employee sleeping quarters, it promotes the safety of railroad operations and employees.

49 CFR part 229 — Railroad Locomotive Safety Standards

- Section 610: There is a SEIOSNOSE. These are minimum Federal standards for railroad locomotive safety. The FRA will conduct a formal review to identify whether opportunities exist to reduce the burden on small railroads without compromising safety standards.
- Plain Language: FRA's plain language review of this rule indicates that there is no need for substantial revision.
- General: Since the rule prescribes minimum Federal safety standards for all locomotives except those propelled by steam power, these regulations are necessary to achieve effective and improved compliance with railroad locomotive safety standards, and to minimize casualties.

Year 7 (Fall 2004) List of Rules that will be analyzed during the next year

- 49 CFR part 223 — Safety glazing regulations
- 49 CFR part 233 — Signal system reporting regulations

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**FEDERAL TRANSIT ADMINISTRATION
SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	None	1998	1999
2	None	1999	2000
3	None	2000	2001
4	49 CFR parts 661 and 665	2001	2002
5	None	2002	2003
6	None	2003	2004
7	49 CFR parts 601 and 659	2004	2005
8	49 CFR parts 604 and 605	2005	2006
9	49 CFR parts 661 and 665	2006	2007
10	49 CFR parts 624 and 633	2007	2008

Year 7 (Fall 2004) List of Rules that will be analyzed during the next year

- 49 CFR part 601 — Organization, Function, and Procedures
- 49 CFR part 659 — Rail Fixed Guideway Systems; State Safety Oversight

**MARITIME ADMINISTRATION
SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	46 CFR parts 201 through 207	1998	1999
2	46 CFR parts 221 through 232	1999	2000
3	46 CFR parts 249 through 295	2000	2001
4	46 CFR part 298	2001	2002
5	46 CFR parts 307 through 310	2002	2003
6	46 CFR parts 315 through 339	2003	2004
7	46 CFR parts 340 and 347	2004	2005
8	46 CFR parts 349 through 380	2005	2006
9	46 CFR parts 381 through 387	2006	2007
10	46 CFR parts 390 through 391	2007	2008

Year 6 (Fall 2003) List of rules analyzed and a summary of the results.

- 46 CFR part 315 — Agency agreements and appointment of agents
 - Section 610: No SEISNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
 - Plain Language: Where confusing or wordy language has been identified, we will make revisions.
 - General: We will continue to review these regulations and make changes when necessary.
- 46 CFR part 317 — Bonding of ship's personnel
 - Section 610: No SEISNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
 - Plain Language: Where confusing or wordy language has been identified, we will make revisions.
 - General: We will continue to review these regulations and make changes when necessary.
- 46 CFR part 324 — Procedural rules for financial transactions under Agency agreements
 - Section 610: No SEISNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
 - Plain Language: MARAD will rewrite the regulation using plain language techniques when the opportunity and resources become available.
 - General: We will continue to review these regulations and make changes when necessary.
- 46 CFR part 325 — Procedure to be followed by general agents in preparation of invoices and payment of compensation pursuant to provisions of NSA Order No. 47
 - Section 610: No SEISNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
 - Plain Language: Where confusing or wordy language has been identified, we will make revisions.
 - General: We will continue to review these regulations and make changes when necessary.
- 46 CFR part 326 — Marine protection and indemnity insurance under agreements with agents
 - Section 610: No SEISNOSE. The rule does not have a significant economic impact on a substantial number of small entities.
 - Plain Language: MARAD will rewrite the regulation using plain language techniques when the opportunity and resources become available.

DOT

- General: We will continue to review these regulations and make changes when necessary.
- 46 CFR part 327 — Seamen's claims; administrative action and litigation
- Section 610: No SEISNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- General: We will continue to review these regulations and make changes when necessary.
- 46 CFR part 328 — Slop chests
- Section 610: No SEISNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- General: We will continue to review these regulations and make changes when necessary.
- 46 CFR part 329 — Voyage data
- Section 610: No SEISNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: MARAD will rewrite the regulation using plain language techniques when the opportunity and resources become available.
- General: We will continue to review these regulations and make changes when necessary.
- 46 CFR part 330 — Launch services
- Section 610: No SEISNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: MARAD will rewrite the regulation using plain language techniques when the opportunity and resources become available.
- General: We will continue to review these regulations and make changes when necessary.
- 46 CFR part 332 — Repatriation of seamen
- Section 610: No SEISNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: MARAD will rewrite the regulation using plain language techniques when the opportunity and resources become available.
- General: We will continue to review these regulations and make changes when necessary.
- 46 CFR part 335 — Authority and responsibility of general agents to undertake emergency repairs in foreign ports
- Section 610: No SEISNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: MARAD will rewrite the regulation using plain language techniques when the opportunity and resources become available.
- General: We will continue to review these regulations and make changes when necessary.
- 46 CFR part 336 — Authority and responsibility of general agents to undertake in continental United States ports voyage repairs and service equipment of vessels operated for the account of the National Shipping Authority under general agency agreement
- Section 610: No SEISNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: MARAD will rewrite the regulation using plain language techniques when the opportunity and resources become available.
- General: We will continue to review these regulations and make changes when necessary.
- 46 CFR part 337 — General agent's responsibility in connection with foreign repair custom's entries
- Section 610: No SEISNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: MARAD will rewrite the regulation using plain language techniques when the opportunity and resources become available.
- General: We will continue to review these regulations and make changes when necessary.
- 46 CFR part 338 — Procedure for accomplishment of vessel repairs under National Shipping Authority master lump sum repair contract - NSA-LUMPSUMREP
- Section 610: No SEISNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: MARAD will rewrite the regulation using plain language techniques when the opportunity and resources become available.
- General: We will continue to review these regulations and make changes when necessary.
- 46 CFR part 339 — Procedure for accomplishment of ship repairs under National Shipping Authority individual contract for minor repairs — NSA-WORKSMALREP
- Section 610: No SEISNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
- Plain Language: Where confusing or wordy language has been identified, we will make revisions.
- General: We will continue to review these regulations and make changes when necessary.

DOT

Year 7 (Fall 2004) List of rules that will be analyzed during the next year

- 46 CFR part 340 — Priority use and allocation of shipping services, containers and chassis, and port facilities and services for national security and national defense related operations
- 46 CFR part 345 — Restrictions upon the transfer or change in use or in terms governing utilization of port facilities
- 46 CFR part 346 — Federal port controllers
- 46 CFR part 347 — Operating contract

**PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION (PHMSA)
SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR sections 171.15, 171.16 (incident reports)	1998	1999
2	49 CFR parts 106 and 107 (hazardous materials safety procedures), 171 (general hazmat requirements), 190 (pipeline safety procedures), and 195 (hazardous liquid pipeline corrosion control)	1999	2000
3	49 CFR parts 174, 177 (rail and highway carriage), 191 (gas pipeline transportation reports), and 192 (gas pipeline corrosion control)	2000	2001
4	49 CFR parts 176 (vessel carriage) and 199 (pipeline employee drug and alcohol testing)	2001	2002
5	49 CFR parts 172, 173, 174, 175, 176, 177, and 178 (radioactive material)	2002	2003
6	49 CFR parts 172, 173, 174, 176, and 178 (explosives), and 193 (liquefied natural gas facilities), and parts 172, 173, 178, and 180 (cylinders)	2003	2004
7	49 CFR 173 (shipper requirements) and 194 (onshore oil pipeline response plans)	2004	2005
8	49 CFR parts 110 (training and planning grants), 178 (non-bulk packaging) and 195 (hazardous liquid pipeline transportation)	2005	2006
9	49 CFR parts 178 through 180 (bulk packaging) and 198 (State pipeline safety grants)	2006	2007
10	49 CFR parts 172 (communications, emergency response, training and hazmat table) and 175 (air carriage)	2007	2008

Year 6 (Fall 2003) List of rules analyzed and a summary of results

NOTE 1: THOSE SECTIONS OF THE FOLLOWING PARTS THAT PERTAIN TO THE TRANSPORTATION OF EXPLOSIVES ONLY

- 49 CFR part 172 — Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements
 - Section 610: No SEIOSNOSE. The requirements apply to persons who offer for transportation or transport explosive materials in commerce. While the regulations apply to a substantial number of small entities, they do not have a significant economic impact on those entities. The requirements have little or no impact on entry to or exit from the industry. Moreover, requirements generally are consistent with international transportation standards, thereby facilitating international transportation and trade, and the regulations permit shippers to take advantage of exceptions for certain types and amounts of material shipped.
 - Plain language: As resources permit, PHMSA will rewrite regulations using plain language techniques.
 - General: PHMSA will consider comments provided by industry.
- 49 CFR part 173 — Shippers — General Requirements for Shipments and Packagings
 - Section 610: No SEIOSNOSE. The requirements apply to persons who offer for transportation or transport explosive materials in commerce. While the regulations apply to a substantial number of small entities, they do not have a significant economic impact on those entities. The requirements have little or no impact on entry to or exit from the industry. Moreover, requirements generally are consistent with international transportation standards, thereby facilitating international transportation and trade, and the regulations permit shippers to take advantage of exceptions for certain types and amounts of material shipped.
 - Plain language: As resources permit, PHMSA will rewrite regulations using plain language techniques.
 - General: PHMSA will consider comments provided by industry.
- 49 CFR part 174 — Carriage by Rail
 - Section 610: No SEIOSNOSE. The requirements apply to persons who offer for transportation or transport explosive materials in commerce. While the regulations apply to a substantial number of small entities, they do not have a significant economic impact on those entities. The requirements have little or no impact on entry to or exit from the industry. Moreover, requirements generally are consistent with international transportation standards, thereby facilitating international transportation and trade, and the regulations permit shippers to take advantage of exceptions for certain types and amounts of material shipped.
 - Plain language: As resources permit, PHMSA will rewrite regulations using plain language techniques.
 - General: PHMSA will consider comments provided by industry.
- 49 CFR part 175 — Carriage by Aircraft
 - Section 610: No SEIOSNOSE. The requirements apply to persons who offer for transportation or transport explosive materials in commerce. While the regulations apply to a substantial number of small entities, they do not have a significant economic impact on those entities. The requirements have little or no impact on entry to or exit from the industry. Moreover, requirements generally are consistent with international transportation standards, thereby facilitating international transportation and trade, and the regulations permit shippers to take advantage of exceptions for certain types and amounts of material shipped.

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- Plain language: As resources permit, PHMSA will rewrite regulations using plain language techniques.
- General: PHMSA will consider comments provided by industry.

49 CFR part 176 — Carriage by Vessel

- Section 610: No SEIOSNOSE. The requirements apply to persons who offer for transportation or transport explosive materials in commerce. While the regulations apply to a substantial number of small entities, they do not have a significant economic impact on those entities. The requirements have little or no impact on entry to or exit from the industry. Moreover, requirements generally are consistent with international transportation standards, thereby facilitating international transportation and trade, and the regulations permit shippers to take advantage of exceptions for certain types and amounts of material shipped.

- Plain language: As resources permit, PHMSA will rewrite regulations using plain language techniques.
- General: PHMSA will consider comments provided by industry.

49 CFR part 178 — Specifications for Packagings

- Section 610: No SEIOSNOSE. The requirements apply to persons who offer for transportation or transport explosive materials in commerce. While the regulations apply to a substantial number of small entities, they do not have a significant economic impact on those entities. The requirements have little or no impact on entry to or exit from the industry. Moreover, requirements generally are consistent with international transportation standards, thereby facilitating international transportation and trade, and the regulations permit shippers to take advantage of exceptions for certain types and amounts of material shipped.

- Plain language: As resources permit, PHMSA will rewrite regulations using plain language techniques.
- General: PHMSA will consider comments provided by industry.

NOTE 2: THOSE SECTIONS OF THE FOLLOWING PARTS THAT PERTAIN TO THE TRANSPORTATION OF HAZARDOUS MATERIALS IN CYLINDERS ONLY

49 CFR part 172 — Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements

- Section 610: No SEIOSNOSE. While the requirements applicable to cylinders apply to a substantial number of small entities, the economic impact on those entities is not significant. The regulations incorporate by reference a number of industry consensus standards concerning requirements for the design, manufacture, and requalification of cylinders. Incorporation of material by reference reduces the regulatory burden on persons who offer hazardous material for transportation and persons who transport hazardous materials in commerce. Industry standards developed and adopted by consensus are accepted and followed by the industry; thus, their inclusion in the regulations assures that the industry is not forced to comply with a different set of standards to accomplish the same safety goal. Because the HMR incorporate industry standards for the manufacture and maintenance of cylinders, the incremental cost of transporting hazardous materials in cylinders under the HMR (that is, the costs resulting from compliance with HMR manufacture and maintenance requirements over and above the costs a company would incur absent the HMR) are minimal. Further, the regulations permit shippers and carriers to apply for exemptions to the regulations, which permit the use of advanced technological developments and account for unique operational circumstances.

- Plain language: As resources permit, PHMSA will rewrite regulations using plain language techniques.
- General: PHMSA will consider comments provided by industry.

49 CFR part 173 — Shippers — General Requirements for Shipments and Packagings

- Section 610: No SEIOSNOSE. While the requirements applicable to cylinders apply to a substantial number of small entities, the economic impact on those entities is not significant. The regulations incorporate by reference a number of industry consensus standards concerning requirements for the design, manufacture, and requalification of cylinders. Incorporation of material by reference reduces the regulatory burden on persons who offer hazardous material for transportation and persons who transport hazardous materials in commerce. Industry standards developed and adopted by consensus are accepted and followed by the industry; thus, their inclusion in the regulations assures that the industry is not forced to comply with a different set of standards to accomplish the same safety goal. Because the HMR incorporate industry standards for the manufacture and maintenance of cylinders, the incremental cost of transporting hazardous materials in cylinders under the HMR (that is, the costs resulting from compliance with HMR manufacture and maintenance requirements over and above the costs a company would incur absent the HMR) are minimal. Further, the regulations permit shippers and carriers to apply for exemptions to the regulations, which permit the use of advanced technological developments and account for unique operational circumstances.

- Plain language: As resources permit, PHMSA will rewrite regulations using plain language techniques.
- General: PHMSA will consider comments provided by industry.

49 CFR part 178 — Specifications for Packagings

- Section 610: No SEIOSNOSE. While the requirements applicable to cylinders apply to a substantial number of small entities, the economic impact on those entities is not significant. The regulations incorporate by reference a number of industry consensus standards concerning requirements for the design, manufacture, and requalification of cylinders. Incorporation of material by reference reduces the regulatory burden on persons who offer hazardous material for transportation and persons who transport hazardous materials in commerce. Industry standards developed and adopted by consensus are accepted and followed by the industry; thus, their inclusion in the regulations assures that the industry is not forced to comply with a different set of standards to accomplish the same safety goal. Because the HMR incorporate industry standards for the manufacture and maintenance of cylinders, the incremental cost of transporting hazardous materials in cylinders under the HMR (that is, the costs resulting from compliance with HMR manufacture and maintenance requirements over and above the costs a company would incur absent the HMR) are

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minimal. Further, the regulations permit shippers and carriers to apply for exemptions to the regulations, which permit the use of advanced technological developments and account for unique operational circumstances.

- Plain language: As resources permit, PHMSA will rewrite regulations using plain language techniques.
- General: PHMSA will consider comments provided by industry.

49 CFR part 180 — Continuing Qualification and Maintenance of Packagings

- Section 610: No SEIOSNOSE. While the requirements applicable to cylinders apply to a substantial number of small entities, the economic impact on those entities is not significant. The regulations incorporate by reference a number of industry consensus standards concerning requirements for the design, manufacture, and requalification of cylinders. Incorporation of material by reference reduces the regulatory burden on persons who offer hazardous material for transportation and persons who transport hazardous materials in commerce. Industry standards developed and adopted by consensus are accepted and followed by the industry; thus, their inclusion in the regulations assures that the industry is not forced to comply with a different set of standards to accomplish the same safety goal. Because the HMR incorporate industry standards for the manufacture and maintenance of cylinders, the incremental cost of transporting hazardous materials in cylinders under the HMR (that is, the costs resulting from compliance with HMR manufacture and maintenance requirements over and above the costs a company would incur absent the HMR) are minimal. Further, the regulations permit shippers and carriers to apply for exemptions to the regulations, which permit the use of advanced technological developments and account for unique operational circumstances.
- Plain language: As resources permit, PHMSA will rewrite regulations using plain language techniques.
- General: PHMSA will consider comments provided by industry.

Year 6 (Fall 2003) List of rules continuing to be analyzed

49 CFR part 193 — Liquefied natural gas facilities: Federal safety standards

Year 7 (Fall 2004) List of rules that will be analyzed during the next year

49 CFR part 173 — Shippers — general requirements for shipments and packagings

49 CFR part 194 — Response plans for onshore oil pipelines

**RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION (RITA)
SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	14 CFR part 241, form 41	1998	1999
2	14 CFR part 241, schedule T-100, and part 217	1999	2000
3	14 CFR part 298, 49 CFR 1420	2000	2001
4	14 CFR part 241, section 19-7	2001	2002
5	14 CFR part 291	2002	2003
6	14 CFR part 234	2003	2004
7	14 CFR part 249	2004	2005
8	14 CFR part 248	2005	2006
9	14 CFR part 250	2006	2007
10	14 CFR part 374a, ICAO	2007	2008

Year 6 (Fall 2003) List of Rules continuing to be analyzed

14 CFR part 234 — Airline service quality performance reports

Year 7 (Fall 2004) List of Rules that will be analyzed during the next year

14 CFR part 249 — Preservation of air carrier records

**SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION
SECTION 610 AND OTHER REVIEWS**

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	33 CFR parts 401 through 403	1998	1999

SLSDC has completed all its reviews.

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1983	Use of Oxygen by Air Carrier Passengers	2105-AC29
1984	+Aviation Data Requirements Review and Modernization Program	2105-AC71
1985	+Review of Data Filed by Certificated or Commuter Air Carriers To Support Continuing Fitness Determinations Involving Citizenship Issues	2105-AD25

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Office of the Secretary—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1986	+Accommodations in Air Travel for Deaf and Hard of Hearing Individuals	2105-AD41
1987	Debarment and Suspension (Nonprocurement) Requirements	2105-AD46
1988	Short-Term Lending Program (STLP)	2105-AD50
1989	Participation by Disadvantaged Business Enterprises in Airport Concessions	2105-AD51

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1990	+Fees and Charges for Special Services	2105-AC47
1991	Americans with Disabilities Act Accessibility Standards	2105-AC86
1992	Procedures for Transportation Workplace Drug and Alcohol Testing Programs	2105-AD26
1993	+Petition of the National Air Carrier Association for Rulemaking	2105-AD38
1994	Elimination of Commuter Air Carrier Registrations	2105-AD43
1995	+Display of Joint Operations in Carrier-Owned Computer Reservations Systems Regulations	2105-AD44

Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1996	+Accessibility of Passenger Vessels to Individuals with Disabilities	2105-AB87
1997	+Nondiscrimination on the Basis of Disability in Air Travel	2105-AC97
1998	Mentor/Protege Program	2105-AD20
1999	Transportation Acquisition Regulation	2105-AD28
2000	Protection of Sensitive Security Information (SSI)	2105-AD33
2001	+Navigation of Foreign Civil Aircraft within the United States	2105-AD39
2002	Procedures for Transportation Workplace Drug and Alcohol Testing Programs	2105-AD47
2003	Disclosure of Code Sharing and Long-Term Wet Lease Arrangements	2105-AD49

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2004	Participation by Disadvantaged Business Enterprises in Department of Transportation Programs	2105-AC91
2005	Reports by Carriers on Incidents Involving Animals During Air Transport	2105-AD48

Federal Aviation Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2006	+Certification Procedures for Products and Parts (Section 610 Review)	2120-AG93

Federal Aviation Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2007	Safe, Efficient Use and Preservation of the Navigable Airspace	2120-AH31
2008	Airworthiness Standards for Classes B and F Cargo Compartment for Transport Category Airplanes	2120-AH47
2009	Performance and Handling Qualities Requirements for Rotorcraft	2120-AH87

DOT

Federal Aviation Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2010	+Aging Aircraft Program (Widespread Fatigue Damage)	2120-AI05
2011	High-Intensity Radiated Fields	2120-AI06
2012	Service Difficulty Reports	2120-AI08
2013	Airplane Performance and Handling Qualities in Icing Conditions	2120-AI14
2014	+Flightdeck Door Monitoring and Crew Discreet Alerting System	2120-AI16
2015	+Washington, DC, Metropolitan Area Special Flight Rules Area	2120-AI17
2016	+Transport Airplane Fuel Tank Flammability Reduction	2120-AI23
2017	+Enhanced Airworthiness Program for Airplane Systems (EAPAS) and SFAR 88	2120-AI31
2018	+Aging Aircraft Safety—Development of TC and STC Holder Data	2120-AI32
2019	FAA-Approved Child Restraint Systems	2120-AI36
2020	Miscellaneous Changes to Commercial Space Transportation Regulations	2120-AI45
2021	Safety Approvals	2120-AI50
2022	+Part 145: Repair Stations—Ratings and Quality System	2120-AI53
2023	Experimental Permit for Suborbital Reusable Launch Vehicles	2120-AI56
2024	+Commercial Human Space Flight Regulations Pertaining to Crew and Space Flight Participants	2120-AI57
2025	Special Requirements for Special Use Transport Category Airplanes	2120-AI61

Federal Aviation Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2026	Instrument Flight Rules	2120-AA63
2027	Airworthiness Directives	2120-AA64
2028	Standard Instrument Approach Procedures	2120-AA65
2029	+Airspace Actions	2120-AA66
2030	+Retrofit of Improved Seats in Air Carrier Transport Category Airplanes	2120-AC84
2031	Air Traffic Control Radar Beacon System and Mode S Transponder Requirements in the National Airspace System	2120-AE81
2032	+National Air Tour Safety Standards	2120-AF07
2033	+False and Misleading Statements Regarding Aircraft Parts	2120-AG08
2034	+Licensing and Safety Requirements for Launch	2120-AG37
2035	+Training in the Recognition of Hazardous Material	2120-AG75
2036	+Revisions to Digital Flight Data Recorder Regulations for B-737 Airplanes and for Part 125 Operators	2120-AG87
2037	+Flight Simulation Device Qualification	2120-AH07
2038	Revisions to the Industry Drug and Alcohol Testing Regulations	2120-AH14
2039	Noise Stringency Increase for Single-Engine Propeller-Driven Small Airplanes	2120-AH44
2040	+Transponder Continuous Operation	2120-AH67
2041	Area Navigation (RNAV) and Miscellaneous Amendments	2120-AH77
2042	Establishment of Organization Designation Authorization (ODA) Procedures	2120-AH79
2043	Airman and Medical Certificate Disqualification Based on Alcohol Violations and Refusals to Submit to Drug or Alcohol Testing	2120-AH82
2044	+Ineligibility for an Airman Certificate Based on Security Grounds	2120-AH84
2045	+Stage 4 Aircraft Noise Standards	2120-AH99
2046	+Extended Operations (ETOPS) of Multi-Engine Airplanes	2120-AI03
2047	+Process for Requesting Waiver of Mandatory Separation Age for Certain Federal Aviation Administration (FAA) Air Traffic Controllers	2120-AI18
2048	Implementing the Maintenance Provisions of Bilateral Agreements	2120-AI19
2049	+Fuel Tank Safety Compliance Extension (Final Rule) and Aging Airplane Program Update (Notice)	2120-AI20
2050	Harmonization of Noise Certification Standards for Propeller-Driven Small Airplanes	2120-AI25
2051	Use of Certain Portable Oxygen Concentrator Devices Onboard Air Carrier Aircraft	2120-AI30
2052	Airport Noise Compatibility Planning	2120-AI37
2053	Second-in-Command Type Rating	2120-AI38
2054	Part 97 Incorporation by Reference (IBR) Revision	2120-AI39
2055	Safety Standards for Flight Guidance Systems	2120-AI41
2056	Proposed Operating Limitations for Unscheduled Operations at Chicago's O'Hare International Airport	2120-AI47
2057	+Congestion and Delay Reduction at Chicago O'Hare International Airport	2120-AI51
2058	Civil Penalty Inflation Adjustment Revisions	2120-AI52

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Federal Aviation Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2059	Definition of Commuter Aircraft at Ronald Reagan Washington National Airport	2120-AI58
2060	Advanced Qualification Program	2120-AI59

Federal Aviation Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2061	+Drug Enforcement Assistance	2120-AD16
2062	+Flight Crewmember Duty Limitations and Rest Requirements	2120-AF63
2063	+Child Restraint Systems	2120-AG43
2064	+Revisions to Cockpit Voice Recorder and Digital Flight Data Recorder Regulations	2120-AH88
2065	Issuance of Standard Airworthiness Certificates for Aircraft Manufactured From Spare and Surplus Parts	2120-AH90
2066	+Drug Enforcement Assistance	2120-AI43

Federal Aviation Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2067	+Aging Aircraft Safety	2120-AE42
2068	+Revision of Emergency Evacuation Demonstration Procedures to Improve Participant Safety	2120-AF21
2069	+Noise Limitations for Aircraft Operations in the Vicinity of Grand Canyon National Park	2120-AG34
2070	+Security Considerations for the Flightdeck on Foreign Operated Transport Category Airplanes	2120-AH70
2071	+Picture Identification Requirements	2120-AH76
2072	Flightdeck Security on Foreign-Operated Airplanes	2120-AH86
2073	Carriage of Candidates in Federal Elections in 14 CFR Part 91 Special Flight Operations	2120-AI12
2074	Part 158 - Statutory and Administrative Changes (PFCs)	2120-AI15
2075	Temporary Flight Restrictions in the Vicinity of Sporting Events	2120-AI33
2076	Pyrotechnic Signaling Devices	2120-AI42
2077	Redesignation of Mountainous Areas in Alaska	2120-AI44
2078	Cape Town Treaty Implementation	2120-AI48
2079	+Security Considerations in the Design of the Flightdeck on TCAs	2120-AI54
2080	Automatic External Defibrillator	2120-AI55
2081	Repair Stations	2120-AI60

Federal Highway Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2082	Project Authorization and Agreement	2125-AF05

Federal Highway Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2083	Environmental Impact and Related Procedures	2125-AF04

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Federal Highway Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2084	+National Standards for Traffic Control Devices; the Manual on Uniform Traffic Control Devices for Streets and Highways; Maintaining Traffic Sign Retroreflectivity	2125-AE98

Federal Highway Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2085	Highway Bridge Replacement and Rehabilitation Program	2125-AE75
2086	+National Bridge Inspection Standards	2125-AE86
2087	Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs	2125-AE97
2088	The Manual on Uniform Traffic Control Devices to Streets and Highways; Specific Service and General Service Signing for 24-Hour Pharmacies	2125-AF02
2089	Procedures for the Abatement of Highway Traffic Noise and Construction Noise	2125-AF03

Federal Motor Carrier Safety Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2090	+Medical Qualification Requirements as Part of the CDL Process	2126-AA10
2091	+Unified Registration System	2126-AA22
2092	+New Entrant Safety Assurance Process	2126-AA59
2093	+Certification of Safety Auditors, Safety Investigators, and Safety Inspectors	2126-AA64
2094	Acute and Critical Violations	2126-AA77
2095	+Inspection, Repair and Maintenance of Intermodal Container Chassis	2126-AA86
2096	Cargo Securement Standards	2126-AA88
2097	+Parts and Accessories Necessary for Safe Operations; Surge Brake Requirements	2126-AA91

Federal Motor Carrier Safety Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2098	+Commercial Driver's License Standards; Biometric Identifier	2126-AA01
2099	+Commercial Learner Permits	2126-AA03
2100	+Qualification of Drivers; Field of Vision	2126-AA05
2101	Rules of Practice for Motor Carrier Proceedings; Investigations; Disqualifications and Penalties	2126-AA15
2102	+Transportation of Household Goods; Consumer Protection Regulations (Section 610 Review)	2126-AA32
2103	Safety Fitness Procedures; Safety Ratings	2126-AA37
2104	Parts and Accessories Necessary for Safe Operation; General Amendments	2126-AA61
2105	+Certification of Compliance With Federal Motor Vehicle Safety Standards (FMVSS)	2126-AA69
2106	+Penalties, Inspection, and Decal Display Requirements for Mexico-Domiciled Motor Carriers	2126-AA72
2107	+Hours of Service of Drivers; Supporting Documents	2126-AA76
2108	+Enforcement of Operating Authority Requirements	2126-AA78
2109	Title VI Regulations for FMCSA Financial Assistance Recipients	2126-AA79
2110	Qualifications of Motor Carriers To Self-Insure Their Operations and Fees To Support the Approval and Compliance Process; Withdrawal	2126-AA82
2111	+Hours of Service of Drivers	2126-AA90

DOT

Federal Motor Carrier Safety Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2112	+Railroad-Highway Grade Crossing Safety	2126-AA18
2113	General Jurisdiction Over Freight Forwarder Service	2126-AA25
2114	+Application by Certain Mexico-Domiciled Motor Carriers to Operate Beyond U.S. Municipalities and Commercial Zones on the U.S.-Mexico Border	2126-AA34
2115	+Safety Monitoring System and Compliance Initiative for Mexico-Domiciled Motor Carriers Operating in the United States	2126-AA35
2116	+Limitations on the Issuance of Commercial Driver Licenses With a Hazardous Materials Endorsement	2126-AA70
2117	+Brokers of Household Goods Transportation by Motor Vehicle	2126-AA84
2118	+Electronic On-Board Recorders for Hours-of-Service Compliance	2126-AA89

Federal Motor Carrier Safety Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2119	+Hours of Service of Drivers—Sleeper Berth Rest Period	2126-AA85

National Highway Traffic Safety Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2120	+Reforming the Automobile Fuel Economy Standards Program	2127-AJ17

National Highway Traffic Safety Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2121	+Rear Convex Cross-View Mirrors	2127-AG41
2122	+Roof Crush Resistance	2127-AG51
2123	Child Restraint System Webbing Strength	2127-AI66
2124	Vehicles Built in Two or More Stages—Standard 201	2127-AI93
2125	Part 571.3 Definitions, Designated Seating Position	2127-AI94
2126	FMVSS 114, Theft Protection	2127-AJ31
2127	+Reduced Stopping Distance Requirements for Truck Tractors	2127-AJ37
2128	FMVSS 213, Addition of 10-Year-Old Test Dummy	2127-AJ44
2129	Subpart T Hybrid III-10C Dummy, 10-Year-Old Child	2127-AJ49
2130	Buses Manufactured in Two or More Stages; Certification of Buses Manufactured in More Than One Stage	2127-AJ56
2131	Motor Home and Travel Trailer Cargo Carrying Capacity and Loading Information Requirements	2127-AJ57
2132	FMVSS No. 208 CRS Installation Procedure for LATCH-Equipped Seats	2127-AJ59
2133	+Light Truck Average Fuel Economy Standards, Model Year 2008 and Possibly Beyond	2127-AJ61
2134	Civil and Criminal Penalties	2127-AJ62
2135	Replacement Lamps	2127-AJ67
2136	Safety Recalls	2127-AJ68

National Highway Traffic Safety Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2137	+Upgrade Door Retention Performance	2127-AH34
2138	Modernize Controls and Displays	2127-AI09
2139	Seat Belt Emergency Locking Retractor	2127-AI38
2140	Idle Stop Technology Used in Some Hybrid Electric Vehicles	2127-AI43

DOT

National Highway Traffic Safety Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2141	Procedures for Participating In and Receiving Data From the National Driver Registration Problem Driver Pointer System	2127-AI45
2142	Parking Brakes for Non-School Bus Vehicles	2127-AI47
2143	Convex Mirrors for Commercial Trucks	2127-AI52
2144	Enhanced Passenger-Side Mirror System	2127-AI53
2145	Record Retention of Retroactively Certified Vehicles: National Driver Registration	2127-AI60
2146	Motorcycle Brake Controls	2127-AI67
2147	+Event Data Recorders	2127-AI72
2148	Incorporation of EuroSID II Dummy Into 49 CFR Part 572	2127-AI89
2149	CRS Registration Rulemaking, FMVSS No. 213 and Part 588	2127-AI95
2150	Adaptive Frontal Lighting	2127-AI97
2151	+5th Percentile Dummy Belted Barrier Crash Test Requirements—Standard 208	2127-AI98
2152	Vehicle Modifications to Accommodate People with Disabilities	2127-AJ07
2153	+Side Impact Protection Upgrade—FMVSS No. 214	2127-AJ10
2154	Federal Motor Vehicle Safety Standards Definition of Low-Speed Vehicles	2127-AJ12
2155	Incorporation of SID-IIs Side Impact Crash Test Dummy into Part 572	2127-AJ16
2156	Response to Petitions for Reconsideration of the July 25, 2003, FMVSS No. 205 Final Rule	2127-AJ43
2157	FMVSS No. 217; Bus Emergency Exits and Window Retention and Release, Response to Petitions for Reconsideration	2127-AJ47
2158	Defect and Noncompliance Responsibility and Reports, Defect and Noncompliance Notification	2127-AJ48
2159	Extension of Parts Marking—Response to Petitions for Reconsideration	2127-AJ51
2160	Theft Data for Calendar Year 2003	2127-AJ53
2161	Insurer Reporting Requirements for October 2005	2127-AJ54
2162	Platform Lifts: Second Response to Petitions for Reconsideration	2127-AJ55
2163	Petitions for Reconsideration FMVSS No. 201 Seat Belt Mounting Structure Definition	2127-AJ60
2164	Petition for Reconsideration of Amendments to Regulations Governing the Importation by Registered Importers of Motor Vehicles	2127-AJ63
2165	Final Rule, Petition for Reconsideration, FMVSS No. 301, Fuel System Integrity Rulemaking	2127-AJ64
2166	+Tire Safety	2127-AJ65
2167	Procedures for Participating In and Receiving Data From the National Driver Register Problem Driver Pointer System Pursuant to a Personnel Security Investigation and Determination	2127-AJ66

National Highway Traffic Safety Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2168	+Review: Side Impact Protection	2127-AF54
2169	Review: Redesigned Air Bags	2127-AH13
2170	+Frontal Offset Protection	2127-AH73
2171	Adaptation of Instrumented Lower Legs for Hybrid III Male and Female Adult Dummies	2127-AI39
2172	Retroactive Certification of Commercial Vehicles by Motor Vehicle Manufacturers; Recordkeeping and Record Retention	2127-AI59
2173	Importation of Commercial Motor Vehicles	2127-AI64

National Highway Traffic Safety Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2174	Seating Systems Performance	2127-AD08
2175	Certification Requirements of Multistage Vehicles	2127-AE27
2176	+Fuel Economy Standards—Rights and Responsibilities of Manufacturers in the Context of Changes in Corporate Relationships	2127-AG97
2177	+FMVSS: Head Restraints (Height and Distance Requirements)	2127-AH09
2178	Accelerator Control Systems	2127-AH71
2179	Vehicles With Raised Roofs	2127-AH74

DOT

National Highway Traffic Safety Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2180	Special Purpose Vehicles	2127-AH75
2181	Brake Hoses	2127-AH79
2182	Clarify Test Procedures for Brake Fluids	2127-AH96
2183	Improve Motorcycle Helmet Head Protection	2127-AI03
2184	Label Placement on Rear Impact Guards	2127-AI04
2185	Review: Antilock Brake Systems for Heavy Trucks	2127-AI14
2186	Review: Rear-Impact Guards for Truck Trailers	2127-AI15
2187	Cargo Carrying Capacity	2127-AI50
2188	Horizontal Discharge Trailers	2127-AI56
2189	Allow Roll-Bar During Brake Testing	2127-AI63
2190	GM Petition on Amending FMVSS No. 301 and FMVSS Nos. 208, 212, 219, 303, and 305 (Rulemaking Resulting From a Section 610 Review)	2127-AI76
2191	Warning Label and Additional Conspicuity Features for Low-Speed Vehicles	2127-AI84
2192	+Federal Motor Vehicle Safety Standards, Occupant Crash Protection	2127-AI91
2193	Amend Regulatory Definition of Motorcycle To Exclude Low-Speed Motorcycles	2127-AJ13
2194	+Tire Pressure Monitoring Systems	2127-AJ23
2195	Reforming the Automobile Fuel Economy Standards Program; Request for Product Plan Information	2127-AJ26
2196	Civil Penalties (Part 578)	2127-AJ32
2197	Defect and Non-Compliance Responsibility and Reports	2127-AJ33
2198	List of Nonconforming Vehicles Eligible for Importation	2127-AJ35
2199	Response to Petitions for Reconsideration of TREAD Child Restraint Performance (FMVSS No. 213)	2127-AJ40
2200	Reporting of Information and Communications About Potential Defects	2127-AJ41
2201	Delay of Effective Date of 49 CFR 571.403, Platform Lift Systems for Motor Vehicles and 49 CFR 571.404 Platform Lift Installation in Motor Vehicles	2127-AJ50
2202	High-Theft Lines for Model Year 2006	2127-AJ52

Federal Railroad Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2203	Revision of Method for Calculating Monetary Threshold for Reporting Rail Equipment Accidents/Incidents	2130-AB65
2204	Passenger Equipment Safety Standards; Miscellaneous Amendments and Application of Safety Appliances on Existing Passenger Equipment	2130-AB67

Federal Railroad Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2205	+Standards for Development and Use of Processor-Based Signal and Train Control Systems	2130-AA94
2206	+Locomotive Crashworthiness	2130-AB23
2207	+Locomotive Event Recorders	2130-AB34
2208	+Occupational Noise Exposure for Railroad Operating Employees	2130-AB56
2209	Retention of Current Monetary Threshold for Reporting Rail Equipment Accidents/Incidents During Calendar Year 2003 and Until Further Amended	2130-AB57
2210	Railroad Workplace Safety	2130-AB63
2211	Inspection and Maintenance Standards for Steam Locomotives	2130-AB64
2212	Civil Monetary Penalty Inflation Adjustment	2130-AB66

Federal Railroad Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2213	+Whistle Bans at Highway-Rail Grade Crossings	2130-AA71

DOT

Federal Railroad Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2214	Reflectorization of Rail Freight Rolling Stock	2130-AB41

Federal Transit Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2215	Environmental Impact and Related Procedures	2132-AA78

Federal Transit Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2216	School Bus Operations	2132-AA67
2217	+Rail Fixed Guideway Systems: State Safety Oversight	2132-AA76

Saint Lawrence Seaway Development Corporation—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2218	Seaway Regulations and Rules: Periodic Update, Various Categories	2135-AA20

Pipeline and Hazardous Materials Safety Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2219	Hazardous Materials: Requirements for Storage of Explosives During Transportation	2137-AE06

Pipeline and Hazardous Materials Safety Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2220	+Gas Gathering Line Definition	2137-AB15
2221	Pipeline Safety: Annual Update of Standards Incorporated by Reference	2137-AD68
2222	Hazardous Materials Regulations: Aluminum Cylinders — Revised Requalification and Use Criteria for the DOT 3 AL Cylinder Made of Aluminum Alloy 6351-TG	2137-AD78
2223	Hazardous Materials: Miscellaneous Packaging Amendments	2137-AD89
2224	+Hazardous Materials: Infectious Substances; Harmonization With the United Nations	2137-AD93
2225	Pipeline Safety: Hazardous Liquid Gathering Pipelines and Low-Stress Lines That Could Impact Unusually Sensitive Areas (USAs) and Commercial Navigable Waterways	2137-AD98
2226	Hazardous Materials: Revision of Requirements for Authorization of Use of International Standards	2137-AE01
2227	Pipeline Safety: Integrity Management Pipeline Repair Permitting	2137-AE07

Pipeline and Hazardous Materials Safety Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2228	+Safeguarding Food From Contamination During Transportation	2137-AC00

DOT

Pipeline and Hazardous Materials Safety Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2229	Hazardous Materials: Revision of Requirements for Carriage by Aircraft	2137-AD18
2230	+Hazardous Materials: Safety Requirements for External Product Piping on Cargo Tanks Transporting Flammable Liquids	2137-AD36
2231	+Hazardous Materials: Transportation of Lithium Batteries	2137-AD48
2232	Hazardous Materials: Miscellaneous Amendments	2137-AD87
2233	+Hazardous Materials: Requirements for Lighters and Lighter Refills	2137-AD88
2234	Hazardous Materials: Requirements for UN Standard Cylinders (Rulemaking Resulting From a Section 610 Review)	2137-AD91
2235	Harmonization With the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization's Technical Instructions	2137-AD92
2236	Pipeline Safety: Implementation of Effective Public Information Programs	2137-AD96
2237	Pipeline Safety: Criteria For Direct Assessment of Gas and Hazardous Liquid Pipelines	2137-AD97
2238	Definition of "Offer a Hazardous Material for Transportation" and "Offeror"	2137-AE04
2239	+Prohibition on the Transportation of Primary Lithium Batteries Aboard Passenger Aircraft	2137-AE05
2240	Hazardous Materials: Editorial Corrections and Miscellaneous Clarifications	2137-AE08

Pipeline and Hazardous Materials Safety Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2241	+Hazardous Materials: Transportation of Oxygen Cylinders and Oxygen Generators Aboard Aircraft	2137-AD33
2242	Hazardous Materials: Security Requirements for Motor Carriers Transporting Hazardous Materials	2137-AD70
2243	+Hazardous Materials: Enhancing Rail Transportation Security of Toxic by Inhalation Materials	2137-AE02

Pipeline and Hazardous Materials Safety Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2244	+Pipeline Safety: Response Plans for Onshore Oil Pipelines	2137-AC30
2245	+Applicability of the Hazardous Materials Regulations to Loading, Unloading, and Storage	2137-AC68
2246	Pipeline Safety: Periodic Updates to Pipeline Safety Requirements (1999)	2137-AD35
2247	Hazardous Materials: Revision of the Requirements for Hazardous Waste Manifest	2137-AD50
2248	Agency Reorganization; Nomenclature Change and Technical Amendments	2137-AD77
2249	Hazardous Materials: Exemptions into Regulations	2137-AD84
2250	Pipeline Safety: Amendments to Gas and Hazardous Liquid Pipeline Operator Personnel Qualification Program	2137-AD95

Maritime Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2251	Application Fee for Administrative Waivers of the Coastwise Trade Laws	2133-AB50
2252	Maritime Education and Training—Amendments	2133-AB63
2253	Launch Barge Waiver Program	2133-AB67

Maritime Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2254	Maritime Education and Training	2133-AB60
2255	Amended Service Obligation Reporting Requirements for State Maritime Academy Graduates	2133-AB61

DOT

Maritime Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2256	+Maritime Security Program	2133-AB62

Maritime Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2257	+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	2133-AB37
2258	+Vessel Documentation: Lease Financing for Vessels Engaged in the Coastwise Trade; Second Rulemaking	2133-AB51
2259	Amended Service Obligation Reporting Requirements for U.S. Merchant Marine Academy Graduates	2133-AB57
2260	Deferment of Service Obligations of Midshipmen Recipients of Scholarships or Fellowships	2133-AB58

Department of Transportation (DOT)
Office of the Secretary (OST)

Proposed Rule Stage

1983. USE OF OXYGEN BY AIR CARRIER PASSENGERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 41705

CFR Citation: 14 CFR 382

Legal Deadline: None

Abstract: This rule will address the carriage and use of medical oxygen devices by passengers aboard commercial aircraft. The rule will address the carriage and use of electronic medical oxygen equipment that does not contain hazardous material and it will cover other types of oxygen delivery systems in accordance with FAA standards.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Ann Gawalt, Attorney, Department of Transportation, Office of the Secretary, C-70, 400 7th Street, SW, Washington, DC 20591

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TDD Phone: 202 755-7687

Fax: 202 366-7152

Email: ann.gawalt@ost.dot.gov

RIN: 2105-AC29

1984. +AVIATION DATA REQUIREMENTS REVIEW AND MODERNIZATION PROGRAM

Priority: Other Significant

Legal Authority: 49 USC 40101; 49 USC 41101; 49 USC 41708; 49 USC 41709; 49 USC 41301; 49 USC 41501; 49 USC 41701

CFR Citation: 14 CFR 241; 14 CFR 250; 14 CFR 298; 14 CFR 374a; 14 CFR 234

Legal Deadline: None

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 the Department 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.

