

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. 1

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

DOT-OST-1999-5129

Department Regulatory and Deregulatory Agenda; Semiannual Summary

AGENCY: Office of the Secretary, Department of Transportation.

ACTION: Unified Agenda of Federal Regulatory and Deregulatory Actions (Regulatory Agenda).

SUMMARY: The Regulatory Agenda is a semiannual summary of all current projected and completed rulemakings and reviews of existing regulations, of the Department of Transportation (Department or DOT). The Regulatory Agenda provides the public with information about DOT's planned regulatory activity for the next 12 months. This information enables the public to participate in the Department's regulatory process. The public is encouraged to submit comments on any aspect of this Regulatory Agenda.

FOR FURTHER INFORMATION CONTACT:

Please direct all comments and inquiries on the Regulatory Agenda to Daniel Cohen, Assistant General Counsel for Regulation and Legislation, Office of the General Counsel, Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590; (202) 366-4702.

To obtain a copy of a specific regulatory document in the Regulatory Agenda, you should communicate directly with the contact person listed with the regulation. We note that most such documents, including the Regulatory Agenda, are available through the Internet at <http://www.regulations.gov>.

SUPPLEMENTARY INFORMATION:

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. The information contained in the Regulatory Agenda should enable the public to be aware of the Department's planned regulatory activities 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 about any specific item on the Regulatory Agenda. Regulatory action, in addition to the items listed, is not precluded.

Public Outreach

When developing regulations and establishing our regulatory priorities, consistent with Executive Order 14094, "Modernizing Regulatory Review," 88 FR 21879 (Apr. 11, 2023), the Department fosters active participation and engagement from members of the public and affected communities. This section highlights certain engagement efforts that have helped to inform DOT's priorities to date, as well as future engagement tools DOT plans to use. The Department endeavors to ensure that we hear from members of the public who have not typically participated in the regulatory process.

The Federal Highway Administration (FHWA) recently finalized its Tribal Transportation Facility Bridge Program regulation. This rule was informed by 13 in-person and virtual Tribal consultation meetings held prior to the publication of the proposed rule and during the rulemaking's comment period because of the specific application of this rule to Tribal communities. The in-person meetings were held in various locations across the country, including Albuquerque, New Mexico; Lewiston, Idaho; Louisville, Kentucky; Anchorage, Alaska; Las Vegas, Nevada; St. Paul, Minnesota; and Airway Heights, Washington. The comments submitted by Tribes through the rulemaking docket and provided by Tribes at the consultation meetings were considered during the development of this rulemaking. This regulation provides important updates to align with statutory changes, including recent changes made by the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act. The updates made by this regulation also establish consistent terminology for classifying and referring to bridge conditions.

The Federal Motor Carrier Safety Administration (FMCSA) held a series of public listening sessions in the summer of 2024 to inform a rulemaking, titled "Safety Fitness Procedures," to update its

methodology for determining whether a motor carrier is not fit to operate commercial motor vehicles (CMVs). In these listening sessions, FMCSA heard from motor carriers, CMV drivers, trade associations, safety advocates, and other industry stakeholders. FMCSA received information related to potential updates and on the current safety fitness determination methodology. In addition to a joint rulemaking effort with the National Highway Traffic Safety Administration (NHTSA) on heavy vehicle automatic emergency braking (AEB), FMCSA has also been engaged in activities to advance the voluntary adoption of AEB for heavy vehicles, primarily through the Tech-Celerate Now (TCN) program. Initiated in September 2019 and completed in February 2022, the first phase of this program encompassed research into advanced driver assistance (ADAS) technology adoption barriers; a national outreach, educational, and awareness campaign; and data collection and analysis. FMCSA has launched a second phase of the TCN program, which includes an expanded national outreach and education campaign; additional research into the barriers to ADAS adoption by motor carriers; and evaluation of the outreach campaign. This four-year effort involves leading trucking industry associations, State agencies, and other interested stakeholders.

