

2011 DOT Retrospective Regulatory Report  
Progress Report on Actions Taken  
January 13, 2012

MODE	RIN	TITLE	ABSTRACT	STAGE	INITIAL DATE	REVISED DATE	ACTUAL DATE	ADDITIONAL INFO
MARAD	2133-AB74	Regulations To Be Followed by All Departments, Agencies and Shippers Having Responsibility To Provide a Preference for U.S.-Flag Vessels in the Shipment of Cargoes on Ocean Vessels (RRR)	This rulemaking would revise and clarify the Cargo Preference rules that have not been revised substantially since 1971. Revisions would include an updated purpose and definitions section along with the removal of obsolete provisions. This rulemaking also would establish a new Part 383 of the Cargo Preference regulations. This rulemaking would cover P.L. 110-417, Section 3511, National Defense Authorization Act for FY2009 changes to the cargo preference rules, which have not been substantially revised since 1971. The rulemaking also would include compromise, assessment, mitigation, settlement, and collection of civil penalties. Originally the agency had two separate rulemakings in process under RIN 2133-AB74 and 2133-AB75. RIN 2133-AB74 would have revised existing regulations and RIN 2133-AB75 would have established a new part 383: Guidance and Civil Penalties and implement P.L. 110-417, Section 3511, National Defense Authorization Act for FY 2009. MARAD has decided it would be more efficient to merge both efforts under one; RIN 2133-AB75 has been merged with this action.	2	10/31/2008	1/31/2012		SB no IC unknown SLT no Cost/benefits unknown Notes: draft sent to OMB 12/16/12
MARAD	2133-AB77	MARAD NEPA Procedures (RRR)	Update of MARAD Regulations pertaining to the National Environmental Protection Act (NEPA)--This rulemaking would update MARAD's NEPA regulations.	1	7/31/2012			Includes Retrospective Review under E.O.13563: SB no IC no SLT no cost/benefits unknown at this time MARAD is part of an interagency group within DOT working on this issue
MARAD	2133-AB78	Transportation Priority Allocation System, Part 341 (RRR)	Transportation Priority Allocation System Part 341-These regulations will complement DOT's Defense Production Act regulations.	4				SB no IC no SLT no costs/benefits unknown Schedule undetermined - dependent on OST's Defense Production Act rulemaking.
MARAD	2133-AB79	Administrative Claims, Part 327 (RRR)	Administrative Claims, Part 327-these provisions are extremely out of date and revision would be straightforward. Rationale for this regulation is providing clarity to the public on the issue.	4	9/30/2011	3/15/2012		SB no IC no SLT no costs/benefits unknown

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MARAD	2133-AB80	Operating Differential Subsidy and Construction Differential Subsidy Programs (RRR)	These programs have either been superceded or unfunded for more than 30 years. Rationale for revising/deleting these sections is to remove any confusion the public may have as to the existence of these programs.	3	3/30/2012			Includes Retrospective Review under E.O.13563: SB no IC no SLT no costs/benefits unknown
MARAD	2133-AB81	Foreign Transfer Regulations (RRR)	Foreign Transfer Regulations, Part 221--The Office of the Chief Counsel has completed a rough draft of an update to this regulation. This appears to be an important area to clarify in light of recent issues related to foreign transfer of vessels.	2	6/29/2012			SB no IC no SLT no costs/benefits unknown
MARAD	2133-AB82	War Risk Ship Valuation (RRR)	War Risk Valuation, Parts 308 and 309-these regulations are very outdated, as they refer to a Ship Valuation Committee that no longer exists and specify methods for valuation that are not being used by MARAD.	2	12/31/2012			SB - N, IC - N, SLT - N
OST	2105-AE08	Disadvantaged Business Enterprise (DBE Program Improvements, Phase 2) (RRR)	This NPRM would propose changes to the DBE rule in such areas as application and personal net worth forms, transit vehicle manufacturers, and certification standards and procedures.	2	5/10/2011	4/15/2012		SB - Y IC - N SLT - Y This item covers both OST items on the August RRR plan.
FHWA	2125-AF38	Emergency Relief Program (RRR)	This rulemaking would have amended 23 CFR Part 668 to update the annual threshold for an ER event, raised the site threshold and clarified the definition of a site, clarified other definitions, and provided specific time limit restrictions for States when filing a claim for ER eligible work. This rulemaking also would have required States to develop a plan for obligation needs for ER funding and imposed restrictions on the applicability of "quick release" ER allocations. This rulemaking has been terminated. The FHWA has decided that, given recent natural disasters and current national economic conditions, this is not the appropriate time to tighten the eligibility standards for this program. In addition, the program may undergo significant changes as a result of reauthorization. The FHWA believes it is important to see the outcome of reauthorization before proceeding with this effort.	5	7/22/2011	12/15/2011		

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FHWA	2125-AF41	National Standards for Traffic Control Devices; the Manual on Uniform Traffic Control Devices for Streets and Highways; Engineering Judgments (RRR)	This rulemaking would propose changes to the Manual on Uniform Traffic Control Devices (MUTCD) to clarify the definition of "Standard Statements" in the MUTCD and to clarify the use of engineering judgment and studies in the application of traffic control devices.	2	6/20/2011	8/24/2011	8/2/2011	SB - No; IC - No; SLT - Yes. Includes Retrospective Review under E.O. 13563: Actual or Target Completion Date - The FHWA estimates that the final rule will be published in August of 2012. Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits - The FHWA plans to revise certain standards, guidance, options, and supporting information relating to traffic control devices in Part 1 (General) of the MUTCD. The proposed changes are intended to provide necessary flexibility and to clarify both the definition of Standard statements in the MUTCD and the use of engineering judgment and studies in the application of traffic control devices. Progress updates and anticipated accomplishments - The NPRM was published on August 2, 2011, at 76 FR 46214, and the comment period closed on October 3, 2011. The FHWA estimates that a final rule will be published in August of 2012. Notes - None.