Timetable:

Action	Date	FR Cite
ANPRM	07/15/98	63 FR 38128
ANPRM Comment Period End	09/14/98	
Reply Comment Period End	10/13/98	
NPRM	02/17/05	70 FR 8139
NPRM Comment Period End	04/18/05	
NPRM Comment Period Extended	04/18/05	70 FR 20098
Extended NPRM Comment Period End	07/18/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected:

Undetermined

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Todd Homan, Industry Economist, Department of Transportation, Office of the Secretary, X-55, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9605

RIN: 2105-AC71

DOT—OST

Proposed Rule Stage

1985. +REVIEW OF DATA FILED BY CERTIFICATED OR COMMUTER AIR CARRIERS TO SUPPORT CONTINUING FITNESS DETERMINATIONS INVOLVING CITIZENSHIP ISSUES**Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 49 USC 401; 49 USC 411; 49 USC 417**CFR Citation:** 14 CFR 204.5**Legal Deadline:** None

Abstract: This rulemaking would clarify and codify procedures that may be used during continuing fitness reviews of U.S. carriers when citizenship is at issue. It would add a new paragraph to 14 CFR 204.5 that explains that, if the Department determines that more public procedures are needed during the course of a continuing fitness review to resolve issues relating to the carrier's citizenship, it will be done on a case-by-case basis; it would also provide examples of what these procedures may be.

Timetable:

Action	Date	FR Cite
ANPRM	07/30/03	68 FR 44675
ANPRM Comment Period End	09/29/03	
NPRM	05/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Jennifer Thibodeau, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh St., SW C-20, Washington, DC 20590

Phone: 202 366-2509

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RIN: 2105-AD25**1986. +ACCOMMODATIONS IN AIR TRAVEL FOR DEAF AND HARD OF HEARING INDIVIDUALS****Priority:** Other Significant**Legal Authority:** 49 USC 41705; 49 USC 41310; 49 USC 41702; 49 USC 41712**CFR Citation:** 14 CFR 382**Legal Deadline:** None

Abstract: This rulemaking would expand accommodations provided to deaf, hard of hearing, and deaf-blind air travelers under the Air Carrier Access Act. The purpose of this rulemaking would be to improve access for air travelers who are deaf, hard of hearing and deaf-blind during all phases of air travel, from the airport to the flight itself. This rule would apply to certain foreign and domestic air carriers.

Timetable:

Action	Date	FR Cite
NPRM	08/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

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TDD Phone: 202 755-7687

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RIN: 2105-AD41**1987. DEBARMENT AND SUSPENSION (NONPROCUREMENT) REQUIREMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 103-355, sec 2455; 108 Stat. 3327; 31 USC 6101 note; EO 11738 (3 CFR 1973 Comp., p.799); EO 12549 (3 CFR, 1986 Comp., p. 189)**CFR Citation:** 49 CFR 29**Legal Deadline:** None

Abstract: The nonsignificant NPRM would amend the Department's suspension and debarment rule by adopting optional lower tier coverage prohibiting excluded persons from participating in subcontracts at lower tiers below the first tier below a covered contract.

Timetable:

Action	Date	FR Cite
NPRM	07/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Laura Aguilar, Attorney, Department of Transportation, Office of the Secretary, C-10, Room 10102, 400 7th Street SW, Washington, DC 20590

Phone: 202-366-0365

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RIN: 2105-AD46**1988. • SHORT-TERM LENDING PROGRAM (STLP)****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 332**CFR Citation:** 49 CFR 22**Legal Deadline:** None

Abstract: This rule would provide guidelines for the Departments Short-Term Lending Program designed for disadvantaged business enterprises (DBEs) involved in transportation related contracts. In respond to the developmental needs of DBEs, the Office of Small and Disadvantaged Business Utilization and Minority Resource Center developed the Short-Term Lending Program to guarantee short-term revolving lines of credit for certified DBEs.

Timetable:

Action	Date	FR Cite
NPRM	09/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Tanika Davis, Department of Transportation, Office of the Secretary, 400 7th Street, SW, Washington, DC 20590

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Email: tanika.davis@ost.dot.gov

RIN: 2105-AD50

DOT—OST

Proposed Rule Stage

1989. • PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN AIRPORT CONCESSIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 47107; 42 USC 2000d; 49 USC 322; EO 12138**CFR Citation:** 49 CFR 26; 49 CFR 23**Legal Deadline:** None**Abstract:** This action seeks further comment on the issue of business size standards for the Department of Transportation's airport concession disadvantaged business enterprise (ACDBE) program. It also requests comment on issues such as additional

measures to combat fraud and abuse in the program and to provide additional flexibility for airports in implementing the program.

Timetable:

Action	Date	FR Cite
NPRM	03/22/05	70 FR 14520
NPRM Comment Period End	06/20/05	
SNPRM	03/22/05	70 FR 14520
SNPRM Comment Period End	06/20/05	
Final Rule	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov**Agency Contact:** Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4723
TDD Phone: 202 755-7687
Email: bob.ashby@ost.dot.gov**RIN:** 2105-AD51**Department of Transportation (DOT)
Office of the Secretary (OST)**

Final Rule Stage

1990. +FEES AND CHARGES FOR SPECIAL SERVICES**Priority:** Other Significant**Legal Authority:** 49 USC 40101; 49 USC 46101; 31 USC 9701**CFR Citation:** 14 CFR 389**Legal Deadline:** None**Abstract:** This rulemaking revises 14 CFR part 389 to bring the fees we charge to beneficiaries of certain economic, aviation-related licensing services in line with the costs incurred to provide those services. It also removes or updates obsolete provisions and organizational references included in the existing regulations. This rulemaking was recently upgraded to significant.**Timetable:**

Action	Date	FR Cite
NPRM	01/21/99	64 FR 3229
NPRM Comment Period End	03/22/99	
Final Action	05/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Federalism:** This action may have federalism implications as defined in EO 13132.**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov**Agency Contact:** John Miller, Analyst, Department of Transportation, Office of the Secretary, X-60, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4834**RIN:** 2105-AC47**1991. AMERICANS WITH DISABILITIES ACT ACCESSIBILITY STANDARDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 552a**CFR Citation:** 49 CFR 27**Legal Deadline:** None**Abstract:** The Department of Transportation is proposing to amend its rules implementing the Americans with Disabilities (ADA) by adopting as its standards revised accessibility guidelines proposed by the Access Board. The Access Board published an NPRM to revise and update the accessibility guidelines for the ADA and Architectural Barriers Act (ABA) in the November 16, 1999 issue of the Federal Register, and published final rules in July 2004. The Department's final rules will incorporate the new ADAAG as well as technical amendments the Access Board plans to make in spring 2005.**Timetable:**

Action	Date	FR Cite
NPRM	08/08/00	65 FR 48444
NPRM Comment Period End	09/07/00	
Final Action	08/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov**Agency Contact:** Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4723
TDD Phone: 202 755-7687
Email: bob.ashby@ost.dot.gov**RIN:** 2105-AC86**1992. PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING PROGRAMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 102; 49 USC 301; 49 USC 322; 49 USC 5331; 49 USC 20140; 49 USC 31306; 49 USC 45101**CFR Citation:** 49 CFR 40**Legal Deadline:** None**Abstract:** The Department of Transportation (DOT) is amending a provision of its drug and alcohol testing procedures to change one of the criteria for determining whether a urine specimen should be regarded as substituted. The amendment changes

DOT—OST

Final Rule Stage

the creatinine criterion for substitution. The change is based on the Department's experience since the adoption of its current rule and new scientific information on the subject.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/25/03	68 FR 31624
Interim Final Rule Effective	05/28/03	
Interim Final Rule Comment Period End	08/26/03	
Final Action	08/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
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TDD Phone: 202 755-7687
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RIN: 2105-AD26

1993. +PETITION OF THE NATIONAL AIR CARRIER ASSOCIATION FOR RULEMAKING

Priority: Other Significant

Legal Authority: 49 USC 40101; 49 USC 40102; 49 USC 40109; 49 USC 40113; ...

CFR Citation: 14 CFR 212

Legal Deadline: None

Abstract: The Department seeks comment on a proposal to revise its rules on charter operations. This proposal arises from a petition filed by the National Air Carrier Association (NACA). NACA seeks to make changes to the definitions and standards the Department uses to determine whether to grant or deny foreign air carrier requests to conduct certain types of international charter flights in 14 CFR part 212. The Department grants NACA's petition, and proposes to make some, but not all of the changes sought by NACA. The Department proposes to make revisions to definitions in part

212 relating to charter types, and to modify the Department's current charter application form so as to require updated reciprocity information as well as numbers of U.S.-homeland services vs. U.S.-non-homeland services. The Department does not anticipate adopting NACA's requests to impose a reciprocity standard that ensures substantially equivalent opportunities for U.S. carriers in the homeland of the applicant, or to accord U.S. carriers a right of first refusal over foreign carrier requests to conduct certain U.S.-originating charter operations. At the request of OMB, this rulemaking has been reclassified as significant.

Timetable:

Action	Date	FR Cite
NPRM	01/21/05	70 FR 3158
NPRM Comment Period End	03/22/05	
Final Rule	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George L. Wellington, Chief, Foreign Air Carrier Licensing Division, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2391

RIN: 2105-AD38

1994. ELIMINATION OF COMMUTER AIR CARRIER REGISTRATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 401, 411, 413, 415, 417, 40101, 40102, 40109; 49 USC 41113, 41101, 41103, 41301, 41504, 41702, 41708, 41712

CFR Citation: 14 CFR 201, 203; 14 CFR 205, 215; 14 CFR 298, 380; 14 CFR 385, 389

Legal Deadline: None

Abstract: The Department proposes to amend the regulations governing air taxi operators and commuter air carriers to eliminate the requirement that commuter air carriers file initial and amended registration forms. The information provided on such forms is

duplicative of information that commuter air carriers are separately required to file under other regulations. Accordingly, the proposed amendment will simplify the process of applying for and maintaining commuter air carrier authority. The Department also proposes to make conforming amendments to other rules affected by the proposed amendment, as well as to make other minor administrative, editorial, clarifying, and organizational changes to rules applicable to air taxi operators and commuter air carriers.

Timetable:

Action	Date	FR Cite
NPRM	10/28/04	69 FR 62833
NPRM Comment Period End	12/13/04	
Final Rule	05/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Vanessa Wilkins, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2105-AD43

1995. +DISPLAY OF JOINT OPERATIONS IN CARRIER-OWNED COMPUTER RESERVATIONS SYSTEMS REGULATIONS

Priority: Other Significant

Legal Authority: 49 USC 41712

CFR Citation: 14 CFR 256

Legal Deadline: None

Abstract: This rulemaking would terminate rules prohibiting airlines that own, control, or operate a computer reservations system from denying access to the system to two or more airlines whose flights share a single designator code and from discriminating against any airline because the airline uses the same designator code as another airline. This action would be consistent with the Department's determination that its

DOT—OST

Final Rule Stage

comprehensive rules governing the operation of airline computer reservations systems should be terminated (see 69 FR 976 (January 7, 2004)).

Timetable:

Action	Date	FR Cite
NPRM	04/04/05	70 FR 16990
NPRM Comment Period End	05/04/05	
Final Rule	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**
dms.dot.gov**URL For Public Comments:**
dms.dot.gov**Agency Contact:** Thomas Ray, Office of General Counsel, Department of

Transportation, Office of the Secretary, C-30, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4731
Email: tom.ray@ost.dot.gov

Related RIN: Related to 2105-AC65**RIN:** 2105-AD44
**Department of Transportation (DOT)
Office of the Secretary (OST)**

Long-Term Actions

**1996. +ACCESSIBILITY OF
PASSENGER VESSELS TO
INDIVIDUALS WITH DISABILITIES**
Priority: Other Significant**Legal Authority:** 42 USC 12101 et seq; PL 101-336, Americans with Disabilities Act**CFR Citation:** 49 CFR 37**Legal Deadline:** None

Abstract: The Department's Americans with Disabilities Act (ADA) final rule, published September 6, 1991, reserved portions of the rule concerning passenger vessels. The ADA covers passenger vessels, but issuing accessibility requirements for vessels involves complex issues unlike those affecting land transportation. This rulemaking would address these issues and propose feasible requirements to make passenger vessels accessible to, and usable by, individuals with disabilities. Timing of this rulemaking is dependent on action by the Architectural and Transportation Barriers Compliance Board (Access Board) to adopt accessibility guidelines for passenger vessels. The Access Board plans to publish an ANPRM and Notice of Availability in the summer of 2004. DOT is preparing a concurrent ANPRM.

Timetable:

Action	Date	FR Cite
ANPRM	11/26/04	69 FR 69246
ANPRM Comment Period End	03/28/05	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Federalism:** Undetermined**URL For More Information:**
dms.dot.gov**URL For Public Comments:**
dms.dot.gov

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4723
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RIN: 2105-AB87
**1997. +NONDISCRIMINATION ON THE
BASIS OF DISABILITY IN AIR TRAVEL**
Priority: Other Significant**Legal Authority:** 14 USC 41702; 14 USC 41705; 14 USC 41712**CFR Citation:** 14 CFR 382**Legal Deadline:** None

Abstract: This rulemaking would add coverage under the Air Carrier Access Act to foreign air carriers and comprehensively update and revise 14 CFR part 382. It would also clarify or propose new provisions in such areas as movable aisle armrests, preboarding announcements, and accessibility of carrier web sites. This rulemaking has been upgraded to significant.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**
dms.dot.gov**URL For Public Comments:**
dms.dot.gov

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4723
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RIN: 2105-AC97
1998. MENTOR/PROTEGE PROGRAM
Priority: Info./Admin./Other**Legal Authority:** PL 95-507**CFR Citation:** 13 CFR 124; 49 CFR 26**Legal Deadline:** None

Abstract: This rulemaking would provide motivation and encouragement to firms to assist small businesses (SB), including HUBZone small businesses (HUBZone), small disadvantaged businesses (SDB), and small women-owned businesses (WOSB), in enhancing their business operations and increasing their capacities. This action would assist the Department of Transportation in meeting its mandated small business contracts and subcontract goals, foster the establishment of long-term business relationships between these entities and prime contractors, and increase the overall number of these entities that receive DOT contract and subcontract consideration and awards.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State**URL For More Information:**

DOT—OST

Long-Term Actions

dms.dot.gov

URL For Public Comments:

dms.dot.gov

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RIN: 2105-AD20

1999. TRANSPORTATION ACQUISITION REGULATION

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301

CFR Citation: 12 CFR 1201 to 1253

Legal Deadline: None

Abstract: This rule will update the Transportation Acquisition Regulation (TAR) to reflect changes to the TAR, to reflect organizational changes in the Department, to incorporate recent statutory changes and government mandates, and to accomplish editorial changes for clarification. This rule is considered nonsignificant because it is an administrative action.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/07/05	70 FR 6506
Interim Final Rule Comment Period End	03/09/05	
Interim Final Rule Effective	04/08/05	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Elaine Wheeler, Senior Procurement Analyst, Department of Transportation, Office of the Secretary, Room 9401, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2105-AD28

2000. PROTECTION OF SENSITIVE SECURITY INFORMATION (SSI)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 70102 to 70106; 49 USC 114, 5103, 44901 to 44907; 49 USC 44913 to 44914, 44916 to 44918, 44935 to 44936; 49 USC 44942, 46105

CFR Citation: 49 CFR 15; 49 CFR 1520

Legal Deadline: None

Abstract: This is a nonsignificant technical amendment to the existing DOT/TSA SSI rule that would correct an unintended limitation in parties that have a need to know SSI. The amendment authorizes the sharing of vulnerability assessments and certain other SSI with covered persons who meet the need to know requirements regardless of mode of transportation.

Timetable:

Action	Date	FR Cite
Final Rule – Technical Amendment	01/07/05	70 FR 1379
Final Rule Effective	01/07/05	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Local, State

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4723
TDD Phone: 202 755-7687
Email: bob.ashby@ost.dot.gov

RIN: 2105-AD33

2001. +NAVIGATION OF FOREIGN CIVIL AIRCRAFT WITHIN THE UNITED STATES

Priority: Other Significant

Legal Authority: 49 USC 40102; 49 USC 40103; 49 USC 41703

CFR Citation: 14 CFR 375

Legal Deadline: None

Abstract: Part 375 of the Department's regulations, 14 CFR part 375 provides

for the operation in the United States of foreign civil aircraft that are not engaged in common carriage. Persons or entities seeking to operate foreign civil aircraft within the United States involving the carriage of persons, property and mail for remuneration or hire must obtain a foreign aircraft permit from the Department under that part. On May 16, 2003, the National Business Aircraft Association (NBAA), a trade association that represents many business aircraft operators throughout the United States, wrote to the Department requesting a policy determination that certain types of operations that its representative companies might perform using U.S.-registered foreign civil aircraft (such as carriage of a company's own officials and guests, or aircraft time-sharing, interchange or joint ownership arrangements between companies) do not, in fact, constitute operations for remuneration or hire within the meaning of part 375. The NBAA noted that a favorable response would eliminate the need for the companies involved to secure a permit for such operations. This rulemaking would amend 14 CFR part 375 to clarify those circumstances under which companies operating U.S.-registered foreign civil aircraft are not deemed to be involved in air commerce for remuneration or hire and, therefore, are not required under part 375 to obtain a foreign aircraft permit. At the request of OMB, this rulemaking has been reclassified as significant.

Timetable:

Action	Date	FR Cite
NPRM	02/07/05	70 FR 6382
NPRM Comment Period End	04/08/05	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: David Modesitt, Chief, Europe Division, Office of International Aviation, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2384

DOT—OST

Long-Term Actions

Fax: 202 366-3694

RIN: 2105-AD39

2002. PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING PROGRAMS**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 102, 301, 322, 5331, 20140, 31306, 54101**CFR Citation:** 49 CFR 40**Legal Deadline:** None**Abstract:** This interim final rule amends DOT specimen validity testing (SVT) procedures to avoid inconsistencies with a Department of Health and Human Services rule that goes into effect November 1, 2004.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/09/04	69 FR 64865
Interim Final Rule Effective	11/09/04	
Interim Final Rule Comment Period End	12/09/04	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov**Agency Contact:** Jim L Swart, Drug and Alcohol Policy Advisor, Department of Transportation, Office of the Secretary, Room 10403, 400 7th Street SW., Washington, DC 20590

Phone: 202 366-6369

Fax: 202 366-3897

Email: jim.swart@ost.dot.gov

RIN: 2105-AD47

2003. • DISCLOSURE OF CODE SHARING AND LONG-TERM WET LEASE ARRANGEMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 41712**CFR Citation:** 14 CFR 257**Legal Deadline:** None**Abstract:** The Department of Transportation (Department or DOT) is proposing to amend its rule governing the disclosure of code-share and long-term wet lease arrangements in print advertisements of scheduled passenger services to permit carriers to disclose generically that some of the advertised service may involve travel on another

carrier, so long as they also identify a list of all potential carriers involved in serving the markets being advertised. This proposed action is being taken in response to a petition for rulemaking filed by United Airlines, Inc.

Timetable:

Action	Date	FR Cite
NPRM	01/13/05	70 FR 2372
NPRM Comment Period End	03/14/05	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov**Agency Contact:** Blane A Workie, Attorney, Department of Transportation, Office of the Secretary, Room 4116/C-70, 400 7th Street SW., Washington, DC 20590

Phone: 202 366-9342

TDD Phone: 202 755-7687

Fax: 202 366-7152

Email: blane.workie@ost.dot.gov

RIN: 2105-AD49

**Department of Transportation (DOT)
Office of the Secretary (OST)**

Completed Actions

2004. PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN DEPARTMENT OF TRANSPORTATION PROGRAMS**Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 324; 42 USC 2000d et seq; 49 USC 1611, 47107, 47113, 47123; EO 12138; 3 CFR 1951 comp., p. 393, sec 1101 (b)**CFR Citation:** 49 CFR 2a, subpart G**Legal Deadline:** Final, Statutory, June 30, 1993.**Abstract:** This rulemaking would update the rule governing the DBE airport concession program. It revises and updates the Department's regulation concerning participation by airport concessionaire disadvantaged business enterprises (ACDBEs) in the concessions activities of airports receiving Federal assistance from the airport improvement program (AIP) of

the Federal Aviation Administration (FAA). It makes the ACDBE concessions rule parallel in many important respects to the Department's DBE regulation for Federally assisted contracts. It also addresses issues such as goal-setting, personal net worth and business size standards, and counting ACDBE participation by car rental companies.

Timetable:

Action	Date	FR Cite
SNPRM	09/08/00	65 FR 54454
SNPRM Comment Period End	10/23/00	
Final Action	03/22/05	70 FR 14496

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Local, State**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov**Agency Contact:** Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4723

TDD Phone: 202 755-7687

Email: bob.ashby@ost.dot.gov

RIN: 2105-AC91

2005. • REPORTS BY CARRIERS ON INCIDENTS INVOLVING ANIMALS DURING AIR TRANSPORT**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 106-181**CFR Citation:** 14 CFR 119; 14 CFR 234

DOT—OST

Completed Actions

Legal Deadline: None

Abstract: The Department of Transportation (Department or DOT) is making a technical change to the August 11, 2003, final rule implementing section 710 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR-21) to require the reporting airlines to submit the required information on the loss, injury, or death of an animal during air transport to DOT's Aviation Consumer Protection Division rather than the Animal and Plant Health Inspection Service (APHIS) of the United States

Department of Agriculture (USDA) and, accordingly, is making the rule part of DOT's economic regulations.

Timetable:

Action	Date	FR Cite
Final Rule	02/14/05	70 FR 7393
Final Rule Effective	03/16/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Blane A Workie, Attorney, Department of Transportation, Office of the Secretary, Room 4116/C-70, 400 7th Street SW., Washington, DC 20590
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Fax: 202 366-7152
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Related RIN: Related to 2120-AH69

RIN: 2105-AD48

BILLING CODE 4910-62-S

**Department of Transportation (DOT)
Federal Aviation Administration (FAA)**

Prerule Stage

2006. +CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS (SECTION 610 REVIEW)

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44704

CFR Citation: 14 CFR 23

Legal Deadline: None

Abstract: The FAA intends to conduct a 610 review (a review under section 610 of the Regulatory Flexibility Act) of this part and RIN 2120-AG93 has been added to the Agenda to reflect this review. The FAA carries out its responsibility to promote safety of flight of civil aircraft in air commerce by prescribing minimum standards governing the design and construction of aircraft, aircraft engines and propellers and appliances as may be required in the interest of safety. The FAA has established procedural

requirements in 14 CFR part 21 for the issuance of the following certificates and approvals: (1) type certificates and changes to type certificates; (2) production certificates; (3) airworthiness certificates; (4) export airworthiness certificates and approvals; and (5) approvals of certain materials, parts processes and appliances produced for sale or installation on a type certificated product. Also contained in this part are the rules governing the holders of certificates. In order to be issued a type certificate the applicant must show that the product complies with the airworthiness standards for the product (aircraft, aircraft engine, or propeller). The airworthiness standards are amended as needed to reflect continually changing technology, correct design deficiencies, and provide safety enhancements.

Timetable:

Action	Date	FR Cite
Review To Be Completed	06/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Ward Keech, Office of Aviation Policy and Plans, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-3312

RIN: 2120-AG93

**Department of Transportation (DOT)
Federal Aviation Administration (FAA)**

Proposed Rule Stage

2007. SAFE, EFFICIENT USE AND PRESERVATION OF THE NAVIGABLE AIRSPACE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113 to 40114; 49 USC 44502; 49 USC 44701; 49 USC 44718

CFR Citation: 14 CFR 77

Legal Deadline: None

Abstract: This rule would add and amend definitions for terms commonly used during the aeronautical evaluation process. This action would amend obstruction standards for civil airport imaginary surfaces in order to promote and facilitate harmonization with other FAA directives. It also would simplify and clarify the rule language in accordance with the plain language initiative.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ATA-00-490.

DOT—FAA

Proposed Rule Stage

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Ellen Crum, Air Traffic Rules Procedures Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3155

RIN: 2120-AH31

2008. AIRWORTHINESS STANDARDS FOR CLASSES B AND F CARGO COMPARTMENT FOR TRANSPORT CATEGORY AIRPLANES
Priority: Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: The FAA proposes to amend the airworthiness standards for transport category airplanes to incorporate revised standards for Class B cargo compartments and establish standards for a new Class F cargo compartment, and to harmonize those requirements with standards proposed for the European Joint Aviation Requirements 25.

Timetable:

Action	Date	FR Cite
NPRM	04/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Additional Information: Project Number: ANM-93-725-A.

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Mahinder K Wahi, Transport Airplane Directorate, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055
Phone: 425 227-2142
Fax: 425-227-1320
Email: mahinder.wahi@faa.gov

RIN: 2120-AH47

2009. PERFORMANCE AND HANDLING QUALITIES REQUIREMENTS FOR ROTORCRAFT
Priority: Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704**CFR Citation:** 14 CFR 27; 14 CFR 29**Legal Deadline:** None

Abstract: This action proposes new and revised airworthiness standards for normal and transport category rotorcraft due to technological advances in design and operational trends in normal and transport rotorcraft performance and handling qualities. The changes would enhance the safety standards for performance and handling qualities to reflect the evolution of rotorcraft capabilities.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Lance T Gant, Air Certification Service, Department of Transportation, Federal Aviation Administration, 2601 Meachum Blvd., Fort Worth, TX 76193-0110
Phone: 817 222-5114

RIN: 2120-AH87

2010. +AGING AIRCRAFT PROGRAM (WIDESPREAD FATIGUE DAMAGE)
Priority: Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 41706; ...**CFR Citation:** 14 CFR 121; 14 CFR 129**Legal Deadline:** None

Abstract: This rulemaking would require incorporation of a program to preclude widespread fatigue damage into the FAA-approved maintenance program of each operator of large transport category airplanes. This action is the result of concern for the continued operational safety of airplanes that are approaching or have

exceeded their design service goal. This rulemaking would require a limit of validity in flight cycles or hours of the structural maintenance program, where the operator must incorporate added inspections and/or modification/replacement actions into its maintenance program to allow continued operation.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Walker Sippel, Department of Transportation, Federal Aviation Administration, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, WA 98039-4056
Phone: 425 227-2774
Fax: 425 227-1232

RIN: 2120-AI05

2011. HIGH-INTENSITY RADIATED FIELDS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44701; 49 USC 44704**CFR Citation:** 14 CFR 23; 14 CFR 25; 14 CFR 27; 14 CFR 29**Legal Deadline:** None

Abstract: The FAA proposes to add certification standards for aircraft electrical and electronic systems because of their increased use in aircraft and vulnerability to high-intensity radiated fields (HIRF). The proposed rule would define specific HIRF certification requirements to provide protection against HIRF effects that would apply to any applicant seeking issuance of a type certificate, amended type certificate, or supplemental type certificate for the initial approval of a new type of aircraft design or a change in aircraft type design.

DOT—FAA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: John Dimtroff, Federal Aviation Administration, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 425-227-1371
Email: john.dimtroff@faa.gov

RIN: 2120-AI06**2012. SERVICE DIFFICULTY REPORTS**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44707; 49 USC 44709 to 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: This rulemaking will withdraw a previously published final rule that amended the reporting requirements for air carriers and certificated domestic and foreign repair station operators concerning failures, malfunctions, and defects of aircraft, aircraft engines, systems and components. We are proposing withdrawal of this document because of commenters' overwhelming opposition to the rule and for further internal study.

Timetable:

Action	Date	FR Cite
NPRM	05/00/05	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Rick Domingo, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., Washington, DC 20591
Phone: 202 267-3587

RIN: 2120-AI08**2013. AIRPLANE PERFORMANCE AND HANDLING QUALITIES IN ICING CONDITIONS****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44704

CFR Citation: 14 CFR 25**Legal Deadline:** None

Abstract: The FAA proposes to amend the airworthiness standards for transport category airplanes to introduce new requirements to evaluate airplane performance and handling characteristics in icing conditions. The proposal will revise the requirements related to ice protection systems on these airplanes, and will harmonize the U.S. airworthiness standards with the European Joint Aviation Requirements.

Timetable:

Action	Date	FR Cite
NPRM	07/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Don Stimson, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 425 227-1129
Fax: 425-227-1320
Email: don.stimson@faa.gov

RIN: 2120-AI14**2014. +FLIGHTDECK DOOR MONITORING AND CREW DISCREET ALERTING SYSTEM****Priority:** Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44101; 49 USC 44701-44702; 49 USC 44705; ...

CFR Citation: 14 CFR 121**Legal Deadline:** None

Abstract: This rulemaking would require passenger-carrying transport category airplanes used in domestic, flag, and supplemental operations to have a means to allow the flightcrew to visually monitor the door area outside the flightdeck. This would allow the flightcrew to identify persons requesting entry into the flightdeck, and to detect suspicious behavior or potential threats. In addition, operations requiring the presence of flight attendants, the rulemaking would require that the flight attendants have a means to discreetly notify the flightcrew of suspicious activity or security breaches in the cabin. The rulemaking would address standards adopted by the International Civil Aviation Organization following the September 11, 2001, terrorist attacks.

Timetable:

Action	Date	FR Cite
NPRM	07/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Joe Keenan, Air Carrier Operations Branch, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 W, Independence Ave., Washington, DC 20591
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Email: joe.keenan@faa.gov

RIN: 2120-AI16

DOT—FAA

Proposed Rule Stage

2015. +WASHINGTON, DC, METROPOLITAN AREA SPECIAL FLIGHT RULES AREA**Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40109; 49 USC 40113; 49 USC 44502; ...**CFR Citation:** 14 CFR 93**Legal Deadline:** None**Abstract:** This rulemaking will codify restrictions for certain aircraft operations in the Washington, DC Metropolitan Area. This action is necessary because of the ongoing threat of terrorist attacks. The FAA intends by this action to help the Department of Homeland Security and the Department of Defense protect national assets in the National Capital region.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/05	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov**Agency Contact:** Ellen Crum, Air Traffic Rules Procedures Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3155**RIN:** 2120-AI17**2016. +TRANSPORT AIRPLANE FUEL TANK FLAMMABILITY REDUCTION****Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704**CFR Citation:** 14 CFR 25**Legal Deadline:** None**Abstract:** This rulemaking will require that flammability reduction means be incorporated into existing airplanes, newly manufactured airplanes, and new designs. It proposes new design standards for future and pending applications for type certification as

well as new operating rules for retrofitting existing airplanes.

Timetable:

Action	Date	FR Cite
NPRM	09/00/05	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov**Agency Contact:** Mike Dostert, Transport Airplane Directorate, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2132
Fax: 425-227-1320
Email: mike.dostert@faa.gov**RIN:** 2120-AI23**2017. +ENHANCED AIRWORTHINESS PROGRAM FOR AIRPLANE SYSTEMS (EAPAS) AND SFAR 88****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 1155; 49 USC 1372; 49 USC 40103; 49 USC 40119; 49 USC 40120; 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40119 to 40120; 49 USC 41706; 49 USC 4401; 49 USC 44111; 49 USC 44701 to 44705; 49 USC 44709 to 44713; 49 USC 44715 to 44717**CFR Citation:** 14 CFR 1; 14 CFR 25; 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 129; 14 CFR 1; 14 CFR 121; 14 CFR 129; 14 CFR 25; 14 CFR 91**Legal Deadline:** None**Abstract:** This rulemaking would change wiring system and fuel tank system requirements for transport category airplanes. It would organize and clarify design requirements for wire systems by moving existing regulatory references to wiring into a single section of the regulations specifically for wiring and adding new certification rules to address aging issues in wire systems. This rulemaking would require holders of type certificates for certain transport category airplanes to conduct analyses and make necessary changes to existing Instruction for Continued

Airworthiness (ICA) to improve maintenance procedures for wire systems. It would require operators to incorporate those ICA for wiring into their maintenance or inspections programs. It would also clarify requirements of certain existing operational rules for operators to incorporate ICA for fuel tank systems into their maintenance or inspection programs. The intent of this rule is to help ensure the continued safety of commercial airplanes by improving the design, installation, and maintenance of their electrical wiring systems as well as by aligning those requirements as closely as possible with the requirements for fuel tank system safety.

Timetable:

Action	Date	FR Cite
NPRM	09/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov**Agency Contact:** Frederick Sobeck, Aircraft Maintenance Division, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7355Stephen M. Slotte, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-2315
Phone: 425 227-2315
Fax: 425 227-1320
Email: steve.slotte@faa.gov**RIN:** 2120-AI31**2018. +AGING AIRCRAFT SAFETY—DEVELOPMENT OF TC AND STC HOLDER DATA****Priority:** Other Significant**Unfunded Mandates:** This action may affect the private sector under PL 104-4.**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44704**CFR Citation:** 14 CFR 25

DOT—FAA

Proposed Rule Stage

Legal Deadline: None

Abstract: This rulemaking would require type certificate holders and supplemental type certificate holders of certain transport category airplanes to develop data to support damage-tolerance-based inspections and procedures for repairs, alterations and modifications. It would also help ensure that maintenance of the airplanes age sensitive parts and components have been adequate and timely. These actions are needed to assure that 14 CFR part 121 certificate holders have the necessary data to comply with the damage tolerance requirements of the Aging Airplane Safety rule.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Greg Schneider, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055
Phone: 425 227-2116
Fax: 425-227-1181
Email: greg.schneider@faa.gov

RIN: 2120-AI32**2019. FAA-APPROVED CHILD RESTRAINT SYSTEMS****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44101; 49 USC 44701-44702

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135; 14 CFR 91

Legal Deadline: None

Abstract: This rulemaking will remove the necessity for air carriers to go through the exemption process for child restraints that are approved by only the FAA through a Type Certificate, Supplemental Type Certificate, or Technical Standard Order. This rulemaking will lessen the regulatory burden to industry while maintaining or increasing safety.

Timetable:

Action	Date	FR Cite
NPRM	05/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Nancy L Claussen, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 2800 44th N. Street Suite 450, Phoenix, AZ 85008
Phone: 602 379-4864

RIN: 2120-AI36**2020. MISCELLANEOUS CHANGES TO COMMERCIAL SPACE TRANSPORTATION REGULATIONS****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 70101 to 70121

CFR Citation: 14 CFR 401; 14 CFR 404; 14 CFR 413; 14 CFR 415; 14 CFR 420

Legal Deadline: None

Abstract: This rulemaking will prohibit obtrusive space advertising and make other minor changes to the regulations governing commercial space transportation. The proposed changes are necessary to reflect a statutory change, capture current practice, and to correct errors in a table. The purpose of the changes is to give the public and the regulated industry accurate and current information.

Timetable:

Action	Date	FR Cite
NPRM	05/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Michelle Murray, Office of Commercial Space Transportation, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591

Phone: 202-267-7892

Email: michelle.murray@faa.gov

RIN: 2120-AI45**2021. • SAFETY APPROVALS****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 70101 to 70121

CFR Citation: 14 CFR 414**Legal Deadline:** None

Abstract: The Associate Administrator for Commercial Space Transportation of the Federal Aviation Administration (FAA), Department of Transportation (DOT), proposes to amend the FAA's commercial space transportation regulations by adding procedures for obtaining a safety approval. Application for a safety approval is strictly voluntary. A safety approval is an FAA determination that a licensed launch or reentry may be conducted using a launch vehicle, reentry vehicle, safety system, process, service, or personnel approved under this part. The safety approval holder could then offer a launch vehicle, reentry vehicle, safety system, process, service, or personnel to prospective launch and reentry licensees for use within a defined and proven envelope. Those licensees would not need added FAA approval of that portion of their license application. Proposed rules are needed to establish the procedures for obtaining a safety approval from the FAA.