In connection with the rulemaking on Corporate Average Fuel Economy Standards for Passenger Cars and Light Trucks for Model Years 2027 and Beyond and Fuel Efficiency Standards for Heavy-Duty Pickup Trucks and Vans for Model Years 2030 and Beyond, NHTSA held a virtual public hearing in September 2023. The hearing also allowed the public to provide oral comments regarding the Draft Environmental Impact Statement that accompanied the proposal in this rulemaking.

The Pipeline and Hazardous Materials Safety Administration (PHMSA) has recently engaged the public related to a rulemaking on gas pipeline leak detection and repair. The Gas Pipeline Advisory Committee met twice—November 27, 2023, to December 1, 2023, and March 25 to 27, 2024—to prepare a report on the feasibility, reasonableness, cost-effectiveness, and practicability of the proposed rule and associated risk assessment. During these meetings, the members of the public were given the opportunity to provide oral feedback on the proposed rule and to submit written comments to the docket. For the March 2024 meeting, PHMSA provided a digital broadcast to increase opportunities for public participation, resulting in 157 total unique viewers per day on average. In addition, for its rulemaking on safe transportation of carbon dioxide (CO₂) by pipelines, PHMSA held a public meeting on May 31 and

June 1, 2023, to discuss CO₂ pipeline safety and inform this rulemaking, including receiving feedback from members of the public, Tribal government representatives, Tribal advocacy representatives, State pipeline safety program representatives, pipeline safety advocacy groups, first responders and emergency response organizations, and industry experts.

Request for Comments

General

DOT's Regulatory Agenda is intended primarily for the use of the public. Since its inception, the Department has made modifications and refinements that provide the public with more helpful information and make the Regulatory Agenda easier to use. We would like you, the public, to make suggestions or comments on how the Regulatory Agenda could be further improved.

Regulatory Flexibility Act

The Department has long recognized the importance of regularly reviewing its existing regulations to determine whether they need to be revised or revoked. Our regulatory policies and procedures require such reviews. DOT also has responsibilities under section 610 of the Regulatory Flexibility Act, Executive Order 12866, "Regulatory Planning and Review," (58 FR 51735 (Sept. 30, 1993)), as amended) and Executive Order 13563, "Improving Regulation and Regulatory Review," (76 FR 3821 (January 18, 2011)), to conduct such reviews. We are committed to continuing our reviews of existing rules and, if it is needed, will initiate rulemaking actions based on these reviews. Generally, each DOT operating administration (OA) and the Office of the Secretary (OST) divides its rules into 10 different groups and plans to analyze one group each year. In each Fall Regulatory Agenda, each OA and OST will publish the results of the analyses it has completed during the previous year. The most recent results appeared in the Department's 2023 Fall Regulatory Agenda Preamble, which was published in the **Federal Register** on February 9, 2024. The Department is 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 the appropriate contact person listed in Appendix B, along with your explanation of why they should be reviewed.

Consultation With State, Local, and Tribal Governments

Executive Orders 13132, “Federalism” (64 FR 43255 (Aug. 10, 1999)), and Executive Order 13175, “Consultation and Coordination With Indian Tribal Governments” (65 FR 67249 (Nov. 9, 2000)), require the Department to develop a process to ensure “meaningful and timely input” by State, local, and Tribal officials in the development of regulatory policies that have federalism or tribal implications. These policies are defined in the Executive orders to include regulations that have “substantial direct effects” on States or Indian Tribes, on the relationship between the Federal Government and them, or on the distribution of power and responsibilities between the Federal Government and various levels of Government or Indian tribes. Therefore, we encourage State and local Governments or Indian Tribes to provide us with information about how the Department’s rulemakings impact them.

NAME: Subash Iyer,

Acting General Counsel, Department of Transportation.

Appendix A—Instructions for Obtaining Copies of Regulatory Documents

To obtain a copy of a specific regulatory document in the Regulatory 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 Regulatory Agenda, are available through the Internet at <http://www.regulations.gov> and <http://www.reginfo.gov>. See Appendix C for more information.

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 OAs and OST.

FAA—Brandon Roberts, Executive Director, Office of Rulemaking, 800 Independence Avenue SW, Washington, D.C. 20591; telephone (202) 267-9677.