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FHWA	2125-AF43	National Standards for Traffic Control Devices; the Manual on Uniform Traffic Control Devices for Streets and Highways; Compliance Dates Revision (RRR)	This rulemaking would revise the Manual on Uniform Traffic Control Devices (MUTCD) to revise the compliance dates for certain requirements in the MUTCD.	2	8/3/2011	8/5/2011	8/31/2011	SB - No; IC - No; SLT - Yes. Includes Retrospective Review under E.O.13563: Actual or Target Completion Date - The FHWA estimates that the final rule will be published in July of 2012. Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits - The FHWA proposes to revise certain information relating to target compliance dates for traffic control devices. Consistent with E.O. 13563, and in particular its emphasis on burden-reduction and on retrospective analysis of existing rules, the proposed changes are intended to reduce the costs and impacts of compliance dates on State and local highway agencies and to streamline and simplify the information. Progress updates and anticipated accomplishments - The NPRM was published on August 31, 2011, at 76 FR 54156, and the comment period closed on October 31, 2011. The FHWA estimates that a final rule will be published in July of 2012. Notes - None.
FHWA	2125-ZA00	Early Acquisition of Right-of-Way (RRR)	The FHWA received extensive public comment on the issue of advance acquisition of right-of-way, most noting that current regulations make it difficult to identify and preserve potential future transportation corridors, and that they otherwise disrupt project delivery. FHWA is in the process of determining specific areas for improvement and what, if any, changes would be most beneficial.	1				SB - No; IC - No; SLT - Yes. Actual or Target Completion Date - The FHWA plans to present the FHWA Administrator with a set of proposals on this issue. Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits - The FHWA has substantial experience dealing with States on this issue. While FHWA is constrained by statutory requirements, such as 23 U.S.C. 108(c) and CEQ regulations in this area (40 CFR § 1506.1), we believe that a reexamination of the regulations and/or guidance for the advance acquisition of right-of-way may accelerate project delivery and provide States with enhanced flexibility. Progress updates and anticipated accomplishments - The FHWA's team is currently developing a set of proposals for addressing this issue and plans to present them to the Administrator in the near future. Notes - None.

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FHWA	2125-ZA01	Revision of 23 CFR Part 230, Civil Rights External Program (RRR)	The FHWA intends to initiate a rulemaking to update this 23 CFR Part 230, Civil Rights External Program. Further study is necessary to identify specific areas for improvement and to determine what, if any, changes would be most beneficial.	1				SB - No; IC - No; SLT - No. Actual or Target Completion Date - To be determined. Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits - 23 CFR Part 230, Civil Rights External Programs, has not been substantially updated since it was published in 1975. The FHWA has been considering a full update to this Part for many years as questions and issues from our Division offices, who implement these programs, have increased in frequency. The FHWA believes that reexamining this Part will improve the efficiency of our Civil Rights external programs. Progress updates and anticipated accomplishments - Program office has established team to begin discussions on necessary changes and they have consulted with the Office of the Chief Counsel on possible changes to the regulation. Notes - None.
FHWA	2125-ZA02	Proprietary Products (RRR)	The FHWA recently issued revised guidance on proprietary products to ensure competition in the selection of materials, and is currently reexamining our existing regulations on patented and proprietary products to determine how we might accelerate project delivery and provide States with needed flexibility.	1				SB - No; IC - No; SLT - Yes. Actual or Target Completion Date - To be determined. Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits - The FHWA is reexamining its existing regulations in this area to determine if changes to the regulations would accelerate project delivery and provide States with needed flexibility. Progress updates and anticipated accomplishments - In November of 2011, FHWA released revised guidance on the use of patented and proprietary products in Federal-aid highway projects. The guidance clarified existing policy regarding the implementation of FHWA regulations at 23 CFR 635.411 and was intended to ensure that the divisions are consistently and accurately applying the regulations. The FHWA is currently examining whether changes to the regulations governing proprietary products are needed. Notes - None.

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FTA	2132-AB02	Major Capital Investment Projects (RRR)	This rulemaking proposes a new regulatory framework for FTA's evaluation and rating of projects seeking funding under the discretionary New Starts and Small Starts programs authorized by 49 U.S.C. 5309. Specifically, the rulemaking would simplify measures for assessing the mobility improvements and cost-effectiveness of projects; would place greater emphasis on the environmental benefits and economic development effects of projects; would clarify the criteria for assessing the local financial commitment of project sponsors; would streamline the evaluation process for projects that remain with a certain envelope of cost and scope during the project development process; and would provide a very quick evaluation process for certain types of projects seeking funding under the Small Starts program.	2	6/15/2011	1/16/2012		Includes Retrospective Review under E.O.13563: Target completion date: FTA expects to publish the NPRM in January, 2012. Anticipated cost savings: FTA estimates current overall New and Small Starts annual paperwork burden hours to be approximately 275 hours for each of the estimated 135 respondents totaling 37,070 hours and annual costs totaling \$2,780,250. The proposals in the NPRM and accompanying proposed guidance, if adopted, would modify the time required to prepare and submit an applications. Thus, FTA estimates burden hours would be approximately 260 hours for each of the estimated 135 respondents totaling 35,070 hours and annual costs totaling \$2,630,250. These and other paperwork requirement trade-offs were an express objective in developing this NPRM. SB - N IC - N SLT - Y This item encompasses the third and fourth FTA item in the August RRR plan.

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FTA	2132-AB03	Environmental Impact and Related Procedures (RRR)	This rulemaking would establish a number of categorical exclusions (CE) from the requirement that an environmental assessment or an environmental impact statement be prepared under section 102 of the National Environmental Policy Act of 1969 (NEPA) for FTA-funded actions. The CEs were developed after an extensive effort, in line with Council on Environmental Quality guidance, to identify activities that FTA believes do not have a significant effect on the environment. The list of CEs includes some overlap with existing CEs, but would provide a tool that would expedite the delivery of transit projects without compromising environmental quality. The rulemaking would also make targeted revisions to the joint FTA-FHWA NEPA regulation that would only apply to FTA and would serve to support FTA's focus on streamlining its own unique environmental process. These revisions would include: (1) updating the NEPA regulation to provide for electronic means of disseminating information relevant to the NEPA process, (2) removing from the list of projects that normally require an environmental impact statement any fixed guideway transit facility that will be constructed within the existing right-of-way, (3) clarifying timing of the scoping process and procurement of a contractor for preparation of an environmental document, and (4) removing an unnecessary regulatory provision that applied only to New Starts projects.	2	2/2/2012	1/25/2012		SB - N IC - N SLT - Y This item encompasses the first and second FTA items in the August RRR plan. FTA expects costs to be minimal.
FAA	2120-AJ94	Enhanced Flight Vision System (EFVS) (RRR)	This rulemaking would amend the FAA's regulations for landing under instrument flight rules when using a certified Enhanced Flight Vision System (EFVS). Currently, in order to descend from 100 feet above the threshold to touchdown, the operator must see visual references using only natural vision. The intended effect would be to permit operators to use a certified EFVS in lieu of natural vision to continue descending from 100 feet above the threshold to touchdown. This rulemaking would also permit certain operators using an EFVS-equipped aircraft to initiate a flight and to continue an approach when the destination airport weather is below published visibility minimums. This action is necessary to expand operational capabilities and benefits for landing under instrument flight rules when using a certified EFVS.	2	6/25/2012			SB: Y, IC: N, SLT: N Anticipated costs/benefits: The cost and benefits have not yet been determined. Progress update: The FAA is currently drafting the NPRM.