Timetable:

Action	Date	FR Cite
NPRM	05/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Charles P Brinkman, Licensing and Safety Division, Department of Transportation, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591
Phone: 202 267-7715
Email: charles.brinkman@faa.gov

RIN: 2120-AI50

DOT—FAA

Proposed Rule Stage

2022. • +PART 145: REPAIR STATIONS—RATINGS AND QUALITY SYSTEM**Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44707; 49 USC 44709; 49 USC 4717**CFR Citation:** 14 CFR 145**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Herbert E. Daniel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3109
Email: herbert.e.daniel@faa.gov

RIN: 2120-AI53**2023. • EXPERIMENTAL PERMIT FOR SUBORBITAL REUSABLE LAUNCH VEHICLES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 70101; 49 USC 70103; 49 USC 70104; 49 USC 70105; 49 USC 70121**CFR Citation:** 14 CFR 461**Legal Deadline:** None

Abstract: This rulemaking will define the process and standards for the issuance and maintenance of an experimental permit. An experimental permit will authorize the launch of developmental reusable suborbital rockets. The purpose of an experimental permit is to allow launches of developmental reusable suborbital rockets with less regulatory burden on the launch operator than would otherwise be the case with a traditional license.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Randy Repcheck, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591
Phone: 202 267-8760

RIN: 2120-AI56**2024. • +COMMERCIAL HUMAN SPACE FLIGHT REGULATIONS PERTAINING TO CREW AND SPACE FLIGHT PARTICIPANTS****Priority:** Other Significant**Legal Authority:** 49 USC 70101 to 70121**CFR Citation:** 14 CFR 401; 14 CFR 431; 14 CFR 432; 14 CFR 440; 14 CFR 450**Legal Deadline:** None

Abstract: This rulemaking will develop regulations that will govern the design or operation of a launch vehicle to protect the health and safety of crew in vehicles carrying space flight participants for compensation or hire.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Ken Wong, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591
Phone: 202 267-8465

RIN: 2120-AI57**2025. • SPECIAL REQUIREMENTS FOR SPECIAL USE TRANSPORT CATEGORY AIRPLANES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g), 49 USC 40113, 49 USC 44701, 49 USC 44702, 49 USC 44704**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: This proposal would amend the airworthiness standards for transport category Airplanes by adding new cabin interior criteria for operators of private use airplanes. These standards may be used instead of the specific requirements that affect transport category airplanes operated by air carriers. The proposed standards would supplement the requirements for operation under the air traffic and general operating rules. This proposal is intended to provide alternative criteria for transport category airplanes that are operated for private use. It is necessary to provide an acceptable level of safety for those operations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Alan Sinclair, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenew, SW, Renton, WA 98055
Phone: 425 227-1320

RIN: 2120-AI61

Department of Transportation (DOT)
Federal Aviation Administration (FAA)

Final Rule Stage

2026. INSTRUMENT FLIGHT RULES

Priority: Routine and Frequent

Legal Authority: 49 USC 40120; 49 USC 44502; 49 USC 44514; 49 USC 44719; 49 USC 44721; 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40113; 49 USC 40114

CFR Citation: 14 CFR 95

Legal Deadline: None

Abstract: This is a nonsignificant body of regulations which prescribes altitudes for the operation of aircraft under instrument flight rules (IFR) on Federal airways, jet routes, area navigation low or high routes, or other direct routes for which a minimum en route IFR altitude is designated in 14 CFR part 95. In addition, mountainous areas and changeover points are designated. These regulations are an established body of technical requirements that are issued routinely and frequently to maintain operational efficiency. Total actions expected-270. 10/00/2004 - 10/00/2005.

Timetable:

Action	Date	FR Cite
Action will continue through	10/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Anne Graham, Department of Transportation, Federal Aviation Administration, General Aviation and Commercial Division, 800 Independence Avenue SW., Washington, DC 20591
 Phone: 202 267-8212

RIN: 2120-AA63

2027. AIRWORTHINESS DIRECTIVES

Priority: Routine and Frequent

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701

CFR Citation: 14 CFR 39

Legal Deadline: None

Abstract: The FAA issues type certificates for "products," which are aircraft, engines, propellers, and some appliances. The FAA issues a

regulation called an Airworthiness Directive (AD) to address an unsafe condition in a type certificated product, if that unsafe condition is likely to exist or develop in products of the same type design. Part 39 of title 14 requires each operator of a product affected by an AD to comply with the terms of the AD, in order to operate that product: the AD may mandate operational limitations, maintenance, or alterations for the affected product. The vast majority of routine and frequent Airworthiness Directive are nonsignificant. Total action expected - 550. 10/00/2004 - 11/00/2005.

Timetable:

Action	Date	FR Cite
Actions will continue through	10/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Linda Walker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591
 Phone: 202 267-9592

RIN: 2120-AA64

2028. STANDARD INSTRUMENT APPROACH PROCEDURES

Priority: Routine and Frequent

Legal Authority: 49 USC 40103; 49 USC 40106; 49 USC 40113 to 40114; 49 USC 40120; 49 USC 44502; 49 USC 44514; 49 USC 44701; 49 USC 44719; 49 USC 44721 to 44722; 49 USC 106(g)

CFR Citation: 14 CFR 97

Legal Deadline: None

Abstract: Standard Instrument Approach Procedures (SIAP) provide for instrument letdown to airports in the United States. They are a nonsignificant body of regulations that are complex and technical in nature and require routine and frequent rulemaking to maintain efficiency. The FAA issues, revises, and cancels SIAPs by adopting amendments that are

incorporated into 14 CFR part 97. Contemporaneously with publication in the Federal Register, the SIAPs are made available to the Aeronautical Charting and Cartography Office in the FAA and other publishers of aeronautical charts where they are published as approach procedure charts or "approach plates." These charts are made available to the members of the aviation community for use by pilots in making instrument approaches. Total actions expected - 3300. 10/00/2004-10/00/2005.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Anne Graham, Department of Transportation, Federal Aviation Administration, General Aviation and Commercial Division, 800 Independence Avenue SW., Washington, DC 20591
 Phone: 202 267-8212

RIN: 2120-AA65

2029. +AIRSPACE ACTIONS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; EO 10854

CFR Citation: 14 CFR 71; 14 CFR 73; 14 CFR 75

Legal Deadline: None

Abstract: This rulemaking will modify the Santa Ana, CA, Class C airspace area. Specifically, this rule will standardize and complete the 5 nautical mile (NM) inner circle; re-align the south and southwest quadrants; and expand the north and east boundaries of the Santa Ana Class C airspace area. This rulemaking will improve the management of aircraft operations in the Santa Ana, CA, terminal area; enhance safety; reduce the potential for midair collision in the Santa Ana Class C airspace area; and accommodate the concerns of airspace users.

DOT—FAA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	01/22/02	67 FR 57943
NPRM Revision	10/28/04	69 FR 62832
Actions Will Continue Through	10/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Pat Crawford, Manager, Airspace Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9255

RIN: 2120-AA66

2030. +RETROFIT OF IMPROVED SEATS IN AIR CARRIER TRANSPORT CATEGORY AIRPLANES

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713

CFR Citation: 14 CFR 121

Legal Deadline: NPRM, Statutory, April 28, 1988.

Abstract: This action would require that all seats of transport category airplanes used in air carrier operations and in scheduled intrastate service comply with improved crashworthiness standards. The Airport and Airways Safety and Capacity Expansion Act of 1987 directs the Secretary of Transportation to initiate a rulemaking proceeding to consider requiring all seats on board all air carrier aircraft to meet improved crashworthiness standards based upon the best available testing standards. The intended effect of this action is to increase passenger protection and survivability in survivable impact accidents. This rulemaking is considered significant because of its safety implications and statutory requirements.

Timetable:

Action	Date	FR Cite
NPRM	05/17/88	53 FR 17650

Action	Date	FR Cite
NPRM Comment	10/30/98	63 FR 58331
Period Reopened		
NPRM Comment	01/08/99	
Period End		
SNPRM	10/04/02	67 FR 62294
SNPRM Comment	12/03/02	
Period End		
SNPRM Extension of Comment Period	12/03/02	67 FR 71908
SNPRM Comment	03/03/03	
Period End		
Final Action	09/00/05	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket 13464. Project Number: AIR-88-136R.

ANALYSIS: Regulatory Evaluation, 05/17/88, 53 FR 17650

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Hal Jensen, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8807

RIN: 2120-AC84

2031. AIR TRAFFIC CONTROL RADAR BEACON SYSTEM AND MODE S TRANSPONDER REQUIREMENTS IN THE NATIONAL AIRSPACE SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This action would revise the Mode S Transponder requirement for all aircraft operating under part 135 and certain aircraft operating under part 121 based on the expected availability of operational capabilities of Mode S ground sensors. For part 121 operators, the action would affect only those aircraft not required to have Traffic Alert and Collision Avoidance

System II. An aviation rulemaking advisory committee has recommended that the FAA conduct a study of the installed Mode S ground sensor to determine the extent of the benefits derived and the costs involved in equipage. This action is a relieving action made necessary by the fact that ground sensors are not in place to support the requirement. Further, FAA is studying the need for Mode S transponders in part 135 and certain part 121 operations in light of the fact that transponders may not substantially increase ATC ability to view air traffic.

Timetable:

Action	Date	FR Cite
NPRM	05/23/96	61 FR 26036
NPRM Correction	06/17/96	61 FR 30551
NPRM Comment	07/22/96	
Period End		
Final Action	05/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-92-297R.

ANALYSIS: Regulatory Evaluation, 05/23/96, 61 FR 26036

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Daniel V Meier Jr., Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3749

RIN: 2120-AE81

2032. +NATIONAL AIR TOUR SAFETY STANDARDS

Priority: Other Significant

Legal Authority: 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716; 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44702; 49 USC 44705

CFR Citation: 14 CFR 91; 14 CFR 135; 14 CFR 61; 14 CFR 119; 14 CFR 121; 14 CFR 136; 14 CFR 119; 14 CFR 121; 14 CFR 136; 14 CFR 61

Legal Deadline: None

DOT—FAA

Final Rule Stage

Abstract: This rulemaking will consider new regulations for air tour and sightseeing operations that are currently allowed to operate under less stringent regulations than those applied to other types of commercial operations. Hot air balloons and gliders would not be included in this amendment.

Timetable:

Action	Date	FR Cite
NPRM	10/23/03	68 FR 60571
NPRM Comment Period End	04/19/04	69 FR 2529
Final Action	06/00/05	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-91-012R. RIN 2120-AF61 which was proposed as a new item for this agenda was a duplicate of this rulemaking and has been terminated. This rulemaking was previously titled "Sightseeing Operations."

ANALYSIS: Regulatory Evaluation, 07/00/2003

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Alberta Brown, Air Transportation Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8321

RIN: 2120-AF07

2033. +FALSE AND MISLEADING STATEMENTS REGARDING AIRCRAFT PARTS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44704; 49 CFR 106(g); 49 CFR 40113; 49 CFR 44701; 49 CFR 44704

CFR Citation: 14 CFR 3

Legal Deadline: None

Abstract: This rulemaking would prohibit certain false or misleading statements regarding civil aircraft, airframes, aircraft engines, propellers, appliances, component parts, and materials, including standard parts that are used, or may be used, on civil

aircraft. It would also permit increased inspection by the FAA of records regarding the quality of aircraft parts. The additional requirements are needed to help prevent persons from representing parts as suitable for use on civil aircraft when in fact they may not be. The rulemaking is intended to provide assurance that aircraft owners and operators, and persons who maintain aircraft, have truthful information on which to determine whether a part may be used in a given civil aircraft application. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	05/05/03	68 FR 23807
NPRM Comment Period End	08/04/03	
Final Action	09/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AVR-94-549R.

ANALYSIS: Regulatory Evaluation 08/00/01

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Beverly Sharkey, Department of Transportation, Federal Aviation Administration, 13873 Park Center Road, Herndon, VA 20171-3223
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Email: beverly.sharkey@faa.gov

RIN: 2120-AG08

2034. +LICENSING AND SAFETY REQUIREMENTS FOR LAUNCH

Priority: Other Significant

Legal Authority: 49 USC 70101 to 70119

CFR Citation: 14 CFR 415; 14 CFR 417

Legal Deadline: None

Abstract: This action would establish requirements for licensing the conduct of a launch from a non-Federal launch site. The law requires anyone who proposes to conduct a launch within the United States, or a U.S. citizen proposing to conduct a launch from a site outside the United States, to obtain

a license from DOT. This action would govern obtaining a license to conduct such a launch. Currently, commercial rocket launches take place from Federal Government installations operated by the Department of Defense and NASA. In this action, DOT proposes to implement rules regarding obtaining a license to conduct a launch from a commercial launch site, where DOT, rather than NASA or the military, has primary responsibility. FAA held a public meeting on this issue in March 2005. A draft rule is available in docket 7953 at <http://dms.dot.gov>. After the public meeting, and after reviewing any comments received on the draft rule, FAA will consider its next steps.

Timetable:

Action	Date	FR Cite
NPRM	10/25/00	65 FR 63922
NPRM Comment Period End	02/22/01	
SNPRM	07/30/02	67 FR 49456
NPRM: Additional Information	08/27/02	67 FR 54978
Final Action	11/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: Project Number: AST-97-088R.

ANALYSIS: Regulatory Evaluation, 10/25/00, 65 FR 63922.

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Rene Rey, Licensing and Safety Division, Office of Commercial Space, Department of Transportation, Federal Aviation Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 385-4805

RIN: 2120-AG37

2035. +TRAINING IN THE RECOGNITION OF HAZARDOUS MATERIAL

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 4711; 49 USC 44713; 49 USC 44715 to 44717; 49 USC

DOT—FAA

Final Rule Stage

44722; 49 USC 44901; 49 USC 44903; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121; 14 CFR 135; 14 CFR 119; 14 CFR 145; 14 CFR 145

Legal Deadline: None

Abstract: This rulemaking would amend the FAA's hazardous materials (hazmat) training requirements for air carriers and commercial operators certificated to operate under part 121 or part 135. In addition, the rulemaking would propose that repair stations certificated under part 145 document for the FAA that persons handling hazmat for transportation have been trained as required by the Department of Transportation's Hazardous Materials Regulations (HMRs). The FAA is updating its regulations because hazmat transport and the aviation industry have changed significantly since the FAA promulgated its current hazmat training standards to ensure uniform compliance with training requirements.

Timetable:

Action	Date	FR Cite
NPRM	05/08/03	68 FR 24809
NPRM Comment Period End	09/05/03	
Final Action	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: William Wilkening, Office of Security, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-5885

RIN: 2120-AG75

2036. +REVISIONS TO DIGITAL FLIGHT DATA RECORDER REGULATIONS FOR B-737 AIRPLANES AND FOR PART 125 OPERATORS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 91

Legal Deadline: None

Abstract: This rulemaking would amend the digital flight data recorder (DFDR) regulations for transport category airplanes to add a requirement for all Boeing 737 (B-737) series airplanes to record additional flight data parameters. It is based on safety recommendations issued by the National Transportation Safety Board (NTSB) following the investigation of the 1994 USAir Flight 427 accident. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	11/18/99	64 FR 63139
NPRM Comment Period End	12/22/99	
Final Action	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: AIR-99-272R.

ANALYSIS: Regulatory Evaluation, 11/18/99, 64 FR 63139

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Timothy Shaver, Avionic Systems Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202-385-4686
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RIN: 2120-AG87

2037. +FLIGHT SIMULATION DEVICE QUALIFICATION

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44703; 49 USC 44707; 49 USC 44709; 49 USC 44711; 49 USC 45102 to 45103; 49 USC 45301 to 45302

CFR Citation: 14 CFR 1; 14 CFR 11; 14 CFR 60; 14 CFR 61; 14 CFR 63; 14 CFR 141; 14 CFR 142

Legal Deadline: None

Abstract: This action will amend the regulations establishing flight

simulation device qualification requirements for all certificate holders in a new part. The basis of these requirements currently exists in different parts of the FAA's regulation and in advisory circulars. The proposed changes would consolidate and update flight simulation device requirements. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	09/25/02	67 FR 20284
NPRM Comment Period Extended	11/15/02	67 FR 69149
Notice of On-Line Public Forum	11/21/02	67 FR 70184
NPRM Comment Period End	12/24/02	
NPRM Extended Comment Period End	02/24/03	
Final Action	08/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Edward Cook, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337
Phone: 404 305-6100

RIN: 2120-AH07

2038. REVISIONS TO THE INDUSTRY DRUG AND ALCOHOL TESTING REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105; 49 USC 46301

CFR Citation: 14 CFR 121

Legal Deadline: None

Abstract: In Notice 02-04, published on February 28, 2002, the FAA proposed to make it clear that each person who performs a safety-sensitive function directly or by contract (including by subcontract at any tier) for an employer

DOT—FAA

Final Rule Stage

is subject to drug and alcohol testing. The comment period closed on July 29, 2002. Several commenters stated that the change was more than clarifying and would have an economic impact. The FAA has prepared an initial regulatory evaluation on this issue. The FAA has issued an SNRM to make it clear that each person who performs a safety-sensitive function for an employer is subject to drug and alcohol testing.

Timetable:

Action	Date	FR Cite
NPRM	02/28/02	67 FR 9366
NPRM Comment Period Extended	05/29/02	67 FR 37361
NPRM Comment Period End	05/29/02	
NPRM Extended Comment Period End	07/29/02	
Final Action	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Diane Wood, Manager, Drug Abatement Branch, Office of Aerospace Medicine, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8442

RIN: 2120-AH14**2039. NOISE STRINGENCY INCREASE FOR SINGLE-ENGINE PROPELLER-DRIVEN SMALL AIRPLANES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 4321; 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44704; 49 USC 44715**CFR Citation:** 14 CFR 36**Legal Deadline:** None

Abstract: The FAA is proposing a change to the noise limits for propeller-driven small airplanes. The FAA, the European Joint Aviation Authorities (JAA), and representatives from the United States and European propeller-

driven small airplane industries developed the ICAO Annex 16 noise limit change in a joint effort. The proposed change would provide nearly uniform noise certification standards for airplanes certificated in the United States and in the JAA countries.

Timetable:

Action	Date	FR Cite
NPRM	02/11/04	69 FR 6856
NPRM Comment Period End	06/10/04	
Final Action	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: AEE-01-133R.**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Mehmet Marsan, Office of Environment and Energy, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7703

RIN: 2120-AH44**2040. +TRANSPONDER CONTINUOUS OPERATION****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 45101 to 45105; 49 USC 46105**CFR Citation:** 14 CFR 21**Legal Deadline:** None

Abstract: This rulemaking would amend the instrument and equipment requirements for airplanes operated in domestic, flag, and supplemental operations. Specifically, the rulemaking would require affected airplanes to have the capability to help assure immediate activation of the designated air traffic control (ATC) hijack alert code, and continuous transmission of that code to ATC during a hijack situation. This action would respond to the heightened threat to U.S. civil

aviation. The FAA believed that this capability would help provide ATC personnel with more time to initiate a national security response to a potential airplane hijack situation. However, following a review of the comments, the FAA is considering withdrawing the NPRM because of uncertainty about whether it is justified.

Timetable:

Action	Date	FR Cite
NPRM	01/14/03	68 FR 1942
NPRM Comment Period End	03/17/03	
Final Action	11/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Richard Jennings, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1895 Phoenix Boulevard, Suite 450, Atlanta, GA 30349
Phone: 770 703-6090

RIN: 2120-AH67**2041. AREA NAVIGATION (RNAV) AND MISCELLANEOUS AMENDMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 1155; 49 USC 40103 to 40105; 49 USC 40113; 49 USC 40119 to 40120; 49 USC 41706; 49 USC 44101; 49 USC 44111; 49 USC 44113; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901 to 44904; 49 USC 44906; 49 USC 44912; 49 USC 46105; 49 USC 46306; 49 USC 46315; 49 USC 46316; 49 USC 465504; 49 USC 46506 to 46507; 49 USC 47122; 49 USC 47508; 49 USC 47528 to 47531**CFR Citation:** 14 CFR 1; 14 CFR 91; 14 CFR 97; 14 CFR 121; 14 CFR 129; 14 CFR 135**Legal Deadline:** None

Abstract: The FAA is amending its regulations to reflect technological advances that support area navigation (RNAV); make certain terms consistent with those of the International Civil Aviation Organization; remove the

DOT—FAA

Final Rule Stage

middle marker as a required component of instrument landing systems; and clarify airspace terminology. The changes are intended to facilitate the transition from ground-based navigation to new reference sources, enable advancements in technology, and increase efficiency of the National Airspace System.

Timetable:

Action	Date	FR Cite
NPRM	12/17/02	67 FR 77326
NPRM Comment Period End	01/31/03	
NPRM Comment Period Reopened	04/08/03	68 FR 16992
Comment Period End	07/07/03	
Final Action	05/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Lawrence Buehler, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8452

RIN: 2120-AH77**2042. ESTABLISHMENT OF ORGANIZATION DESIGNATION AUTHORIZATION (ODA) PROCEDURES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40105; 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44707; 49 USC 44709; 49 USC 44711; 49 USC 44715; 49 USC 45303; 49 USC 46105**CFR Citation:** 14 CFR 121; 14 CFR 135; 14 CFR 145; 14 CFR 183; 14 CFR 21**Legal Deadline:** None

Abstract: This rulemaking would create an Organization Designation Authorization (ODA) Program that would incorporate all organization designees' rules within 14 CFR 183. It would expand the approval functions of FAA organization designees, standardize these functions to increase efficiency, and expand eligibility for organization designees, including organizations not eligible under the current rules. These

actions would provide the FAA with a more efficient process to delegate certain tasks to external organizations while preserving and increasing aviation safety.

Timetable:

Action	Date	FR Cite
NPRM	01/21/04	69 FR 2970
NPRM Comment Period End	05/20/04	
Final Rule	11/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Ralph Meyer, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 6500 S. MacArthur Blvd ARB Room 304A, Oklahoma City, OK 73169
Phone: 405 954-7072

RIN: 2120-AH79**2043. AIRMAN AND MEDICAL CERTIFICATE DISQUALIFICATION BASED ON ALCOHOL VIOLATIONS AND REFUSALS TO SUBMIT TO DRUG OR ALCOHOL TESTING****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 1155; 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44701-44703; ...**CFR Citation:** 14 CFR 61; 14 CFR 63; 14 CFR 65; 14 CFR 67; 14 CFR 91; 14 CFR 121; 14 CFR 135**Legal Deadline:** None

Abstract: This rule will amend the airman medical standards to disqualify an airman based on a refusal to take a DOT-required drug or alcohol test and to report pre-employment and return-to-duty test refusals to the FAA. This action is necessary to ensure that persons who have refused to take a drug or alcohol test do not operate aircraft or perform contract air traffic control tower operations.

Timetable:

Action	Date	FR Cite
NPRM	11/30/04	69 FR 74897
Final Rule	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Sherry deVries, Office of Aerospace Medicine, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8693

RIN: 2120-AH82**2044. +INELIGIBILITY FOR AN AIRMAN CERTIFICATE BASED ON SECURITY GROUNDS****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44703; 49 USC 44707; 49 USC 44709 to 44711; 49 USC 45102 to 45103; 49 USC 45301 to 45302**CFR Citation:** 14 CFR 61**Legal Deadline:** None

Abstract: This action provides the authority to revoke a pilot certificate or deny an application for a pilot certificate based on a written determination by the Transportation Security Administration that an individual poses a security risk related to aviation. This final rule addresses the security concerns of who should hold a pilot certificate issued by the FAA and is necessary to enhance security in air transportation. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Final Rule; Request for Comments	01/24/03	68 FR 3772
Final Rule Effective	01/24/03	
Comment Period End	03/25/03	
Final Action	05/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

DOT—FAA

Final Rule Stage

Agency Contact: Peter J Lynch, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591
Phone: 202 267-3137
RIN: 2120-AH84

2045. +STAGE 4 AIRCRAFT NOISE STANDARDS

Priority: Other Significant

Legal Authority: 42 USC 4321 et seq; 49 USC 106(g); 49 USC 1155; 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701 to 44702; 49 USC 44711; 49 USC 44712; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46316; 49 USC 46504; 49 USC 46506; 49 USC 46507; 49 USC 47122; 49 USC 47508; 49 USC 47528 to 47531, sec 305; PL 96-193; EO 11514; ...

CFR Citation: 14 CFR 36; 14 CFR 93

Legal Deadline: None

Abstract: This rulemaking would establish a new noise standard for subsonic jet airplanes and subsonic transport category large airplanes. This noise standard would ensure that the latest available noise reduction technology is incorporated into new aircraft designs. This noise standard, Stage 4, would apply to any person submitting an application for a new airplane type design on and after January 1, 2006. The standard could be chosen voluntarily prior to that date. This noise standard is intended to provide uniform noise certification standards for Stage 4 airplanes certificated in the United States and those airplanes that meet the new International Civil Aviation Organization Annex 16 Chapter 4 noise standard.

Timetable:

Action	Date	FR Cite
NPRM	12/01/03	68 FR 67329
NPRM Comment Period End	03/01/04	
Final Action	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Laurette Fisher, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3561
Fax: 202-267-5594
RIN: 2120-AH99

2046. +EXTENDED OPERATIONS (ETOPS) OF MULTI-ENGINE AIRPLANES

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44101 to 44702; 49 USC 44704; 49 USC 44709; 49 USC 44712; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 46105

CFR Citation: 14 CFR 1; 14 CFR 21; 14 CFR 25; 14 CFR 33; 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This rulemaking would govern the design, maintenance, and operation of airplanes and engines for flights that go certain long distances beyond an adequate airport. This rulemaking would extend some requirements that previously applied only to two-engine airplanes to airplanes with more than two-engines. This rulemaking would implement existing best practices and policy, industry recommendations and international standards to assure that long-range flight will operate safely.

Timetable:

Action	Date	FR Cite
NPRM	11/14/03	68 FR 64730
NPRM Comment Period End	01/13/04	
Final Action	10/00/05	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Eric VanOpstal, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3774
RIN: 2120-AI03

2047. +PROCESS FOR REQUESTING WAIVER OF MANDATORY SEPARATION AGE FOR CERTAIN FEDERAL AVIATION ADMINISTRATION (FAA) AIR TRAFFIC CONTROLLERS

Priority: Other Significant

Legal Authority: 5 USC 8335(a); 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44703; 49 USC 44707; 49 USC 44709 to 44711; 49 USC 45102 to 45103; 49 USC 4530 to -45302

CFR Citation: 14 CFR 65

Legal Deadline: None

Abstract: This rulemaking will adopt procedures under which individual air traffic controllers could submit application for an exemption allowing the controller to delay mandatory retirement (age 55) until the employee reaches no later than 61 years of age. Congress has established the mandatory retirement age, as well as giving the Secretary of Transportation the authority to grant exemptions for controllers with exceptional skill and experience. The Secretary is not obligated to grant any exemptions. The rule is intended to clarify the means by which requests may be submitted and considered. This rule is significant for DOT purposes.

Timetable:

Action	Date	FR Cite
Final Rule	01/07/05	70 FR 1634
Disposition of Comments	01/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Jerry Mellody, Assistant Chief Counsel, Federal Aviation Administration, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., S.W., Washington, DC 20591
Phone: 202 385-8231
RIN: 2120-AI18

DOT—FAA

Final Rule Stage

2048. IMPLEMENTING THE MAINTENANCE PROVISIONS OF BILATERAL AGREEMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44703; 49 USC 44705; 49 USC 44707; 49 USC 44711; ...**CFR Citation:** 14 CFR 43**Legal Deadline:** None

Abstract: In 14 CFR section 43.17, the FAA sets the regulations governing maintenance, preventive maintenance, and alterations performed by authorized Canadian persons on U.S. aeronautical products. As presently written, section 43.17 contains constraints that inhibit negotiating bilateral maintenance agreements with Canada. FAA proposes to make two major changes to section 43.17 so as to resolve these constraints. First, FAA would allow shipment of parts directly to Canada from their source. Second, FAA would remove references to specific regulations and refer to "an agreement between the United States and Canada." This change would facilitate agreements between the U.S. and Canada. A change in the agreement would not require a change to the rule as is currently the case.

Timetable:

Action	Date	FR Cite
NPRM	05/11/04	69 FR 26254
NPRM Comment Period End	08/09/04	
Final Rule	07/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Leo J Weston, AFS-306, Department of Transportation, Federal Aviation Administration, 800 Independence Ave, SW, Washington, DC 20591
Phone: 202-267-3811
Fax: 202-267-5112
Email: leo.weston@faa.gov

RIN: 2120-AI19**2049. +FUEL TANK SAFETY COMPLIANCE EXTENSION (FINAL RULE) AND AGING AIRPLANE PROGRAM UPDATE (NOTICE)****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 49 USC 1301(7); 49 USC 1303; 49 USC 1344; 49 USC 1348; 49 USC 1352 to 1355; 49 USC 1401; 49 USC 1421 to 1431; 49 USC 1471; 49 USC 1472; 49 USC 1502; 49 USC 1510**CFR Citation:** None**Legal Deadline:** None

Abstract: This action extends the compliance dates for operators to comply with special maintenance program requirements for transport airplane fuel tank systems. This extension is from December 6, 2004 to December 30, 2007. This action is necessary to allow affected operators enough time, after receipt of fuel tank systems maintenance programs from manufacturers, to incorporate necessary revisions into their maintenance programs. In addition, this action will tell the public about the findings of the FAA's review of our Aging Airplane Program and the resulting rulemaking projects. This rulemaking was upgraded from nonsignificant.

Timetable:

Action	Date	FR Cite
Final Rule with Request for Comments	07/30/04	69 FR 45936
Effective Date	07/30/04	
Comment Period End	08/30/04	
Comment Period Extended	08/23/04	69 FR 51940
End of Extended Comment Period	09/29/04	
Disposition of Comments	10/00/05	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Mario L Giordano, Aircraft Maintenance Division, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Ave, S. W., Washington, DC 20408
Phone: 412 262-9024
Fax: 202-267-5115

Email: mario.giordano@faa.gov

RIN: 2120-AI20**2050. HARMONIZATION OF NOISE CERTIFICATION STANDARDS FOR PROPELLER-DRIVEN SMALL AIRPLANES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 4321; 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44704; 49 USC 44715**CFR Citation:** 14 CFR 36**Legal Deadline:** None

Abstract: This final rule harmonizes two technical items with international regulations to provide uniform noise certification standards for airplanes certificated in the United States and JAA (European Joint Aviation Authorities) countries. This will help to simplify airworthiness approvals for import and export purposes. The revisions to these two items will apply only to a small number of older technology airplanes.

Timetable:

Action	Date	FR Cite
NPRM	06/06/03	68 FR 34256
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: AEE-01-134.**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Mehmet Marsan, Office of Environment and Energy, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7703

RIN: 2120-AI25**2051. USE OF CERTAIN PORTABLE OXYGEN CONCENTRATOR DEVICES ONBOARD AIR CARRIER AIRCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 1153; 49 USC 40101 to 40103; 49 USC 40113; 49 USC 41721; 49 USC 44105; 49 USC 44111

DOT—FAA

Final Rule Stage

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: This rulemaking will address the traveling needs of persons on supplemental oxygen therapy by permitting the use of certain portable oxygen concentrator devices on air carrier aircraft, providing certain conditions are satisfied.

Timetable:

Action	Date	FR Cite
NPRM	07/14/04	69 FR 42324
NPRM Comment Period End	08/13/04	
Final Rule	11/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: James W Whitlow, Federal Aviation Administration, Department of Transportation, Federal Aviation Administration, 800 Independence Ave, SW, Washington, DC 20591

Phone: 202-267-3222

Fax: 202-267-3227

Email: james.whitlow@faa.gov

RIN: 2120-AI30

2052. AIRPORT NOISE COMPATIBILITY PLANNING

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44715; 49 USC 47101; 49 USC 47501 to 47504

CFR Citation: 14 CFR 150

Legal Deadline: None

Abstract: This rulemaking amends the airport noise compatibility regulations to include changes made to authorizing legislation, the Aviation Safety and Noise Abatement Act of 1979 (ASNA), and to respond to Congressional directive found in the Vision 100 — Century of Aviation Reauthorization Act (Vision 100).

Timetable:

Action	Date	FR Cite
Final Rule	09/24/04	69 FR 57622
Final Rule Effective	10/25/04	

Action	Date	FR Cite
Comment Period End	11/23/04	
Disposition of Comments	09/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Victoria L. Catlett, Office of Airport Planning and Programming, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591

Phone: 202 267-8770

Fax: 202-267-8821

Email: vicki.catlett@faa.gov

RIN: 2120-AI37

2053. SECOND-IN-COMMAND TYPE RATING

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44703; 49 USC 44709 to 44711; 49 USC 45102 to 45103; 49 USC 45301 to 45302

CFR Citation: 14 CFR 61

Legal Deadline: None

Abstract: The rulemaking establishes a second-in-command (SIC) pilot type rating for those persons who complete the required SIC training. The purpose of this proposal is to conform the FAA pilot type rating requirements with the International Civil Aviation Organization (ICAO) pilot type rating standards and alleviate the difference that the FAA currently has on file with ICAO. The intended effect of this proposal is to allow U.S. flight crews to continue to operate in international airspace without the threat of being grounded for not holding the appropriate pilot type rating.

Timetable:

Action	Date	FR Cite
NPRM	11/16/04	69 FR 67258
Final Rule	04/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: John D Lynch, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591

Phone: 202 267-3844

RIN: 2120-AI38

2054. PART 97 INCORPORATION BY REFERENCE (IBR) REVISION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40113; 49 USC 40114; 49 USC 40120; 49 USC 44502

CFR Citation: 14 CFR 97

Legal Deadline: None

Abstract: This action removes the incorporation by reference of certain FAA orders and terminal aeronautical charts from the provisions of 14 CFR part 97 and incorporates by reference (IBR) instead instrument procedures that are documented on FAA forms. This change ensures that the appropriate material is incorporated by reference into the FAA's regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/15/04	69 FR 59756
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Thomas E. Schneider, Department of Transportation, Federal Aviation Administration, P. O. Box 25082, Oklahoma City, OK 73125

Phone: 405 954-5852

RIN: 2120-AI39

2055. SAFETY STANDARDS FOR FLIGHT GUIDANCE SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; ...

DOT—FAA

Final Rule Stage

CFR Citation: 14 CFR 25**Legal Deadline:** None

Abstract: This rulemaking will amend the airworthiness standards for transport category airplanes concerning flight guidance systems. The proposed standards address the performance, safety, failure protection, alerting, and basic annunciation of these systems. The rulemaking is necessary to address flight guidance system vulnerabilities and to consolidate and standardize regulations for functions within those systems. The rulemaking would also update the current regulations regarding the latest technology and functionality. Adopting this rulemaking would eliminate significant regulatory differences between the airworthiness standards of the United States and Europe.

Timetable:

Action	Date	FR Cite
NPRM	08/13/04	69 FR 50240
Final Rule	02/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Gregg Bartley, ANM-111, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055
Phone: 425-227-2889
Email: gregg.bartley@faa.gov

RIN: 2120-AI41

2056. PROPOSED OPERATING LIMITATIONS FOR UNSCHEDULED OPERATIONS AT CHICAGO'S O'HARE INTERNATIONAL AIRPORT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40109; 49 USC 40113; ...

CFR Citation: 14 CFR 93

Legal Deadline: None

Abstract: The rulemaking will limit the number of unscheduled arrivals at Chicago's O'Hare International Airport (O'Hare) and to implement a reservation system for those operations

from 7 a.m. through 8:59 p.m., Central Time beginning November 1, 2004, and continuing through April 30, 2005. This action would be consistent with the FAA Order issued August 18, 2004, which limited scheduled arrivals during the same hours and effective dates.

Timetable:

Action	Date	FR Cite
NPRM	10/20/04	69 FR 61708
NPRM Comment	11/01/04	
Period End		
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Gerry Shakley, System Operations Services, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591
Phone: 202 267-7277
Email: gerry.shakley@faa.gov

RIN: 2120-AI47

2057. • +CONGESTION AND DELAY REDUCTION AT CHICAGO O'HARE INTERNATIONAL AIRPORT

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40109; 49 USC 40113; 49 USC 44502; 49 USC 44514; 49 USC 44701; 49 USC 44719; 49 USC 46301

CFR Citation: 14 CFR 93

Legal Deadline: None

Abstract: This rulemaking would create operational limits on the number of peak hour arrivals at O'Hare International Airport (ORD) as an interim measure to manage congestion and delays. This rulemaking replaces the Administrator's August 2004 order with slightly different requirements. The rulemaking will alter and extend the limitations on arrivals into O'Hare while FAA continues to consider various market-based mechanisms to allocate capacity and evaluate the impact of the O'Hare modernization

plan (OMP) and its goal of increasing capacity. The rulemaking is intended to be temporary and sunset on April 6, 2008.

Timetable:

Action	Date	FR Cite
NPRM	03/25/05	70 FR 15520
NPRM Comment	05/24/05	
Period End		
Final Action	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Lorelei Peter, Federal Aviation Administration, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202-267-3134
Email: lorelei.peter@faa.gov

RIN: 2120-AI51

2058. • CIVIL PENALTY INFLATION ADJUSTMENT REVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 6002; 28 USC 2461 (note); 49 USC 40113 to 40114; 44103 to 44106; 49 USC 44702 to 44703; 49 USC 44709 to 44710; 49 USC 44713; 49 USC 44718; 49 USC 44725; 49 USC 46101 to 46110; 49 USC 46301 to 46316; 49 USC 46318; 49 USC 46501 to 46502; 49 USC 46504 to 46507; 49 USC 47106; 49 USC 47111; 49 USC 47122; 49 USC 47306; 49 USC 47531 to 47532; 49 USC 106(g)

CFR Citation: 14 CFR 13

Legal Deadline: None

Abstract: This rulemaking adjusts certain civil monetary penalties authorized for violations of statutes we enforce. The Federal Civil Monetary Inflation Adjustment Act of 1990, Public Law (Pub. L.) 101-410, as amended by the Debt Collection Improvement Act of 1996, Pub. L. 104-134, which is codified at 28 U.S.C. 2461 note, requires Federal agencies to adjust the minimum and maximum amounts of civil monetary penalties for inflation to preserve their deterrent impact. Under these laws, each agency must make an initial inflationary

DOT—FAA

Final Rule Stage

adjustment for all applicable civil monetary penalties, and must make further adjustments of these penalty amounts at least once every four years.

Timetable:

Action	Date	FR Cite
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Joyce Redos, Regulations Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7158

RIN: 2120-AI52

2059. • DEFINITION OF COMMUTER AIRCRAFT AT RONALD REAGAN WASHINGTON NATIONAL AIRPORT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 10109; 49 USC 40103; 49 USC 40106; 49 USC 44502; 49 USC 44514; 49 USC 44701; 49 USC 44719; 49 USC 46301; 49 USC 106(g)

CFR Citation: 14 CFR 93

Legal Deadline: None

Abstract: The rulemaking will amend the regulations for aircraft permitted to operate in commuter slots at Ronald Reagan Washington National Airport (DCA). This change is necessary to conform the regulations to amendments

set forth in the Vision 100 Century of Aviation Reauthorization Act of 2003 (Vision 100) Section 426, which increases the maximum seating capacity for aircraft used in commuter slots at DCA.

Timetable:

Action	Date	FR Cite
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Judine Slaughter, Department of Transportation, Federal Aviation Administration, 800 Independence Ave SW, Washington, DC 20591
Phone: 202-493-4698
Email: judine.slaughter@faa.gov

RIN: 2120-AI58

2060. • ADVANCED QUALIFICATION PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 40108; 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44101; 49 USC 44701 to 44703; 49 USC 44705; 49 USC 44707; 49 USC 44709 to 44713; 49 USC 44713; 49 USC 44714; 49 USC 44715 to 44717; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 449 USC 5101 to 45105; 49 USC 45301 to 45302; 49 USC 45303; 49 USC 46105; 49 USC 46301; 49 USC 106(g)

CFR Citation: 14 CFR 121; 14 CFR 135; 14 CFR 61; 14 CFR 63; 14 CFR 65

Legal Deadline: None

Abstract: This rulemaking will codify the requirements of the Advanced Qualification Program (AQP). The AQP would continue as a regulatory alternative program to the traditional training program. AQP would continue to be an alternative for airlines that seek more flexibility in training than the traditional training program allows. Currently, the AQP requirements are in a Special Federal Aviation Regulation that expires on October 2, 2005. The intended effect of this rulemaking is to make AQP a permanent, alternative method of complying with FAA's training requirements for carriers.

Timetable:

Action	Date	FR Cite
NPRM	03/30/05	70 FR 16370
Final Action	10/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Thomas Longridge, Department of Transportation, Federal Aviation Administration, P. O. Box 20027, Dulles International Airport, Washington, DC 20041
Phone: 703 661-0260
Email: thomas.longridge@faa.gov

RIN: 2120-AI59

**Department of Transportation (DOT)
Federal Aviation Administration (FAA)****Long-Term Actions****2061. +DRUG ENFORCEMENT ASSISTANCE**

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 5121 to 5124; 49 USC 40113 to 40114; 49 USC 44101 to 44108; 49 USC 44110 to 44111; 49 USC 44702 to 44703; 49 USC 44704; 49 USC 44709 to 44710; 49 USC 44713; 49 USC 46101 to 46110; 49 USC 46301 to 46316; 49

USC 46501 to 46502; 49 USC 46504 to 46507; 49 USC 47106; 49 USC 47111

CFR Citation: 14 CFR 13; 14 CFR 47

Legal Deadline: Final, Statutory, September 18, 1989.

Abstract: The FAA is withdrawing an NPRM to revise certain requirements concerning registration of aircraft, certification of pilots, and penalties for registration and certification violations. We are withdrawing the document

because the relief that the NPRM would have provided has been achieved by other means or is addressed in an NPRM described elsewhere in the regulatory agenda (RIN 2120-AI43). FAA anticipates publishing this withdrawal and the new NPRM in the Federal Register after completing consideration of how to address recently enacted picture identification provisions.

DOT—FAA

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	03/12/90	55 FR 9270
NPRM Comment Period End	05/11/90	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: .