FHWA—Jennifer Outhouse, Office of Chief Counsel, 1200 New Jersey Avenue SE, Washington, D.C. 20590; telephone (202) 366-0761.

FMCSA—Crystal Williams, Regulatory Ombudsman, 1200 New Jersey Avenue SE, Washington, D.C. 20590; telephone (202) 366-2904.

NHTSA—Terrence Sommers, Office of Chief Counsel, 1200 New Jersey Avenue SE, Washington, D.C. 20590; telephone (202) 366-7577.

FRA—Kameryn Groom, Office of the Chief Counsel, 1200 New Jersey Avenue SE, Washington, D.C. 20590; telephone (202) 913-0781.

FTA—Mark Montgomery, Office of Chief Counsel, 1200 New Jersey Avenue SE, Washington, D.C. 20590; telephone (202) 366-1017.

GLS—Carrie Mann Lavigne, Chief Counsel, 180 Andrews Street, Massena, NY 13662; telephone (315) 764-3200.

PHMSA—Robert Ross, Office of Chief Counsel, 1200 New Jersey Avenue SE, Washington, D.C. 20590; telephone (202) 768-1365.

MARAD—Gabriel Chavez, Office of Chief Counsel, Maritime Administration, 1200 New Jersey Avenue SE, Washington, D.C. 20590; telephone (202) 366-2621.

OST—Daniel Cohen, Assistant General Counsel for Regulation and Legislation, 1200 New Jersey Avenue SE, Washington, D.C. 20590; telephone (202) 366-4723.

Appendix C—Public Rulemaking Dockets

All comments on rulemakings submitted via the Internet are submitted through <http://www.regulations.gov>. This website allows the public to search, view, download, and comment on all Federal agency rulemaking documents in one central online system. The above referenced Internet address also allows the public to sign up to receive notifications when certain documents are placed in the dockets.

Appendix D—Review Plans for Section 610 and Other Requirements

Part I—The Plan

General

The Department of Transportation has responsibilities under section 610 of the Regulatory Flexibility Act and subsequent Executive orders to conduct reviews of its existing regulations. We are

committed to continuing our reviews of existing rules and, if it is needed, will initiate rulemaking actions based on these reviews. The Department began a new 10-year review cycle with the Fall 2018 Agenda.

Section 610 Review Plan

Section 610 requires that we conduct reviews of rules that: (1) have been published within the last 10 years; and (2) have a “significant economic impact on a substantial number of small entities” (SEISNOSE). 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. OST and each of the OAs has a 10-year review plan. These reviews comply with section 610 of the Regulatory Flexibility Act.

Changes to the Review Plan

Some reviews may be conducted earlier than scheduled. For example, 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 Regulatory 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 OAs and OST 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 publication annually of the Fall Regulatory Agenda. 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 analyses should be submitted to the regulatory contacts listed in Appendix B, General Rulemaking Contact Persons.

Section 610 Review

The OAs and OST will analyze each of the rules in each year’s group to determine whether any rule has a SEISNOSE 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 the section 610 analyses listed each fall in this Regulatory 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 the Department early in the analysis year concerning the small entity impact of the rules to help us in making our determinations.

In each Fall Regulatory Agenda, the OAs and OST will publish the results of the analyses they have completed during the previous year. For rules that had a negative finding on SEISNOSE, 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 SEISNOSE, we will announce that we will be conducting a formal section 610 review during the following 12 months. At this stage, DOT will add an entry to the Regulatory Agenda in the pre-rulemaking 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 OAs and OST 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 Regulatory Agenda, the OAs and OST will also publish information on the results of the examinations completed during the previous year.

Part III—List of Pending Section 610 Reviews

OFFICE OF THE SECRETARY (OST)

SECTION 610 AND OTHER REVIEWS

In complying with this section, OST has elected to use the two-step, two-year process used by most OAs. As such, OST has divided its rules into 10 groups as displayed in the table below. During the analysis year, the listed rules will be analyzed to identify those with a SEISNOSE. During the review year, each rule identified in the analysis year as having a SEISNOSE will be reviewed in accordance with

section 610(b) to determine if it should be continued without change or changed to minimize the impact on small entities.