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FAA	2120-AJ97	14 CFR Part 16; Rules of Practice for Federally-Assisted Airport Enforcement Proceedings (RRR)	This rulemaking would update, simplify, and streamline procedures for filing and addressing complaints against federally-assisted airports. It would also provide relief by allowing stakeholders and the FAA to handle complaints using modern business practices, including the newly adopted electronic filing process. This action is necessary to reflect the changes that have evolved since Part 16 was implemented in 1996. The intended effects of this action are to improve the efficiency of the complaint and investigation processes, and clarify process requirements for persons involved in enforcement proceedings.	2	12/9/2011	3/21/2012		SB: Y, IC: N, SLT: Y Anticipated costs/benefits: The proposed rule will have a minimal economic impact, with positive net benefits for those parties involved in filing and responding to complaints against federally-assisted airports. Progress update: The FAA is currently drafting the NPRM.
FAA	2120-AK00	Medical Certificate Endorsement Issue (RRR)	This rulemaking would remove an amendment, imposed in 2008, requiring individuals granted the Special Issuance of a Medical Certificate to have their letter of Authorization in their physical possession or readily accessible on the aircraft while exercising pilot privileges. This rulemaking responds to a 2007 International Civil Aviation Organization audit finding, the FAA mandated that individuals granted special issuance also carry their detailed letter of Authorization.	3	3/30/2012			SB: N, IC: N, SLT: N Anticipated costs/benefits: This direct final rule does not impose any costs on the affected pilot population. The benefit of the direct final rule will be that it relieves approximately 28,000 airmen vetted through the FAA special-issuance medical certification process from having to carry their FAA-issued LOA with them when exercising pilot privileges. Progress update: The direct final rule document is now in FAA coordination.
FAA	2120-AK01	Combined Drug and Alcohol Testing Programs for Operators Conducting Commercial Air Tours (RRR)	This rulemaking would allow part 119 certificate holders with operations under part 121 or 135 who also conduct commercial air tour operations under 14 CFR part 91.147 to combine drug and alcohol testing programs. This rulemaking is necessary because it would allow certificate holders to implement one drug and alcohol testing program while conducting operations for what has been considered historically two separate employing entities. The intended effect is to decrease operating costs by eliminating the requirement for duplicate programs while ensuring the level of safety required by the current drug and alcohol testing regulations.	2	5/18/2012			SB: Y, IC: Y, SLT: N Anticipated costs/benefits: The costs and benefits have not yet been determined. Progress update: The FAA is currently drafting the NPRM.
FAA	2120-AK03	CAT III Definitions (RRR)	This rulemaking would remove the definitions of Category IIIa, IIIb, and IIIc operations. The definitions are outdated and no longer necessary for aircraft certification or operational authorization. The removal of the definitions will aid in international harmonization efforts, future landing minima reductions and airspace system capacity improvements due to the implementation of performance based operations.	3	2/20/2012			SB: N, IC: N, SLT: N Anticipated costs/benefits: Since this final rule removes outdated and unnecessary definitions, the expected outcome will be a minimal impact with positive net benefit. Progress update: The rule is currently in FAA coordination.



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FAA	2120-AK11	Minimum Altitudes for Use of Autopilots (RRR)	This rulemaking would modify the way pilots operate an aircraft's autopilot capabilities during flight. This action is necessary because evolving aircraft technologies have outpaced current FAA's operational guidance for use of autopilots. The intended effect of this rulemaking is to allow movement of aircraft in safer and more efficient flight patterns, while smoothly incorporating ever-increasing related technological changes.	2				SB: N, IC: N, SLT: N Anticipated costs/benefits: The costs and benefits have not yet determined. Progress update: The rulemaking team is preparing to present a Rulemaking Action Plan at the March 2012 Rulemaking Council meeting.
FAA	2120-ZA04	Eliminate smoke density requirements (RRR)	The FAA has tasked the Aviation Rulemaking Advisory Committee (ARAC) to comment on and make recommendations for a threat-based approach to material and component flammability requirements.	1				SB: N, IC: N, SLT: N
FAA	2120-ZA05	Short term increases in CO2 (RRR)	The FAA is considering revision to cabin air quality standards. The FAA is awaiting the outcome of the air quality survey and the ARAC recommendations pertaining to this issue.	1				SB: N, IC: N, SLT: N
FAA	2120-ZA06	Fuel System Lightning Protection (RRR)	The FAA chartered the Fuel System Lightning Protection Aviation Rulemaking Committee (ARC) to recommend changes to 14 CFR 25.981 and associated guidance. The FAA is awaiting the final ARC recommendations.	1				SB: N, IC: N, SLT: N
FAA	2120-ZA07	Markings and Placards (RRR)	The FAA conducted a comprehensive review of 14 CFR part 23 in 2010, with industry and public participation, and developed recommendations for change (including the partial elimination of weight classifications). The FAA plans to launch an Aviation Rulemaking Committee (ARC) in January 2012 to provide input on these recommendations by September 2013.	1				SB: N, IC: N, SLT: N
FAA	2120-ZA09	Streamline aircraft certification (RRR)	The FAA plans to launch an Aviation Rulemaking Committee (ARC) in January 2012 to provide input for a recommendation to evaluate and streamline aircraft certification.	1				SB: N, IC: N, SLT: N
FAA	2120-ZA10	Certificated Flight Instructor (RRR)	The FAA is considering a change to the certificated flight instructor process by requiring proof of currency in lieu of the reissuance of a new plastic certificate with an expiration date.	1				SB: N, IC: N, SLT: N
FAA	2120-ZA11	Land Transfers (RRR)	The FAA plans to investigate ways to make land transfers less onerous for airports. The FAA is willing to consider revising these procedures subject to the Office of the Inspector General (OIG) concurrence.	1				SB: N, IC: N, SLT: Y
FAA	2120-ZA12	High Density (RRR)	The FAA is considering regulations to amend the high density rule (HDR) in part 93 subparts K and S to increase competitive options at DCA and LGA. In addition, the FAA has established a rulemaking to address congestion management and competition issues at LGA, JFK, and EWR, which currently are limited by FAA Orders.	1				SB: N, IC: N, SLT: Y

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FRA	2130-AC06	Training Standards for Railroad Employees (RRR)	This rulemaking will (1) establish minimum training standards for each class or craft of safety-related employee and equivalent railroad contractor and subcontractor employee that require railroads, contractors, and subcontractors to qualify or otherwise document the proficiency of such employees in each such class and craft regarding their knowledge and ability to comply with Federal railroad safety laws and regulations and railroad rules and procedures intended to implement those laws and regulations, etc.; (2) require submission of railroads', contractors', and subcontractors' training and qualification programs for FRA approval; and (3) establish a minimum training curriculum and ongoing training criteria, testing, and skills evaluation measures for track and equipment inspectors employed by railroads and railroad contractor and subcontractors.	2	11/21/2011	1/31/2012		SB - N, SLT - N, IC - N; The benefits for this rule are expected to equal, if not exceed costs.
FRA	2130-AC07	Development and Use of Rail Safety Technology: Dark Territory (RRR)	This rulemaking would issue standards or guidance governing development/deployment of technology to promote safe operation in non-signaled territory in arrangements not defined in signal inspection law.	2		10/15/2012		SB - N, IC - N, SLT - N; A comment on this rulemaking was received during the RRR process.
FRA	2130-AC09	Vehicle/Track Interaction Safety Standards; High-Speed and High Cant Deficiency Operations (RRR)	This rulemaking would amend the Track Safety Standards and Passenger Equipment Safety Standards for high-speed train operations and train operations at high cant deficiencies to promote the safe interaction of rail vehicles with the track over which they operate. It would revise both the safety limits for these operations and the process to qualify them. It accounts for a range of vehicle types that are currently used and may likely be used on future high-speed or high cant deficiency rail operations, and would provide safety assurance for train operations in all classes of track. It is based on the results of simulation studies designed to identify track geometry irregularities associated with unsafe wheel forces and acceleration, thorough reviews of vehicle qualification and revenue service test data, and consideration of international practices.	3	7/12/2011	6/7/2012		SB - N, IC - N, SLT - N; A comment on this rulemaking was received during the RRR process. FRA expects up to \$300M in benefits over 20 years, discounted at 7%.