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Mark Lash, Civil Aviation Registry, Department of Transportation, Federal Aviation Administration, 6500 South MacArthur Boulevard, Oklahoma City, OK 73169
Phone: 405-954-4331
Email: mark.lash@faa.gov

RIN: 2120-AD16

2062. +FLIGHT CREWMEMBER DUTY LIMITATIONS AND REST REQUIREMENTS

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44701; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This rulemaking would amend the regulations on duty period limitations, flight time limitations, and rest requirements for flight crewmembers engaged in air transportation. The FAA proposes additional changes in response to comments received on the NPRM. The changes are necessary to ensure that the rules will continue to provide the minimum level of safety. This rulemaking responds to public and congressional interest in regulating flight crewmember rest requirements, NTSB Safety Recommendations, petitions for rulemaking, and scientific

data. This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	12/20/95	60 FR 65951
NPRM Comment Period End	03/19/96	
NPRM Comment Period Extended to	03/20/96	61 FR 11492
	6/19/96	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-94-443R

ANALYSIS: Regulatory Evaluation, 12/20/95, 60 FR 65951

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Larry Youngblut, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8166

RIN: 2120-AF63

2063. +CHILD RESTRAINT SYSTEMS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715 to 44718; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46502

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: This rulemaking would consider the use of child restraint systems in aircraft during all phases of flight (i.e., taxi, takeoff, landing, or any other time the seat belt sign is illuminated). Specifically, the agency would consider information about existing child restraint systems, the development of new and improved child restraint systems, and the ease with which existing or new child restraint systems can be used. The Department is currently considering

and coordinating options for appropriate action.

Timetable:

Action	Date	FR Cite
ANPRM	02/18/98	63 FR 8324
ANPRM Comment Period End	06/18/98	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected:

Undetermined

Additional Information: Project Number: AFS-97-261R

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Nancy L Claussen, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 2800 44th N. Street Suite 450, Phoenix, AZ 85008
Phone: 602 379-4864

RIN: 2120-AG43

2064. +REVISIONS TO COCKPIT VOICE RECORDER AND DIGITAL FLIGHT DATA RECORDER REGULATIONS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903; 49 USC 44904; 49 USC 44912; 49 USC 46105; 49 USC 44113

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135; 14 CFR 23; 14 CFR 25; 14 CFR 27

Legal Deadline: None

Abstract: This rulemaking would amend the cockpit voice recorder (CVR) and digital flight data recorder (DFDR) regulations for certain air carriers, operators, and aircraft manufacturers. It would increase the duration of CVR and flight data recorder (FDR) recordings; increase the data recording rate of certain DFDR parameters; require physical separation of the DFDR and CVR; improve the reliability of the power supply to both the CVR and DFDR; and, if data-link communication equipment is installed, require that all

DOT—FAA

Long-Term Actions

data-link communications received by an aircraft be recorded.

Timetable:

Action	Date	FR Cite
NPRM	02/28/05	70 FR 9752
Final Rule	06/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: On 12/15, OMB “cleared” this rulemaking, subject to minor changes, mostly editorial. Actual clearance should date from 1/12, when the revised version was resubmitted to OMB.

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Timothy Shaver, Avionic Systems Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202-385-4686
Email: timothy.shaver@faa.gov

RIN: 2120-AH88

2065. ISSUANCE OF STANDARD AIRWORTHINESS CERTIFICATES FOR AIRCRAFT MANUFACTURED FROM SPARE AND SURPLUS PARTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7572; 49 USC 106(g); 49 USC 40105; 49 USC 40113; 40 USC 44701 to 44702; 49 USC 44707; 49 USC 44709; 49 USC 44711; 49 USC 44713; 49 USC 44715; 49 USC 45303

CFR Citation: 14 CFR 21

Legal Deadline: None

Abstract: This rulemaking would amend the regulations for issuing a standard airworthiness certificate to certain new aircraft manufactured in the United States. The proposal addresses a concern that under the current regulations, certain new aircraft are eligible for a standard airworthiness

certificate without meeting the requirements of a type certificate and without having been manufactured under a FAA production approval. The intended effect is to ensure that all new aircraft manufactured in the United States received a standard airworthiness certificate only after the aircraft have been type certificated and manufactured under an FAA production approval.

The FAA also proposes to incorporate requirements contained in laws recently passed by Congress. A holder of a type certificate or supplemental type certificate who allows another person to use the certificate would have to provide written permission to that person. In addition, anyone who manufactures or alters an aircraft, aircraft engine, or propeller based on a type certificate or supplemental type certificate would have to be the certificate holder or have written permission for the certificate holder.

Timetable:

Action	Date	FR Cite
ANPRM	04/03/03	68 FR 16217
NPRM	02/15/05	70 FR 7830
NPRM Comment	04/18/05	
Period End		
Final Rule	08/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Frank P Paskeiwicz, Production and Airworthiness Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8361

RIN: 2120-AH90

2066. +DRUG ENFORCEMENT ASSISTANCE

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113 to 40114; 49 USC 44101 to 44108; 49 USC 44110 to 44111

CFR Citation: 14 CFR 47; 14 CFR 61; 14 CFR 63; 14 CFR 65

Legal Deadline: None

Abstract: This rulemaking would change the pilot certification and aircraft registration requirements. Pilots would have two years to replace their paper certificates with upgraded, counterfeit-resistant certificates. Student pilots would not be affected. Others who hold airman certificates, such as flight engineers and mechanics, would have five years. Those who transfer ownership of U.S.-registered aircraft would have five days from the transaction to notify the FAA Aircraft Registry. Those who apply for aircraft registration would have to include their printed or typed name with their signature. The purpose of the changes is to assist Federal, State, and local agencies to enforce the Nation’s drug laws. The FAA anticipates publishing this NPRM in the Federal Register after completing consideration of how to address recently enacted picture identification provisions.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Mark Lash, Civil Aviation Registry, Department of Transportation, Federal Aviation Administration, 6500 South MacArthur Boulevard, Oklahoma City, OK 73169
Phone: 405-954-4331
Email: mark.lash@faa.gov

RIN: 2120-AI43

**Department of Transportation (DOT)
Federal Aviation Administration (FAA)**

Completed Actions

2067. +AGING AIRCRAFT SAFETY

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901 to 44904; 49 USC 44906

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 129; 14 CFR 135; 14 CFR 183

Legal Deadline: Other, Statutory, April 24, 1992, Action must be initiated by 04/24/92 per Aging Aircraft Safety Act of 1991.

Abstract: This rulemaking will adopt the interim final rule (IFR) published on December 6, 2002, as a final rule with changes. The IFR imposed statutory requirements for the Aging Aircraft Safety Act of 1991 for certain airplanes to undergo inspections and records reviews after their fourteenth year in service and at specified intervals after that. Also, the rule imposed a requirement to include supplemental inspections by specified deadlines in the maintenance programs for these airplanes. With this action, the FAA would respond to comments to the IFR, further clarify parts of the rule language, and substantially revise the supplemental inspection requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/05/93	58 FR 51944
NPRM Comment Period End	02/02/94	
Comment Period End	02/08/94	59 FR 5741
	3/4/94	
NPRM	04/02/99	64 FR 16298
NPRM Comment Period End	08/02/99	
NPRM Comment Period Reopened	08/18/99	64 FR 45090
Comment Period End	10/08/99	
Interim Final Rule; Request for Comments	12/06/02	67 FR 72726
Interim Final Rule; Extension of Comment Period	02/04/03	68 FR 5782
Interim Final Rule; Comment Period End	02/04/03	
Interim Final Rule; Extension of Comment Period	05/05/03	
Interim Final Rule; Comment Period End		
Interim Final Rule Effective	01/01/04	

Action	Date	FR Cite
Final Action	02/02/05	70 FR 5517
Final Action Effective	03/04/05	
Regulatory Flexibility Analysis Required: No		
Small Entities Affected: Businesses		
Government Levels Affected: None		
Additional Information: Project Number AFS-92-029R.		
ANALYSIS: Regulatory Evaluation, 04/02/99, 64 FR 16298		
URL For More Information: dms.dot.gov		
URL For Public Comments: dms.dot.gov		
Agency Contact: Frederick Sobeck, Aircraft Maintenance Division, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-7355		
RIN: 2120-AE42		

2068. +REVISION OF EMERGENCY EVACUATION DEMONSTRATION PROCEDURES TO IMPROVE PARTICIPANT SAFETY

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 25; 49 CFR 1.47

Legal Deadline: None

Abstract: This rulemaking will amend part 25 of the FAR by revising appendix J, Emergency Evacuation, to allow certain alternative procedures in conducting full-scale emergency evacuation demonstrations for transport category airplanes. This is in response to recommendations from the Aviation Rulemaking Advisory Committee. The changes, which are intended to make full-scale emergency evacuation demonstrations safer for participants and to codify existing practices, would also affect manufacturers and operators of transport category airplanes. This action is considered significant because of substantial public interest and safety implications. The FAA is also looking at nonregulatory alternatives.

Timetable:

Action	Date	FR Cite
NPRM	07/18/95	60 FR 36932
Correction	08/25/95	60 FR 44387

Action	Date	FR Cite
NPRM Comment Period End	10/16/95	
Final Action	10/31/04	69 FR 67492
Regulatory Flexibility Analysis Required: No		
Small Entities Affected: No		
Government Levels Affected: None		
Additional Information: Project Number: ANM-94-124A		
ANALYSIS: Regulatory Evaluation, 07/18/95, 60 FR 36932		
URL For More Information: dms.dot.gov		
URL For Public Comments: dms.dot.gov		
Agency Contact: Jeff Gardlin, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056 Phone: 425 227-2136		
RIN: 2120-AF21		

2069. +NOISE LIMITATIONS FOR AIRCRAFT OPERATIONS IN THE VICINITY OF GRAND CANYON NATIONAL PARK

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40109; 49 USC 40113; 49 USC 44502; 49 USC 44514; 49 USC 44701; 49 USC 44719; 49 USC 46301

CFR Citation: 14 CFR 93

Legal Deadline: None

Abstract: This action is one part of an overall strategy to reduce further the impact of aircraft noise on the environment of Grand Canyon National Park (GCNP) and to help the National Park Service achieve its statutory mandate imposed by Public Law 100-91 to provide for the substantial restoration of natural quiet and experience at GCNP. This rulemaking would establish a reasonably achievable standard for quiet technology to comply with the congressional mandate imposed by section 804 of the Wendell H. ord Aviation Investment and Reform Act for the 21st Century (Public Law 106-181).

Timetable:

Action	Date	FR Cite
NPRM	12/31/96	61 FR 69334
NPRM Comment Period End	03/31/97	

DOT—FAA

Completed Actions

Action	Date	FR Cite
SNPRM	07/15/98	63 FR 38232
SNPRM	03/24/03	68 FR 14276
SNPRM Comment Period End	06/23/03	
Final Rule	03/29/05	70 FR 16083

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: A final rule, which was published on 12/31/96 (61 FR 69302), establishes new operating restrictions at Grand Canyon National Park.

ANALYSIS: Regulatory Evaluation, 12/31/96, 61 FR 69334

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Tom Connor, Office of Energy and Environment, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8933

RIN: 2120-AG34**2070. +SECURITY CONSIDERATIONS FOR THE FLIGHTDECK ON FOREIGN OPERATED TRANSPORT CATEGORY AIRPLANES****Priority:** Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44712; 49 USC 44716 to 44717; 49 USC 44722

CFR Citation: 14 CFR 129**Legal Deadline:** None

Abstract: This rulemaking would amend earlier rules requiring improved flightdeck security and operational and procedures changes to prevent unauthorized access to the flightdeck on passenger-carrying aircraft operated by foreign carriers under the provisions of part 129. This final rule is intended to ensure that the same flightdeck security enhancements apply to foreign air carriers as apply to U.S. air carriers. Because this rule was issued without prior notice and comment to address imminent security concerns, it contained a request for public comments.

Timetable:

Action	Date	FR Cite
Final Rule	06/21/02	67 FR 42450
Final Rule Effective	06/21/02	
Comment Period End	08/20/02	
Final Rule; Request for Comments	12/30/02	67 FR 79822
Final Rule Effective Date	12/30/02	
Comment Period End	02/28/03	
Final Action	04/26/05	70 FR 21562

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Marlene Lovack, International Liaison Staff, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 385-4678

Related RIN: Related to 2120-AA56**RIN:** 2120-AH70**2071. +PICTURE IDENTIFICATION REQUIREMENTS****Priority:** Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44711; 49 USC 45102 to 45103; 49 USC 45301 to 45302

CFR Citation: 14 CFR 61**Legal Deadline:** None

Abstract: This rule would revise the pilot certificate requirements to require a person to carry a photo identification acceptable to the Administrator when exercising the privileges of a pilot certificate. Additionally, it would require a pilot certificate holder to present a photo identification when requested by the Administrator, an authorized representative of the National Transportation Safety Board (NTSB), the Transportation Security Administration (TSA), or a law enforcement officer. These measures are intended to address security concerns regarding the identification of pilots. This rulemaking is significant because of safety and substantial public interest.

Timetable:

Action	Date	FR Cite
Final Rule; Request for Comments	10/28/02	67 FR 65858
Final Rule Effective	10/28/02	
Comment Period End	11/27/02	
Final Action	09/29/04	69 FR 58231
Correction	10/28/04	69 FR 62809
Correction Effective Date	10/28/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: John D Lynch, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3844

RIN: 2120-AH76**2072. FLIGHTDECK SECURITY ON FOREIGN-OPERATED AIRPLANES****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44701 to 44702; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901 to 44904; 49 USC 44906

CFR Citation: 14 CFR 129**Legal Deadline:** None

Abstract: This final rule excludes airplanes with fewer than 19 passenger seats, eliminates the term "or on overflights," changes the compliance date for affected airplanes, and changes the term "transport category aircraft" to "transport category airplanes."

Timetable:

Action	Date	FR Cite
Request for Comments	12/30/02	67 FR 79822
Comment Period End	02/28/03	
Final Action	04/26/05	70 FR 21562

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

DOT—FAA

Completed Actions

URL For Public Comments:

dms.dot.gov

Agency Contact: Brian Staurseth, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 385-4561

RIN: 2120-AH86

2073. • CARRIAGE OF CANDIDATES IN FEDERAL ELECTIONS IN 14 CFR PART 91 SPECIAL FLIGHT OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 1155; 49 USC 40103; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44716; 49 USC 44717

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: This rulemaking would respond to actions required by the Federal Aviation Reauthorization Act of 1996, Public Law 104-264. The law mandates that title 14 of the Code of Federal Regulations, section 91.321, be amended to allow candidates in State and local elections to pay aircraft operators working under part 91 to carry them while campaigning for public office. Current regulations only allow aircraft operators working under part 91 to be paid for the carriage of candidates in Federal elections.

Timetable:

Action	Date	FR Cite
Final Action	01/31/05	70 FR 4979

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: AFS-97-338-R

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: John Chescavage, Office of Rulemaking, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20007
Phone: 202 267-9783
Fax: 202-267-5075

RIN: 2120-AI12

2074. PART 158 – STATUTORY AND ADMINISTRATIVE CHANGES (PFCS)

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40116 to 40117; 49 USC 47106; 49 USC 47111; ...

CFR Citation: 14 CFR 158

Legal Deadline: None

Abstract: This rulemaking will amend the passenger facility charge (PFC) rule to implement a new Nonhub Pilot Program. The Vision 100 Act requires the creation of this Program as a means to test alternative procedures to the existing PFC authorization process. The test procedures will streamline the PFC rules, thereby making the entire authorization process more efficient and “user-friendly”. The Program will only apply to nonhub airports and will end in three years.

Besides the Nonhub Pilot Program, this rulemaking will also amend six other sections of the PCF rule. Four of these changes are also requirements of the Vision 100 Act. All of these changes are needed to successfully implement the Nonhub Pilot Program and are designed to streamline the PCF authorization process for all airports.

Besides the Nonhub Pilot Program, this rulemaking will also amend six other sections of the PFC rule. Four of these changes are also requirements of the Vision 100 Act. All of these basic technical changes are needed to implement the Nonhub Pilot Program and are designed to further streamline the PFC authorization process.

Timetable:

Action	Date	FR Cite
NPRM	06/09/04	69 FR 32298
NPRM Comment Period End	08/09/04	
Final Rule	03/23/05	70 FR 14928

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Sheryl Scarborough, Airport Financial Analysis and Passenger Facility Charge Branch, Department of Transportation, Federal Aviation Administration, 800

Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8825
Fax: 202-267-5302

RIN: 2120-AI15

2075. TEMPORARY FLIGHT RESTRICTIONS IN THE VICINITY OF SPORTING EVENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 1155; 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: This rulemaking codifies current minimum flight altitudes and restrictions for flight operations over certain sport event venues. The FAA is taking this action in response to the Congressional mandates contained in section 521 of the Consolidated Appropriations Act of 2004 (Public Law 108-199).

Timetable:

Action	Date	FR Cite
Terminated	02/15/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Sheri Edgett-Baron, Air Traffic Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9354

RIN: 2120-AI33

2076. PYROTECHNIC SIGNALING DEVICES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: The FAA rescinds the requirement for the one pyrotechnic signaling device required for aircraft

DOT—FAA

Completed Actions

operated for hire, over water, and beyond power off gliding distance from shore for air carrier, commuter, or commercial operations conducted under 14 CFR parts 121, 125, or 135. However, this regulation still pertains to all persons conducting operations for hire solely under part 91. The FAA has determined that this requirement is obsolete, redundant, and could pose a security problem for these operators. Moreover, the removal of the requirement relieves carriers of an unnecessary cost burden.

Timetable:

Action	Date	FR Cite
Direct Final Rule	12/27/04	69 FR 77596
Direct Final Rule Comment Period End	01/26/05	
Direct Final Rule Effective	02/07/05	
Final Action	04/27/05	70 FR 21618

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Thomas Penland, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9518
Email: thomas.penland@faa.gov

RIN: 2120-AI42

2077. REDESIGNATION OF MOUNTAINOUS AREAS IN ALASKA

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40113; 49 USC 40114; 49 USC 40114

CFR Citation: 14 CFR 95

Legal Deadline: None

Abstract: This proposal would update the designated mountainous areas in the State of Alaska. Regulations currently designating mountainous areas in Alaska were established in 1956. Since that time, we have concluded that areas previously considered non-mountainous should be expanded, and two areas previously designated mountainous should now be

considered non-mountainous. The intended effect of this proposal is to enhance safety by allowing aircraft operating in certain non-mountainous areas to fly at lower altitudes when necessary.

Timetable:

Action	Date	FR Cite
NPRM	11/30/04	69 FR 61128
Final Action	02/15/05	70 FR 7357

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Donald Streeter, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202-385-4567
Email: donald.streeter@faa.gov

RIN: 2120-AI44

2078. • CAPE TOWN TREATY IMPLEMENTATION

Priority: Substantive, Nonsignificant

Legal Authority: PL 108-297

CFR Citation: 14 CFR 47; 14 CFR 49

Legal Deadline: Final, Statutory, December 31, 2004.
Cape Town Treaty Implementation Act of 2004, Pub. L. 108-297. Aug. 9. 2004.

Abstract: The FAA is revising the regulations concerning registering aircraft and recording security documents. Section 4 of the Cape Town Treaty Implementation Act of 2004 requires FAA to make certain changes. This action will enable persons to transmit information to the new International Registry concerning certain airframes, helicopters, and engines by making the FAA Aircraft Registry the U. S. authorizing entry point to the International Registry. We are also making unrelated technical changes to other portions of the regulations in this document.

Timetable:

Action	Date	FR Cite
Final Action	01/03/05	70 FR 240

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Mark Lash, Civil Aviation Registry, Department of Transportation, Federal Aviation Administration, 6500 South MacArthur Boulevard, Oklahoma City, OK 73169
Phone: 405-954-4331
Email: mark.lash@faa.gov

RIN: 2120-AI48

2079. • +SECURITY CONSIDERATIONS IN THE DESIGN OF THE FLIGHTDECK ON TCAS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 41706; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709; 49 USC 44711

CFR Citation: 14 CFR 145

Legal Deadline: None

Abstract: This rulemaking will provide an optional means of compliance to operators of all cargo airplanes that are required to have a reinforced security flight deck door by April 9, 2003. This rule allows those operators to either install reinforced doors or adopt enhanced security procedures approved by the Transportation Security Administration. This rulemaking is related to a final rule RIN 2120-AH56, which was published in January 2004.

Timetable:

Action	Date	FR Cite
Final Action	04/26/05	70 FR 21562

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Effie Upshaw, Federal Aviation Administration, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202-267-9677
Email: effie.upshaw@faa.dot.gov

RIN: 2120-AI54

DOT—FAA

Completed Actions

2080. • AUTOMATIC EXTERNAL DEFIBRILLATOR**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105; 49 USC 106(g)**CFR Citation:** 14 CFR 121**Legal Deadline:** None**Abstract:** This rulemaking will amend part 121 to permit continued use of currently installed Phillips BT1 and M3863A lithium manganese dioxide power sources in AEDs, even though those power sources do not hold a TSO authorization.**Timetable:**

Action	Date	FR Cite
Final Rule	03/24/05	70 FR 15193

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: David H. Rich, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-7141
Email: dave.rich@faa.gov**RIN:** 2120-AI55**2081. • REPAIR STATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44707; 49 USC 44709; 49 USC 44717; 49 USC 47101-44702**CFR Citation:** 14 CFR 145**Legal Deadline:** None**Abstract:** This action delays the effective date for repair stations to have required employee training programs in place from April 6, 2005 to April 6, 2006. This action is necessary to give repair station certificate holders more time to consider FAA guidance material, which will be issued in the near future, in developing the required programs. This action also allows the

FAA to allot resources to review and accept European Aviation Safety Authority (EASA) part 145 manual supplement revisions required of the 1,275 US-based part repair stations that are also approved under the European Commission (EC) regulation 2042.

Timetable:

Action	Date	FR Cite
Final Rule	03/29/05	70 FR 15580

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Herbert E. Daniel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3109
Email: herbert.e.daniel@faa.gov**RIN:** 2120-AI60**BILLING CODE** 4910-13-S

Department of Transportation (DOT)

Proposed Rule Stage

Federal Highway Administration (FHWA)

2082. • PROJECT AUTHORIZATION AND AGREEMENT**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 23 USC 106; 23 USC 109; 23 USC 115; 23 USC 315; 23 USC 320; 23 USC 402 (a); 23 CFR 1.32; 49 CFR 1.48 (b)**CFR Citation:** 23 CFR 630**Legal Deadline:** None**Abstract:** The FHWA proposes to revise its regulations relating to the obligation of Federal funds to reduce occurrences where funds on inactive projects or activities funded out of the Highway Trust Fund are in excess of

what is needed to complete the project. Inactive projects or activities are defined as those where no expenditures have been charged against Federal funds during the previous twelve months. The NPRM proposes to authorize FHWA to reduce amounts obligated on Federal-aid projects when it determines that the project is not advancing or when the amount of Federal funds obligated on an inactive project exceeds the amount needed to complete the project. The NPRM further proposes to establish a project completion date in the project agreement.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State**Agency Contact:** Dale M. Gray, Federal-Aid Financial Management Division, Department of Transportation, Federal Highway Administration, Room 4313, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0978**RIN:** 2125-AF05

Department of Transportation (DOT)

Final Rule Stage

Federal Highway Administration (FHWA)

2083. • ENVIRONMENTAL IMPACT AND RELATED PROCEDURES**Priority:** Info./Admin./Other**Legal Authority:** 23 USC 315; 23 USC 303; 49 USC 5323; 49 USC 5324**CFR Citation:** 23 CFR 771; 49 CFR 622**Legal Deadline:** None**Abstract:** This rule would make technical corrections to the regulation that governs environmental impact procedures for FHWA and FTA. None of the changes are substantive in nature. The technical changes include

correcting the name of the Federal Transit Administration, correcting statutory references that have become outdated, and removing the reference to a program under 23 USC 105 that has been eliminated.

Timetable:

Action	Date	FR Cite
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Fred Skaer, Office of Environment and Planning, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2058**Related RIN:** Related to 2132-AA78**RIN:** 2125-AF04

Department of Transportation (DOT)

Long-Term Actions

Federal Highway Administration (FHWA)

2084. +NATIONAL STANDARDS FOR TRAFFIC CONTROL DEVICES; THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS; MAINTAINING TRAFFIC SIGN RETROREFLECTIVITY**Priority:** Other Significant**Legal Authority:** 23 USC 101(a); 23 USC 104; 23 USC 105; 23 USC 109(d); 23 USC 114(a)**CFR Citation:** 23 CFR 655; 49 CFR 1.48(b)**Legal Deadline:** None**Abstract:** This action would update the standards for retroreflectivity of traffic signs. Section 406(a) of the Department of Transportation and Related Agencies Appropriations Act of 1993, requires the Secretary of Transportation to revise the MUTCD to include a standard for a minimum level of

retroreflectivity that must be maintained for traffic signs. The FHWA is interested in establishing standards for nighttime visibility of traffic signs. The FHWA will develop these standards by considering the results of research, engineering practices and comments received in response to this notice of proposed amendments.

Timetable:

Action	Date	FR Cite
NPRM	07/30/04	69 FR 45623
NPRM Comment Period Extended	10/22/04	69 FR 62007
NPRM Comment Period End	10/28/04	
NPRM Extension of Comment Period End	02/01/05	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** The FHWA, at the request of the American Association of State Highway and Transportation Officials (AASHTO) and the National Committee on the Uniform Traffic Control Devices (NCUTCD), extended the comment period until February 1, 2005.**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Peter Hatzi, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8036**RIN:** 2125-AE98

Department of Transportation (DOT)

Completed Actions

Federal Highway Administration (FHWA)

2085. HIGHWAY BRIDGE REPLACEMENT AND REHABILITATION PROGRAM**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 97-424, sec 161; 23 USC 109(a); 23 USC 144(g); PL 105-178, sec 1101(a)(3); 23 USC 109(h); 23 USC 144; 23 USC 151; 23 USC 315; 23 USC 319; 33 USC 401; 33 USC 409 et seq; 33 USC 511 et seq; PL 97-134, sec 4(b); PL 105-206**CFR Citation:** 23 CFR 650; 23 CFR 1.32; 49 CFR 1.48(b)**Legal Deadline:** None**Abstract:** The FHWA is seeking comments regarding improvements that can be made to its regulation outlining the highway bridge replacement and rehabilitation program (HBRRP). In addition, the FHWA is considering the inclusion and/or modification of existing policies so that they provide the flexibility necessary for the States and local governments to better manage their bridge assets. It is evident that the nation's bridges are aging, funds are scarce, and the States and local

governments need more flexibility in the way they manage the limited bridge funds. Over the years, the FHWA has established policies in many areas such as touch down points for the proper use of bridge funds. The FHWA may need to eliminate some of these policies and incorporate others into the regulation. The FHWA seeks comments from the public, State and local governments, and other Federal agencies on the best means to improve the program.

DOT—FHWA

Completed Actions

Timetable:

Action	Date	FR Cite
ANPRM	09/26/01	66 FR 49152
ANPRM Comment Period End	12/26/01	
NPRM	06/21/04	69 FR 34314
NPRM Comment Period End	08/20/04	
Withdrawn	04/11/05	70 FR 18342

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Thomas Everett, Team Leader, Bridge Programs, Department of Transportation, Federal Highway Administration, 400 Seventh St., S.W., Washington, DC 20590
Phone: 202 366-4675

RIN: 2125-AE75

2086. +NATIONAL BRIDGE INSPECTION STANDARDS

Priority: Other Significant

Legal Authority: 23 USC 109(a); 23 USC 109(h); 23 USC 144; 23 USC 151; 23 USC 315; 23 USC 319; EO 11988; ...

CFR Citation: 23 CFR 650; 23 CFR 1.32; 49 CFR 1.48(b)

Legal Deadline: None

Abstract: This rulemaking would amend and update the regulation on National Bridge Inspection Standards (NBIS). The FHWA asked in an ANPRM whether there is a need to update the regulations to incorporate current, state-of-the-art bridge inspection practices which public authorities may be using. The primary purpose of the NBIS is to identify bridges that need work to ensure the safety of the traveling public. The FHWA proposed a revision of its regulation on the NBIS to address perceived ambiguities in the NBIS since it was last updated in 1987. The changes would clarify the NBIS language that is vague or ambiguous; reorganize the NBIS into a more logical sequence; and make the regulation easier to read and understand, not only by the inspector in the field, but also by those administering the highway bridge inspection programs at the State

and Federal level. This rulemaking is significant because of the public and congressional interest in bridge safety.

Timetable:

Action	Date	FR Cite
ANPRM	09/26/01	66 FR 49154
ANPRM Comment Period End	12/26/01	
NPRM	09/09/03	68 FR 53063
NPRM Comment Period End	11/10/03	
Final Action	12/14/04	69 FR 74419
Final Action Effective	01/13/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Local, State, Tribal

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Wade F Casey, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9487

RIN: 2125-AE86

2087. UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION REGULATIONS FOR FEDERAL AND FEDERALLY ASSISTED PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 4601 et seq; 49 CFR 1.48(cc)

CFR Citation: 49 CFR 24

Legal Deadline: None

Abstract: The FHWA is proposing to update general policies and make needed changes to the regulations implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act). Except for minor adjustments, this regulation has not been revised or updated in 15 years and the FHWA has received numerous requests from Federal and State agencies to update the regulation. The FHWA proposes these changes that will assist the individuals and businesses that are relocated as a result of a Federal or Federal-aid project.

Timetable:

Action	Date	FR Cite
NPRM	12/17/03	68 FR 70342

Action	Date	FR Cite
NPRM Comment Period End	02/17/04	
Final Rule	01/04/05	70 FR 590
Final Rule Effective	02/03/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Ron Fannin, Team Leader, Professional Development and Training Team, Department of Transportation, Federal Highway Administration, Office of Real Estate Services, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2042

RIN: 2125-AE97

2088. THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES TO STREETS AND HIGHWAYS; SPECIFIC SERVICE AND GENERAL SERVICE SIGNING FOR 24-HOUR PHARMACIES

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 101 (a); 23 USC 104; 23 USC 109 (d); 23 USC 114 (a); 23 USC 217; 23 USC 315; 23 USC 402 (a)

CFR Citation: 23 CFR 655.601(a); 23 CFR 1.32

Legal Deadline: Final, Statutory, July 21, 2004.

Abstract: This action amends the 2003 Edition of the MUTCD to permit the use of specific service and general service signing to assist motorists in locating 24-hour pharmacy services that are open to the public.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/10/04	69 FR 25829
Interim Final Rule Comment Period End	06/30/04	
Interim Final Rule Effective	07/21/04	
Final Rule	12/01/04	69 FR 69815
Final Action Effective	01/03/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

DOT—FHWA

Completed Actions

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Hari Kalla,
Department of Transportation, Federal
Highway Administration, 400 Seventh
Street SW., Washington, DC 20590
Phone: 202 366-5915

RIN: 2125-AF02

2089. PROCEDURES FOR THE ABATEMENT OF HIGHWAY TRAFFIC NOISE AND CONSTRUCTION NOISE

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 109(h) and (i);
42 USC 4331, 4332; sec 339(b), PL
104-59

CFR Citation: 23 CFR 772

Legal Deadline: None

Abstract: This action would amend the regulation that specifies that traffic noise prediction method to be used in highway traffic noise analysis. This revision would require the use of the FHWA Traffic Noise Model (FHWA TNM), which was originally released on March 30, 1998. It would update the specific reference to acceptable highway traffic noise prediction methodology and would remove references to a noise measurement report and vehicle noise emission levels.

Timetable:

Action	Date	FR Cite
NPRM	08/20/04	69 FR 51620
NPRM Comment Period End	10/19/04	

Action	Date	FR Cite
Final Rule	04/01/05	70 FR 16707
Final Rule Effective	05/02/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Robert Armstrong,
Office of Environment and Planning,
Department of Transportation, Federal
Highway Administration, 400 Seventh
Street SW., Washington, DC 20590
Phone: 202 366-2073

RIN: 2125-AF03

BILLING CODE 4910-22-S

Department of Transportation (DOT)

Federal Motor Carrier Safety Administration (FMCSA)

Proposed Rule Stage

2090. +MEDICAL QUALIFICATION REQUIREMENTS AS PART OF THE CDL PROCESS

Priority: Other Significant

Legal Authority: sec 215, PL 106-159;
113 Stat. 1748, 1767 (1999); 49 USC
31305 note and 31502

CFR Citation: 49 CFR 383, 384, and 391

Legal Deadline: None

Abstract: This rulemaking would provide for a Federal medical certification as part of the commercial driver's license (CDL) program, as required by section 215 of the Motor Carrier Safety Improvement Act. Incorporating medical qualification verification and documentation into State-administered CDL procedures will improve highway safety by preventing medically-unqualified individuals from obtaining a CDL. It will also eliminate the requirement for CDL operators to carry their medical certificate in addition to their CDL.

Timetable:

Action	Date	FR Cite
ANPRM	07/15/94	59 FR 36338
ANPRM Comment Period End	11/14/94	
NPRM	03/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses,
Governmental Jurisdictions

Government Levels Affected:
Undetermined

Additional Information: Docket No.
FMCSA-97-2210.

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Dr. Maggi Gunnels,
Chief, Physical Qualifications Division,
Department of Transportation, Federal
Motor Carrier Safety Administration,
400 Seventh St., SW., Washington, DC
20590

Phone: 202 366-4001

Email: maggi.gunnels@fmcsa.dot.gov

RIN: 2126-AA10

2091. +UNIFIED REGISTRATION SYSTEM

Priority: Other Significant

Legal Authority: PL 104-88; 109 Stat.
803, 888 (1995); 49 USC 13908

CFR Citation: 49 CFR 360, 365, 366,
368, 387, and 390

Legal Deadline: Final, Statutory,
January 1, 1998.

Abstract: This rulemaking would replace three current identification and registration systems — the USDOT

identification number system, the registration/licensing system, and the financial responsibility system — with a unified registration system. It would consolidate and simplify current Federal registration processes and increase public accessibility to data about interstate and foreign motor carriers, property brokers, and freight forwarders. In addition, the agency will consider comments on how it might replace a fourth system — the single-State registration system — in a manner consistent with conditions imposed by statute.

Timetable:

Action	Date	FR Cite
ANPRM	08/26/96	61 FR 43816
ANPRM Comment Period End	10/25/96	
NPRM	05/00/05	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal,
State

Additional Information: Docket No.
FMCSA-97-2349.

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

DOT—FMCSA

Proposed Rule Stage

Agency Contact: Valerie Height, Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PRR, Office of Policy Plans and Regulation (MC-PRR) 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0901

RIN: 2126-AA22

2092. +NEW ENTRANT SAFETY ASSURANCE PROCESS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: PL 106-159, sec 210; 113 Stat 1748 (1999); PL 107-87, sec 350; 49 USC 31144

CFR Citation: 49 CFR 385

Legal Deadline: None

Abstract: This rulemaking would establish minimum requirements for new entrant motor carriers to ensure that they are knowledgeable about applicable Federal motor carrier safety standards. After ensuring that they are knowledgeable, the new entrants would be able to operate for 18 months in which time they must pass a safety review in order to receive permanent operating authority. A rule is necessary to clarify that all foreign motor carriers planning to operate in interstate commerce (except Mexico-domiciled motor carriers who are covered under the NAFTA rules) will be subject to these requirements.

Timetable:

Action	Date	FR Cite
Interim Final Rule (IFR)	05/13/02	67 FR 31978
IFR Comment Period End	07/12/02	
IFR Effective	01/01/03	
NPRM	11/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Darrell Ruban, Acting Chief, Enforcement and Compliance Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ECE, Room 8310, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-9699

RIN: 2126-AA59

2093. +CERTIFICATION OF SAFETY AUDITORS, SAFETY INVESTIGATORS, AND SAFETY INSPECTORS

Priority: Other Significant

Legal Authority: sec 211, PL 106-159; 113 Stat. 1754 (1999); sec 350, PL 107-87; 49 USC 31148

CFR Citation: 49 CFR 385

Legal Deadline: Final, Statutory, December 9, 2000.

Abstract: This rulemaking requires that any safety inspection, audit, or review be conducted by a certified investigator. It specifically gives FMCSA authority to decertify an investigator, including a third-party investigator, for failure to meet the prescribed certification standards. It is required by section 211 of the Motor Carrier Safety Improvement Act. Based on comments to the IFR, the agency will issue an NPRM that addresses issues not raised in the IFR.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/19/02	67 FR 12776
IFR Effective Date Delayed	06/17/02	67 FR 41196
IFR; Ext. of Statutory Compliance Date	07/28/03	68 FR 44378
Notice; Environmental Assessment (EA)	10/02/03	68 FR 56863
Notice; Statutory Compliance Date	12/23/03	68 FR 74287
NPRM	05/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket Nos. FMCSA-2001-11060 and FMCSA-2003-15642.

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Darrell Ruban, Acting Chief, Enforcement and Compliance Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ECE, Room 8310, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9699

RIN: 2126-AA64

2094. ACUTE AND CRITICAL VIOLATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 113, 504, and 521(b); 49 USC 5113, 31136, 31144, 31148, and 31502

CFR Citation: 49 CFR 385

Legal Deadline: None

Abstract: This rulemaking would modify appendix B to part 385 to update the factors and regulations affecting a motor carrier's safety fitness. It is necessary to amend the list of acute and critical regulations because the agency has established operating procedures and issued several regulations required by the ICC Termination Act of 1995, the Transportation Equity Act for the 21st Century, and the Motor Carrier Safety Improvement Act of 1999.

Timetable:

Action	Date	FR Cite
NPRM	07/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Darrell Ruban, Acting Chief, Enforcement and Compliance Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ECE, Room 8310, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-9699

RIN: 2126-AA77

2095. +INSPECTION, REPAIR AND MAINTENANCE OF INTERMODAL CONTAINER CHASSIS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 31136 and 31502

CFR Citation: 49 CFR 385, 390, 393, and 396

Legal Deadline: None

Abstract: This rulemaking would require entities that offer intermodal container chassis for transportation in

DOT—FMCSA

Proposed Rule Stage

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

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Larry M. Minor, Director, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSV, 400 Seventh Street SW., MC-PS, Washington, DC 20590
Phone: 202 366-4009

Related RIN: Related to 2126-AA38**RIN:** 2126-AA86**2096. CARGO SECUREMENT STANDARDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 31136 and 31502**CFR Citation:** 49 CFR 393**Legal Deadline:** None

Abstract: This rulemaking would amend the Federal Motor Carrier Safety Regulations relating to protection against shifting and falling cargo to clarify several provisions, and to include regulatory language that was inadvertently omitted from the final rule published on 09/27/2002 (67 FR 61212). It would also address issues raised by motor carriers, industry groups, State enforcement agencies, and the Canadian Council of Motor Transport Administrators.

Timetable:

Action	Date	FR Cite
NPRM	07/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Larry M. Minor, Director, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSV, 400 Seventh Street SW., MC-PS, Washington, DC 20590
Phone: 202 366-4009

Related RIN: Related to 2126-AA27**RIN:** 2126-AA88**2097. • +PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATIONS; SURGE BRAKE REQUIREMENTS****Priority:** Other Significant**Legal Authority:** 49 USC 31136(a) and 31502(b)**CFR Citation:** 49 CFR 393**Legal Deadline:** None

Abstract: This rulemaking would amend the Federal Motor Carrier Safety Regulations (FMCSRs) to allow the use of automatic hydraulic inertia brake systems (surge brakes) on trailers operated in interstate commerce, in response to a petition for rulemaking from the Surge Brake Coalition. Currently, surge brakes are not considered by FMCSA to comply with the requirements that all brakes on a commercial motor vehicle (CMV) be capable of operating at all times, and that a single valve (or brake application control mechanism) apply the brakes on the towing unit and trailer, simultaneously. The intent of this rulemaking is to adopt performance-based brake system requirements to allow the use of surge brakes on certain combinations of CMVs, based upon engineering test data submitted by the Surge Brake Coalition.

Timetable:

Action	Date	FR Cite
NPRM	09/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Luke Loy, Mechanical Engineer, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh St., SW., Washington, DC 20590
Phone: 202 366-4009
Fax: 202-366-8842
Email: luke.loy@fmcsa.dot.gov

RIN: 2126-AA91

Department of Transportation (DOT)

Federal Motor Carrier Safety Administration (FMCSA)

Final Rule Stage

2098. +COMMERCIAL DRIVER'S LICENSE STANDARDS; BIOMETRIC IDENTIFIER**Priority:** Other Significant**Legal Authority:** sec 9105(a), PL 100-690; 102 Stat. 4527, 4530 (1988);

sec 4011(c), PL 105-178; 112 Stat. 107 (1998)

CFR Citation: 49 CFR 383**Legal Deadline:** Final, Statutory, December 31, 1990.

