

please contact FRA for alternate submission instructions.

Issued in Washington, DC.

**Carolyn R. Hayward-Williams,**

*Director, Office of Railroad Systems and Technology.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2018-0066]

#### Petition for Extension of Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated March 3, 2023, BNSF Railway (BNSF) petitioned the Federal Railroad Administration (FRA) for an extension of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 227 (Occupational Noise Exposure). The relevant Docket Number is FRA-2018-0066.

Specifically, BNSF requests to extend its relief from § 227.109, *Audiometric testing program*, to allow employees certified under parts 240 (Qualification and Certification of Locomotive Engineers) and 242 (Qualification and Certification of Conductors) to exceed 1,095 days between audiometric tests if they meet the hearing acuity timelines of §§ 240.217, *Time limitations for making determinations*, and 242.201, *Time limitations for certification*. BNSF seeks continued permission for certified employees to have up to 1,460 days between audiometric tests to alleviate possible employee confusion of having multiple hearing test requirements. In support of its petition, BNSF states that the relief will “reduce the impacts of regulatory overlap” and that the relief is supported by employees.<sup>1</sup> Additionally, BNSF states that it has successfully completed hearing conservation audits in 2009, 2014, 2020, and 2022, and it will “continue to offer annual testing and training in the spirit of the regulation’s intent to provide long-term surveillance and medical oversight” for certified employees.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov).

<sup>1</sup> To support this claim, BNSF cites the comment, dated September 24, 2018, from SMART-TD in the docket at <https://www.regulations.gov/comment/FRA-2018-0066-0004>.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted at <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Communications received by June 12, 2023 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable. Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), the U.S. Department of Transportation (DOT) solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of [www.regulations.gov](http://www.regulations.gov).

Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety, Chief Safety Officer.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2022-0108]

#### Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Request for Comment; Older Driver Rearview Video Systems

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Notice and request for comments on a reinstatement of previously approved information collection.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (PRA), this notice announces that the Information Collection Request (ICR) summarized below will be submitted to the Office of Management and Budget (OMB) for review and approval. The ICR describes the nature of the information collection and its expected burden. NHTSA invites public comments about our intention to request approval from the Office of Management and Budget (OMB) for a reinstatement with modification of a previously approved information collection request exploring older drivers’ use of rearview video systems (backing cameras). A **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collection was published. NHTSA received comments from one organization, which we address below.

**DATES:** Comments must be submitted on or before May 11, 2023.

**ADDRESSES:** Written comments and recommendations for the proposed information collection, including suggestions for reducing burden, should be submitted to the Office of Management and Budget at [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). To find this particular information collection, select “Currently under Review—Open for Public Comment” or use the search function.

**FOR FURTHER INFORMATION CONTACT:** For additional information or access to background documents, contact Kathy Sifrit, Ph.D., Office of Behavioral Safety Research (NPD-320), (202) 366-9982, National Highway Traffic Safety Administration, W46-472, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. Please identify the relevant collection of information by referring to its OMB Control Number.

**SUPPLEMENTARY INFORMATION:** Under the PRA (44 U.S.C. 3501 *et seq.*), a Federal agency must receive approval from the Office of Management and Budget (OMB) before it collects certain information from the public and a person is not required to respond to a collection of information by a Federal agency unless the collection displays a valid OMB control number. In compliance with these requirements, this notice announces that the following information collection request will be submitted OMB.