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FRA	2130-AC11	Risk Reduction Program (RRR)	This rulemaking would consider appropriate contents for Risk Reduction Programs and how they should be implemented and reviewed by FRA.	2	10/27/2011	12/3/2012		SB - N, IC - N, SLT - N; A comment on this rulemaking was received during the RRR process.
FRA	2130-AC14	Emergency Escape Breathing Apparatus (RRR)	This rulemaking would prescribe regulations that require railroads to provide specified emergency escape breathing apparatus for all crew members in locomotive cabs on freight trains carrying poison-inhalation-hazard hazardous material and provide training in its use.	3	11/9/2011	6/7/2012		SB - N, IC - N, SLT - N A comment on this rulemaking was received during the RRR process. FRA expects this rule to have a net cost of \$65M.
FRA	2130-AC16	Locomotive Safety Standards Amendments (RRR)	This rulemaking would amend the rules pertaining to Locomotive Safety Standards. The proposed amendments would update, consolidate, and clarify existing rules, and adopt existing industry and engineering best practices. The proposed amendments include: updating locomotive inspection record keeping requirements by permitting electronic records; consolidating locomotive air brake maintenance into a single provision; clarifying locomotive headlight requirements to address new technology; and, establishing locomotive electronics standards based on existing industry and engineering best practices, as well as other existing Federal electronics standards. This action is taken by FRA in an effort to improve its safety regulator program.		3/15/2012			SB - N, SLT - N, IC - N Comments on this rulemaking were received in the RRR process. FRA believes net benefits over 20 years could exceed \$200M.
FRA	2130-AC27	Positive Train Control Systems Amendments (RRR)	This rulemaking would modify or remove provisions relating to the alternative route analysis and residual risk analysis used to determine whether Positive Train Control System implementation may be avoided.	3	6/18/2012			SB - N, SLT - N, IC - N; The potential cost savings from this rulemaking could reach \$590M over 20 years when discounted at 7%.
FRA	2130-AC28	Track Safety Standards: Defective Rails, Inspection of Rail, Inspection Records, Qualified Operator, Joint Bar Fracture Report (RRR)	This rulemaking would prescribe specific requirements for effective rail inspection frequencies, rail flaw remedial actions, minimum operator qualifications, and requirements for rail inspection records. In addition, it would remove the regulatory requirements concerning joint bar fracture reporting. Section 403(c) of the Rail Safety Improvement Act of 2008 mandates that FRA promulgate regulations addressing rail flaw detection inspections.	2		4/30/2012		SB - N, IC - N, SLT - N; This rulemaking will address a comment on DOT's Retrospective Regulatory Review.

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FRA	2130-AC32	Positive Train Control Systems: De Minimis Exception, Yard Movements, En Route Failures; Miscellaneous Grade Crossing/Signal and Train Control Amendments (RRR)	This rulemaking would revise Positive Train Control regulations by defining the de minimis exception and en route failures, proposing exceptions relating to yard movements that may not be considered on the main line system, and amending regulations governing grade crossing and signal and train control systems. The rulemaking is in response to a petition for rulemaking from the Association of American Railroads.	2	5/14/2012	8/1/2012		SB - N, SLT - N, IC - N;
FRA	2130-ZA00	Revised Proposal for Revisions to the Schedules of Civil Penalties for a Violation of a Federal Railroad Safety Law or Federal Railroad Administration Safety Regulation or Order (RRR)	FRA is issuing for comment a revised proposal (New Proposal) that if adopted, would amend, line-by-line, FRA's schedules ("Schedules") of civil penalties issued as appendices to FRA's rail safety regulations, as well as other guidance, in order to reflect more accurately the degree of safety risk associated with a violation of each regulatory requirement and to ensure that the civil monetary penalty amounts are consistent across all FRA safety regulations. The New Proposal represents a revision of FRA's December 2006 proposal to amend the Schedules for the same purposes (December 2006 Proposal or Initial Proposal).	4				SB - N, IC - N, SLT - N A comment on this action was received in DOT's 2011 Retrospective Regulatory Review.
FRA	2130-ZA06	Development of Electronic Federal Custody and Control Form (RRR)	This action would respond to a comment received from the Union Pacific Railroad that an electronic recordkeeping option should be available for various recordkeeping requirements found in 49 CFR §§ 40.45 and 40.225. The Federal Custody and Control Form, which is required by 49 CFR § 40.45, is actually owned by HHS. However, this form has been adopted by DOT for DOT's drug testing program. HHS is working with OMB and the Federal Agencies to develop an electronic version of the Federal Custody and Control Form. Once HHS develops an electronic version of the Federal Custody and Control Form, DOT intends to develop an electronic version of the DOT Alcohol Testing Form (which is required by 49 CFR § 40.225), which will incorporate standards used in the electronic Federal Custody and Control Form.	4				SB - Y, IC - Y, SLT - N This action is being prompted by a comment that was received during the RRR process.

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FRA	2130-ZA07	National Environmental Policy Act (RRR)	This action would respond to a comment received from the North Carolina Department of Transportation that it would be prudent and more efficient if FRA could accept NEPA documents that have been prepared by FTA or FHWA, in order to fulfill FRA's responsibilities under NEPA. In sum, it appears that the North Carolina Department of Transportation is objecting to the fact that FRA does not have the authority to use FTA or FHWA's categorical exclusions. Categorical exclusions have been created by FTA and FHWA based upon their individual experience in assessing and implementing projects that allow FTA/FHWA to conclude that a particular category of actions does not typically lead to environmental impacts. FRA's funding programs do not have this long history. However, FRA has been working to update its list of categorical exclusions consistent with CEQ's November 23, 2010 guidance on Establishing, Applying, and Revising Categorical Exclusions.	4				SB - N, IC - Y, SLT - Y This action is being prompted by a comment that was received during the RRR process.
FRA	2130-ZA08	Crashworthiness Standards (RRR)	This action would respond to a comment received from SRC, a tourist railroad, that FRA's crashworthiness standards in 49 CFR Part 238 are detrimental to the use and growth of passenger rail transportation. However, FRA has tailored the application of its crashworthiness standards. Similarly, FRA has established a policy to issue waivers under appropriate circumstances to help limit the impact of its crashworthiness standards on light rail equipment that shares use of trackage or rights-of-way with conventional rail equipment. FRA has also continued to explore means of making its crashworthiness standards more performance-based. FRA has developed guidelines through the RSAC process for waiver approval to use alternative, performance-based crashworthiness standards for passenger equipment operating at speeds up to 125 mph. FRA is also pursuing a similar approach through the RSAC process to develop standards for passenger rail equipment operating at speeds up to 220 mph.	4				SB - N, IC - N, SLT - N This action is being prompted by a comment that was received during the RRR process.
FRA	2130-ZA09	Occupational Noise Exposure Rule Exemption (RRR)	This entry was prompted by a comment received from SRC, a tourist railroad, in which the SRC urged FRA to continue the current exemption in 49 CFR Part 227 for tourist, scenic, historic, or excursion operations. FRA agrees that the exemption is appropriate and plans to retain the existing exemption in the regulation.	4				SB - N, IC - N, SLT - N This entry was prompted by a comment that was received during the RRR process.