Abstract: FMCSA is withdrawing this rulemaking because it has determined that the agency has met the statutory objective through other efforts. Moreover, FMCSA does not want to take action that might interfere with other ongoing government efforts to use

DOT—FMCSA

Final Rule Stage

biometrics in personal identification documents. It would have established minimum uniform standards for a biometric identification system for CMV operators, as directed by section 9105 of the Truck and Bus Safety and Regulatory Reform Act of 1988. In 1989, the FHWA published an ANPRM soliciting comments on a pilot demonstration project using biometric identifiers that included retinal eye scans and fingerprint technologies. After reviewing the comments, FHWA determined at the time that technology had not progressed to where a nationwide identification system could be cost-effective and provide the benefits for which a system was intended. On 03/08/91, FHWA published a document entitled "ANPRM; additional information" with results of the pilot study and summary of comments to the 1989 ANPRM, to demonstrate how the technologies studied fell short of the demands in the commercial licensing environment at the time. Section 4011(c) of TEA-21, which amended 49 USC 31308, requires each CDL issued by the States after January 1, 2001, to have unique identifiers (which may include biometric identifiers). The FMCSA undertook a pilot study on digital facial images and sets of fingerprints from volunteers in California, Georgia and West Virginia. California provided the lead for this study. The pilot study was completed, and a final report was issued in December 2002. FMCSA was considering setting biometric storage and transmission standards which States would use if they voluntarily wish to store fingerprint images and transmit such images to other States upon request. This action is considered significant because of substantial public interest and national security.

Timetable:

Action	Date	FR Cite
ANPRM	05/15/89	54 FR 20875
ANPRM Comment Period End	07/14/89	
Additional information. No effective date and no request for comments.	03/08/91	56 FR 9925
To Be Withdrawn	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Carol Gore, CDL Team Leader, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4013
Fax: 202-366-7908
Email: carol.gore@fmcsa.dot.gov

RIN: 2126-AA01

2099. +COMMERCIAL LEARNER PERMITS

Priority: Other Significant

Legal Authority: PL 99-570, title XII, 100 Stat. 3207 (1986); 49 USC 31102 and 31136

CFR Citation: 49 CFR 383, 384, 386, and 395

Legal Deadline: None

Abstract: FMCSA has decided to withdraw this discretionary rulemaking because it is not expected to achieve a significant impact on safety. In addition, a separate, high-priority Departmental project on national standards for driver's licenses may well overtake this effort. The rulemaking would have established Federal minimum standards for States to issue commercial driver's licenses (CDLs).

Timetable:

Action	Date	FR Cite
NPRM	08/22/90	55 FR 34478
NPRM Comment Period End	10/22/90	
Comment Period Extended to 11/30/90	10/23/90	55 FR 42741
To Be Withdrawn	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Robert Redmond, Senior Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ESS, State Programs Division 400

Seventh Street SW., Washington, DC 20590
Phone: 202 366-5014
RIN: 2126-AA03

2100. +QUALIFICATION OF DRIVERS; FIELD OF VISION

Priority: Other Significant

Legal Authority: 49 USC 504; 49 USC 31502

CFR Citation: 49 CFR 391

Legal Deadline: None

Abstract: FMCSA has decided to withdraw this discretionary rulemaking and refer the issue to its Medical Review Board that is currently under development. The agency believes this would be a more appropriate first step in addressing this issue. The Federal Highway Administration (FHWA) issued an ANPRM in February of 1992 to consider whether to amend the driver qualification requirements regarding the vision standard, as part of a review of the medical qualification standards for interstate CMV drivers. A temporary waiver program was initiated to permit the agency to observe and collect data on the driving experience of a group of vision-deficient drivers who met certain preconditions, and was concluded on March 31, 1996. FHWA considered further research to develop comprehensive performance-based visual standards for all commercial drivers. Information about the proposed research plan and public hearing on the subject was published on June 5, 1996 (61 FR 28547). FHWA contracted with a medical center to develop medically based recommendations for amending the current Federal vision requirements. Recommendations were delivered in October 1998.

Timetable:

Action	Date	FR Cite
ANPRM	02/28/92	57 FR 6793
ANPRM Comment Period End	04/28/92	
Information Notice	06/05/96	61 FR 28547
To Be Withdrawn	08/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Additional Information: FHWA adopted a final rule to allow drivers holding

DOT—FMCSA

Final Rule Stage

valid waivers from both the vision and diabetes standards to continue to operate in interstate commerce after March 31, 1996. See NPRM (61 FR 606, Jan. 8, 1996); Final Rule (61 FR 13338, March 26, 1996); Final Rule; technical correction (61 FR 17253, April 19, 1996). (See notices published February 28, 1992 (57 FR 6793); March 25, 1992 (57 FR 10295); June 3, 1992 (57 FR 22370); October 6, 1994 (59 FR 50887); and November 17, 1994 (59 FR 59386).

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Dr. Maggi Gunnels, Chief, Physical Qualifications Division, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh St., SW., Washington, DC 20590

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Email: maggi.gunnels@fmcsa.dot.gov

RIN: 2126-AA05

2101. RULES OF PRACTICE FOR MOTOR CARRIER PROCEEDINGS; INVESTIGATIONS; DISQUALIFICATIONS AND PENALTIES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 113 and 307

CFR Citation: 49 CFR 385 and 386

Legal Deadline: None

Abstract: This rule would amend the FMCSA's rules of practice for motor carrier safety, hazardous materials, and other enforcement proceedings, including motor carrier safety rating appeals, driver qualification proceedings and its schedule of penalties for violations of the FMCSRs and the HMRs. Provisions on investigative authority and procedures and general motor carrier responsibilities will also be added. Given a previous SNPRM was issued 10/21/96 by the FHWA, a second SNPRM is intended to propose further revisions that would increase the efficiency of the procedures, enhance due process and the awareness of the public and regulated community, and accommodate recent program changes.

Timetable:

Action	Date	FR Cite
NPRM	04/29/96	61 FR 18866
NPRM Comment Period End	07/29/96	

Action	Date	FR Cite
Supplemental NPRM	10/21/96	61 FR 54601
SNPRM Comment Period End	11/20/96	
Second SNPRM	10/20/04	69 FR 61617
Second SNPRM Comment Period End	12/06/04	
Final Action	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Jackie Cho, Office of the Chief Counsel, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh St. SW., Washington, DC 20590

Phone: 202 366-3794

Email: jackie.cho@fmcsa.dot.gov

RIN: 2126-AA15

2102. +TRANSPORTATION OF HOUSEHOLD GOODS; CONSUMER PROTECTION REGULATIONS (SECTION 610 REVIEW)

Priority: Other Significant

Legal Authority: PL 74-255, ch 468 (1935); PL 104-88, 109 Stat. 803 (1995); PL 106-59; 49 USC 13101, 13301, 13501 et seq, 14104, 14708, 14901 et seq, and 14912

CFR Citation: 49 CFR 375 and 377

Legal Deadline: None

Abstract: This rule would make final the interim regulations governing interstate transportation of household goods, which specify how motor carriers that transport household goods must assist individual customers who ship household goods. The agency received several petitions for reconsideration of the interim final rule (IFR) and made technical amendments to the IFR to address the concerns of petitioners.

Timetable:

Action	Date	FR Cite
NPRM	05/15/98	63 FR 27126
NPRM Comment Period End	07/14/98	
NPRM Comment Period Reopened	08/12/98	63 FR 43128
NPRM Comment Period End	10/13/98	

Action	Date	FR Cite
Interim Final Rule (IFR)	06/11/03	68 FR 35064
IFR Effective	09/09/03	
IFR Compliance Date Delayed	09/30/03	68 FR 56208
Technical Amendments to IFR	03/05/04	69 FR 10570
Technical Admendments Clarified and New Compliance Date	04/02/04	69 FR 17313
Technical Amendments and Compliance Date Effective	05/05/04	
Correcting Amendments	08/05/04	69 FR 47386
Final Rule	07/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket No. FMCSA-97-2979.

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Joy Dunlap, Acting Chief, Commercial Enforcement Division, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., MC-ECC, Washington, DC 20590

Phone: 202 385-2428

Email: joy.dunlap@fmcsa.dot.gov

RIN: 2126-AA32

2103. SAFETY FITNESS PROCEDURES; SAFETY RATINGS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31144

CFR Citation: 49 CFR 385

Legal Deadline: None

Abstract: FMCSA has decided to withdraw this discretionary rulemaking because the issues have not been sufficiently developed at this time. The agency is currently undertaking a multi-year review of its compliance and enforcement programs entitled Comprehensive Safety Analysis 2010, and it must wait for the outcome of this review (69 FR 51748, 8/20/2004). This rulemaking would reinitiate the 1998 ANPRM that requested public comment on a future rating system that could be used to make safety fitness

DOT—FMCSA

Final Rule Stage

determinations and meet the demands of shippers, insurers, and other interested parties in evaluating motor carrier performance. The same or similar questions will be presented to the public again. There is a concern that public comments may be significantly different today than in 1998 because of the time elapsed and the safety status (SafeStat) measurement system that was not available to the public in 1998.

Timetable:

Action	Date	FR Cite
ANPRM	07/20/98	63 FR 38788
Notice of Public Listening Sessions	09/01/04	69 FR 51748
To Be Withdrawn	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected:

Undetermined

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Bryan Price, Transportation Specialist, PRISM Team, Department of Transportation, Federal Motor Carrier Safety Administration, Office of Enforcement and Compliance Federal Building 1000 Liberty Avenue, Room 305, Pittsburgh, PA 15222
Phone: 412 395-4816

RIN: 2126-AA37

2104. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; GENERAL AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-240, sec 1041(b); 105 Stat. 1914 (1991); 49 USC 31136 and 31502

CFR Citation: 49 CFR 392 and 393

Legal Deadline: None

Abstract: This rulemaking will amend part 393 of the Federal Motor Carrier Safety Regulations by: Removing obsolete and redundant regulations; responding to several petitions for rulemaking; providing improved definitions of vehicle types, systems, and components; resolving inconsistencies between part 393 and NHTSA's Federal Motor Vehicle Safety Standards (49 CFR 571); and codifying certain FMCSA regulatory guidance

concerning the requirements of part 393. Generally, the amendments will not establish new or more stringent requirements but will provide clarification of existing requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/14/97	62 FR 18170
NPRM Comment Period Extended	06/12/97	62 FR 32066
NPRM Comment Period End	06/13/97	
Comment Period End	07/28/97	
Public Meeting	02/20/98	63 FR 8606
Final Action	06/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected:

Undetermined

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Jeffrey Van Ness, Vehicle and Roadside Operations Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSV, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009
Email: jeffrey.vanness@fmcsa.dot.gov

RIN: 2126-AA61

2105. +CERTIFICATION OF COMPLIANCE WITH FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS)

Priority: Other Significant

Legal Authority: PL 102-240, sec 1041(b); 105 Stat. 1914 (1991); 49 USC 30112, 30115, 31136 and 31502; 49 CFR 1.73

CFR Citation: 49 CFR 393.8

Legal Deadline: None

Abstract: FMCSA has decided to withdraw this rulemaking. Upon evaluation of information presented in the comments to the NPRM, Congressional action in section 132 of the 2005 Consolidated Appropriations Act, and consultations with NHTSA, FMCSA has determined this regulation is not necessary to ensure the safe operation of commercial motor vehicles. This rulemaking would have required motor carriers to ensure that each CMV they operate in interstate

commerce displays a label certifying that the vehicle complies with all applicable FMVSSs in effect on the date of manufacture. It would also have ensured that all motor carriers operating CMVs in the United States use only vehicles that were certified by the manufacturer as meeting all applicable Federal safety performance requirements.

Timetable:

Action	Date	FR Cite
NPRM	03/19/02	67 FR 12782
NPRM Comment Period End	05/20/02	
To Be Withdrawn	05/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Deborah M Freund, Senior Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSV, Office of Bus and Truck Standards and Operations 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

Related RIN: Related to 2127-AI59, Related to 2127-AI60, Related to 2127-AI64

RIN: 2126-AA69

2106. +PENALTIES, INSPECTION, AND DECAL DISPLAY REQUIREMENTS FOR MEXICO-DOMICILED MOTOR CARRIERS

Priority: Other Significant

Legal Authority: sec 350, PL 107-87; 49 USC 31136 and 31502

CFR Citation: 49 CFR 386; 49 CFR 396

Legal Deadline: None

Abstract: This rulemaking would amend part 396 of the Federal Motor Carrier Safety Regulations (FMCSRs) to incorporate requirements, as codified in parts 365 and 385, that all CMVs operated by Mexico-domiciled motor carriers holding authority to transport property or passengers beyond the commercial zones of U.S. municipalities on the United States-Mexico border must display a Commercial Vehicle Safety Alliance

DOT—FMCSA

Final Rule Stage

(CVSA) decal issued by a certified inspector. Adding this requirement to part 396 will enable FMCSA to assess civil penalties against Mexico-domiciled long-haul motor carriers that operate vehicles without the necessary CVSA decal. This rulemaking would also clarify that carriers will be required to obtain the necessary inspection decal before proceeding beyond border ports of entry or the nearby CMV safety inspection facility. By providing for more effective enforcement of the inspection decal requirements, this rule will help ensure that these motor carriers operate safe vehicles in the United States.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Thomas Kozlowski, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ES, Office of Safety Programs, Room 8314, 400 7th Street, SW., Washington, DC 20590
Phone: 202 366-4049

RIN: 2126-AA72**2107. +HOURS OF SERVICE OF DRIVERS; SUPPORTING DOCUMENTS****Priority:** Other Significant

Legal Authority: PL 103-311, sec 113; 108 Stat. 1673, 1676 (1994); 49 USC 504; 49 USC 14122, 31133, 31136, and 31502

CFR Citation: 49 CFR 385, 390, and 395

Legal Deadline: Final, Statutory, February 1996.

Abstract: This rulemaking would amend the hours-of-service recordkeeping requirements to clarify what supporting documents motor carriers must have to validate hours of service records. It will clarify: That the duty of motor carriers is to verify the accuracy of drivers' hours of service (HOS) and records of duty status (RODS) if including automatic on-board

records; that the driver's duty is to collect and submit to the motor carrier all supporting documents with the RODS; that carriers are required to maintain supporting documents with the RODS; and that a supporting document based on a self-monitoring system is required to be the primary method for ensuring compliance with the HOS regulations. It would allow the use of electronic documents as a supplement to, and in certain instances in lieu of, paper supporting documents in recognition of developing technologies. It would clarify the definitions of "supporting documents," "employee," and "driver," and the current requirement that each motor carrier use a self-monitoring system to verify HOS and RODS. This rulemaking is considered significant because of substantial industry interest and safety.

Timetable:

Action	Date	FR Cite
NPRM	04/20/98	63 FR 19457
NPRM Comment Period End	06/19/98	
Supplemental NPRM with Request for Comments	11/03/04	69 FR 63997
SNPRM Comment Period End	01/03/05	
Final Rule	04/00/06	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal

Additional Information: Docket No. FMCSA-98-3706.

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Jerry Fulnecky, Department of Transportation, Federal Motor Carrier Safety Administration, MC-EC, Office of Enforcement and Compliance 400 Seventh Street, SW., Washington, DC 20590
Phone: 202 366-2096

Related RIN: Split from 2126-AA23**RIN:** 2126-AA76**2108. +ENFORCEMENT OF OPERATING AUTHORITY REQUIREMENTS****Priority:** Other Significant

Legal Authority: PL 106-159, sec 205; 113 Stat 1748, 1762 (1999); 49 USC 13902(e)

CFR Citation: 49 CFR 350 and 392**Legal Deadline:** None

Abstract: This rulemaking would require that a motor carrier who is subject to registration requirements at 49 U.S.C. 13902 may not operate a CMV in interstate commerce unless it has registered with FMCSA. It also would prohibit motor carriers from operating beyond the scope of their registered authorization. Moreover, if vehicles are discovered operating in violation of such registration requirements, they would be placed out of service, and the carrier may be subject to additional penalties. This action makes State enforcement of registration requirements a condition of MCSAP eligibility.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/28/02	67 FR 55162
IFR Effective	09/27/02	
IFR Comment Period End	10/28/02	
Final Action	06/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** Local, State**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Darrell Ruban, Acting Chief, Enforcement and Compliance Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ECE, Room 8310, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9699

RIN: 2126-AA78

DOT—FMCSA

Final Rule Stage

2109. TITLE VI REGULATIONS FOR FMCSA FINANCIAL ASSISTANCE RECIPIENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 106–159, sec 106(b); 113 Stat. 1748, 1757 (1999); 42 USC 2000d**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** This interim rule will clarify and modify the applicability of DOT (49 CFR 21) and FHWA (23 CFR 200) Title VI regulations as they relate to FMCSA grant recipients, consistent with section 106(b) of the Motor Carrier Safety Improvement Act of 1999.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/14/05	70 FR 7411
Interim Final Rule Effective	03/16/05	
Interim Final Rule Comment Period End	04/15/05	
Final Action	08/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Carmen Sevier, Office of Civil Rights, Department of Transportation, Federal Motor Carrier Safety Administration, (MC–CR), 400 Seventh Street, SW, Room 8203, Washington, DC 20590
Phone: 202 366–4330**RIN:** 2126–AA79**2110. QUALIFICATIONS OF MOTOR CARRIERS TO SELF-INSURE THEIR OPERATIONS AND FEES TO SUPPORT THE APPROVAL AND COMPLIANCE PROCESS; WITHDRAWAL****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 49 USC 13906, 31138, and 31139**CFR Citation:** 49 CFR 387**Legal Deadline:** None**Abstract:** This action will withdraw a proposed rulemaking that solicited comments on the need for additional backup collateral or security to protect the public against uncompensated losses. The rulemaking would also have amended the regulations governing qualifications of motor carriers seeking authorization to self-insure their transportation operations. The NPRM was issued under FHWA docket (RIN 2125-AE06). When FMCSA was created, this rulemaking was transferred and reassigned to FMCSA as RIN 2126-AA28. RIN 2126-AA28 was inadvertently deleted in the May 14, 2001 Spring Semiannual Agenda (66 FR 25885). This action is no longer necessary because these issues are now part of RIN 2126-AA22.**Timetable:**

Action	Date	FR Cite
To Be Withdrawn	05/00/05	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Valerie Height, Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, MC–PRR, Office of Policy Plans and Regulation (MC–PRR) 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366–0901**RIN:** 2126–AA82**2111. • +HOURS OF SERVICE OF DRIVERS****Priority:** Economically Significant. Major under 5 USC 801.**Unfunded Mandates:** This action may affect the private sector under PL 104-4.**Legal Authority:** Motor Carrier Safety Acts of 1935, 1984 and 1985. ICC Termination Act of 1995.**CFR Citation:** 49 CFR 385; 49 CFR 390; 49 CFR 395**Legal Deadline:** Final, Statutory, September 30, 2005.
Final, Judicial, September 30, 2005.**Abstract:** This rulemaking will re-examine the April 2003 hours of service (HOS) final rule in response to a July 16, 2004, decision by the U.S. Court of Appeals for the District of Columbia Circuit that overturned the rule, specifically due to concerns about the regulations' impact on the health of drivers. The April 2003 HOS rule remains in effect until no later than September 30, 2005, pursuant to the Surface Transportation Extension Act of 2004, by which time FMCSA intends to complete this rulemaking.**Timetable:**

Action	Date	FR Cite
NPRM	01/24/05	70 FR 3339
Addendum to RIA for HOS NPRM	02/04/05	70 FR 5957
NPRM Comment Period End	03/10/05	
Final Action	09/00/05	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**Federalism:** Undetermined**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Gary Woodford, Team Leader, Department of Transportation, Federal Motor Carrier Safety Administration, MC–PSV, 400 – Seventh St., SW., Washington, DC 20590
Phone: 202–366–2978

Email: gary.woodford@fmcsa.dot.gov

RIN: 2126–AA90

Department of Transportation (DOT)

Long-Term Actions

Federal Motor Carrier Safety Administration (FMCSA)

2112. +RAILROAD-HIGHWAY GRADE CROSSING SAFETY**Priority:** Other Significant**Legal Authority:** PL 103-311, sec 112; 108 Stat. 1673, 1676 (1994); 49 USC 5101, 31136, and 31502**CFR Citation:** 49 CFR 392**Legal Deadline:** Final, Statutory, February 26, 1995.

Abstract: This rulemaking would prohibit operators of commercial motor vehicles (CMVs) from driving onto a railroad grade crossing unless there is sufficient space to drive completely through the crossing without stopping. It is intended to reduce the incidence of collisions between trains and CMVs. This rulemaking action is required by the Hazardous Materials Transportation Authorization Act of 1994; however, FMCSA and FRA have not found a feasible or cost-beneficial way to meet the statutory requirement. This action is considered significant because of substantial public interest and safety issues.

Timetable:

Action	Date	FR Cite
NPRM	07/30/98	63 FR 40691
NPRM Comment Period End	11/27/98	
Notice of Public Meeting	10/29/99	64 FR 58372
Date of Public Meeting	11/09/99	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Local, State**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Deborah M Freund, Senior Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSV, Office of Bus and Truck Standards and Operations 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2126-AA18**2113. GENERAL JURISDICTION OVER FREIGHT FORWARDER SERVICE****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 13903**CFR Citation:** 49 CFR 373**Legal Deadline:** None

Abstract: This rulemaking would provide notice of the FMCSA's general jurisdiction over all segments of the freight forwarding industry (not just household goods freight forwarders), consistent with the ICC Termination Act of 1995. This action is on hold.

Timetable:

Action	Date	FR Cite
NPRM	01/28/97	62 FR 4096
NPRM Comment Period End	03/31/97	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Lorena Beauchesne, Regulatory Development Division, Department of Transportation, Federal Motor Carrier Safety Administration, Office of Policy Plans and Regulation (MC-PRR) 400 7th Street, SW., Washington, DC 20590
Phone: 202 366-5043

RIN: 2126-AA25**2114. +APPLICATION BY CERTAIN MEXICO-DOMICILED MOTOR CARRIERS TO OPERATE BEYOND U.S. MUNICIPALITIES AND COMMERCIAL ZONES ON THE U.S.-MEXICO BORDER****Priority:** Other Significant**Legal Authority:** 5 USC 553 and 559; 16 USC 1456; 49 USC 13101, 13301, and 13901 et seq; 49 USC 31138 and 31144**CFR Citation:** 49 CFR 365**Legal Deadline:** None

Abstract: This rulemaking changes FMCSA regulations to govern applications by Mexican carriers to operate beyond municipalities and commercial zones at the United States-Mexico border. It also revises the application form, OP-1MX, to be filed by these Mexican motor carriers. The revised form requires additional information about the applicant's business and operating practices to

allow the FMCSA to determine if the applicant can meet the safety standards established for operating in interstate commerce in the United States. Carriers that had previously submitted an application would have to submit the updated form. These changes are needed to implement part of the North American Free Trade Agreement (NAFTA). On January 16, 2003, the Ninth Circuit Court remanded this rule, along with two other NAFTA-related rules, to the agency, requiring a full environmental impact statement and an analysis required by the Clean Air Act. On June 7, 2004, the Supreme Court reversed the Ninth Circuit and remanded the case, holding that FMCSA is not required to prepare the environmental documents as ruled by the Ninth Circuit. FMCSA is waiting for Interim Final Rule experience after the border opens before deciding what to do next on this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	05/03/01	66 FR 22371
NPRM Comment Period End	07/02/01	
Interim Final Rule	03/19/02	67 FR 12702
Interim Final Rule Comment Period End	04/18/02	
Interim Final Rule Effective	05/03/02	
Notice of Intent To Prepare an EIS	08/26/03	68 FR 51322
EIS Public Scoping Meetings	10/08/03	68 FR 58162
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Thomas Kozlowski, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ES, Office of Safety Programs, Room 8314, 400 7th Street, SW., Washington, DC 20590
Phone: 202 366-4049

RIN: 2126-AA34

DOT—FMCSA

Long-Term Actions

2115. +SAFETY MONITORING SYSTEM AND COMPLIANCE INITIATIVE FOR MEXICO-DOMICILED MOTOR CARRIERS OPERATING IN THE UNITED STATES**Priority:** Other Significant**Legal Authority:** PL 107-87, sec 350; 49 USC 113, 504, and 521(b)(5)(A); 49 USC 5113, 31136, 31144, and 31502**CFR Citation:** 49 CFR 385**Legal Deadline:** None

Abstract: This rule would implement a safety monitoring system and compliance initiative designed to evaluate the continuing safety fitness of all Mexico-domiciled carriers within 18 months after receiving a provisional Certificate of Registration or provisional authority to operate in the United States. It also would establish suspension and revocation procedures for provisional Certificates of Registration and operating authority, and incorporate criteria to be used by FMCSA in evaluating whether Mexico-domiciled carriers exercise basic safety management controls. The interim rule included requirements that were not proposed in the NPRM but which are necessary to comply with the FY-2002 DOT Appropriations Act. On January 16, 2003, the Ninth Circuit Court of Appeals remanded this rule, along with two other NAFTA-related rules, to the agency, requiring a full environmental impact statement and an analysis required by the Clean Air Act. On June 7, 2004, the Supreme Court reversed the Ninth Circuit and remanded the case, holding that FMCSA is not required to prepare the environmental documents. FMCSA is waiting for interim final rule experience after the border opens before deciding what to do next on this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	05/03/01	66 FR 22415
NPRM Comment Period End	07/02/01	
Interim Final Rule	03/19/02	67 FR 12758
IFR Comment Period End	04/18/02	
Interim Final Rule Effective	05/03/02	
Notice of Intent To Prepare an EIS	08/26/03	68 FR 51322
EIS Public Scoping Meetings	10/08/03	68 FR 58162
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Governmental Jurisdictions, Organizations**Government Levels Affected:** State**Federalism:** This action may have federalism implications as defined in EO 13132.**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Darrell Ruban, Acting Chief, Enforcement and Compliance Division, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ECE, Room 8310, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-9699

RIN: 2126-AA35**2116. +LIMITATIONS ON THE ISSUANCE OF COMMERCIAL DRIVER LICENSES WITH A HAZARDOUS MATERIALS ENDORSEMENT****Priority:** Other Significant**Legal Authority:** PL 107-56, sec 1012; 115 Stat. 272 (2001); 49 USC 5103a**CFR Citation:** 49 CFR 383**Legal Deadline:** None

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 published another IFR corresponding to TSA's extension of compliance date. This action is considered significant because of substantial public and congressional interest, and national security.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/05/03	68 FR 23844
IFR Effective	05/05/03	
IFR Comment Period End	07/07/03	
Compliance Date Delayed	11/07/03	68 FR 63030
Comment Period End	01/06/04	
Second Delay of Compliance Date to	08/19/04	69 FR 51391
	01/31/2005	

Action	Date	FR Cite
Interim Final Rule	04/29/05	70 FR 22268
Interim Final Rule Effective	04/29/05	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** State**Additional Information:** Docket No. FMCSA-2001-11117**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Robert Redmond, Senior Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, MC-ESS, State Programs Division 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5014

RIN: 2126-AA70**2117. +BROKERS OF HOUSEHOLD GOODS TRANSPORTATION BY MOTOR VEHICLE****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 49 USC 13501, 13901, and 13902**CFR Citation:** 49 CFR 371**Legal Deadline:** None

Abstract: The agency has granted the American Moving and Storage Association's petition for rulemaking. FMCSA will determine in this rulemaking whether the general property broker regulations under part 371 need to be amended to protect consumers of household goods.

Timetable:

Action	Date	FR Cite
ANPRM	12/22/04	69 FR 76664
ANPRM Comment Period End	02/22/05	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Additional Information:** Docket No. FMCSA-2004-17008.

DOT—FMCSA

Long-Term Actions

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Joy Dunlap, Acting Chief, Commercial Enforcement Division, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., MC-ECC, Washington, DC 20590
Phone: 202 385-2428
Email: joy.dunlap@fmcsa.dot.gov

RIN: 2126-AA84**2118. +ELECTRONIC ON-BOARD RECORDERS FOR HOURS-OF-SERVICE COMPLIANCE**

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 49 USC 31502; 49 USC 31136(a); PL 104-88

CFR Citation: 49 CFR 395.15

Legal Deadline: None

Abstract: This rulemaking is considering potential amendments to FMCSA regulations concerning the use of electronic on-board recording devices as a way to document compliance with the Federal hours of service rules. The agency is seeking information on issues to be considered in the development of improved performance specifications for these recording devices. This will help ensure that future requirements for the use of on-board recorders are appropriate when applied to emerging technologies. This action is considered significant because of substantial industry and public interest and its importance in responding to a recent court decision.

Timetable:

Action	Date	FR Cite
ANPRM	09/01/04	69 FR 53386
ANPRM Comment Period End	11/30/04	
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Additional Information: Docket No. FMCSA-2004-18940.

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Deborah M Freund, Senior Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, MC-PSV, Office of Bus and Truck Standards and Operations 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2126-AA89

Department of Transportation (DOT)

Completed Actions

Federal Motor Carrier Safety Administration (FMCSA)

2119. +HOURS OF SERVICE OF DRIVERS—SLEEPER BERTH REST PERIOD

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 31136 and 31502

CFR Citation: 49 CFR 395

Legal Deadline: None

Abstract: This rulemaking has been terminated. The rulemaking was in response to a petition from ATA. The issues raised in the petition will be addressed in the current hours of service rule (RIN 2126-AA90). The rulemaking would have considered whether to permit sleeper berth rest periods to extend maximum on-duty time limits when followed by 10 hours

off-duty, and addressed the complex issues surrounding sleeper berth rest periods, off-duty requirements, and related matters. On November 3, 2003, FMCSA received a petition for rulemaking from the American Trucking Associations (ATA), and FMCSA has granted ATA's petition. The agency's next action was undetermined because of a circuit court decision and decisions involving revisions to the hours of service rule. It was considered significant because of substantial industry interest and safety implications.

Timetable:

Action	Date	FR Cite
Terminated	01/27/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Thomas Yager, Driver and Carrier Operations Division, Department of Transportation, Federal Motor Carrier Safety Administration, 400 - Seventh St., SW., Washington, DC 20590

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Email: tom.yager@fmcsa.dot.gov

RIN: 2126-AA85

BILLING CODE 4910-EX-S

Department of Transportation (DOT)

Prerule Stage

National Highway Traffic Safety Administration (NHTSA)

2120. +REFORMING THE AUTOMOBILE FUEL ECONOMY STANDARDS PROGRAM

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 49 USC 32910

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: Through this action, the agency intends to begin a public discussion on potential ways, within current statutory authority, to update the Corporate Average Fuel Economy (CAFE) Program and to make it more consistent with our public policy objectives. The agency will seek comments on a number of possible concepts and measures, and invite the public to present additional concepts not presented here. The discussion is not intended to address the stringency of proposed CAFE standards in the future, but rather the basic structure of the CAFE program. The agency is

interested in any suggestions towards revamping the CAFE program in such a way as to enhance overall fuel economy while protecting occupant safety and American jobs.

The potential changes range from modest changes to existing definitions separating passenger cars from light trucks (i.e., vans, pickup trucks and SUVs) to more significant structural changes to light truck fuel economy standards. The definitional changes could potentially expand the definition of light truck to include larger SUV's that are not currently subject to fuel economy standards, add criteria to existing definitions of light trucks and ensure that vehicles subject to the lower fuel economy standards applicable to trucks have sufficient functionality to be properly classified as trucks. The advance notice also requests comment on changing the existing approach to setting light truck fuel economy standards from one of setting a fixed standard applicable to all sizes of trucks in the light truck fleet to one of setting a standard that changes in relationship to a selected

attribute of trucks in the fleet. Under such an attribute-based standard, the required fuel economy would change in relationship to either the weight of the vehicle, the size of the vehicle, or both.

Timetable:

Action	Date	FR Cite
ANPRM	12/29/03	68 FR 74908
Agency Decision	06/00/05	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Stephen Wood, Division Chief, Rulemaking Div., Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2992
Email: steve.wood@nhtsa.dot.gov

RIN: 2127-AJ17

Department of Transportation (DOT)

Proposed Rule Stage

National Highway Traffic Safety Administration (NHTSA)

2121. +REAR CONVEX CROSS-VIEW MIRRORS

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.111

Legal Deadline: None

Abstract: This rulemaking would upgrade the rearward visibility of commercial straight trucks. The agency believes that requiring a rear detection system will reduce fatalities, injuries, and property damage by giving truck operators the ability to detect objects behind the truck. Two possible counter-measures are being considered: cross-view mirror systems or camera systems.

Timetable:

Action	Date	FR Cite
Request for Comments	06/17/96	61 FR 30586
Comment Period End	10/15/96	
ANPRM	11/27/00	65 FR 70681

Action

Date	FR Cite
ANPRM Comment Period End	01/26/01
NPRM	07/00/05

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Richard Van Iderstine, Chief, Visibility and Injury Prevention Division NVS-121, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2720
Fax: 202 366-4329

RIN: 2127-AG41

2122. +ROOF CRUSH RESISTANCE

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.216

Legal Deadline: None

Abstract: Mitigation of rollover fatal and serious injuries is one of the agency's highest priorities. Rollover crashes constitute about 3 percent of passenger vehicle crashes, but about 1/3 of the fatalities. Since light trucks are more prone to rollover, and as their percentage of the U.S. fleet continues to increase, this crash mode continues to constitute a disproportionate segment of the Nation's highway safety problem. As part of the agency's comprehensive approach to rollover, and in response to a petition for rulemaking, the agency is considering whether an upgrade to the roof crush requirements is warranted. This rulemaking is significant because of public interest in vehicle safety.

DOT—NHTSA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
Request for Comments	10/22/01	66 FR 53376
Comment Period End	12/06/01	
NPRM	05/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919

Fax: 202 366-4329

Email: gmouchahoir@nhtsa.dot.gov

Related RIN: Related to 2127-AH74**RIN:** 2127-AG51**2123. CHILD RESTRAINT SYSTEM WEBBING STRENGTH****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.213**Legal Deadline:** None

Abstract: This rulemaking would propose minimum breaking strengths for child restraint systems webbing.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919

Fax: 202 366-4329

Email: gmouchahoir@nhtsa.dot.gov

RIN: 2127-AI66**2124. VEHICLES BUILT IN TWO OR MORE STAGES—STANDARD 201****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.201**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is considering an amendment to FMVSS No. 201 Occupant Protection in Interior Impact as the requirements apply to vehicles manufactured in two or more stages. An interim final rule was published on June 18, 2002 (67 FR 41348) that amended the schedule for compliance by manufacturers of vehicles built in two or more stages with the upper interior head protection requirements of FMVSS No. 201.

Timetable:

Action	Date	FR Cite
NPRM	09/00/05	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Dr. William R Fan, Safety Standards Engineer, Department of Transportation, National Highway Traffic Safety Administration, Room 5320F, NVS-112, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4922

Fax: 202 366-4329

RIN: 2127-AI93**2125. PART 571.3 DEFINITIONS, DESIGNATED SEATING POSITION****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.3**Legal Deadline:** None

Abstract: The agency is considering an amendment to part 571.3 Definitions, to redefine the term “designated seating position” (DSP) in order to establish an objective criteria that is more enforceable.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4917

Fax: 202 366-4329

RIN: 2127-AI94**2126. FMVSS 114, THEFT PROTECTION**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 30111**CFR Citation:** 49 CFR 571.114**Legal Deadline:** None

Abstract: Federal Motor Vehicle Safety Standard No. 114, Theft Protection, specifies requirements to prevent theft and thus reduce the incidence of crashes resulting from the unauthorized use of motor vehicles. The standard also specifies requirements to reduce the incidence of rollaways of parked vehicles. NHTSA received a petition to amend section 4.2.2 of the standard in October 2002. NHTSA plans to issue an NPRM to address the petition and to modernize the standard to address current vehicle entry and theft prevention system designs.

Timetable:

Action	Date	FR Cite
NPRM	05/00/05	

Regulatory Flexibility Analysis**Required:** Undetermined

DOT—NHTSA

Proposed Rule Stage

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Gayle Dalrymple, Safety Engineer, Vehicle Controls and Adapted Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, Office of Crash Avoidance Standards NVS-123, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5559

RIN: 2127-AJ31

2127. +REDUCED STOPPING DISTANCE REQUIREMENTS FOR TRUCK TRACTORS

Priority: Other Significant

Legal Authority: 49 CFR 1.50; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; 49 USC 322

CFR Citation: 49 CFR 571.121

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Jeffrey Woods, Safety Standards Engineer Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, NVS-122, Vehicle Dynamics Division 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2720

Fax: 202 366-4329

RIN: 2127-AJ37

2128. FMVSS 213, ADDITION OF 10-YEAR-OLD TEST DUMMY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30101 et seq; PL 107-318

CFR Citation: 49 CFR 571.213

Legal Deadline: None

Abstract: The agency is considering an amendment to FMVSS No. 213 to incorporate the Hybrid III 10-year-old dummy for child restraint systems rated for children up to 80 pounds.

Timetable:

Action	Date	FR Cite
NPRM	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919

Fax: 202 366-4329

Email: gmouchahoir@nhtsa.dot.gov

RIN: 2127-AJ44

2129. SUBPART T HYBRID III-10C DUMMY, 10-YEAR-OLD CHILD

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; 49 USC 322

CFR Citation: 49 CFR 1.50

Legal Deadline: None

Abstract: Anton's Law, signed by the President on December 4, 2002, specified in Section 4 that within 24 months the Secretary of Transportation, shall develop and evaluate an anthropomorphic test device that simulates a 10-year old child for use in testing child restraints used in

passenger motor vehicles. The evaluation and testing of such a device has been completed by NHTSA, and the agency will propose to incorporate the Hybrid III ten-year old dummy into Part 572 for potential application in Federal motor vehicle safety standards (FMVSS) such as FMVSS No. 213, Child restraint systems. This proposal will include rationale for the dummy performance response requirements; detailed dummy design drawings and specifications; and a procedures manual for the dummy inspection, assembly and disassembly.

Timetable:

Action	Date	FR Cite
NPRM	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Stanley Backaitis, Department of Transportation, National Highway Traffic Safety Administration
Phone: 202-366-4912
Email: stanley.backaitis@nhtsa.dot.gov

RIN: 2127-AJ49

2130. • BUSES MANUFACTURED IN TWO OR MORE STAGES; CERTIFICATION OF BUSES MANUFACTURED IN MORE THAN ONE STAGE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30141; 49 USC 30146; 49 USC 30166; 49 USC 30168; 49 USC 32502; 49 USC 32504; 49 USC 33101 to 33104; 49 USC 33108; 49 USC 33109; Delegation of Authority at 49 CFR 1.50

CFR Citation: 49 CFR 567.5 ; 49 CFR 586

Legal Deadline: None

Abstract: This rulemaking would amend part 567 to require that, in addition to the VIN, additional information be recorded on the certification that identifies the bus body manufacturer and various vehicle attributes. It also proposes to add a new part 586 to require that bus body manufacturers of buses manufactured

DOT—NHTSA

Proposed Rule Stage

in two or more stages obtain a manufacturer's identifier and to provide this descriptive information to NHTSA.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Stephen Wood, Division Chief, Rulemaking Div., Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2992

Email: steve.wood@nhtsa.dot.gov

RIN: 2127-AJ56

2131. • MOTOR HOME AND TRAVEL TRAILER CARGO CARRYING CAPACITY AND LOADING INFORMATION REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; 49 USC 322

CFR Citation: 49 CFR 571.120

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is considering mandatory consumer information in the form of a label that will inform the consumer of the Cargo Carrying Capacity (CCC) of motor homes, travel trailers, and 5th wheel travel trailers. Such labeling will help the consumer make informed decisions during the purchasing process and act as a reference during cargo loading, which in turn may reduce instances of overloading and ultimately injuries and deaths resulting from crashes related to overloading. This rulemaking initially was a new proposed regulation, 49 CFR 575.102, with a RIN of 2127-AI50. However, because the agency feels that the standard would be more enforceable if it is part of the FMVSS, it is now an amendment to FMVSS 120.

Timetable:

Action	Date	FR Cite
NPRM	07/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: William Evans, Safety Standards Engineer Office of Crash Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, Vehicle Controls and Adapted Vehicle Division 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2272

Fax: 202 366-4329

RIN: 2127-AJ57

2132. • FMVSS NO. 208 CRS INSTALLATION PROCEDURE FOR LATCH-EQUIPPED SEATS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; 49 USC 322

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: This notice proposes a test procedure for installing child restraint systems with LATCH-equipped hardware in the air bag suppression testing required by FMVSS No. 208. Currently, the list of child restraint systems in Appendix A of FMVSS No. 208 include some with LATCH-equipped hardware. However, the air bag suppression test procedures of FMVSS No. 208 do not include specific detail for attaching the LATCH hardware to the vehicle. The purpose of this notice is to propose additional regulatory text in the sections of FMVSS No. 208 that involve installing LATCH-equipped child restraint systems.