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FMCSA	2126-AB02	Commercial Driver's License Testing and Commercial Learner's Permit Standards (RRR)	This rulemaking will establish revisions to the commercial driver's license knowledge and skills testing standards as required by section 4019 of TEA-21, implement fraud detection and prevention initiatives at the State driver licensing agencies as required by the SAFE Port Act of 2006, and establish new minimum Federal standards for States to issue commercial learner's permits (CLPs), based in part on the requirements of section 4122 of Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU). In addition to ensuring the applicant has the appropriate knowledge and skills to operate a commercial motor vehicle, this rule would establish the minimum information that must be on the CLP document and the electronic driver's record. The rule would also establish maximum issuance and renewal periods, establish a minimum age limit, address issues related to a driver's State of Domicile, and incorporate previous regulatory guidance into the Federal regulations. This rulemaking would also address issues raised in the SAFE Port Act.	5	2/19/2010	5/6/2011	5/9/2011	This is a completed action. FR published 05/09/11. Docket ID FMCSA-2007-27659 SB yes IC yes SLT yes Costs over ten years \$156.5 million benefits over 10 years \$390.65 million Net benefits over 10 years \$267.8 million Rule is completed. Published 5/9/11.
FMCSA	2126-AB26	Hours of Service (RRR)	This rulemaking changes to the hours of service requirements for drivers operating a commercial motor vehicle transporting property. The requirement for this rulemaking was established on October 26, 2009, when Public Citizen, et al. (Petitioners) and FMCSA entered into a settlement agreement under which Petitioners' petition for judicial review of the November 19, 2008, Final Rule on drivers' hours of service was held in abeyance pending the publication of an NPRM reevaluating the Hours of Service rule.	5	10/28/2011		12/27/2011	This final rule responded to a comment from the ATA during the Retrospective Regulatory Review by removing obsolete language on an expired exemption provided for certain motor carriers transporting grapes in New York. The action is completed. SB - N, IC - N, SLT - N..
FMCSA	2126-AB30	Parts and Accessories Necessary for Operations; Saddlemount Braking Requirements (RRR)	In response to a petition for rulemaking from the Automobile Carriers Conference, FMCSA proposes to amend the FMCSRs to eliminate the requirement for operational brakes on the last saddle-mounted truck in a triple saddle-mount combination, except when a full mount is present..	5	9/27/2011	10/5/2011	9/13/2011	This rule has been completed. FR published 9/13/11 SB y IC n SLT n

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FMCSA	2126-AB34	Inspection, Repair, and Maintenance; Driver-Vehicle Inspection Report for Intermodal Equipment (RRR)	This rulemaking would revise a requirement of the FMCSRs that applies to intermodal equipment providers and motor carriers operating intermodal equipment (IME). The rulemaking would delete the requirement for drivers operating IME to submit driver-vehicle inspection reports (DVIRs) when the driver has not found or been made aware of any defects ("no-defect DVIRs"). This rulemaking responds to a joint petition for rulemaking from the Ocean Carrier Equipment Management Association and the Institute of International Container Lessors.	3	4/11/2012	6/10/2012		SB y IC y SLT n 1. Actual or Target Completion Date - 6/10/12 2. Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits (please quantify, to the extent feasible, and also specify baseline, time horizon, and affected groups) - The final rule is expected to result in a burden reduction of 1.636 million hours. 3. Progress updates and anticipated accomplishments - Final Rule expected to publish in June 2012 4. Notes - None
FMCSA	2126-AB36	Hours of Service Exception for Railroad Signal Employees (RRR)	Section 108 of the Railroad Safety Improvement Act of 2008 (RSIA), Public Law 110-432, signed 10/16/08, effective July 16, 2009, states that railroad signal employees operating motor vehicles shall not be subject to hours of service (HOS) rules promulgated by any other Federal authority, including the FMCSA (FMCSA). The RSIA will require the FMCSA to amend its HOS regulations to state that FMCSA HOS regulations do not apply to railroad signal employees. The rule will provide clarity to the motor carrier industry and eliminate improper citations to signal employees because enforcement officers may not be aware of the statutory exception.	5		6/21/2011	5/5/2011	This is a completed action. FR published 5/5/11. SB y IC y SLT no Costs/benefits unknown
FMCSA	2126-AB43	Self Reporting of Out-of-State Convictions (RRR)	This rulemaking would clarify the requirement for holders of commercial drivers licenses (CDL) convicted of violating traffic laws in a State other than the State that issued their CDL, to notify the State of issuance about those violations under part 383.31 of FMCSA's Commercial Drivers License Standards; and clarify the requirement for the licensing agency from the jurisdiction in which the conviction takes place to notify the State licensing Agency that issued the CDL under part 384.209 State Compliance with Commercial Drivers License Program. This rulemaking would also ensure that notifications required in sections 383.31 and 384.209 take place within 30 days of the conviction.	3				SB y IC y SLT no 1. Actual or Target Completion Date - 8/28/12 2. Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits (please quantify, to the extent feasible, and also specify baseline, time horizon, and affected groups) - Undetermined. 3. Progress updates and anticipated accomplishments - Final Rule expected to publish in August 2012 4. Notes - FMCSA considering the use of a direct final rule as this action would remove a redundant reporting requirement.
FMCSA	2126-AB46	Single Pre-trip Inspection (RRR)	The FMCSA would consider whether its existing regulations requiring commercial motor vehicle (CMV) drivers to ensure their vehicles are in safe and proper operating condition at the beginning of the work day include obsolete or redundant requirements that impose unnecessary burdens on the industry. These requirements are found in 49 CFR Part 392, concerning safe driving, and 49 CFR Part 396, concerning inspection, repair and maintenance of CMVs.	1				SB - N, IC - N; SLT - N