Timetable:

Action	Date	FR Cite
NPRM	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Louis Molino, Safety Standards Engineer, Department of Transportation, National Highway Traffic Safety Administration, Office of Crashworthiness Standards, NVS-112, 400 Seventh Street, SW, Room 5320, Washington, DC 20590
Phone: 202 366-1833
Fax: 202 366-4329

RIN: 2127-AJ59

2133. • +LIGHT TRUCK AVERAGE FUEL ECONOMY STANDARDS, MODEL YEAR 2008 AND POSSIBLY BEYOND

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 15 USC 2002; Delegation of Authority at 49 CFR 1.50

CFR Citation: 49 CFR 533

Legal Deadline: Final, Statutory, April 1, 2006, CAFE standards must be set at least 18 months prior to the start of a model year.

Abstract: This rulemaking will address Corporate Average Fuel Economy Standards for light trucks for model year 2008 and possibly beyond, as appropriate.

Timetable:

Action	Date	FR Cite
NPRM	08/00/05	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Energy Effects: Statement of Energy Effects planned as required by Executive Order 13211.

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Kenneth R Katz, Lead Engineer, Consumer Program Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4936
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Email: kkatz@nhtsa.dot.gov

RIN: 2127-AJ61

DOT—NHTSA

Proposed Rule Stage

2134. • CIVIL AND CRIMINAL PENALTIES**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 101-410 ; PL 104-134; USC 30165, 30170, 30505, 32**CFR Citation:** 49 CFR 578.6**Legal Deadline:** None**Abstract:** Adjustments to certain civil penalties pursuant to the Federal Civil Monetary Penalty Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Michael Kido, Trial Attorney, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590

Phone: 202 366-5263

RIN: 2127-AJ62**2135. • REPLACEMENT LAMPS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.108**Legal Deadline:** None**Abstract:** This rulemaking will address requirements for replacement lamps, reflective devices, and items of associated equipment.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Edward Glancy, Senior Attorney Advisor, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2992

RIN: 2127-AJ67**2136. • SAFETY RECALLS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 30118; 49 USC 30119; 49 USC 30120; 49 USC 30121**CFR Citation:** 49 CFR 573; 49 CFR 577**Legal Deadline:** None**Abstract:** Amendments to rules on notices where the manufacturer is undertaking a safety recall.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Otto Matheke, Attorney, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5253

RIN: 2127-AJ68

Department of Transportation (DOT)

Final Rule Stage

National Highway Traffic Safety Administration (NHTSA)

2137. +UPGRADE DOOR RETENTION PERFORMANCE**Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.206**Legal Deadline:** None**Abstract:** As part of the agency's comprehensive approach to rollover, and to harmonize with the first global technical regulation, this rulemaking would upgrade the door retention requirements, add test requirements for sliding doors, add secondary latch requirements for doors other than hinged side doors and back doors, and provide a new test procedure for assessing inertial forces.**Timetable:**

Action	Date	FR Cite
NPRM	12/15/04	69 FR 75020
NPRM Comment Period End	02/14/05	
Final Rule	01/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400

Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919

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RIN: 2127-AH34**2138. MODERNIZE CONTROLS AND DISPLAYS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.101**Legal Deadline:** None**Abstract:** This rulemaking would reorganize the controls and displays requirements to make them more user-friendly and to harmonize the standard

DOT—NHTSA

Final Rule Stage

with the Canadian Motor Vehicle Safety Standard No. 101 on the same subject.

Timetable:

Action	Date	FR Cite
NPRM	09/23/03	68 FR 55217
NPRM Comment Period End	11/24/03	
Final Rule	06/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Gayle Dalrymple, Safety Engineer, Vehicle Controls and Adapted Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, Office of Crash Avoidance Standards NVS-123, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5559

RIN: 2127-AI09

2139. SEAT BELT EMERGENCY LOCKING RETRACTOR

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.209

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is proposing clarifications concerning the test procedure for the acceleration pulse shape, onset rate, time duration, and acceleration tolerance for seat belt emergency locking retractors.

Timetable:

Action	Date	FR Cite
NPRM	06/30/04	69 FR 31330
NPRM Comment Period Extended	08/04/04	69 FR 47075
NPRM Comment Period End	10/01/04	
Final Rule	07/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Chris Calamita, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2992
Email: chris.calamita@nhtsa.dot.gov

RIN: 2127-AI38

2140. IDLE STOP TECHNOLOGY USED IN SOME HYBRID ELECTRIC VEHICLES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.102

Legal Deadline: None

Abstract: This rulemaking would amend the standard to clarify the intent of the standard and allow it to accommodate "idle stop technology" used in some hybrid electric vehicles. This will respond to existing interpretations which promised such a modification.

Timetable:

Action	Date	FR Cite
NPRM	05/15/03	68 FR 26269
NPRM Comment Period End	07/14/03	
Final Action	05/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: William Evans, Safety Standards Engineer Office of Crash Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, Vehicle Controls and Adapted Vehicle Division 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2272

Fax: 202 366-4329

RIN: 2127-AI43

2141. PROCEDURES FOR PARTICIPATING IN AND RECEIVING DATA FROM THE NATIONAL DRIVER REGISTRATION PROBLEM DRIVER POINTER SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30301 to 30308; PL 106-159, sec 204

CFR Citation: 23 CFR 1327

Legal Deadline: None

Abstract: The agency is amending the National Driver Register regulations to implement an amendment made by the Motor Carrier Safety Improvement Act of 1999 (PL 106-159). The amendment requires a State, before issuing or renewing a motor vehicle operator's license to an individual, to query both the National Driver Register and the Commercial Driver's License Information System on the individual's driving record.

Timetable:

Action	Date	FR Cite
NPRM	03/31/04	69 FR 16853
NPRM Comment Period End	06/01/04	
Final Rule	06/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Sean McLaurin, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20950

Phone: 202 366-4800

Email: sean.mclaurin@nhtsa.dot.gov

RIN: 2127-AI45

2142. PARKING BRAKES FOR NON-SCHOOL BUS VEHICLES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.105

Legal Deadline: None

Abstract: This rulemaking would update the hydraulic brake standard to require non-school bus vehicles with a

DOT—NHTSA

Final Rule Stage

gross vehicle weight rating (GVWR) over 10,000 pounds to be equipped with a parking brake system.

Timetable:

Action	Date	FR Cite
NPRM	10/30/02	67 FR 66098
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Samuel Daniel, General Engineer Office of Crash Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, NVS-122, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4921

RIN: 2127-AI47

2143. CONVEX MIRRORS FOR COMMERCIAL TRUCKS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.111

Legal Deadline: None

Abstract: This action is in response to a petition for rulemaking that requests the agency consider amending the regulation to require that all commercial trucks traveling on the interstate highway system have convex mirrors affixed to their front right and left fenders (such as those required on school buses). This action is being withdrawn due to need for research.

Timetable:

Action	Date	FR Cite
Request for Comments	01/22/03	68 FR 2993
Withdrawal Notice	07/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: David Hines, Engineer, Visibility and Injury Prevention Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., NVS-121, Washington, DC 20590
Phone: 202 366-2720
Fax: 202 366-4329

Related RIN: Related to 2127-AI53

RIN: 2127-AI52

2144. ENHANCED PASSENGER-SIDE MIRROR SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.111

Legal Deadline: None

Abstract: This action is in response to a petition for rulemaking from AM General to amend the standard to permit passenger car mirrors on large MPVs and trucks (independent of their weight) and to clarify requirements for mirrors on vehicles equipped to tow trailers. The withdrawal is due to the need for additional research.

Timetable:

Action	Date	FR Cite
Request for Comments	01/22/03	68 FR 2993
Withdrawal Notice	07/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: John Lee, General Engineer, Department of Transportation, National Highway Traffic Safety Administration, NPS-11, 400 Seventh Street SW., NVS-123, Washington, DC 20590
Phone: 202 366-2264
Email: johnlee@nhtsa.dot.gov

Related RIN: Related to 2127-AI52

RIN: 2127-AI53

2145. RECORD RETENTION OF RETROACTIVELY CERTIFIED VEHICLES: NATIONAL DRIVER REGISTRATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30112; 49 USC 30115; 49 USC 30117 to 30121; 49 USC 30166 to 30167

CFR Citation: 49 CFR 576

Legal Deadline: None

Abstract: This rulemaking would set record retention requirements for manufacturers who retroactively certify that heavy trucks and buses manufactured for use in Canada and Mexico met all applicable Federal motor vehicle safety standards on date of original manufacture.

Timetable:

Action	Date	FR Cite
NPRM	03/19/02	67 FR 12800
NPRM Comment Period End	05/20/02	
Final Action	07/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Stephen Wood, Division Chief, Rulemaking Div., Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2992
Email: steve.wood@nhtsa.dot.gov

RIN: 2127-AI60

2146. MOTORCYCLE BRAKE CONTROLS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.123

Legal Deadline: None

Abstract: This rulemaking would allow a handlebar lever instead of a foot pedal to control the rear brakes on motorcycles which have no clutch control.

DOT—NHTSA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	11/21/03	68 FR 65667
Final Rule	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Mike Pyne, Safety Standards Engineer, Office of Crash Avoidance NVS-123, Department of Transportation, National Highway Traffic Safety Administration, NVS 123, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4171

RIN: 2127-AI67**2147. +EVENT DATA RECORDERS****Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 563**Legal Deadline:** None

Abstract: In the past several years, there has been considerable interest from the safety community in establishing requirements for event data recorders (EDRs). The agency is considering what role NHTSA should take in implementing EDRs in motor vehicles. This rulemaking would establish requirements for EDRs in new vehicles if an EDR is in the vehicle. The requirement would include a minimum set of data to be collected and enhanced survivability in crashes. This rule is significant because of public interest.

Timetable:

Action	Date	FR Cite
Request for Comments	10/11/02	67 FR 63493
Comment Period Extended	01/10/03	68 FR 1508
NPRM	06/14/04	69 FR 32932
Final Rule	09/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Dr. William R Fan, Safety Standards Engineer, Department of Transportation, National Highway Traffic Safety Administration, Room 5320F, NVS-112, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4922
Fax: 202 366-4329

RIN: 2127-AI72**2148. INCORPORATION OF EUROSID II DUMMY INTO 49 CFR PART 572****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 572**Legal Deadline:** None

Abstract: Incorporation of the EuroSID II, Side Impact Crash Test Dummy, into part 572 is being initiated to support the upgrade of FMVSS 214, Side Impact Regulation and to attain harmonization of crash test tools on a worldwide basis. The EuroSID is one of the alternative crash test tools being evaluated to upgrade FMVSS 214.

Timetable:

Action	Date	FR Cite
NPRM	09/15/04	69 FR 55550
Final Rule	02/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Stanley Backaitis, Department of Transportation, National Highway Traffic Safety Administration
Phone: 202-366-4912
Email: stanley.backaitis@nhtsa.dot.gov

RIN: 2127-AI89**2149. CRS REGISTRATION RULEMAKING, FMVSS NO. 213 AND PART 588****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 1392; 15 USC 1409**CFR Citation:** 49 CFR 571.213; 49 CFR 588**Legal Deadline:** None

Abstract: This rule would modify the registration card by adding a space for the consumer's email address. Amending the registration card would require modification to FMVSS No. 213, "Child Restraint Systems," and part 588, "Child Restraint Systems Recordkeeping Requirements."

Timetable:

Action	Date	FR Cite
NPRM	06/14/04	69 FR 32954
Final Rule	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919

Fax: 202 366-4329

Email: gmouchahoir@nhtsa.dot.gov

RIN: 2127-AI95**2150. ADAPTIVE FRONTAL LIGHTING****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 1.50; 49 CFR 501.8; 49 CFR 571.108**Legal Deadline:** None

Abstract: Vehicle Manufacturers are beginning to introduce advanced frontal lighting systems into the U.S. fleet. This project evaluated whether the systems have adverse consequences to highway safety from glare. An initial notice of request for comment has been

DOT—NHTSA

Final Rule Stage

issued to gather information. The agency is conducting research on the potential of Advanced Frontal lighting to improve safety while reducing glare and determine if any regulatory action is needed. The agency is withdrawing this action pending further information and field experience.

Timetable:

Action	Date	FR Cite
Request for Comments	02/12/03	68 FR 7101
Withdrawal Notice	06/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: David Hines, Engineer, Visibility and Injury Prevention Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., NVS-121, Washington, DC 20590
Phone: 202 366-2720
Fax: 202 366-4329

RIN: 2127-AI97**2151. +5TH PERCENTILE DUMMY BELTED BARRIER CRASH TEST REQUIREMENTS—STANDARD 208****Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.208**Legal Deadline:** None

Abstract: The agency is considering an amendment to its occupant protection standard, FMVSS No. 208, to improve high speed crash protection to belted occupants of small stature who may sit in the full forward seat position. Current crash test requirements for the 5th percentile adult female dummy include a 0-48 km/h belted rigid barrier crash test. The agency is considering increasing the maximum crash test speed from 48 km/h to 56 km/h to be consistent with the 50th percentile adult male requirements that will take effect according to the second phase of the FMVSS No. 208 Advanced Air Bag Final Rule (65 FR 30680).

Timetable:

Action	Date	FR Cite
NPRM	08/06/03	68 FR 46539
Final Rule	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4917
Fax: 202 366-4329

RIN: 2127-AI98**2152. VEHICLE MODIFICATIONS TO ACCOMMODATE PEOPLE WITH DISABILITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322, 30111, 30115, 30117, 30122 and 30166; Delegation of Authority of 49 CFR 1.50**CFR Citation:** 49 CFR 595**Legal Deadline:** None

Abstract: This rulemaking would extend part 595 subpart C, vehicle modifications to accommodate people with disabilities, to include portions of FMVSS Nos. 201, 208, and 225.

Timetable:

Action	Date	FR Cite
NPRM	09/17/04	69 FR 56018
NPRM Comment Period End	11/16/04	
Final Rule	06/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Chris Calamita, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2992

Email: chris.calamita@nhtsa.dot.gov

RIN: 2127-AJ07**2153. +SIDE IMPACT PROTECTION UPGRADE—FMVSS NO. 214****Priority:** Economically Significant. Major under 5 USC 801.**Unfunded Mandates:** This action may affect the private sector under PL 104-4.**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.214**Legal Deadline:** None

Abstract: Two Federal motor vehicle safety standards (FMVSS) — No. 201, “Occupant Protection in Interior Impact” and No. 214, “Side Impact Protection” — specify requirements for side impact protection. At present, FMVSS No. 214 specifies a moving deformable barrier (MDB) test addressing mainly the chest injury problem. The head injury reduction is partially addressed in FMVSS No. 201. This rulemaking would require in FMVSS No. 214 a vehicle-to-pole oblique impact test to reduce the number of fatal and serious head injuries, which are not addressed in FMVSS No. 201.

Timetable:

Action	Date	FR Cite
NPRM	05/17/04	69 FR 27990
NPRM Comment Period Reopened	01/12/05	70 FR 2105
NPRM Comment Period End	04/12/05	
Final Rule	02/00/06	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4917

DOT—NHTSA

Final Rule Stage

Fax: 202 366-4329

Related RIN: Related to 2127-AJ16,
Related to 2127-AI89

RIN: 2127-AJ10

2154. FEDERAL MOTOR VEHICLE SAFETY STANDARDS DEFINITION OF LOW-SPEED VEHICLES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; ...

CFR Citation: 49 CFR 571.3

Legal Deadline: None

Abstract: This rule addresses two petitions for rulemaking regarding the exclusion of trucks from the definition of "low-speed vehicle" (LSV). The definition would expand LSV class to include trucks, but would limit the class to small electric vehicles. In addition, the definition would be more objective than the current definition.

Timetable:

Action	Date	FR Cite
NPRM	12/08/03	68 FR 68319
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Gayle Dalrymple, Safety Engineer, Vehicle Controls and Adapted Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, Office of Crash Avoidance Standards NVS-123, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5559

RIN: 2127-AJ12

2155. INCORPORATION OF SID-IIS SIDE IMPACT CRASH TEST DUMMY INTO PART 572

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; ...

CFR Citation: 49 CFR 1.50

Legal Deadline: None

Abstract: The agency is initiating incorporation of a small adult side impact crash test dummy into part 572 to support an upgrade of FMVSS No. 214.

Timetable:

Action	Date	FR Cite
NPRM	12/08/04	69 FR 70947
Final Rule	02/00/06	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Stanley Backaitis, Department of Transportation, National Highway Traffic Safety Administration
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Email: stanley.backaitis@nhtsa.dot.gov

Related RIN: Related to 2127-AJ10

RIN: 2127-AJ16

2156. RESPONSE TO PETITIONS FOR RECONSIDERATION OF THE JULY 25, 2003, FMVSS NO. 205 FINAL RULE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30111; 49 USC 30112; 49 USC 30166; 49 USC 30177; 49 USC 322

CFR Citation: 49 CFR 571.205

Legal Deadline: None

Abstract: The notice responds to petitions for reconsideration of the July 25, 2004 Final Rule (68 FR 43964). The final rule incorporated by reference the "American National Standard for Safety Glazing Materials for Glazing Motor Vehicles and Motor Vehicle Equipment Operating on Land Highways - ANSI/SAE Z26.1-1996." The petitioners to the final rule raised issues with the technique to measure windshield shade band, the definition of the "most difficult part or pattern" for fracture testing, the inclusion of solder terminals in fracture testing, the applicability to aftermarket parts, lead time and the interpretation of daylight opening. This notice responds to these petition issues.

Timetable:

Action	Date	FR Cite
Final Rule	08/18/04	69 FR 51188
Final Action	08/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4917
Fax: 202 366-4329

Related RIN: Related to 2127-AH08,
Related to 2127-AJ25

RIN: 2127-AJ43

2157. FMVSS NO. 217; BUS EMERGENCY EXITS AND WINDOW RETENTION AND RELEASE, RESPONSE TO PETITIONS FOR RECONSIDERATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 1392

CFR Citation: 49 CFR 571.217

Legal Deadline: None

Abstract: On April 19, 2002, the agency published a final rule amending Federal Motor Vehicle Safety Standard No. 217; "Bus emergency exits and window retention and release," to reduce the likelihood that wheelchair securement anchorages would be installed in locations that permit wheelchairs to block access to emergency exit doors. The final rule added provisions that restricted the placement of wheelchair anchorages from being placed directly in front of rear and side emergency exit doors, and required a warning label, "DO NOT BLOCK", to be placed over emergency exit doors and windows.

This final rule responds to petitions for reconsiderations from American Transportation Corporation, Thomas Built Buses, and Blue Bird Body Company. The petitioners requested to change a discrepancy between the regulatory text and Figure 6C for the

DOT—NHTSA

Final Rule Stage

exclusion zone in front of rear emergency exit doors, and to remove the

warning label DO NOT BLOCK requirement for emergency exit windows.

Timetable:

Action	Date	FR Cite
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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Related RIN: Related to 2127-AH03

RIN: 2127-AJ47

2158. DEFECT AND NONCOMPLIANCE RESPONSIBILITY AND REPORTS, DEFECT AND NONCOMPLIANCE NOTIFICATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30102; 49 USC 30103; 49 USC 30116; 49 USC 30117; 49 USC 30118; 49 USC 30119; 49 USC 30120; 49 USC 30121; 49 USC 30166

CFR Citation: 49 CFR 573; 49 CFR 577

Legal Deadline: None

Abstract: This rulemaking would respond to petitions for reconsideration of the final rule on dealer notification published on June 23, 2004.

Timetable:

Action	Date	FR Cite
Final Rule	07/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Michael Goode, Trial Attorney, Department of Transportation, National Highway Traffic Safety Administration, 5219, NCC-10, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5263

Fax: 202 366-3820

Related RIN: Related to 2127-AG27

RIN: 2127-AJ48

2159. • EXTENSION OF PARTS MARKING—RESPONSE TO PETITIONS FOR RECONSIDERATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 33101; 49 USC 33103; 49 USC 33104; 49 USC 33105

CFR Citation: 49 CFR 541; 49 CFR 543

Legal Deadline: None

Abstract: The Anti Car Theft Act of 1992 requires NHTSA to conduct a rulemaking to extend the parts marking requirements of that Standard to all passenger cars and multipurpose passenger vehicles with a gross vehicle weight rating of 6,000 pounds or less regardless of theft rate, unless the Attorney General finds that such a requirement would not substantially inhibit chop shop operations and motor vehicle thefts. This final rule responds to five petitions for reconsideration of the final rule implementing this requirement. In response to these petitions, NHTSA is amending the final rule to allow for the submission of petitions for exemption prior to the effective date, and phasing-in the effective date over a two year period.

Timetable:

Action	Date	FR Cite
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Mary Versailles, Office of Planning and Consumer Standards, Department of

Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2057

Related RIN: Related to 2127-AI46

RIN: 2127-AJ51

2160. • THEFT DATA FOR CALENDAR YEAR 2003

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 33104 (b) (4)

CFR Citation: 49 CFR 541

Legal Deadline: None

Abstract: This action will publish the preliminary data on passenger motor vehicles that occurred in calendar year 2003 for model year 2003 vehicles. The theft data indicate the overall vehicles theft rate in 2003. Publication of this data fulfills the agency's obligation to periodically obtain accurate and timely data and publish the information for review and comment.

Timetable:

Action	Date	FR Cite
Preliminary 2003 Theft Data and Request for Comment	03/02/05	70 FR 10066
Final Action	09/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Deborah Mazyck, Program Analyst, Department of Transportation, National Highway Traffic Safety Administration, NVS-132, Office of Planning and Consumer Standards, 400 Seventh Street SW, Room 5320, Washington, DC 20590

Phone: 202 366-0846

Fax: 202 493-2290

Email: deborah.mazyck@nhtsa.dot.gov

RIN: 2127-AJ53

2161. • INSURER REPORTING REQUIREMENTS FOR OCTOBER 2005

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 33112

CFR Citation: 49 CFR 544

DOT—NHTSA

Final Rule Stage

Legal Deadline: None

Abstract: This rulemaking would update the lists in appendices A, B, and C of part 544 of passenger motor vehicle insurers that are required to file reports on their motor vehicle theft/loss experience. If these revised appendices are adopted in a final rule, each insurer included in any of these appendices must file a report for the 2002 calendar year not later than October 25, 2005. Further, as long as the insurer remains listed, it must submit reports by each subsequent October 25.

Timetable:

Action	Date	FR Cite
Final Rule	07/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

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URL For Public Comments:

dms.dot.gov

Agency Contact: Rosalind Proctor, Division Chief, Consumer Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AJ54**2162. • PLATFORM LIFTS: SECOND RESPONSE TO PETITIONS FOR RECONSIDERATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.403; 49 CFR 571.404**Legal Deadline:** None

Abstract: On December 27, 2002 NHTSA published platform lift regulations (49 CFR 571.403, 404). NHTSA received numerous petitions for reconsideration to this final rule and on October 1, 2004 published another final rule, which discussed issues, responded to comments and amended the platform lift regulations. Amendments included changes to interlock and lighting requirements. NHTSA has now received five more

petitions for reconsideration to the October 1, 2004 final rule. These petitions are related to lighting, interlocks and delaying the effective date of the regulations. NHTSA has already delayed the effective date of the regulations via an interim final rule published on December 23, 2004. NHTSA now has to respond to the remaining issues raised by the five petitions for reconsideration. This new rulemaking will respond to the remaining issues raised by the five petitions and may result in additional amendments to the platform lift regulations.

Timetable:

Action	Date	FR Cite
Final Rule	06/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: William Evans, Safety Standards Engineer Office of Crash Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, Vehicle Controls and Adapted Vehicle Division 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2272

Fax: 202 366-4329

RIN: 2127-AJ55**2163. • PETITIONS FOR RECONSIDERATION FMVSS NO. 201 SEAT BELT MOUNTING STRUCTURE DEFINITION****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; 49 USC 322**CFR Citation:** 49 CFR 571.201**Legal Deadline:** None

Abstract: In response to petitions for reconsideration of the February 27, 2004, FMVSS No. 201 "Occupant Protection in Interior Impact," final rule, the agency is considering an amendment to the definition of seat belt mounting structure. Petitioners commented that the current definition used in the standard was too broad,

since it covered interior rear quarter panels and rear closure panels that were not intended as target areas for the free-motion head form (FMH) impact tests. The final rule shall address the cited petition issues while maintaining the intent of the standard.

Timetable:

Action	Date	FR Cite
Final Rule	07/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Dr. William R Fan, Safety Standards Engineer, Department of Transportation, National Highway Traffic Safety Administration, Room 5320F, NVS-112, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4922

Fax: 202 366-4329

RIN: 2127-AJ60**2164. • PETITION FOR RECONSIDERATION OF AMENDMENTS TO REGULATIONS GOVERNING THE IMPORTATION BY REGISTERED IMPORTERS OF MOTOR VEHICLES****Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 9701; 49 USC 30141 to 30147; 49 USC 30117; 49 U.S.C. 322(a)**CFR Citation:** 49 CFR 591; 49 CFR 592; 49 CFR 594**Legal Deadline:** None

Abstract: On August 24, 2004, NHTSA published a final rule (at 69 52070) amending the agency's regulations that pertain to the importation by registered importers (RIs) of motor vehicles that were not originally manufactured to comply with all applicable Federal motor vehicle safety, bumper, and theft prevention standards. The principal purpose of these amendments is to clarify the requirements applicable to RIs and applicants for RI status. On October 15, 2004, the agency received from an RI, a petition for reconsideration of the final rule. The petition objects to a requirement in the final rule that bars RIs from importing

DOT—NHTSA

Final Rule Stage

salvage vehicles. The petition also contends that NHTSA lacks authority to seek the forfeiture of a DOT conformance bond if the RI releases custody of the vehicle less than 30 days after it submits conformity data to NHTSA. The petition also requests the agency to restrict access to, and the use of social security numbers that RIs must divulge to the agency under the final rule. Lastly, the petition requests the agency to amend its regulations to permit RIs to import motor vehicles that do not comply with the Theft Prevention Standard in 49 CFR part 541.

Timetable:

Action	Date	FR Cite
Final Rule	09/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Coleman R Sachs, Chief, Import and Certification Division, Office of Vehicle Safety Compliance, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW, Room 6111, NVS-223, Washington, DC 20590
Phone: 202 366-3151
Fax: 202-366-1024
Email: csachs@nhtsa.dot.gov

RIN: 2127-AJ63**2165. • FINAL RULE, PETITION FOR RECONSIDERATION, FMVSS NO. 301, FUEL SYSTEM INTEGRITY RULEMAKING****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 30111 49 USC 30115 49 USC 30117 49 USC 30166**CFR Citation:** 49 CFR 571.301**Legal Deadline:** None

Abstract: In August 2004, NHTSA published a final rule in response to petitions for reconsideration (69 FR 51393, August 19, 2004). On October 4, 2004, NHTSA was petitioned to reconsider the August 2004 final rule by DaimlerChrysler Corporation. The petitioner requested a two-year phase-in of the upgraded fuel system integrity

side impact requirements for vehicles with a gross vehicle weight rating (GVWR) in excess of 2,722 kg (6,000 lb). DaimlerChrysler Corporation requested an implementation schedule of 90 percent by September 1, 2005, and 100 percent by September 1, 2006. This action responds to the petition.

Timetable:

Action	Date	FR Cite
Final Rule	07/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4919
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RIN: 2127-AJ64**2166. • +TIRE SAFETY****Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** PL 106-414**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: Response to petitions for reconsideration of a final rule establishing new and more stringent tire performance requirements. The final rule increased the stringency of the existing high speed and endurance tests and added a low pressure performance test.

Timetable:

Action	Date	FR Cite
Final Rule	01/00/06	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:**

dms.dot.gov

Agency Contact: George Soodoo, Chief, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., NVS-122, Washington, DC 20590
Phone: 202 366-2720
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RIN: 2127-AJ65**2167. • PROCEDURES FOR PARTICIPATING IN AND RECEIVING DATA FROM THE NATIONAL DRIVER REGISTER PROBLEM DRIVER POINTER SYSTEM PURSUANT TO A PERSONNEL SECURITY INVESTIGATION AND DETERMINATION****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 108-375**CFR Citation:** 23 CFR 1327**Legal Deadline:** None

Abstract: The agency is amending the National Driver Register regulations to implement an amendment made by the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (PL 108-375). The amendment allows an individual who has or is seeking access to national security information under Executive Order No. 12968, or an individual who is being investigated for Federal employment under Executive Order No. 10450 to request that NDR information be made available to a Federal department or agency that is authorized to investigate the individual.

Timetable:

Action	Date	FR Cite
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Sean McLaurin, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20950
Phone: 202 366-4800

DOT—NHTSA

Final Rule Stage

Email: sean.mclaurin@nhtsa.dot.gov

RIN: 2127-AJ66

Department of Transportation (DOT)
National Highway Traffic Safety Administration (NHTSA)

Long-Term Actions

2168. +REVIEW: SIDE IMPACT PROTECTION**Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.214**Legal Deadline:** None

Abstract: Phase 2 will evaluate the change in side-impact fatality risk after FMVSS 214 vs. just before the standard: for all cars, by car type (2-door vs. 4-door), by type of vehicle modification (structure plus padding vs. padding only), and as a function of how much the test criterion TTI(d) was reduced when the standard was implemented in a make-model.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/94	
Phase II Evaluation Plan	12/08/99	64 FR 68717
Technical Report: Phase I	12/08/99	64 FR 68717
Comment Period End	04/06/00	
Summary and Discussion of Public Comments Sent to Docket: Phase I	08/11/00	
End Review	06/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: The Phase I evaluation report indicates that the test injury criterion TTI(d) has a statistically significant association with fatality risk in actual side-impact crashes on the highway. In model years 1981-93 cars, models with low TTI(d) on the Federal motor vehicle safety standard no. 214 test tend to have low fatality risk.

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Charles J Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of

Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AF54**2169. REVIEW: REDESIGNED AIR BAGS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.208**Legal Deadline:** None

Abstract: This standard was temporarily amended to make the unbelted test for vehicles with air bags less stringent and, in effect, make it easier for manufacturers to quickly depower their air bags. Redesigned air bags are likely to benefit out-of-position occupants and reduce drivers' arm injuries, but they might be less effective than earlier air bags for some occupants. This regulation was selected for review because of public interest, potential benefits, and possibility of higher risk for some vehicle occupants.

Timetable:

Action	Date	FR Cite
Begin Review	05/01/98	
End Review	06/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Charles J Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH13**2170. +FRONTAL OFFSET PROTECTION****Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.208**Legal Deadline:** None

Abstract: This rulemaking would establish a Federal motor vehicle safety standard for high-speed frontal offset crash testing. The frontal offset test is a crash test for automobiles and light trucks in which the subject vehicles are run into a deformable honeycomb barrier. The barrier contacts only 40 percent of the front of the vehicle, simulating an off-center frontal collision. The agency is considering adding the high speed offset test to the frontal occupant protection standard to measure vehicle structural integrity and reduce the number and severity of lower-body injuries. NHTSA is examining whether implementing a new offset test might create disbenefits to occupants of other vehicles. However, further testing and analysis is necessary in order for the agency to complete a proposal.

Timetable:

Action	Date	FR Cite
Request for Comments	02/03/04	69 FR 5108
Comment Period Extended	04/06/04	69 FR 18105
Comment Period End	07/05/04	
Next Action	Undetermined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

DOT—NHTSA

Long-Term Actions

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Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4917
Fax: 202 366-4329

Related RIN: Related to 2127-AI39

RIN: 2127-AH73

2171. ADAPTATION OF INSTRUMENTED LOWER LEGS FOR HYBRID III MALE AND FEMALE ADULT DUMMIES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 572

Legal Deadline: None

Abstract: The agency is considering the use of crash test dummies with instrumented lower legs to assess the crashworthiness and the potential of lower limb injuries to occupants of passenger cars, vans, light trucks, and sport utility vehicles. The new legs would be retrofits for un-instrumented legs in current Hybrid III male and female adult size dummies. The legs could be used to monitor both the inertial impact and floor pan intrusion effects upon injury potential to the knees, tibia, ankle, and feet. The new legs could permit the agency to assess the injury potential to the lower legs in current motor vehicles during crashes and also enable the vehicle manufacturers to design and construct vehicles that would minimize lower limb injuries.

Timetable:

Action	Date	FR Cite
ANPRM	05/03/02	67 FR 22381
ANPRM Comment Period End	08/05/02	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Sean Doyle, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1740

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Related RIN: Related to 2127-AH73

RIN: 2127-AI39

2172. RETROACTIVE CERTIFICATION OF COMMERCIAL VEHICLES BY MOTOR VEHICLE MANUFACTURERS; RECORDKEEPING AND RECORD RETENTION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30166; 49 USC 32502

CFR Citation: 49 CFR 567

Legal Deadline: None

Abstract: Consideration is being given to the circumstances under which the agency will allow retroactive certification of heavy trucks and buses manufactured for use in Canada and Mexico.

Timetable:

Action	Date	FR Cite
Request for Comments	03/19/02	67 FR 12790
Comment Period End	05/20/02	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Stephen Wood, Division Chief, Rulemaking Div., Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2992

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RIN: 2127-AI59

2173. IMPORTATION OF COMMERCIAL MOTOR VEHICLES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30112

CFR Citation: 49 CFR 591

Legal Deadline: None

Abstract: This rulemaking addresses the definition of the term "import."

Timetable:

Action	Date	FR Cite
NPRM	03/19/02	67 FR 12806
NPRM Comment Period End	05/20/02	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Edward Glancy, Senior Attorney Advisor, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2992

RIN: 2127-AI64

Department of Transportation (DOT)

Completed Actions

National Highway Traffic Safety Administration (NHTSA)

2174. SEATING SYSTEMS PERFORMANCE**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.207**Legal Deadline:** None

Abstract: Since 1989, a number of petitions have been received asking NHTSA to modify Federal motor vehicle safety standard No. 207, "Seating systems," to improve seat performance in rear impacts. Although the agency has a greater knowledge about the issues associated with the performance of seats in rear impacts, we need additional time and resources focused on this issue before we will be able to make a decision on a rulemaking action. Since we will not be able to take action on this issue in the near future, we are terminating public proceedings on this issue. However, we will continue to conduct the necessary research and data analyses needed to support future rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	10/04/89	54 FR 40896
ANPRM Comment Period End	12/04/89	
Request for Comments	11/23/92	57 FR 54958
Comment Period End	01/22/93	
Final Action	11/16/04	69 FR 67068

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: Petitions for rulemaking were granted 07/24/89. See a related rulemaking action involving these petitioners under RIN 2127-AC57. The first part of the research is complete. A computer model and a prototype seat were developed. Information on this research is available in the docket along with a report on crash data analysis. The agency is currently evaluating the research results and conducting dynamic seat testing.

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4917
Fax: 202 366-4329

RIN: 2127-AD08**2175. CERTIFICATION REQUIREMENTS OF MULTISTAGE VEHICLES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 567; 49 CFR 568; 49 CFR 1.50**Legal Deadline:** None

Abstract: The agency proposed to amend the certification requirements that apply to incomplete vehicles other than chassis-cabs. Incomplete vehicles are vehicles that include at least a frame and chassis structure, power train, steering system, suspension system, and brake system, but need further manufacturing performed on them to become completed vehicles. The agency proposed to extend the certification requirements currently applying to chassis-cabs to all types of incomplete vehicles. The agency recognizes that manufacturers who build vehicles in more than one stage are faced with somewhat different problems than manufacturers who build vehicles in a single stage, especially when it comes to certifying vehicles to meet Federal Motor Vehicle Safety Standards.

The agency held a public meeting to listen to the views of these groups and others with respect to improving the vehicle certification process. The agency established a negotiated rulemaking advisory committee to develop recommended amendments to the existing regulations. The agency published the findings and recommendations of the negotiated rulemaking advisory committee proposed amendments to five part of title

49 and requested comments from the public. The agency will consider the comments and will publish a final rule.

Timetable:

Action	Date	FR Cite
NPRM	12/03/91	56 FR 61392
NPRM Comment Period End	01/31/92	
Announced Public Meeting	11/17/95	60 FR 57694
Notice of Intent	05/20/99	64 FR 27499
Notice of Formation of Advisory Committee	11/26/99	64 FR 66447
Notice of Meetings	02/07/00	65 FR 5847
Notice	04/19/00	65 FR 20936
Final Rule	02/14/05	70 FR 7414

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: The agency has published a list of scheduled meetings.

ANALYSIS: Regulatory Evaluation, 12/03/91, 56 FR 61392

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Alison Rusnak, Attorney Advisor, Department of Transportation, National Highway Traffic Safety Administration
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RIN: 2127-AE27**2176. +FUEL ECONOMY STANDARDS—RIGHTS AND RESPONSIBILITIES OF MANUFACTURERS IN THE CONTEXT OF CHANGES IN CORPORATE RELATIONSHIPS****Priority:** Other Significant**Legal Authority:** 49 USC 32903**CFR Citation:** 49 CFR 534**Legal Deadline:** None

Abstract: This rulemaking clarifies when and how predecessor and successor automobile manufacturers may use the fuel economy credits of the predecessor or successor. The use of carry forward or carry back credits is specified for manufacturers that merge. This action is considered significant because it affects the treatment of the

Corporate Average Fuel Economy (CAFE) penalties.

DOT—NHTSA

Completed Actions

Timetable:

Action	Date	FR Cite
NPRM	01/22/01	66 FR 6523
Final Rule	12/28/04	69 FR 77663

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Edward Glancy, Senior Attorney Advisor, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2992

RIN: 2127-AG97**2177. +FMVSS: HEAD RESTRAINTS (HEIGHT AND DISTANCE REQUIREMENTS)****Priority:** Other Significant**Legal Authority:** 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; 49 USC 322**CFR Citation:** 49 CFR 571.202**Legal Deadline:** None

Abstract: This rulemaking would upgrade the current head restraint requirements to increase safety. The upgraded proposed performance requirements are intended to assure that the head restraint, if adjusted, will offer good protection to occupants. This rulemaking is significant because of public interest in motor vehicle safety due to

its potential to mitigate whiplash injuries.

Timetable:

Action	Date	FR Cite
NPRM	01/04/01	66 FR 967
NPRM Comment Period End	03/15/01	
Final Action	12/14/04	69 FR 74847

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH09**2178. ACCELERATOR CONTROL SYSTEMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.124**Legal Deadline:** None

Abstract: The agency proposed a revision of the standard to make explicit the standard applies to electronic accelerator controls and the electric vehicles. Because electronic engine controls increase the ways manufacturers can achieve fail-safe performance in the event of a disconnection or severance of the accelerator control system, the agency proposed alternative compliance tests for fail-safe performance to avoid design restrictions. However, after reviewing the comments on the proposal, additional research is required. This rulemaking will be terminated until further research is completed.

Timetable:

Action	Date	FR Cite
Request for Comments	12/04/95	60 FR 62061
NPRM	07/23/02	67 FR 48117
Terminated	11/10/04	69 FR 65126

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Mike Pyne, Safety Standards Engineer, Office of Crash Avoidance NVS-123, Department of

Transportation, National Highway Traffic Safety Administration, NVS 123, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4171

RIN: 2127-AH71**2179. VEHICLES WITH RAISED ROOFS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.216**Legal Deadline:** None

Abstract: This rulemaking is in response to petitions for reconsideration of a final rule published on April 27, 1999 (64 FR 22567, RIN 2127-AF40). The April 1999 final rule addressed testing methods for vehicles with raised- or sloped-roof structures. Petitioners have requested that the agency modify the portion of the rule that pertains to raised-roof vehicles, particularly those vehicles used for transporting disabled persons. This issue is being addressed in conjunction with a proposal to upgrade Federal Motor Vehicle Safety Standard No. 216, "Roof Crush Resistance."

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/31/00	65 FR 4579
Interim Final Rule Effective	01/31/00	
Merged With	02/14/05	
2127-AG51		

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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Email: gmouchahoir@nhtsa.dot.gov

Related RIN: Related to 2127-AG51**RIN:** 2127-AH74

DOT—NHTSA

Completed Actions

2180. SPECIAL PURPOSE VEHICLES**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.224**Legal Deadline:** None

Abstract: This rulemaking responds to a petition for rulemaking from Thieman Tailgates, Inc., concerning the Federal motor vehicle safety standard requiring trailers and semitrailers to be equipped with rear impact guards. The petitioner asked us to amend the standard so that it expressly excluded trailers with rear-mounted liftgates or to exclude rear impact guards on those trailers from the energy absorption requirements. In response, NHTSA issued a final rule to specifically exclude trailers with "tuckunder liftgates," and to amend the definition of "special purpose vehicle," and to amend the requirements concerning the location of the rearmost surface of the rear impact guard.