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FMCSA	2126-AB47	Electronic Signatures (E-Signatures) (RRR)	This rulemaking would incorporate the principles of FMCSA's regulatory guidance concerning e-signatures by amending various sections of the Federal Motor Carrier Safety Regulations (FMCSRs) to enable the use of e-signatures in support of electronic recordkeeping options. These options would provide significant paperwork reductions and be less burdensome to the motor carrier industry than the paper records the Agency currently requires.	2				SB - Y; IC - Y, SLT - N
FMCSA	2126-AB48	Elimination of Form M (RRR)	The FMCSA would rescind the requirement in 49 CFR Part 369 for certain for-hire motor carriers of property to file the annual Form M concerning their revenues, profits and losses. As a holdover regulation from the elimination of the Interstate Commerce Commission in 1995, the Agency currently requires this form annually, but does not use it for data purposes. This burden can be removed without an adverse impact on safety or the Agency's ability to maintain effective commercial regulations over the for-hire trucking industry.	2				SB - Y, IC - Y, SLT - N
FMCSA	2126-AB49	Elimination of Redundant Maintenance Rule (RRR)	The FMCSA would amend the Federal Motor Carrier Safety Regulations to eliminate redundant inspection, repair, and maintenance requirements. Specifically, the FMCSA would amend the regulations to include within 49 CFR 396.3, concerning general maintenance rules, requirements that vehicles be properly lubricated and free of oil and grease leaks. Currently, the requirements addressing oil and grease leaks, and lubrication are covered in a separate section. The Agency believes combining the requirements in a single section of the Federal Motor Carrier Safety Regulations would improve the clarity of the safety regulations and eliminate a redundancy in the maintenance rules.	2				SB - Y, IC - N, SLT - N
FMCSA	2126-ZA01	Redundant Credentialing (RRR)	The FMCSA, through a non-rule policy would eliminate redundant driver credential requirements with associated background checks for drivers who carry hazardous materials. We would coordinate with the Transport Security Administration on how best to achieve this.	1	1/1/2013			SB - N, IC - N, SLT - N. Completion scheduled for 1/1/13.
NHTSA	2127-AK43	Federal Motor Vehicle Safety Standard No. 111, Rearview Mirrors (RRR)	This rulemaking would amend Federal Motor Vehicle Standard No. 111; Rearview Mirrors, to reflect requirements contained in the Cameron Gulbransen Kids Transportation Safety Act of 2007. The Act requires that NHTSA expand the required field of view to enable the driver of a motor vehicle to detect areas behind the motor vehicle to reduce death and injury resulting from backing incidents, particularly incidents involving small children and disabled persons. According to the Act, such a standard may be met by the provision of additional mirrors, sensors, cameras, or other technology to expand the driver's field of view.	3	12/31/2011	12/30/2011		The comment entitled "Safety on Garbage Trucks" found in DOT's August 2011 Retrospective Regulatory Review Plan has been considered as part of this rulemaking. SB: N, IC: N, SLT: N



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NHTSA	2127-AK79	Passenger Car and Light Truck Corporate Average Fuel Economy Standards MYs 2017 and Beyond (RRR)	This rulemaking would establish Corporate Average Fuel Economy (CAFE) standards for light trucks and passenger cars for model years 2017 and beyond. This rulemaking would respond to requirements of the Energy Policy and Conservation Act, as amended by the Energy Independence and Security Act of 2007. The statute requires that CAFE standards be prescribed separately for passenger automobiles and non-passenger automobiles to achieve a combined fleet fuel economy of at least 35 mpg by model year 2020. For model years 2021 and beyond, the statute requires that the average fuel economy required to be attained by each fleet of passenger and non-passenger automobiles be the maximum feasible for each model year. The law requires the standards be set at least 18 months prior to the start of the model year. On May 21, 2010, President Obama issued a memorandum directing NHTSA and EPA to conduct a joint rulemaking (NHTSA regulating fuel economy and EPA regulating greenhouse gas emissions), and to issue a Notice of Intent to Issue a Proposed Rule (NOI) by September 30, 2010.	2	9/1/2011	11/15/2011	12/1/2011	The comment entitled "Fuel Economy, Survey of Fill up Times" found in DOT's August 2011 Retrospective Regulatory Review Plan led to research that was relevant to this rulemaking. SB: N, IC: N, SLT: N
NHTSA	2127-AK86	Mandatory Part 563 Event Data Recorder Requirements (RRR)	This rulemaking would establish a new Federal motor vehicle safety standard to mandate the installation of Event Data Recorders (EDR) in light vehicles. The standard would incorporate the current 49 CFR Part 563, which established the current reporting requirement of voluntarily installed EDRs in light vehicles. Part 563 presently requires vehicle manufacturers who are voluntarily installing EDRs to be in compliance with the regulation by September 1, 2012. This rulemaking would not affect the 2012 compliance date for voluntarily-installed EDRs. Furthermore, this rulemaking would not modify any of the Part 563 data elements, data capture and format requirements, data retrieval specifications, or data survivability and crash test requirements. Moreover, this rulemaking to mandate EDRs across the entire light vehicle fleet could contribute to advancements in vehicle designs, and advanced restraint and other safety countermeasures. The estimated total incremental costs associated with this rulemaking would be \$24.4 million (2009 dollars), which is measured from a baseline of 91.6 percent EDR installation to 100 percent installation, assuming the sale of 15.5 million light vehicles per year.	2	10/31/2011	4/13/2012		The comment entitled "Open Data for Safety & Innovation in Cars" found in DOT's August 2011 Retrospective Regulatory Review Plan has been considered as part of this rulemaking. SB: N, IC: N, SLT: N