Timetable:

Action	Date	FR Cite
NPRM	02/27/04	69 FR 9288
Final Rule	11/05/04	69 FR 64495

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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Email: gmouchahoir@nhtsa.dot.gov

RIN: 2127-AH75**2181. BRAKE HOSES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.106**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency proposed to adopt portions of the brake component Federal safety provisions that are now in the Federal Motor Carrier Safety Administration regulations into the agency's brake hose regulation.

Timetable:

Action	Date	FR Cite
NPRM	05/15/03	68 FR 26384
Final Action	12/20/04	69 FR 76297

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Jeffrey Woods, Safety Standards Engineer Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, NVS-122, Vehicle Dynamics Division 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2720

Fax: 202 366-4329

RIN: 2127-AH79**2182. CLARIFY TEST PROCEDURES FOR BRAKE FLUIDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.116**Legal Deadline:** None

Abstract: The agency has proposed to revise the corrosion and evaporation test procedures for brake fluids. These revisions are intended to improve the levels of compliance test repeatability and/or reproducibility.

Timetable:

Action	Date	FR Cite
NPRM	01/16/01	66 FR 3527
NPRM Comment Period End	03/19/01	
Final Action	11/19/04	69 FR 67654

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Samuel Daniel, General Engineer Office of Crash Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, NVS-122, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4921

RIN: 2127-AH96**2183. IMPROVE MOTORCYCLE HELMET HEAD PROTECTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.218**Legal Deadline:** None

Abstract: NHTSA has determined that improvement of enforceability issues involving compliance testing of motorcycle helmets would increase motorcycle safety, specifically, the impact attenuation and retention system test methods, and the provision governing the location of the DOT symbol on helmets are being evaluated to see if any changes are warranted. However, further testing and analysis is necessary to develop a proposal. Since this will not be completed in the near future, this action is being terminated.

Timetable:

Action	Date	FR Cite
Termination	04/29/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI03

DOT—NHTSA

Completed Actions

2184. LABEL PLACEMENT ON REAR IMPACT GUARDS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.223**Legal Deadline:** None

Abstract: In response to petitions for rulemaking, the agency revised the rule to allow trailer manufacturers additional flexibility in the placement of the permanent label on the guard to minimize the probability that the label will be exposed to conditions—environmental, operational, or otherwise—that may damage or destroy the guard while maintaining a location that is easily accessible and visible for inspection and enforcement purposes. Other portions of the petitions were denied.

Timetable:

Action	Date	FR Cite
NPRM	03/29/02	67 FR 15154
NPRM Comment Period End	05/28/02	
Final Action	11/19/04	69 FR 67660

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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Fax: 202 366-4329

Email: gmouchahoir@nhtsa.dot.gov

RIN: 2127-AI04**2185. REVIEW: ANTILOCK BRAKE SYSTEMS FOR HEAVY TRUCKS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.105; 49 CFR 571.121**Legal Deadline:** None

Abstract: These standards require antilock brake systems (ABS) on truck-tractors manufactured after March 1, 1997, semi-trailers and single-unit trucks equipped with air brakes after March 1, 1998, and single-unit trucks over 10,000 pounds GVWR equipped with hydraulic brakes after March 1, 1999. The agency will study the influence of ABS on crash involvement rates and estimate the cost of ABS. These regulations were selected for review because of their costs, potential benefits, and public interest. The review of Antilock Brake Systems for Heavy Trucks has been postponed due to other regulatory review requirements.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/00	
Evaluation Plan Published	08/14/00	65 FR 49633
Collection of Information	10/05/01	66 FR 51093
Comment Period End	12/04/01	
Terminated	02/14/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

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URL For Public Comments:

dms.dot.gov

Agency Contact: Charles J Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2560

Fax: 202 366-2559

Email: ckahane@nhtsa.dot.gov

RIN: 2127-AI14**2186. REVIEW: REAR-IMPACT GUARDS FOR TRUCK TRAILERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.223; 49 CFR 571.224**Legal Deadline:** None

Abstract: These standards set requirements for the geometry,

configuration, strength, and energy absorption capability of rear-impact guards on full trailers and semi-trailers over 10,000 pounds GVWR manufactured after January 26, 1998. The agency will study the influence of these guards on injuries in passenger vehicles that rear-impact trailers. The cost of the standards will also be estimated. These regulations were selected for review because of their costs, potential benefits, and public interest. The review of Rear-Impact Guards for Truck Trailers has been postponed due to other regulatory review requirements.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/00	
Evaluation Plan Published	08/14/00	65 FR 49633
Collection of Information	10/05/01	66 FR 51093
Comment Period End	12/04/01	
Terminated	02/14/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

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Agency Contact: Charles J Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI15**2187. CARGO CARRYING CAPACITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 575**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is considering mandatory consumer information in the form of a label that will inform the consumer of the Cargo Carrying Capacity (CCC) of motor homes, travel

DOT—NHTSA

Completed Actions

trailers, and fifth wheel travel trailers. Such labeling will help the consumer make informed decisions during the purchasing process and act as a reference during cargo loading, which in turn may reduce instances of overloading. The agency will address this petition for rulemaking under an amendment to FMVSS No. 120. See action under RIN 2127-AJ57.

Timetable:

Action	Date	FR Cite
Termination	04/29/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

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Agency Contact: William Evans, Safety Standards Engineer Office of Crash Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, Vehicle Controls and Adapted Vehicle Division 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2272

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RIN: 2127-AI50**2188. HORIZONTAL DISCHARGE TRAILERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.224**Legal Deadline:** None

Abstract: In response to two petitions for rulemaking, the agency excluded semitrailers equipped with "road construction horizontal discharge trailers" from the current standard.

Timetable:

Action	Date	FR Cite
NPRM	09/19/03	68 FR 54897
Final Rule	11/19/04	69 FR 67663

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919

Fax: 202 366-4329

Email: gmouchahoir@nhtsa.dot.gov

RIN: 2127-AI56**2189. ALLOW ROLL-BAR DURING BRAKE TESTING****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; 49 USC 322**CFR Citation:** 49 CFR 571.105**Legal Deadline:** None

Abstract: The agency is allowing vehicles with a gross vehicle weight rating of over 10,000 pounds to use a roll-bar during braking tests.

Timetable:

Action	Date	FR Cite
NPRM	11/04/03	68 FR 62417
Final Rule	12/14/04	69 FR 75486

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Samuel Daniel, General Engineer Office of Crash Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, NVS-122, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4921

Related RIN: Related to 2127-AH16**RIN:** 2127-AI63**2190. GM PETITION ON AMENDING FMVSS NO. 301 AND FMVSS NOS. 208, 212, 219, 303, AND 305 (RULEMAKING RESULTING FROM A SECTION 610 REVIEW)****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 1392; 15 USC 1497**CFR Citation:** 49 CFR 571.208; 49 CFR 571.212; 49 CFR 571.219; 49 CFR 571.301; 49 CFR 571.303**Legal Deadline:** None

Abstract: NHTSA published an NPRM on November 13, 2000, proposing to upgrade the rear- and side-impact tests in FMVSS No. 301, Fuel System Integrity. In response, GM petitioned NHTSA to amend FMVSS Nos. 208, 212, 219, 303 and 305 with identical language that GM recommended for amending FMVSS No. 301. While we believe that the petition has merit, NHTSA has determined that it is not possible to develop a proposal in the near future given other agency priorities. Accordingly, this action is being terminated.

Timetable:

Action	Date	FR Cite
Termination	04/29/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI76**2191. WARNING LABEL AND ADDITIONAL CONSPICUITY FEATURES FOR LOW-SPEED VEHICLES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

DOT—NHTSA

Completed Actions

CFR Citation: 49 CFR 500

Legal Deadline: None

Abstract: Low-speed vehicles (whose top speed capability is, by definition, 25 mph) are required by NHTSA to meet certain minimum safety requirements. The agency considered a label warning for increasing the conspicuity of low speed vehicles. In view of the absence of data showing a conspicuity-related safety problem with LSV designs, this action is terminated.

Timetable:

Action	Date	FR Cite
NPRM	07/12/02	67 FR 46149
Terminated	02/11/05	70 FR 7222

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Richard Van Iderstine, Chief, Visibility and Injury Prevention Division NVS-121, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2720

Fax: 202 366-4329

RIN: 2127-AI84

2192. +FEDERAL MOTOR VEHICLE SAFETY STANDARDS, OCCUPANT CRASH PROTECTION

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30177; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: Final, Statutory, December 4, 2004.

On December 4, 2002, the President signed into law "Anton's Law", PL 107-318 (December 4, 2002; 116 Stat. 2772), which provides for the improvement of child safety devices when installed in motor vehicles. One of the provisions of Anton's Law mandates the installation of lap/shoulder belts in rear seating positions. Specifically, section 5(a) of the law directs the Secretary of Transportation, through NHTSA, to issue a final rule by December 2004

that would require a lap and shoulder belt.

Abstract: In response to Anton's Law, the agency is developing an amendment to its occupant protection standard, FMVSS No. 208, to require the installation of integral lap/shoulder belts for all rear non-outboard designated seating positions (DSPs) other than side facing seats in passenger cars, trucks, and multipurpose passenger vehicles with a Gross Vehicle Weight Rating (GVWR) of 4,536 kg (10,000 lbs.) or less.

Timetable:

Action	Date	FR Cite
NPRM	08/06/03	68 FR 46546
Final Rule	12/08/04	69 FR 70904

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

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Agency Contact: Lori Summers, Division Chief, Department of Transportation, National Highway Traffic Safety Administration, NVS-112, Light Duty Vehicle Division 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4917

Fax: 202 366-4329

RIN: 2127-AI91

2193. AMEND REGULATORY DEFINITION OF MOTORCYCLE TO EXCLUDE LOW-SPEED MOTORCYCLES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; ...

CFR Citation: 49 CFR 575

Legal Deadline: None

Abstract: Policy statement will provide guidance on statutory definition of motor vehicle as it pertains to small/low speed two- and three-wheeled vehicles.

Timetable:

Action	Date	FR Cite
Terminated	02/14/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

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URL For Public Comments:

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Agency Contact: Mike Pyne, Safety Standards Engineer, Office of Crash Avoidance NVS-123, Department of Transportation, National Highway Traffic Safety Administration, NVS 123, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4171

RIN: 2127-AJ13

2194. +TIRE PRESSURE MONITORING SYSTEMS

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; ...

CFR Citation: 49 CFR 571.138; 49 CFR 571.101

Legal Deadline: None

Abstract: The Transportation Recall Enhancement Accountability and Documentation (TREAD) Act required the Secretary of Transportation to initiate rulemaking to require a warning system in new motor vehicles to indicate to the operator when a tire is significantly under-inflated. The agency issued a final rule for tire pressure monitoring systems (TPMS)(establishing FMVSS No. 138) on June 5, 2002; however, the final rule establishing the issued by the U.S. Court of Appeals for the Second Circuit in August 2003.

The agency has taken action in accordance with the Administrative Procedures Act to reestablish FMVSS No. 138, in a manner consistent with the court's decision, and also provided a new phase-in period.

Timetable:

Action	Date	FR Cite
NPRM	09/16/04	69 FR 55896
Final Rule	04/08/05	70 FR 18136

Regulatory Flexibility Analysis

Required: No

DOT—NHTSA

Completed Actions

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
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URL For Public Comments:
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Agency Contact: Samuel Daniel, General Engineer Office of Crash Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, NVS-122, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4921

RIN: 2127-AJ23

2195. REFORMING THE AUTOMOBILE FUEL ECONOMY STANDARDS PROGRAM; REQUEST FOR PRODUCT PLAN INFORMATION

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2002; 49 CFR 1.50

CFR Citation: 49 CFR 533

Legal Deadline: None

Abstract: The purpose of this request for information is to acquire data regarding vehicle manufacturers' future product plans to assist the agency in analyzing possible reforms to the corporate average fuel economy (CAFE) program, and the effect of these possible reforms on fuel economy manufacturers, consumers, the economy, motor vehicle safety and American jobs.

Timetable:

Action	Date	FR Cite
Request for Comments	12/29/03	68 FR 74908
Comment Period End	04/27/04	
Last Information Received From Manufacturers	01/14/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Kenneth R Katz, Lead Engineer, Consumer Program Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AJ26

2196. CIVIL PENALTIES (PART 578)

Priority: Substantive, Nonsignificant

Legal Authority: 28 USC 2461; 49 CFR 1.50; 49 USC 30165; 49 USC 30170; 49 USC 30505; 49 USC 32308 to 32309; 49 USC 32507; 49 USC 32709; 49 USC 32710; 49 USC 32912; 49 USC 33115; PL 101-410; PL 104-134

CFR Citation: 49 CFR 578.6

Legal Deadline: None

Abstract: This rule would adjust Civil Penalties pursuant to the Federal Civil Monetary Penalty Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996.

Timetable:

Action	Date	FR Cite
NPRM	06/14/04	69 FR 32963
Final Rule	09/28/04	69 FR 57864

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: The Federal Civil Monetary Penalty Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996, requires agencies to review and, as warranted, adjust their penalties at least every four years.

URL For More Information:
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URL For Public Comments:
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Agency Contact: Michael Kido, Trial Attorney, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 366-5263

RIN: 2127-AJ32

2197. DEFECT AND NON-COMPLIANCE RESPONSIBILITY AND REPORTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30118 ; 49 USC 30119; 49 USC 30120

CFR Citation: 49 CFR 573; 49 CFR 577

Legal Deadline: None

Abstract: This regulation would have specified requirements for Regional Recalls. This rule has been deemed unnecessary.

Timetable:

Action	Date	FR Cite
Terminated	02/15/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Sean Doyle, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AJ33

2198. LIST OF NONCONFORMING VEHICLES ELIGIBLE FOR IMPORTATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30141; 49 USC 322

CFR Citation: 49 CFR 593

Legal Deadline: None

Abstract: This rulemaking action amends the list of vehicles not originally manufactured to conform to all applicable Federal motor vehicle safety standards that NHTSA has decided to be eligible for importation. This list is published as an appendix to NHTSA's regulations at 49 CFR part 593 that establish the procedures through which the agency makes import eligibility decisions. The amendment will add to the list all vehicles that NHTSA decided to be eligible for importation since the list was last published on October 1, 2003.

Timetable:

Action	Date	FR Cite
Final Rule	11/18/02	67 FR 69600
Final Rule Effective	09/30/04	
Reponse to Petitions for Reconsideration	09/30/04	69 FR 58354

DOT—NHTSA

Completed Actions

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

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URL For Public Comments:

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Agency Contact: Coleman R Sachs, Chief, Import and Certification Division, Office of Vehicle Safety Compliance, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW, Room 6111, NVS-223, Washington, DC 20590
Phone: 202 366-3151
Fax: 202-366-1024
Email: csachs@nhtsa.dot.gov

RIN: 2127-AJ35

2199. RESPONSE TO PETITIONS FOR RECONSIDERATION OF TREAD CHILD RESTRAINT PERFORMANCE (FMVSS NO. 213)

Priority: Substantive, Nonsignificant**Legal Authority:** 15 USC 1392**CFR Citation:** 49 CFR 571.213**Legal Deadline:** None

Abstract: On June 24, 2003, NHTSA published a final rule that fulfilled the mandate in the Transportation Recall Enhancement, Accountability and Documentation Act (the TREAD Act) (November 1, 2000, Pub. L. 106-414, 114 Stat. 1800) to initiate a rulemaking for the purpose of improving the safety of child restraints (reference 68 FR 37620). In response to the 2003 final rule, NHTSA received petitions for reconsideration concerning specifications for the crash pulse simulation and dummy clothing. This rulemaking action is based on those petitions for reconsideration.

Timetable:

Action	Date	FR Cite
Final Rule	06/24/03	68 FR 37620
Response to Petitions for Reconsideration	03/28/05	70 FR 15596

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919

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RIN: 2127-AJ40

2200. REPORTING OF INFORMATION AND COMMUNICATIONS ABOUT POTENTIAL DEFECTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 106-414; 49 USC 30102 to 30103; 49 USC 30112; 49 USC 30117 to 30121; 49 USC 30166 to 30167; 49 CFR 1.50; . . .

CFR Citation: 49 CFR 579**Legal Deadline:** None

Abstract: Petition for rulemaking to revise 49 CFR 579.28 to make the reporting date 60 days following the end of each calendar quarter.

Timetable:

Action	Date	FR Cite
NPRM	06/29/04	69 FR 38860
NPRM Comment Period End	07/29/04	
Final Action	09/27/04	69 FR 57867

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Jonathan D White, Chief, Recall Analysis Division, Office of Defects Investigation, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5226

Fax: 202 366-7882

RIN: 2127-AJ41

2201. • DELAY OF EFFECTIVE DATE OF 49 CFR 571.403, PLATFORM LIFT SYSTEMS FOR MOTOR VEHICLES AND 49 CFR 571.404 PLATFORM LIFT INSTALLATION IN MOTOR VEHICLES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; 49 USC 322

CFR Citation: 49 CFR 571.403; 49 CFR 571.404

Legal Deadline: None

Abstract: 49 CFR 571.403 and 49 CFR 571.404 were scheduled to take effect on December 27, 2004. A delay in this effective date is necessary because the lack of available compliant platform lifts has resulted in the inability of over-the-road coach, motor home, and certain bus manufacturers to comply with FMVSS No. 404 by the effective date. While lift manufacturers will provide compliant lifts by the effective date, delays in lead-time have prevented vehicle manufacturers from incorporating compliant lifts into their production lines. Without a delay of the effective dates, manufacturers will incur financial loss and the availability of vehicles manufactured to accommodate individuals with disabilities will be disrupted. In addition, the response to the petitions for reconsideration to the final rule, which was published October 1, 2004, shifted the responsibilities of lift lighting to vehicle manufacturers. Recent new petitions from school bus manufacturers state that they have not had enough time to prepare for this change. Therefore, this rulemaking action will delay the effective date of FMVSS No 403 for three months (April 1, 2005) and will delay the effective date of FMVSS No. 404 for 6 months (July 1, 2005).

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/23/04	69 FR 76865

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

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URL For Public Comments:

dms.dot.gov

Agency Contact: William Evans, Safety Standards Engineer Office of Crash

DOT—NHTSA

Completed Actions

Avoidance Stds., Department of Transportation, National Highway Traffic Safety Administration, Vehicle Controls and Adapted Vehicle Division 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2272

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Related RIN: Related to 2127-AD50, Related to 2127-AJ18

RIN: 2127-AJ50

2202. • HIGH-THEFT LINES FOR MODEL YEAR 2006

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 33104

CFR Citation: 49 CFR 541

Legal Deadline: None

Abstract: This action will list the likely high-theft vehicle lines that are subject to the parts-marking requirements of the theft prevention standard and high theft lines that are exempted from the parts-marking requirements for model year 2006.

Timetable:

Action	Date	FR Cite
Final Rule	04/20/05	70 FR 20481

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

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Agency Contact: Rosalind Proctor, Division Chief, Consumer Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AJ52

BILLING CODE 4910-59-S

Department of Transportation (DOT)

Federal Railroad Administration (FRA)

Proposed Rule Stage

2203. • REVISION OF METHOD FOR CALCULATING MONETARY THRESHOLD FOR REPORTING RAIL EQUIPMENT ACCIDENTS/INCIDENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 CFR 1.49; 49 USC 103; 49 USC 10901-02; 49 USC 20103; 49 USC 20107; 49 USC 21302; 49 USC 21311; 49 USC 2461, note; 49 USC 322(a)

CFR Citation: 49 CFR 225.19

Legal Deadline: None

Abstract: This rulemaking would amend the method for calculating the monetary threshold for reporting rail equipment accidents/incidents.

Timetable:

Action	Date	FR Cite
NPRM	04/19/05	70 FR 20333
NPRM Comment Period End	06/20/05	
Final Rule	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

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Agency Contact: Roberta Stewart, Trial Attorney, Department of Transportation, Federal Railroad

Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 493-6027

RIN: 2130-AB65

2204. • PASSENGER EQUIPMENT SAFETY STANDARDS; MISCELLANEOUS AMENDMENTS AND APPLICATION OF SAFETY APPLIANCES ON EXISTING PASSENGER EQUIPMENT

Priority: Substantive, Nonsignificant

Legal Authority: 28 USC 2401 note; 49 CFR 1.49(c) and (m); 49 USC 20102, 20103, 20107, 20133, 20137 and 20138, 20143; 49 USC 20701 to 20703, 21301 and 21302, 21304

CFR Citation: 49 CFR 229; 49 CFR 238

Legal Deadline: None

Abstract: FRA is proposing to clarify and amend its existing regulations in an effort to address various mechanical issues relevant to the manufacture, efficient utilization, and safe operation of passenger equipment and trains that have arisen since FRA's original issuance of the Passenger Equipment Safety Standards. FRA proposes miscellaneous amendments to its existing regulations in four areas: (1) by clarifying the terminology related to piston travel indicators; (2) by providing alternative design and additional inspection criteria for new passenger equipment not designed to allow inspection of the application and release of the brakes from outside the

equipment; (3) by permitting some latitude in the use of passenger equipment with redundant air compressors when a limited number of the compressors become inoperative; and (4) by recognizing current locomotive manufacturing techniques by proposing an alternative pneumatic pressure test for main reservoirs. FRA is also clarifying the existing regulatory requirements related to the attachment of safety appliances and is proposing an identification and inspection protocol to address existing passenger equipment containing welded safety appliances or welded safety appliance brackets or supports.

Timetable:

Action	Date	FR Cite
NPRM	08/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Thomas Herrmann, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 493-6036

RIN: 2130-AB67

Department of Transportation (DOT)
Federal Railroad Administration (FRA)

Final Rule Stage

2205. +STANDARDS FOR DEVELOPMENT AND USE OF PROCESSOR-BASED SIGNAL AND TRAIN CONTROL SYSTEMS

Priority: Other Significant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 234; 49 CFR 236; 49 CFR 209

Legal Deadline: None

Abstract: This rulemaking would govern the development, testing and approval of Micro-processor Based Signal and Train Control Systems. FRA has determined through the joint-fact-finding efforts of the Railroad Safety Advisory Committee (RSAC) that performance standards would facilitate the introduction of advanced technology, including systems that support the core functions of Positive Train Control (PTC). This rulemaking addresses technical standards for all processor-based signal and train control products, amending 49 CFR Part 236.

Timetable:

Action	Date	FR Cite
NPRM	08/10/01	66 FR 42351
NPRM Comment Period End	11/08/01	
Final Rule	03/07/05	70 FR 11051
Final Rule Effective	06/06/05	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected:

Undetermined

Federalism: Undetermined

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Melissa Porter, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 493-6034

RIN: 2130-AA94

2206. +LOCOMOTIVE CRASHWORTHINESS

Priority: Other Significant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 229

Legal Deadline: Final, Statutory, March 3, 1995, Rule or Report to Congress.

Report to Congress issued 9/18/96.

Abstract: This rulemaking would address the crashworthiness of locomotives pursuant to the Rail Safety Enforcement and Review Act of (1992). FRA investigated locomotive crashworthiness, as well as a variety of locomotive working conditions (See RIN 2130-AA89) and reported its finding to Congress. This rulemaking would establish comprehensive, minimum standards for locomotive crashworthiness. Locomotive crashworthiness protection is necessary because locomotive collisions can result in crew injuries and fatalities. These performance standards are intended to help protect locomotive cab occupants in the event of a locomotive collision. Examples of locomotive collision scenarios considered include collisions with another locomotive, the rear of another train, a piece of on-track equipment, a shifted load on a freight car on an adjacent parallel track, or a highway vehicle at a rail-highway grade crossing. These crashworthiness standards must be met by demonstrating compliance with either the rule's performance standards or a FRA-approved design standard.

Timetable:

Action	Date	FR Cite
Notice	07/22/94	59 FR 37528
Report to Congress	09/18/96	
NPRM	11/02/04	69 FR 63890
NPRM Comment Period End	01/03/05	
NPRM Comment Period Extended	01/12/05	70 FR 2105
Second NPRM Comment Period End	02/03/05	
Final Rule	02/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected:

Undetermined

Federalism: Undetermined

Additional Information: This rulemaking was originally included in RIN 2130-AA89, Locomotive Cab Working Conditions.

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Darrell Tardiff, Trial Attorney, Department of

Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 493-6037

RIN: 2130-AB23

2207. +LOCOMOTIVE EVENT RECORDERS

Priority: Other Significant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 229

Legal Deadline: None

Abstract: This rulemaking would improve the crashworthiness of railroad locomotive event recorders and would enhance the quality of information available for post-accident investigations. It would amend its existing regulations in four major ways: (1) by requiring that new locomotives have event recorders with hardened memory modules, proven by a requirement that the memory modules preserve stored data throughout a sequence of prescribed tests; (2) by requiring that new locomotives have an event recorder that collects certain additional types of information; (3) by simplifying standards for inspecting, testing, and maintaining event recorders; and (4) by requiring the phasing out, over a six-year period, of event recorders that use magnetic tape as a data storage medium. This rulemaking was originally designated as nonsignificant.

Timetable:

Action	Date	FR Cite
NPRM	06/30/04	69 FR 39774
NPRM Comment Period End	08/31/04	
Extension of Comment Period	09/08/04	69 FR 54255
Second NPRM Comment Period End	10/11/04	
Final Rule	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: This rulemaking was previously titled "Crashworthy Event Recorders."

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

DOT—FRA

Final Rule Stage

Agency Contact: Thomas Herrmann, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6036

RIN: 2130-AB34

2208. +OCCUPATIONAL NOISE EXPOSURE FOR RAILROAD OPERATING EMPLOYEES

Priority: Other Significant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 229; 49 CFR 227

Legal Deadline: None

Abstract: This rulemaking would amend FRA's occupational noise standards for railroad employees whose predominant noise exposure occurs in the locomotive cab. FRA's existing standard (issued in 1980) limits cab employee noise exposure to certain levels based on the duration of employee exposure. This rulemaking would modify that standard and also set out additional requirements. The rulemaking would require railroads to conduct noise monitoring and to implement a hearing conservation program, which would include hearing tests (audiograms), training, and monitoring. The rulemaking would also establish design, build, and maintenance standards for new locomotives and maintenance requirements for existing locomotives. FRA expects that this rulemaking would reduce the likelihood of noise-induced hearing loss for railroad operating employees.

Timetable:

Action	Date	FR Cite
Report to Congress	09/18/96	
NPRM	06/23/04	69 FR 35146
NPRM Comment Period End	09/21/04	
Final Rule	02/00/06	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Christina McDonald, Trial Attorney, Department of Transportation, Federal Railroad

Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6032

RIN: 2130-AB56

2209. RETENTION OF CURRENT MONETARY THRESHOLD FOR REPORTING RAIL EQUIPMENT ACCIDENTS/INCIDENTS DURING CALENDAR YEAR 2003 AND UNTIL FURTHER AMENDED

Priority: Info./Admin./Other

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 225

Legal Deadline: None

Abstract: This is an Interim Final Rule which establishes the monetary threshold for reporting rail equipment accidents/incidents for the calendar year 2003 and beyond. This rule replaces the annual determination of the threshold, which is being withdrawn. The 2003 threshold will remain the same as the threshold for calendar year 2002 due to the unavailability of Bureau of Labor Statistics data that was previously used to calculate the threshold. The 2002 threshold is \$6700; this is the number that will carry over for 2003 and beyond. FRA is not calculating a new threshold; rather, the old one is being retained as it is not possible to calculate a new threshold with the current formula due to the lack of BLS data. The 2002 threshold will be carried over for calendar year 2003 and beyond, until a new formula is established. FRA will be seeking notice and comment at a future date to establish a new formula for calculating the monetary threshold for accident/incident reporting for calendar year 2004 and beyond.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/30/02	67 FR 79533
Interim Final Rule Effective	01/01/03	
Final Rule	06/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Roberta Stewart, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 493-6027

Related RIN: Related to 2130-AB65

RIN: 2130-AB57

2210. RAILROAD WORKPLACE SAFETY

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: None

Legal Deadline: None

Abstract: This rulemaking would amend regulations on Railroad Workplace Safety to clarify an ambiguous provision concerning the circumstances under which life vests or buoyant work vests are required for bridge workers working over water. This clarification essentially allows employees who are working on a bridge deck over water to work without a life vest or buoyant work vest under circumstances where falls are effectively prevented by hand rails, walkways, or acceptable work procedures. These exceptions currently apply to the use of fall protection and will now apply to the use of drowning protection.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/10/05	70 FR 7047
Interim Final Rule Comment Period End	03/28/05	
Final Rule	09/00/05	
Interim Final Rule Effective	04/11/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Anna Nassif, Trial Attorney, Department of Transportation, Federal Railroad Administration, Mail Stop 10, 400 Seventh Street SW, Washington, DC 20590
Phone: 202-493-6166

DOT—FRA

Final Rule Stage

Email: anna.nassif@fra.dot.gov

Related RIN: Related to 2130-AA91

RIN: 2130-AB63

2211. INSPECTION AND MAINTENANCE STANDARDS FOR STEAM LOCOMOTIVES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103, 20701, 20702; 49 CFR 1.49

CFR Citation: 49 CFR 230

Legal Deadline: None

Abstract: This rulemaking would correct FRA Form 4 in Appendix C of Part 230, which was published in the Federal Register of Wednesday, November 17, 1999 (64 FR 62828). Part 230 relates to inspection and maintenance standards of steam locomotives, and the form is used to record information about inspections of steam locomotives. Initially, a section on the form to record the shearing stress on rivets was inadvertently omitted. This final rule will correct that omission.

Timetable:

Action	Date	FR Cite
NPRM	04/19/05	70 FR 20337

Action	Date	FR Cite
NPRM Comment	05/19/05	
Period End		
Final Rule	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Melissa Porter, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 493-6034

RIN: 2130-AB64

2212. • CIVIL MONETARY PENALTY INFLATION ADJUSTMENT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 201 to 213; PL 101-410; PL 104-134

CFR Citation: 49 CFR 209; 49 CFR 213 to 223; 49 CFR 225; 49 CFR 228-236; 49 CFR 238-241; 49 CFR 244

Legal Deadline: None

Abstract: In this rulemaking, FRA is implementing the requirements of the Federal Civil Penalties Inflation Adjustment Act of 1990 (Act), as amended by this Debt Collection Improvement Act of 1996. As required by the Act, FRA is adjusting the ordinary maximum civil monetary penalty amount for violations of railroad safety statutes to reflect an increase caused by inflation.

Timetable:

Action	Date	FR Cite
Final Rule	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Carolina Mirabal, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202-493-6043
Email: carolina.mirabal@fra.dot.gov

RIN: 2130-AB66

**Department of Transportation (DOT)
Federal Railroad Administration (FRA)**

Completed Actions

2213. +WHISTLE BANS AT HIGHWAY-RAIL GRADE CROSSINGS

Priority: Other Significant

Legal Authority: 49 USC 20153

CFR Citation: 49 CFR 222

Legal Deadline: Final, Statutory, November 2, 1996, subsequent enactment prohibited issuance prior to July 1, 2001.

Abstract: This action would govern when train whistles at public grade crossings must be sounded. FRA has found that failing to use the locomotive horn can significantly increase the number of collisions with motorists using the crossing. This action is considered significant because of substantial public interest. This action is being taken pursuant to statutory mandate. Pub. L. 103-440 requires the Secretary to prohibit local whistle bans, except where there is no significant risk

of loss of life or serious personal injury, supplementary safety measures fully compensate for the absence of the warning provided by the horn, or where use of the locomotive horn is impractical.

Timetable:

Action	Date	FR Cite
NPRM	01/13/00	65 FR 2230
NPRM Comment	05/26/00	
Period End		
Interim Final Rule	12/18/03	68 FR 70586
Interim Final Rule	04/19/04	
Comment Period End		
Final Rule	04/27/05	70 FR 21844

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal, Local, State

Federalism: This action may have federalism implications as defined in EO 13132.

Additional Information: An Omnibus Bill at the end of the 106th Congress prohibited publication of a final rule before July 2001.

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Kathryn Shelton, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6063

RIN: 2130-AA71

DOT—FRA

Completed Actions

2214. REFLECTORIZATION OF RAIL FREIGHT ROLLING STOCK**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 20103; 49 USC 20148**CFR Citation:** 49 CFR 224**Legal Deadline:** None

Abstract: FRA first examined the use of reflectors in the early 1980's. The Federal Railroad Safety Authorization Act of 1994 (Pub. L. 103-440) required FRA to revisit the issue of railcar visibility. FRA conducted an additional study of railcar visibility which determined that technological advances

in reflective material have made reflective material a feasible and cost-effective option in enhancing rail safety. FRA's cost-benefit analysis found that reflectors are a cost-effective method of enhancing railcar visibility.

Timetable:

Action	Date	FR Cite
NPRM	11/06/03	68 FR 62942
NPRM Comment Period End	03/05/04	
Final Rule	01/03/05	70 FR 144
Final Rule Effective	03/04/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Lucinda Henriksen, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 493-1345

RIN: 2130-AB41**BILLING CODE** 4910-06-S
**Department of Transportation (DOT)
Federal Transit Administration (FTA)**

Final Rule Stage

2215. • ENVIRONMENTAL IMPACT AND RELATED PROCEDURES**Priority:** Info./Admin./Other**Legal Authority:** 23 USC 315; 49 USC 303; 49 USC 5323; 49 USC 5324**CFR Citation:** 23 CFR 771; 49 CFR 622**Legal Deadline:** None

Abstract: This rule makes technical corrections to the regulation that governs environmental impact procedures for FHWA and FTA, though none are substantive in nature. The technical changes include correcting

the name of the Federal Transit Administration, correcting statutory references that have become outdated, and removing the reference to a program under section 105 of 23 U.S.C. that has been eliminated.

Timetable:

Action	Date	FR Cite
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Christopher VanWyk, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4033
Email: christopher.vanwyk@fta.dot.gov

RIN: 2132-AA78
**Department of Transportation (DOT)
Federal Transit Administration (FTA)**

Completed Actions

2216. SCHOOL BUS OPERATIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5323(f)**CFR Citation:** 49 CFR 605**Legal Deadline:** None

Abstract: This rulemaking would have amended the definition of "tripper" service, which is mass transportation service modified to meet the needs of school students and personnel. The amended definition would have prohibited the use of certain signage without the express written permission of the FTA Administrator, and would have provided that tripper buses only stop at stops that were marked as available to the public. In a previous agenda, FTA had stated that it intended to withdraw the proposed amendment

and did so by way of a withdrawal notice, published on January 28, 2005.

Timetable:

Action	Date	FR Cite
NPRM	05/03/99	64 FR 23590
NPRM Comment Period End	07/02/99	
Withdrawn	01/28/05	70 FR 4081

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Local, State

Additional Information: On February 3, 2005, FTA published a correction notice (70 FR 5600), as the withdrawal document (70 FR 4081) published on

January 28, 2005, misidentified the Regulation Identifier Number (RIN).

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Elizabeth S Martineau, Attorney Advisor, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1936
Fax: 202 366-3809

RIN: 2132-AA67

DOT—FTA

Completed Actions

2217. +RAIL FIXED GUIDEWAY SYSTEMS: STATE SAFETY OVERSIGHT**Priority:** Other Significant**Legal Authority:** 49 USC 5330**CFR Citation:** 49 CFR 659**Legal Deadline:** None

Abstract: In 1995, under RIN 2132-AA39, FTA issued the final rule entitled, Rail Fixed Guideway Systems; State Safety Oversight. On December 23, 1996, under RIN 2132-AA57, FTA issued technical amendments to the final rule. Then in 2002, under RIN 2132-AA69, FTA issued a direct final rule amending the definition of accident. Because FTA received an adverse comment, the direct final rule was withdrawn and the next action was listed as undetermined while the next course of action was determined. FTA now intends to amend the rule, and has closed out RIN 2132-AA69, and opened RIN 2132-AA76, for this action. This final rule will revise the State Safety Oversight rule and adds clarifying sections, further specification

concerning what the state must require to monitor safety and security of non-FRA rail systems, and incorporates into the body of the regulation material previously incorporated by reference. The revised part will ensure greater compliance of State oversight agencies, and enhance the safety and security of the rail systems governed by this part. FTA has determined that this rule is listed as significant for the purposes of the regulatory agenda but the Office of Management and Budget has determined that further review under Executive Order 12866 is not necessary. While the economic impact of this rulemaking is not anticipated to be significant because the changes are incremental in nature, FTA recognizes that this rule affects State governments and may be of congressional interest.

Timetable:

Action	Date	FR Cite
NPRM	03/09/04	69 FR 11218
NPRM Comment Period End	06/07/04	
Final Rule	04/29/05	70 FR 22562
Final Rule Effective	05/31/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local, State**Federalism:** This action may have federalism implications as defined in EO 13132.**Additional Information:** This rulemaking action is being taken in lieu of further action on a previously reported RIN (2132-AA69).**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Jerry Fisher, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2896**Related RIN:** Previously reported as 2132-AA69**RIN:** 2132-AA76**BILLING CODE** 4910-57-S

Department of Transportation (DOT)

Completed Actions

Saint Lawrence Seaway Development Corporation (SLSDC)

2218. • SEAWAY REGULATIONS AND RULES: PERIODIC UPDATE, VARIOUS CATEGORIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 983(a); 984(a)(4); 49 CFR 1.52**CFR Citation:** 49 CFR 33 CFR 402**Legal Deadline:** None

Abstract: This rule would amend the joint U.S.-Canadian Seaway Regulations and Rules by updating various regulations to take account of new procedures and/or technology that will

enhance the safety of transits through the St. Lawrence Seaway.

Timetable:

Action	Date	FR Cite
NPRM	01/25/05	70 FR 3495
NPRM Comment Period End	02/24/05	
Final Rule	03/17/05	70 FR 12967
Final Rule Effective	04/18/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Craig H. Middlebrook, Deputy Administrator, Department of Transportation, Saint Lawrence Seaway Development Corporation, 400 7th Street, S.W., Washington, DC 20590
Phone: 202-366-0091
Fax: 202-366-7147
Email: craig.middlebrook@sls.dot.gov**RIN:** 2135-AA20**BILLING CODE** 4910-61-S

Department of Transportation (DOT)

Prerule Stage

Pipeline and Hazardous Materials Safety Administration (PHMSA)

2219. • HAZARDOUS MATERIALS: REQUIREMENTS FOR STORAGE OF EXPLOSIVES DURING TRANSPORTATION**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 171; 49 CFR 174; 49 CFR 176 to 177**Legal Deadline:** None

Abstract: PHMSA is considering the implementation of requirements to address the current safety and security risks associated with the storage of explosives during transportation.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No

DOT—PHMSA

Prerule Stage

Government Levels Affected: None

dms.dot.gov

Administration, 400 Seventh Street,
SW, Washington, DC 20590**Additional Information:** HM-238;**Agency Contact:** D. Benjamin Supko,
Transportation Regulations Specialist,
Department of Transportation, Pipeline
and Hazardous Materials Safety

Phone: 202 366-8553

Fax: 202-366-3012

URL For More Information:
dms.dot.gov**RIN:** 2137-AE06**URL For Public Comments:**

Department of Transportation (DOT)

Proposed Rule Stage

Pipeline and Hazardous Materials Safety Administration (PHMSA)

**2220. +GAS GATHERING LINE
DEFINITION****Priority:** Other Significant**Legal Authority:** 49 USC 60101 to
60125**CFR Citation:** 49 CFR 192**Legal Deadline:** Final, Statutory,
October 24, 1994.**Abstract:** The rulemaking would
modify the existing definitions of “gas
gathering line” and “regulated
gathering line” to eliminate confusion
in distinguishing these pipelines from
transmission lines in rural areas. The
costs should be minimal since the
definition will conform to prevailing
practices in government and industry.**Timetable:**

Action	Date	FR Cite
NPRM	09/25/91	56 FR 48505
Request for Comments	03/11/99	64 FR 12147
NPRM Extension of Comment Period	04/30/99	64 FR 23256
Comment Period End	07/07/99	
SNPRM	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Docket No.
RSPA-98-4868 (Formerly PS-122).ANALYSIS: Regulatory Evaluation,
09/25/91, 56 FR 48505**URL For More Information:**
dms.dot.gov**URL For Public Comments:**
dms.dot.gov**Agency Contact:** Dewitt Burdeaux,
Pipeline Security Specialist,
Department of Transportation, Pipeline
and Hazardous Materials Safety
Administration, 400 Seventh Street,
SW, Washington, DC 20590
Phone: 202-366-7220
Email: dewitt.burdeaux@rspa.dot.gov**RIN:** 2137-AB15**2221. PIPELINE SAFETY: ANNUAL
UPDATE OF STANDARDS
INCORPORATED BY REFERENCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5103, 60102,
60103, 60104, 60108, 60109, 60110,
60113, and 60118**CFR Citation:** 49 CFR 191; 49 CFR 193;
49 CFR 195**Legal Deadline:** None**Abstract:** This rulemaking would
propose that more than 70 voluntary
consensus technical standards are
incorporated by reference in the
Federal gas pipeline, hazardous liquid
pipeline, and liquefied natural gas
(LNG) safety regulations. The Pipeline
and Hazardous Materials Safety
Administration will propose to
incorporate updated standards early in
each calendar year.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Docket No.
RSPA-02-11457.**URL For More Information:**
dms.dot.gov**URL For Public Comments:**
dms.dot.gov**Agency Contact:** Richard D. Huriaux,
Director, Technical Standards,
Department of Transportation, Pipeline
and Hazardous Materials Safety
Administration, 400 Seventh Street
SW., Washington, DC 20590
Phone: 202 366-4565**RIN:** 2137-AD68**2222. HAZARDOUS MATERIALS
REGULATIONS: ALUMINUM
CYLINDERS — REVISED
REQUALIFICATION AND USE
CRITERIA FOR THE DOT 3 AL
CYLINDER MADE OF ALUMINUM
ALLOY 6351-TG****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 173**Legal Deadline:** None**Abstract:** This rulemaking initiative
would minimize personal injury during
the filling process and adopt a standard
for early detection of sustained load
cracking in order to control the risk of
the cylinder rupturing.**Timetable:**

Action	Date	FR Cite
NPRM	09/10/03	68 FR 53314
Supplemental NPRM	10/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Docket No.
HM-220F; RSPA-03-14405**URL For More Information:**
dms.dot.gov**URL For Public Comments:**
dms.dot.gov**Agency Contact:** Charles E. Betts,
Transportation Regulations Specialist,
Department of Transportation, Pipeline
and Hazardous Materials Safety
Administration, 400 Seventh Street
SW., Washington, DC 20590
Phone: 202 366-8553**RIN:** 2137-AD78

DOT—PHMSA

Proposed Rule Stage

2223. HAZARDOUS MATERIALS: MISCELLANEOUS PACKAGING AMENDMENTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171 to 173; 49 CFR 178

Legal Deadline: None

Abstract: This rulemaking would propose to add provisions for Large Packagings and revise the specification requirements for non-bulk packagings and portable tanks to address issues raised through enforcement actions and requests for clarification of the regulations by packaging manufacturers, third-part labs, and shippers. The proposals will address packaging closures, design modifications that may or may not require recertification.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Additional Information: Docket HM-231.

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Arthur Pollack, Transportation Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137-AD89

2224. +HAZARDOUS MATERIALS: INFECTIOUS SUBSTANCES; HARMONIZATION WITH THE UNITED NATIONS

Priority: Other Significant

Legal Authority: 49 USC 5101 et seq

CFR Citation: 49 CFR 171 to 173; 49 CFR 178

Legal Deadline: None

Abstract: This rulemaking would amend the Hazardous Materials Regulations (HMR) to harmonize the

current requirements for the Transport of Dangerous Goods with UN standards which revised the classification criteria for infectious substances, based on risk evaluations conducted by the World Health Organization and U.S. Centers for Disease Control and Prevention. It would also relax transportation requirements for certain infectious substances based on the level of risk associated with their transportation.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: RSPA-2004-16895 HM-226A

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Susan Gorsky, Senior Regulations Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-8553

RIN: 2137-AD93

2225. PIPELINE SAFETY: HAZARDOUS LIQUID GATHERING PIPELINES AND LOW-STRESS LINES THAT COULD IMPACT UNUSUALLY SENSITIVE AREAS (USAS) AND COMMERCIAL NAVIGABLE WATERWAYS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 195

Legal Deadline: None

Abstract: This rulemaking would establish safety standards for certain onshore rural gathering lines and onshore low-stress pipelines that are now exempt from PHMSA's safety regulations for hazardous liquid pipelines. This rule would focus on those pipelines that could affect areas unusually sensitive to environmental damage or commercially navigable waterways. This rule would provide

clarity to the regulatory definitions and would ensure that pipelines that could cause an impact on unusually sensitive areas are regulated.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Additional Information: Docket No. RSPA-03-15864

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Florence Hamn, Director, Regulations, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-3015

RIN: 2137-AD98

2226. HAZARDOUS MATERIALS: REVISION OF REQUIREMENTS FOR AUTHORIZATION OF USE OF INTERNATIONAL STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 49 CFR 5101 to 5127

CFR Citation: 49 CFR 171 to 172

Legal Deadline: None

Abstract: This rulemaking would revise 49 CFR by consolidating and revising the requirements authorizing the use of international standards. The NPRM would provide for easier understanding of the restrictions and limitations of the authorization to use international standards and insure that an acceptable level of safety is maintained when transporting hazardous materials in accordance with the authorized international standards.

Timetable:

Action	Date	FR Cite
NPRM	07/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Hm Docket: HM-215

URL For More Information:

DOT—PHMSA

Proposed Rule Stage

dms.dot.gov

URL For Public Comments:
dms.dot.gov**Agency Contact:** Joan McIntyre,
Transportation Regulations Specialist,
Department of Transportation, Pipeline
and Hazardous Materials Safety
Administration, 400 Seventh Street
SW., Washington, DC 20590
Phone: 202 366-8553**RIN:** 2137-AE01**2227. • PIPELINE SAFETY: INTEGRITY
MANAGEMENT PIPELINE REPAIR
PERMITTING****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 49 CFR 192; 49 CFR 195**Legal Deadline:** None**Abstract:** This document seeks
comments from the gas transmission
and hazardous liquid gas pipeline
industries regarding proposed
information fields necessary to support
the streamlining of pipeline repair
permitting and the facilitation of timely
agency reviews for pipeline repair
projects.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**
dms.dot.gov**URL For Public Comments:**
dms.dot.gov**Agency Contact:** Florence Hamn,
Director, Regulations, Department of
Transportation, Pipeline and Hazardous
Materials Safety Administration, 400
Seventh Street SW., Washington, DC
20590

Phone: 202 366-3015

RIN: 2137-AE07

Department of Transportation (DOT)

Final Rule Stage

Pipeline and Hazardous Materials Safety Administration (PHMSA)

**2228. +SAFEGUARDING FOOD FROM
CONTAMINATION DURING
TRANSPORTATION****Priority:** Other Significant**Legal Authority:** 49 USC 5701 to 5714**CFR Citation:** 49 CFR 1**Legal Deadline:** Final, Statutory,
August 1, 1991.**Abstract:** To implement statutory
requirements under the Sanitary Food
Transportation Act of 1990 (49 USC
5701 et seq.), this rulemaking would
address the safe transportation of food
and food products in commerce by
referencing in its regulations
requirements of the U.S. Department of
Agriculture and the Food and Drug
Administration of the U.S. Department
of Health and Human Services that
apply to persons who offer for
transportation or transport food in
commerce by motor vehicle or rail car.
This rulemaking is significant due to
substantial congressional interest.**Timetable:**

Action	Date	FR Cite
ANPRM	02/20/91	56 FR 6934
ANPRM Comment Period Extended to 04/29/1991	03/21/91	56 FR 11982
NPRM	05/21/93	58 FR 29698
SNPRM	12/21/04	69 FR 76423
Final Action	10/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** Businesses,
Governmental Jurisdictions,
Organizations**Government Levels Affected:** None**Additional Information:** ANALYSIS:
Regulatory Evaluation, 05/21/93, 58 FR
29698, RSPA-91-13289; FS-1**URL For More Information:**
dms.dot.gov**URL For Public Comments:**
dms.dot.gov**Agency Contact:** Helen L Engrum,
Transportation Regulations Specialist,
Department of Transportation, Pipeline
and Hazardous Materials Safety
Administration, 400 Seventh Street
SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov**RIN:** 2137-AC00**2229. HAZARDOUS MATERIALS:
REVISION OF REQUIREMENTS FOR
CARRIAGE BY AIRCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 48 USC 5101 to 5127**CFR Citation:** 49 CFR 175**Legal Deadline:** None**Abstract:** This rulemaking would revise
part 175 in order to simplify and clarify
the requirements, further align them
with the international requirements
(ICAO) and eliminate obsolete
requirements. The rule would clarify
the applicability of part 175 (Carriageby Aircraft), excepts cargo aircraft from
certain quantity limitations, separates
the exceptions in section 175.10 into
three sections based on applicability,
provides new separation distances for
shipping radioactive materials by cargo
aircraft, converts certain exemptions
into the regulations, responds to
petitions for rulemaking, makes
revisions to more clearly conform to
international standards, and rewrites
part 175 for easier understanding.**Timetable:**

Action	Date	FR Cite
ANPRM	02/26/02	67 FR 8769
ANPRM; Extension of Comment Period ¹	05/13/02	67 FR 32002
ANPRM Comment Period End	05/31/02	
ANPRM; Extension Comment Period End	09/30/02	
NPRM	11/10/04	69 FR 65283
NPRM Comment Period End	01/21/05	
NPRM; Extension of Comment Period	01/21/05	70 FR 3179
NPRM; Extension of Comment Period End	03/18/05	
Final Rule	02/00/06	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** Businesses,
Governmental Jurisdictions,
Organizations**Government Levels Affected:** None

DOT—PHMSA

Final Rule Stage

Additional Information: Docket No. HM-228; RSPA-02-11654.

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Deborah Boothe, Transportation Regulations Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137-AD18

2230. +HAZARDOUS MATERIALS: SAFETY REQUIREMENTS FOR EXTERNAL PRODUCT PIPING ON CARGO TANKS TRANSPORTING FLAMMABLE LIQUIDS

Priority: Other Significant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 173; 49 CFR 180

Legal Deadline: None

Abstract: This rulemaking would address requirements to reduce the risks associated with the retention of flammable liquid in unprotected product piping on a cargo tank motor vehicle during transportation (wetlines). It responds to an NTSB recommendation. It is significant because of industry concerns about its cost implications.

Timetable:

Action	Date	FR Cite
ANPRM	02/10/03	68 FR 6689
ANPRM Comment Period End	06/10/03	
NPRM	12/30/04	69 FR 78375
Comment Period Extended	02/10/05	70 FR 7072
NPRM Comment Period End	04/28/05	
Final Rule	02/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM Docket: HM-213B; RSPA-99-6223.

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Michael Stevens, Transportation Specialist, Department

of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137-AD36

2231. +HAZARDOUS MATERIALS: TRANSPORTATION OF LITHIUM BATTERIES

Priority: Other Significant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 172 to 175

Legal Deadline: None

Abstract: This rulemaking would revise requirements applicable to lithium batteries for consistency with international requirements. This rulemaking also responds to NTSB recommendations.

Timetable:

Action	Date	FR Cite
NPRM	04/02/02	67 FR 15510
NPRM Comment Period End	06/14/02	
Final Action	03/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM Docket: HM-224C; RSPA-02-11989

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: John A. Gale, Transportation Regulations Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137-AD48

2232. HAZARDOUS MATERIALS: MISCELLANEOUS AMENDMENTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171 to 180

Legal Deadline: None

Abstract: This rulemaking would make miscellaneous amendments to HMR

based on petitions for rulemaking and PHMSA initiative, including updated incorporation by reference, revised definitions, revisions to the Hazardous Materials Table, and clarifications of certain existing requirements.

Timetable:

Action	Date	FR Cite
NPRM	08/12/04	69 FR 49846
NPRM Comment Period End	10/12/04	
Final Rule	06/00/05	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Additional Information: Docket HM-218C; RSPA-04-18683

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Gigi L. Corbin, Transportation Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Fax: 202 366-3012

RIN: 2137-AD87

2233. +HAZARDOUS MATERIALS: REQUIREMENTS FOR LIGHTERS AND LIGHTER REFILLS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171 to 173; 49 CFR 175

Legal Deadline: None

Abstract: This rulemaking would make substantial amendments to requirements in hazardous materials regulations for the approval, examination, testing, and transportation of lighters and lighter refills. The changes address current manufacturing or transportation conditions. This rulemaking was upgraded to significant at the request of OMB.

Timetable:

Action	Date	FR Cite
NPRM	08/16/04	69 FR 50975
Final Rule	09/00/05	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

DOT—PHMSA

Final Rule Stage

Government Levels Affected: None

Additional Information: Docket HM-237. RSPA-2004-18795

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Michael Stevens, Transportation Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137-AD88

2234. HAZARDOUS MATERIALS: REQUIREMENTS FOR UN STANDARD CYLINDERS (RULEMAKING RESULTING FROM A SECTION 610 REVIEW)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 107; 49 CFR 173; 49 CFR 178; 49 CFR 180

Legal Deadline: None

Abstract: This rulemaking action proposes to amend the Hazardous Materials Regulations (HMR) to adopt standards for the design, construction, maintenance and use of cylinders and multiple-element gas containers (MEGCs) based on the standards contained in the United Nations (UN) Recommendations on the Transportation of Dangerous Goods. The intended effect of this proposed rule is to offer greater flexibility for the design and manufacturer of pressure receptacles, offer a wider selection of pressure receptacles, reduce the need for exemptions, and facilitate the internal transportation of compressed gases in commerce.

Timetable:

Action	Date	FR Cite
NPRM	03/09/05	70 FR 11767
Final Rule	03/00/06	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: HM-220E

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Sandra Webb, Transportation Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 366-8553
Fax: 202 366-3012

RIN: 2137-AD91

2235. HARMONIZATION WITH THE UNITED NATIONS RECOMMENDATIONS, INTERNATIONAL MARITIME DANGEROUS GOODS CODE, AND INTERNATIONAL CIVIL AVIATION ORGANIZATION'S TECHNICAL INSTRUCTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 172 to 180

Legal Deadline: None

Abstract: The final rule amended the Hazardous Materials Regulations (HMR) to maintain alignment with international standards by incorporating various amendments, including changes to proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air transport quantity limitations and vessel stowage requirements. Because of recent changes to the International Maritime Dangerous Goods Code (IMDG Code), the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions), and the United Nations Recommendations on the Transport of Dangerous Goods (UN Recommendations), these revisions were necessary to facilitate the transport of hazardous materials in international commerce.

Timetable:

Action	Date	FR Cite
NPRM	06/22/04	69 FR 34724
NPRM Comment	08/23/04	
Period End		
Final Rule	12/20/04	69 FR 76044
Correction	06/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Additional Information: HM-215G RSPA-04-17036

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Charles E. Betts, Transportation Regulations Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137-AD92

2236. PIPELINE SAFETY: IMPLEMENTATION OF EFFECTIVE PUBLIC INFORMATION PROGRAMS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 60101 et seq

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: None

Abstract: This rulemaking would require pipeline operators to develop and implement effective public education programs, based on the American Petroleum Institute's (API) Recommended Practice (RP) 1162, Public Awareness Programs for Pipeline Operators. The purpose is to enhance awareness of pipeline safety and protection through communications with the affected public, local and state emergency response and planning officials, local public officials and governing councils and excavators.

Timetable:

Action	Date	FR Cite
NPRM	06/24/04	69 FR 35279
Final Rule	05/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Additional Information: Docket No. RSPA-03-15852.

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Florence Hamn, Director, Regulations, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400

DOT—PHMSA

Final Rule Stage

Seventh Street SW., Washington, DC
20590
Phone: 202 366-3015

RIN: 2137-AD96

2237. PIPELINE SAFETY: CRITERIA FOR DIRECT ASSESSMENT OF GAS AND HAZARDOUS LIQUID PIPELINES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 60101

CFR Citation: 49 CFR 195

Legal Deadline: None

Abstract: This rulemaking would require pipeline operators to follow certain standards when they use direct assessment to evaluate the effects of corrosion on buried onshore gas and hazardous liquid pipelines. The standards, which are already in effect for gas transmission lines in high-consequence areas, involve processes of data collection, indirect inspection, direct examination, and evaluation. Congress has directed DOT to prescribe standards for inspection of pipelines by direct assessment. The proposed regulations should advance the use of direct assessment as a method of managing the impact of corrosion on buried onshore pipelines.

Timetable:

Action	Date	FR Cite
NPRM	10/21/04	69 FR 61771
Comment Period End	12/06/04	
Final Rule	08/00/05	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Additional Information: Docket No. RSPA-04-16855

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: B. Furrow, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW, Washington, DC 20590-0001
Phone: 202 366-4559

RIN: 2137-AD97

2238. DEFINITION OF "OFFER A HAZARDOUS MATERIAL FOR TRANSPORTATION" AND "OFFEROR"

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 et seq

CFR Citation: 49 CFR 171

Legal Deadline: None

Abstract: PHMSA is proposing to add a definition for "Person who offers or offeror" to the Hazardous Materials Regulations in order to codify the applicability of those regulations. The proposed definition will be based on long-standing administrative determination concerning the meaning of this term.

Timetable:

Action	Date	FR Cite
NPRM	09/24/04	69 FR 57245
End of Comment Period	11/23/04	
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. HM-223A. RSPA-04-19173

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Susan Gorsky, Senior Regulations Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137-AE04

2239. • +PROHIBITION ON THE TRANSPORTATION OF PRIMARY LITHIUM BATTERIES ABOARD PASSENGER AIRCRAFT

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171; 49 CFR 172

Legal Deadline: None

Abstract: This rulemaking would prohibit the offering for transportation and transportation of primary lithium

batteries and cells as cargo aboard passenger-carrying aircraft. The rule would apply to both foreign and domestic passenger-carrying aircraft entering, leaving, or operating in the United States. In addition, the rule would amend the Hazardous Materials Regulations to require that, when offered for transport in other modes, shipments of primary lithium batteries and cells must be marked to indicate that they are forbidden from transport aboard passenger-carrying aircraft.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/15/04	69 FR 75208
Final Rule	02/00/06	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Additional Information: RSPA-04-19886; HM-224E

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: John A. Gale, Transportation Regulations Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW, Washington, DC 20590
Phone: 202 366-8553

RIN: 2137-AE05

2240. • HAZARDOUS MATERIALS: EDITORIAL CORRECTIONS AND MISCELLANEOUS CLARIFICATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This annual rulemaking activity corrects editorial errors and enhances the clarity of certain provisions in the Hazardous Materials Regulations.

Timetable:

Action	Date	FR Cite
Final Rule	09/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM-189Y

DOT—PHMSA

Final Rule Stage

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Kurt C. Eichenlaub,
Transportation Regulations Specialist,
Department of Transportation, Pipeline
and Hazardous Materials Safety

Administration, 400 Seventh Street
SW., Washington, DC 20590
Phone: 202 366-8553
RIN: 2137-AE08

Department of Transportation (DOT)

Long-Term Actions

Pipeline and Hazardous Materials Safety Administration (PHMSA)

**2241. +HAZARDOUS MATERIALS:
TRANSPORTATION OF OXYGEN
CYLINDERS AND OXYGEN
GENERATORS ABOARD AIRCRAFT**

Priority: Other Significant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 172; 49 CFR 175

Legal Deadline: None

Abstract: This rulemaking would require oxygen cylinders and oxygen generators, when transported aboard aircraft, to be packed in an outer packaging that meets prescribed thermal and heat resistance requirements. These requirements would increase the level of safety associated with transportation of oxidizing gases by air. This rule has no impact on the use of passenger-owned oxygen cylinders. This rule is significant due to public interest.

Timetable:

Action	Date	FR Cite
NPRM	06/06/04	69 FR 25470
Comment Period Extended	08/04/04	69 FR 47074
Extension of NPRM Comment Period End	12/13/04	
Final Action	10/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected:
Undetermined

Additional Information: HM Docket: HM-224B, RSPA-04-17664. A separate rulemaking addressing the use of passenger-owned cylinders of oxygen during a flight is under RIN 2105-AC29. Previously titled Hazardous Materials Safety: Transportation of Oxygen Cylinders on Aircraft.

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: John A. Gale,
Transportation Regulations Specialist,

Department of Transportation, Pipeline
and Hazardous Materials Safety
Administration, 400 Seventh Street SW,
Washington, DC 20590
Phone: 202 366-8553

RIN: 2137-AD33

**2242. HAZARDOUS MATERIALS:
SECURITY REQUIREMENTS FOR
MOTOR CARRIERS TRANSPORTING
HAZARDOUS MATERIALS**

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 et seq;
49 USC 322; ...

CFR Citation: 49 CFR 397

Legal Deadline: None

Abstract: This rulemaking will address the need for enhanced security requirements for motor carrier transportation of hazardous materials. We asked for comments on the feasibility of specific security enhancements and the potential costs and benefits of deploying such enhancements.

Timetable:

Action	Date	FR Cite
ANPRM	07/16/02	67 FR 46622
ANPRM Comment Period End	10/15/02	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected:
Undetermined

Federalism: Undetermined

Additional Information: Docket No. HM-232A; FMCSA-02-11650. The Federal Motor Carrier Safety Administration is closing this rulemaking action under RIN 2136-AA71. Any further rulemaking will be addressed under RSPA RIN 2137-AD70.

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Susan Gorsky, Senior
Regulations Specialist, Department of
Transportation, Pipeline and Hazardous
Materials Safety Administration, 400
Seventh Street SW., Washington, DC
20590

Phone: 202 366-8553

Related RIN: Split from 2126-AA71

RIN: 2137-AD70

**2243. +HAZARDOUS MATERIALS:
ENHANCING RAIL TRANSPORTATION
SECURITY OF TOXIC BY INHALATION
MATERIALS**

Priority: Other Significant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 172 to 174; 49
CFR 179

Legal Deadline: None

Abstract: The Department of Transportation and the Department of Homeland Security are examining the need for enhanced security requirements for the rail transportation of hazardous materials that are toxic by inhalation. The two departments are seeking comments on the feasibility of initiating specific security enhancements and the potential costs and benefits of doing so. Security measures being considered include improvements to security plans, modifications of methods used to identify shipments, enhanced requirements for temporary storage, strengthened tank car integrity, and implementation of tracking and communication systems. Both departments are reviewing the comments received and then will decide the next action.

Timetable:

Action	Date	FR Cite
Request for Comments	08/10/04	69 FR 50987
NPRM Comment Period End	10/18/04	

Next Action Undetermined

Regulatory Flexibility Analysis
Required: No

DOT—PHMSA

Long-Term Actions

Small Entities Affected: No
Government Levels Affected: None
Additional Information: HM Docket: HM-232E; RSPA-2004-18730
URL For More Information: dms.dot.gov
URL For Public Comments: dms.dot.gov
Agency Contact: Susan Gorsky, Senior Regulations Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590
RIN: 2137-AE02

Department of Transportation (DOT)

Completed Actions

Pipeline and Hazardous Materials Safety Administration (PHMSA)

2244. +PIPELINE SAFETY: RESPONSE PLANS FOR ONSHORE OIL PIPELINES

Priority: Other Significant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 194

Legal Deadline: Final, Statutory, August 18, 1992.

Abstract: This rulemaking would establish regulations requiring response plans for certain onshore oil pipelines. Those regulations are mandated by the Federal Water Pollution Control Act as amended by the Oil Pollution Act of 1990 (Pub. L. 101-380). The purpose of these requirements is to improve response capabilities and minimize the impact of onshore oil spills from pipelines. This rulemaking is significant due to substantial public interest.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/05/93	58 FR 244
Interim Final Rule	02/19/93	
Comment Period End		
Notice of Public Meeting	06/15/94	59 FR 30755
Notice of Public Hearing	11/29/96	61 FR 60679
Correction	01/21/97	62 FR 2989
Final Rule	02/23/05	70 FR 8734

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. RSPA-03-16560 (formerly PS-130).

ANALYSIS: Regulatory Evaluation, 01/05/93, 58 FR 244

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: L.E. Herrick, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-5523
 Email: le.herrick@rspa.dot.gov

RIN: 2137-AC30

2245. +APPLICABILITY OF THE HAZARDOUS MATERIALS REGULATIONS TO LOADING, UNLOADING, AND STORAGE

Priority: Other Significant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 106 to 107; 49 CFR 171 to 180

Legal Deadline: None

Abstract: This rulemaking makes revisions to better define the applicability of the Federal Hazardous Materials Regulations (HMR) in order to clarify the relationship among Federal, State, local, and tribal agencies in the regulation of hazardous materials. Under circumstances specified in Federal statutes, the regulations of other Federal agencies (EPA and OSHA) and non-Federal governments (States, localities, and Indian tribes) must be consistent with or defer to PHMSA's regulation of the transportation of hazardous materials in commerce. However, other Federal and non-Federal requirements are generally not limited where hazardous materials are not in transportation. Activities relating to loading, unloading, and storage of hazardous materials have become areas of particular uncertainty and concern to both industry and non-Federal governments. This action is significant because of the substantial public interest in reducing uncertainty and avoiding conflicting regulations.

Timetable:

Action	Date	FR Cite
ANPRM	07/29/96	61 FR 39522

Action	Date	FR Cite
ANPRM Comment Period End	11/30/96	
SANPRM	04/27/99	64 FR 22718
SANPRM Comment Period End	07/25/99	64 FR 40810
Extended to	08/25/1999	
NPRM	06/14/01	66 FR 32420
NPRM Comment Period Extended to	08/02/01	66 FR 40174
08/02/2001 & Public Meetings		
Comment Period Extended to	11/27/01	66 FR 59220
2/1/2002		
NPRM Comment Period End	11/30/01	
NPRM Comment Period End	02/01/02	
Final Rule	10/30/03	68 FR 61906
Final Action Effective	10/30/03	
Final Rule; Delay of Effective Date	05/28/04	69 FR 30588
Final Rule Effective	01/01/05	
Final Rule Response to Appeals	04/15/05	70 FR 20018

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State, Tribal

Federalism: This action may have federalism implications as defined in EO 13132.

Additional Information: Docket No. HM-223; RSPA-98-4952.

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Susan Gorsky, Senior Regulations Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-8553

RIN: 2137-AC68

DOT—PHMSA

Completed Actions

2246. PIPELINE SAFETY: PERIODIC UPDATES TO PIPELINE SAFETY REQUIREMENTS (1999)**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 60101 et seq**CFR Citation:** 49 CFR 190; 49 CFR 191; 49 CFR 192; 49 CFR 195**Legal Deadline:** None

Abstract: This rulemaking will serve as a periodic update which revises and updates the pipeline safety regulations to provide clarity and remove unnecessary burdens to the regulated pipeline community. Revisions include updated references to voluntary specifications and standards incorporated by reference in the pipeline safety regulations, and various clarifications and grammatical corrections. These updates reflect the most recent editions of each specification and standard incorporated by reference. These updates enable pipeline operators to utilize current technology, materials, and practices, thereby reducing costs and enhancing economic growth.

Timetable:

Action	Date	FR Cite
NPRM	03/22/00	65 FR 15290
NPRM Comment Period End	05/22/00	
Final Rule	06/14/04	69 FR 32886

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Docket No. RSPA-99-6106**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Richard D. Huriaux, Director, Technical Standards, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4565

RIN: 2137-AD35**2247. HAZARDOUS MATERIALS: REVISION OF THE REQUIREMENTS FOR HAZARDOUS WASTE MANIFEST****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 172**Legal Deadline:** None

Abstract: This rulemaking would update the Hazardous Waste Manifest requirements for alignment with Environmental Protection Agency's changes, including the use of electronic versions of the Hazardous Waste Manifest and electronic signatures.

Timetable:

Action	Date	FR Cite
NPRM	08/08/01	66 FR 41490
Withdrawn	04/06/05	70 FR 17385

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, Local, State, Tribal**Additional Information:** HM Docket: HM-206E; RSPA-01-10292.**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Darral Relerford, Transportation Regulations Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137-AD50**2248. AGENCY REORGANIZATION; NOMENCLATURE CHANGE AND TECHNICAL AMENDMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 190 60101 et seq**CFR Citation:** 49 CFR 190**Legal Deadline:** None

Abstract: This rulemaking would make minor technical changes to Internet and mailing addresses, docket procedures, titles, section numbers, and penalty amounts, and other additional modifications to the Agency's pipeline safety procedures.

Timetable:

Action	Date	FR Cite
Final Rule	03/08/05	70 FR 11135

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Docket No. RSPA-02-14136.**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Lawrence White, Attorney Advisor, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street, SW, Washington, DC 20590

Phone: 202 366-4400

Fax: 292 366-7041

RIN: 2137-AD77**2249. HAZARDOUS MATERIALS: EXEMPTIONS INTO REGULATIONS****Priority:** Substantive, Nonsignificant.

Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 5101 to 5127**CFR Citation:** 49 CFR 171; 49 CFR 173 and 174; 49 CFR 176 and 177**Legal Deadline:** None

Abstract: This rulemaking incorporated into the HMR certain widely used and safety-proven exemptions. This rulemaking also eliminated the need for the current exemption holders to reapply for renewal of the exemption, thus reducing paperwork burdens. Previously, OMB declared this rule significant. Upon a request for reconsideration from PHMSA, OMB agreed to downgrade this rulemaking to nonsignificant.

Timetable:

Action	Date	FR Cite
NPRM	12/04/03	68 FR 67821
NPRM Comment Period End	02/06/04	
Final Rule	01/24/05	70 FR 3302

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**Additional Information:** HM Docket: HM-233; RSPA-03-16370**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Gigi L. Corbin, Transportation Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW, Washington, DC 20590

DOT—PHMSA

Completed Actions

Phone: 202 366-8553

Fax: 202 366-3012

RIN: 2137-AD84

**2250. PIPELINE SAFETY:
AMENDMENTS TO GAS AND
HAZARDOUS LIQUID PIPELINE
OPERATOR PERSONNEL
QUALIFICATION PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 6101 et seq**CFR Citation:** 49 CFR 195**Legal Deadline:** None**Abstract:** This rulemaking would require pipeline operators to update their existing written operator qualification program for individuals performing covered tasks on pipeline facilities. The update reflects mandates

promulgated into law through the Pipeline Safety Act of 2002, as well as concerns raised by the National Transportation Safety Board (NTSB), the pipeline safety advisory committees, and the general public. Regulations for training, reevaluation intervals, and modification of written plans are addressed to ensure a qualified work force and to reduce the probability of an incident caused by human error. This rule would provide further enhancement to the operator personnel qualification program which has been in existence since the August 1999 final rule.

Timetable:

Action	Date	FR Cite
Direct Final Rule	03/03/05	70 FR 10332

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Docket No. RSPA-03-15734**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov**Agency Contact:** Stanley Kastanas, Programs Administration, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-3844
Fax: 202 366-4566

RIN: 2137-AD95

BILLING CODE 4910-60-S

**Department of Transportation (DOT)
Maritime Administration (MARAD)**

Proposed Rule Stage

**2251. APPLICATION FEE FOR
ADMINISTRATIVE WAIVERS OF THE
COASTWISE TRADE LAWS****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 app USC 1114(b); 49 USC 322; 46 USC 12106 note; PL 105-383; 49 CFR 1.66(c)**CFR Citation:** 46 CFR 388**Legal Deadline:** None**Abstract:** The Maritime Administration proposes to increase the application fee for administrative waiver of the coastwise trade laws from \$300 to \$500. The increased application fee would closer align the application fee with the actual cost of processing each waiver application.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Michael Hokana, Department of Transportation, Maritime Administration, MAR-830 Room 7201,

400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0760

Email: michael.hokana@marad.dot.gov

RIN: 2133-AB50

**2252. MARITIME EDUCATION AND
TRAINING—AMENDMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 app USC 1295; 49 CFR 1.66**CFR Citation:** 46 CFR 310**Legal Deadline:** None**Abstract:** This rulemaking would revise and update MARAD's regulations regarding Maritime Education and Training by eliminating obsolete provisions and by adding provisions to reflect current administrative practices. This rulemaking would also clarify certain provisions and make technical corrections.**Timetable:**

Action	Date	FR Cite
NPRM	08/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

dms.dot.gov

URL For Public Comments: dms.dot.gov**Agency Contact:** Jay Gordon, Attorney-Advisor, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202-366-5191
Email: jay.gordon@marad.dot.gov

RIN: 2133-AB63

**2253. LAUNCH BARGE WAIVER
PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 CFR 1.66; PL 108-293, 118 Stat 1028**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** This rulemaking will establish regulations governing the waiver of U.S. build requirements for launch barges used to transport and launch platform jackets. This rulemaking implements provisions of the Coast Guard and Maritime Transportation Act of 2004, which, among other things, requires the Secretary of Transportation (acting through the Maritime Administrator) to adopt procedures to determine if coastwise-qualified vessels are available for platform jacket transport and launching, and, if not, to issue waivers

DOT—MARAD

Proposed Rule Stage

allowing the use of non-coastwise-qualified foreign-built vessels.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No
Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Michael Hokana,
Department of Transportation, Maritime

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Email: michael.hokana@marad.dot.gov

RIN: 2133-AB67

Department of Transportation (DOT)
Maritime Administration (MARAD)

Final Rule Stage

2254. MARITIME EDUCATION AND TRAINING

Priority: Substantive, Nonsignificant

Legal Authority: 46 app USC 1295; 49 CFR 1.66

CFR Citation: 46 CFR 310

Legal Deadline: None

Abstract: This rulemaking amends the Maritime Administration's regulations in Part 310 governing maritime education and training. This rulemaking implements changes under the National Defense Authorization Act for Fiscal Year 2004 regarding the administration of state, regional and United States merchant marine academies. This rulemaking also makes nonsubstantive technical changes to part 310.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/08/04	69 FR 31897
Interim Final Rule Effective	07/08/04	
Interim Final Rule Comment Period End	08/09/04	
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Jay Gordon,
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Email: jay.gordon@marad.dot.gov

RIN: 2133-AB60

2255. AMENDED SERVICE OBLIGATION REPORTING REQUIREMENTS FOR STATE MARITIME ACADEMY GRADUATES

Priority: Substantive, Nonsignificant

Legal Authority: 46 app USC 1295; 49 CFR 1.66

CFR Citation: 46 CFR 310

Legal Deadline: None

Abstract: This rulemaking will change the service obligation reporting requirements for State maritime academy graduates who receive Student Incentive Payments (SIPs). The new reporting requirements create standard reporting dates that coincide with the U.S. Naval Reserve/Merchant Marine Reserve (USNR/MMR) service reporting dates. This rulemaking also provides for the electronic submission of reports as the primary means of submission to the Maritime Administration.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/20/04	69 FR 61605
Interim Final Rule Comment Period End	11/19/04	
Final Rule	05/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Rita Jackson,
Academies Program Officer,
Department of Transportation, Maritime

Administration, 400 Seventh Street, SW, Washington, DC 20590
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Email: rita.jackson@marad.dot.gov

RIN: 2133-AB61

2256. +MARITIME SECURITY PROGRAM

Priority: Economically Significant.
Major under 5 USC 801.

Legal Authority: 46 app USC 1114(b); PL 108-136; 49 CFR 1.66

CFR Citation: 46 CFR 296 (NEW)

Legal Deadline: None

Abstract: This rulemaking provides procedures to implement the provisions of the Maritime Security Act of 2003 (MSA 2003). The MSA 2003 authorizes payments for fiscal years (FYs) 2006 through 2015 for a new Maritime Security Program (MSP). The final rule needs to be in place to continue the Program, which involves millions of dollars and national security. In addition, the MSP supports a fleet of active, commercially viable, privately owned vessels to meet national defense and other security requirements and to maintain a United States presence in international commercial shipping.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/20/04	69 FR 43328
Comment Period Extended	08/18/04	69 FR 51987
Interim Final Rule Comment Period End	08/19/04	
End of Extended Comment Period	08/30/04	
Interim Final Rule Effective	10/01/04	
Final Rule	07/00/05	

Regulatory Flexibility Analysis Required: No

DOT—MARAD

Final Rule Stage

Small Entities Affected: No**Government Levels Affected:** None**URL For More Information:**
dms.dot.gov**URL For Public Comments:**
dms.dot.gov**Agency Contact:** Murray A. Bloom,
Chief, Division of Maritime Programs,
Department of Transportation, MaritimeAdministration, 400 Seventh Street,
SW, Washington, DC 20590
Phone: 202 366-5164
Email: murray.bloom@marad.dot.gov
RIN: 2133-AB62**Department of Transportation (DOT)
Maritime Administration (MARAD)****Completed Actions****2257. +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****Priority:** Other Significant**Legal Authority:** 46 app USC 1101,
1114(b), 1122(d), 1241; 49 CFR 1.66**CFR Citation:** 46 CFR 381**Legal Deadline:** None

Abstract: The Maritime Administration is withdrawing the advance notice of proposed rulemaking (ANPRM) published in the Federal Register on January 28, 1999, which requested comments on proposed amendments to MARAD's cargo preference regulations. Based on comments received and on continuing discussions with other Federal agencies, there are several issues on which MARAD and other Federal agencies have yet to reach agreement. MARAD is involved in a negotiation process with other agencies in order to resolve these issues. Once discussions and negotiations with other agencies are complete, MARAD will initiate a new rulemaking action.

Timetable:

Action	Date	FR Cite
ANPRM	01/28/99	64 FR 4382
ANPRM Comment Period End	03/29/99	
Withdrawn	02/14/05	70 FR 7458

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**
dms.dot.gov**URL For Public Comments:**
dms.dot.gov**Agency Contact:** Thomas W.
Harrelson, Director, Office of Cargo
Preference, Room 8118, Department of
Transportation, MaritimeAdministration, 400 Seventh Street
SW., Washington, DC 20590
Phone: 202 366-5515
RIN: 2133-AB37**2258. +VESSEL DOCUMENTATION:
LEASE FINANCING FOR VESSELS
ENGAGED IN THE COASTWISE
TRADE; SECOND RULEMAKING****Priority:** Other Significant. Major status
under 5 USC 801 is undetermined.**Legal Authority:** 46 app USC 808**CFR Citation:** 46 CFR 221**Legal Deadline:** None

Abstract: On February 4, 2004, the Maritime Administration (MARAD) published a joint rulemaking with the U.S. Coast Guard which proposed to change MARAD's lease financing regulations. On August 9, 2004, Pub. L. 108-293, the Coast Guard and Maritime Transportation Act of 2004 was enacted, which contained provisions that materially affected the proposed changes outlined in the joint rulemaking. Therefore, the joint rulemaking was withdrawn.

Timetable:

Action	Date	FR Cite
NPRM	02/04/04	69 FR 5403
Withdrawn	04/13/05	70 FR 19376

**Regulatory Flexibility Analysis
Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:**
dms.dot.gov**URL For Public Comments:**
dms.dot.gov**Agency Contact:** John T. Marquez Jr.,
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Related RIN: Duplicate of 1625-AA63**RIN:** 2133-AB51**2259. AMENDED SERVICE
OBLIGATION REPORTING
REQUIREMENTS FOR U.S.
MERCHANT MARINE ACADEMY
GRADUATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 1114(B); 46
USC 1295 to 1295g**CFR Citation:** 46 CFR 310.58**Legal Deadline:** None

Abstract: This final rule amends the service obligation reporting periods for United States Merchant Marine Academy (USMMA) graduates. The new reporting dates create a standard reporting period that coincides with the U.S. Naval Reserve/Merchant Marine Reserve (USNR/MMR) service reporting date, which will make reporting to the USNR and to MARAD less burdensome. This final rule also corrects an error that appeared in the interim final rule that preceded this action, which mistakenly indicated that it applied to both USMMA graduates as well as to State maritime academy graduates.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/02/04	69 FR 9758
Interim Final Rule Comment Period End	04/01/04	
Final Rule	10/19/04	69 FR 61452

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**
dms.dot.gov**URL For Public Comments:**
dms.dot.gov**Agency Contact:** Brenda Reed-Perry,
Compliance Specialist, Department of

DOT—MARAD

Completed Actions

Transportation, Maritime
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RIN: 2133-AB57

**2260. DEFERMENT OF SERVICE
OBLIGATIONS OF MIDSHIPMEN
RECIPIENTS OF SCHOLARSHIPS OR
FELLOWSHIPS**

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 1114(b); 46
app USC 1295 to 1295g

CFR Citation: 46 CFR 310.58(g)

Legal Deadline: None

Abstract: This rulemaking amends
MARAD's regulations regarding the

deferment of service obligations of
midshipmen who receive scholarships
or fellowships to pursue graduate
courses of study. This rule allows the
Maritime Administrator to defer the
service obligation of a midshipman
when the midshipman enters a
graduate course of study of national
significance although the course of
study may not be marine or maritime-
related, which was a former
requirement under MARAD's
regulations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/20/04	69 FR 29079
Interim Final Rule Comment Period End	06/21/04	
Final Rule	12/14/04	69 FR 74454

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Rita Jackson,
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RIN: 2133-AB58

[FR Doc. 05-9029 Filed 05-13-05; 8:45 am]

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