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NHTSA	2127-AK98	Pedestrian Safety Global Technical Regulation (RRR)	This rulemaking would provide requirements to protect pedestrian heads and legs when impacted by the front end of vehicles. A draft preliminary analysis of cost and benefits indicates that if this standard were applied fatalities would be reduced by 62 – 91 lives per year and 805 lower leg injuries per year would be mitigated. NHTSA initiated this rulemaking following the establishment of the Global Technical Regulation (GTR) by the UNECE’s World Forum for the Harmonization of Vehicle Regulations (WP.29) in November 2008 and plans to base the new FMVSS based on the GTR.	4				SB: Y, IC: N, SLT: N
NHTSA	2127-AK99	Federal Motor Vehicle Standard No. 108; Lamps, reflective devices, and associated equipment - Color Boundaries (RRR)	This rulemaking would amend Federal Motor Vehicle Safety Standard No. 108; Lamps, reflective devices, and associated equipment, to include the color definitions of green and blue. These color definitions were removed during a 2007 administrative rewrite of the standard, however it has been brought to the agency’s attention that removing these definitions will cause undue hardship on the regulated entities. There are no safety related costs or benefits associated with this rulemaking.	3				SB: Y IC: N SLT: N
NHTSA	2127-AK99	Federal Motor Vehicle Standard No. 108; Lamps, reflective devices, and associated equipment - Color Boundaries (RRR)	This rulemaking would amend Federal Motor Vehicle Safety Standard No. 108; Lamps, reflective devices, and associated equipment, to include the color definitions of green and blue. These color definitions were removed during a 2007 administrative rewrite of the standard, however it has been brought to the agency’s attention that removing these definitions will cause undue hardship on the regulated entities. There are no safety related costs or benefits associated with this rulemaking.	3	7/31/2012			SB: Y, IC: N, SLT: N
NHTSA	2127-AL00	Federal Motor Vehicle Safety Standard No. 108; Lamps, reflective devices, and associated equipment - Reconsideration (RRR)	This rulemaking would respond to petitions for reconsideration of the December 4, 2007 final rule affecting Federal Motor Safety Standard No. 108; Lamps, reflective devices, and associated equipment, which was an administrative rewrite. This response included several minor technical corrections to the final rule to correct typos and improperly written requirements that inadvertently created substantive changes. There is no safety related costs or benefit associated with this rulemaking.	5		7/29/2011	8/8/2011	SB: N, IC: N, SLT: N
NHTSA	2127-AL02	FMVSS No. 126, Petition for Reconsideration of Electronic Stability Control (ESC) (RRR)	This rulemaking would address a petition for reconsideration received by NHTSA to the April 6, 2007 electronic stability control final rule. The Alliance petitioned NHTSA to amend the language in the ESC final rule regarding multifunction control, two part tell tales and outrigger to harmonize with the Global Technical Regulation No. 8 Electronic Stability Control. There are no measurable costs or benefits associated with this action.	5		7/27/2011	9/9/2011	SB: Y, IC: N, SLT: N

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NHTSA	2127-AL03	Part 571 FMVSS No. 205, Glazing Materials, GTR (RRR)	This rulemaking would enhance FMVSS No. 205 by adopting a Global Technical Regulation (GTR), which contains updated performance tests for glazing materials that are composed of glass, laminated glass, or glass faced with plastic compared to what is currently in FMVSS No. 205. The tests in the GTR would allow manufacturers to achieve efficiencies in the certification process while not degrading safety or imposing new burdens.	2	6/30/2012	7/30/2012		We anticipate that this rule will reduce certification costs compared to current standards for industry. The savings have not been estimated, but will likely be very minor savings on an annual basis starting with the effective date. SB: Y, IC: N, SLT: N
NHTSA	2127-AL05	Amend FMVSS No. 210 to Incorporate the Use of a New Force Application Device (RRR)	This rulemaking would amend Federal Motor Vehicle Safety Standard (FMVSS) No. 210, Seat belt assembly anchorages, to replace the existing body blocks for testing the strength of seat belts with a new Force Application Device and associated positioning procedure. The new force application device would be used as a testing interface to transfer loads onto the seat belt anchorage system during compliance tests of seat belt anchorage strength. The device represents a human torso and pelvis. The new device comes in two sizes, one representative of a mid-size adult male, and the other of a small occupant. This rulemaking would propose that both sizes be used in FMVSS No. 210. Because the device is easier to use than the current body blocks, this rulemaking would simplify the compliance test of the standard and make NHTSA's evaluation of seat belt anchorage strength more effective. We estimate the one-time cost of purchasing a set of these devices (approximately \$40,000) would be offset by the continual labor cost savings in setting up the devices for testing. NHTSA's testing has demonstrated that the proposed force application devices do not appear to affect the stringency of the standard.	2	12/30/2011			We anticipate that this rule will reduce testing costs by roughly \$93.75 per test compared to current standard. This rule will also reduce NHTSA compliance costs and industry testing costs annually starting with the effective date. SB: Y, IC: N, SLT: N
NHTSA	2127-ZA06	Evaluation of Occupant Crash Protection – FMVSS 208, Advanced Air Bags (RRR)	Evaluation of Advanced Air Bag Occupant Crash Protection systems for Passenger Cars and Light Trucks.	4				SB: N, IC: N, SLT: N
NHTSA	2127-ZA07	Evaluation of Electronic Stability Control Systems – FMVSS 126 (RRR)	Evaluation of Electronic Stability Control Systems for Passenger Cars and Light Trucks. The technical evaluation was completed in June 2011, notice of which was published in the Federal Register on August 10, 2011.	4				SB: N, IC: N, SLT: N
NHTSA	2127-ZA08	Evaluation of Tire Pressure Monitoring Systems – FMVSS 138 (RRR)	Evaluation of Tire Pressure Monitoring Systems	4				SB: N, IC: N, SLT: N

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NHTSA	2127-ZA09	Evaluation of Occupant Protection in Interior Impact – FMVSS 201, Upper Interior Padding (RRR)	Evaluation of the Upper Interior Padding for Occupant Protection in Interior Impacts. The technical evaluation was completed in November 2011, notice of which was published in the Federal Register on November 28, 2011.	4				SB: N, IC: N, SLT: N
PHMSA	2137-AE38	Hazardous Materials: Compatibility with the Regulations of the International Atomic Energy Agency (IAEA) (RRR)	This rulemaking would amend the HMR requirements for the transportation of Class 7 (radioactive materials) based on recent changes contained in the International Atomic Energy Agency (IAEA) regulations. This rulemaking would more fully align the HMR with the international standards and would update, clarify, correct and provide relief of certain regulatory requirements applicable to the transportation of radioactive materials.	3	6/12/2012			HM-250; ; SB - Y, IC - N, SLT - N; PHMSA initiated this rulemaking to reduce regulatory burden.
PHMSA	2137-AE46	Hazardous Materials: Miscellaneous Amendments (RRR)	This rulemaking would make miscellaneous changes to the HMR based on petitions for rulemaking and PHMSA initiatives. Changes would include updates to the incorporation by reference materials, clarification of definition of "person," authorization of use of Bend test for certain cylinders, and clarify requirements applicable to cargo tank motor vehicles intended to be loaded by vacuum and also clarify conditions under which cargo tanks may be leakage tested using Method 27 Test that is authorized by EPA. The changes are intended to update, clarify and provide relief from certain requirements.	5		7/20/2011	7/20/2011	HM-218F; SB - Y, IC - Y, SLT - N; A comment on this rulemaking was received during the 2011 Retrospective Regulatory Review.
PHMSA	2137-AE62	Hazardous Materials: Approval and Communication Requirements for the Safe Transportation of Air Bag Inflators, Air Bag Modules, and Seat-Belt Pretensioners (RRR)	This rulemaking would revise the Hazardous Materials Regulations applicable to air bag inflators, air bag modules, and seat-belt pretensioners. The changes would incorporate into the regulations the provisions of certain special permits with proven safety records. In addition, the rule would revise the current approval and documentation requirements for a material appropriately classified as a UN3628 air bag inflator, air bag module, or seat-belt pretensioner.	2		12/30/2011		HM-254; ; SB - Y, IC - Y, SLT - N

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PHMSA	2137-AE73	Hazardous Materials: Revisions of Special Permit Procedures; Corrections, Clarifications and Responses to Appeals (RRR)	This final rule would make corrections and clarifications in response to appeals to the final rule published under Docket Number PHMSA-2009-0410 (HM-233B) [76 FR 454] on January 5, 2011. The January 5 final rule amended the Hazardous Materials Regulations to revise its procedures for applying for a special permit to require an applicant to provide sufficient information about its operations to enable the agency to evaluate the applicant's fitness and the safety impact of operations that would be authorized in the special permit. In response to appeals submitted by entities affected by the January 5 final rule, this final rule makes corrections, such as reinserting a few sentences in the regs texts that were inadvertently deleted in the January 5 final rule and also makes additional editorial clarifications to the January 5 final rule. Additionally, this corrections and clarifications final rule will provide for an additional point of contact for facilities to provide on the special permits application. As an option to the signature of the CEO or president of the company, this final rule will provide for other ranking officers within the company at the time of the special permit application.	5		7/26/2011	7/26/2011	HM-233B; ; SB - Y, IC - Y, SLT - N; A comment on this rulemaking was received during the 2011 Retrospective Regulatory Review
PHMSA	2137-AE77	Hazardous Materials: Minor Editorial Corrections and Clarifications (RRR)	This rulemaking would correct editorial errors, respond to requests for clarification, and editorially revise regulatory text to improve the clarity of certain provisions in the Hazardous Materials Regulations. The intended effect of this rule is to enhance the accuracy, and reduce misunderstandings of the regulations. The amendments contained in this rule are minor changes and do not impose new requirements.	5	9/30/2011		9/13/2011	HM-244D; SB - N, SLT - N, IC - N
PHMSA	2137-AE78	Hazardous Materials: Miscellaneous Amendments (RRR)	This rulemaking would update and clarify existing requirements by incorporating changes into the Hazardous Materials Regulations (HMR) based on PHMSA's own initiatives through an extensive review of the HMR and previously issued letters of interpretation. Specifically, among other provisions, PHMSA would provide for the continued use of approvals until final administrative action is taken, when a correct and completed application for approval renewal was received 60 days prior to expiration date; update various entries in the hazardous materials table and the corresponding special provisions; clarify the lab pack requirements for temperature controlled materials; correct an error in the HMR with regard to the inspection of cargo tank motor vehicles containing corrosive materials; and revise the training requirements to require that hazardous materials employers ensure their hazardous materials employee training records are available upon request to an authorized official of the Department of Transportation or the Department of Homeland Security.	2	7/5/2012	10/5/2012		HM-218G; SB - Y, SLT - N, IC - N

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PHMSA	2137-AE79	Hazardous Materials: Miscellaneous Amendments; Petitions for Rulemaking (RRR)	This rulemaking would address petitions that request minor changes to the Hazardous Materials Regulations (HMR) for purposes of clarifying the HMR or enhancing safety, while offering some net economic benefits. These petitions require an equivalent or increased level of safety as is currently required by the HMR. Among the petitions included in this rulemaking are: P-1479 - pertaining to manufacturer and third-party laboratory package markings; P-1554 - IBC material thickness standards; P-1555 - drop test requirements for small quantities of certain hazardous materials transported by air and vessel; and P-1556 - incorporating a special permit that allows the dangerous cargo manifest to be in locations designated by the master of the vessel besides 'on or near the bridge' while the vessel is in port.	2		7/31/2012		HM-219; SB - Y, SLT - N, IC - N
PHMSA	2137-AE80	Hazardous Materials: Miscellaneous Pressure Vessel Requirements (DOT Spec Cylinders) (RRR)	This rulemaking would revise certain requirements of the Hazardous Materials Regulations (HMR) applicable to the manufacture, maintenance, and use of DOT specification cylinders. These revisions clarify certain important safety requirements, incorporate industry consensus standards and, where appropriate, decrease the regulatory burden without compromising the safe transportation of compressed gases in commerce. These proposals respond to eleven petitions for rulemaking, incorporate two special permits into the HMR and address the National Transportation Safety Board (NTSB) Recommendation i-93-1. Among other provisions, PHMSA proposes to provide requirements for the transport of fire suppression systems, clarify cylinder specification and requalification requirements, and adopt new and update current incorporations by reference of industry consensus standards issued by the Compressed Gas Association.	2	1/31/2012			HM-234; SB - Y, SLT - N, IC - N
PHMSA	2137-AE81	Hazardous Materials: Reverse Logistics (RRR)	This rulemaking would address changes to the Hazardous Materials Regulations (HMR) that are applicable to reverse logistics. The issue of reverse logistics involves the transportation of hazardous materials that have been damaged or returned from the retailer to a return center. Specifically, PHMSA is initiating this rulemaking in order to establish a regulatory definition of 'reverse logistics' and outline the responsibilities of those that offer hazardous materials returned by retail customers.	4	1/31/2012	6/29/2012		HM-253; SB - Y, SLT - N, IC - N

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PHMSA	2137-AE82	Hazardous Materials: Incorporation of Certain Special Permits and Competent Authorities into the HMR (RRR)	This rulemaking would amend the Hazardous Materials Regulations (HMR) to incorporate provisions contained in certain widely used or longstanding special permits and competent authorities that have established safety records. Incorporating such provisions into the HMR are intended to provide wider access to the regulatory flexibility offered in the special permits and competent authorities. The adoption of the provisions would eliminate the need for numerous application and renewal requests. The special permits proposed to be added to the regulations here would allow the transportation of "Self-heating solid, organic n.o.s. (spent bleaching earth)" in sift-proof bulk packaging; would allow the use of regulated medical waste shipping names and markings that differ from those prescribed in the HMR; would allow for the transportation of Class 9 solid coal pitch compounds in non-specification open top or closed-top sift proof metal cans or fiber drums; and would allow for the transportation of self-inflating life-saving appliances that contain non-specification steel cylinders when being transported between a vessel and an authorized facility for servicing. This rulemaking action would facilitate commerce activity and reduce paperwork burdens while maintaining an appropriate level of safety. Incorporation of these provisions would reduce the compliance burden and cost on both industry and government.	2		9/28/2012		HM-233C; SB - Y, SLT - N, IC - N
PHMSA	2137-AE85	Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments (RRR)	PHMSA is proposing to amend the pipeline safety regulations to incorporate by reference all or parts of new, updated, or reaffirmed editions of voluntary consensus standards. The use of voluntary consensus standards allows pipeline operators to use the most current industry technologies, materials, and management practices available on today's market. PHMSA also proposed to make non-substantive edits and clarify regulatory language in certain provisions. These proposed amendments to the pipeline safety regulations would not require pipeline operators to undertake any significant new pipeline safety initiatives.	2				SB - N, SLT - N, IC - N
PHMSA	2137-ZA02	Rail Routing Consultation Letter	PHMSA, FRA, and TSA have taken action by sending a letter to rail carriers to clarify the proper consultation steps to be taken with state, local, and tribal entities.	5			3/15/2011	SB - N, IC - N, SLT - Y