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR parts 91 through 99 14 CFR parts 200 through 212 48 CFR parts 1201 through 1224	2018	2019
2	48 CFR parts 1227 through 1253 and new parts and subparts	2019	2020
3	14 CFR parts 213 through 232	2020	2021
4	14 CFR parts 234 through 254	2021	2022
5	14 CFR parts 255 through 298 and 49 CFR part 40	2022	2023
6	14 CFR parts 300 through 373	2023	2024
7	14 CFR parts 374 through 398	2024	2025
8	14 CFR part 399 and 49 CFR parts 1 through 15	2025	2026
9	49 CFR parts 17 through 28	2026	2027
10	49 CFR parts 29 through 39 and parts 41 through 89	2027	2028

Year 1 (Fall 2018) List of rules analyzed and summary of results

49 CFR part 92 – Recovering Debts to the United States by Salary Offset

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision. Since the rule was enacted, however, the DOT Operating Administrations have changed. As a result, DOT will consider a rulemaking to update the agencies listed at 49 CFR 92.5(g) – Definitions to:

(g) *DOT operating element* (see 49 CFR 1.3) means a DOT Operating Administration including -

- (1)** The Office of the Secretary.
- (2)** Federal Aviation Administration.
- (3)** Federal Highway Administration.
- (4)** Federal Railroad Administration.
- (5)** National Highway Traffic Safety Administration.
- (6)** Office of the Inspector General.
- (7)** St. Lawrence Seaway Development Corporation.
- (8)** Maritime Administration.

OST will consider a rulemaking to make these revisions. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicated no need for substantial revision.

49 CFR part 98—Enforcement of Restrictions on Post-Employment Activities

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision. Since the rule was enacted, the U.S. Department of Transportation's organizational structure changed, and as a result DOT will consider updating the list of DOT Operating Administrations (OAs) listed in 49 CFR 98.2 to reflect the current listing of DOT OAs in 49 CFR 89.2(a), as follows: (1) references to the U.S. Coast Guard (at 49 CFR 98.2(a)(1)), Urban Mass Transportation Administration (at 49 CFR 98.2(a)(6), and Research and Special Programs Administration (at 49 CFR 98.2(a)(8) should be deleted; (2) reference to the Saint Lawrence Seaway Development Corporation at 49 CFR 98.2(a)(7) should be changed to the Great Lakes Saint Lawrence Seaway Development Corporation; and (3) references to the Federal Motor Carrier Safety Administration, Federal Transit Administration, and Pipeline and Hazardous Materials Safety Administration should be added. In addition, since the rule was enacted, the title of the Assistant General Counsel for Environmental, Civil Rights, and General Law has been updated to the Assistant General Counsel for General Law, so the following change would be considered in 49 CFR 98.3 and 98.4:

references to the Assistant General Counsel for Environmental, Civil Rights, and General Law should be updated to the Assistant General Counsel for General Law. OST's plain language review of these rules indicates no need for substantial revision.

49 CFR part 99—Employee Responsibilities and Conduct

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 200—Definitions and Instructions

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 201—Air Carrier Authority under Subtitle VII of Title 49 of the United States Code [Amended]

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 203—Waiver of Warsaw Convention Liability Limits and Defenses

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: DOT published a final rule on April 16, 2019, under RIN 2105-AD86 to eliminate obsolete provisions and correct outdated statutory references in this part. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 204—Data to Support Fitness Determinations

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 205—Aircraft Accident Liability Insurance

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.

- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 206—Certificates of Public Convenience and Necessity: Special Authorizations and Exemptions

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 207—Charter Trips by U.S. Scheduled Air Carriers

- This part was removed in a rulemaking finalized in April 2019. See RIN 2105-AD86

14 CFR part 208—Charter Trips by U.S. Charter Air Carriers

- This part was removed in a rulemaking finalized in April 2019. See RIN 2105-AD86

14 CFR part 211—Applications for Permits to Foreign Air Carriers

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 212—Charter Rules for U.S. and Foreign Direct Air Carriers

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

48 CFR parts 1201-1224

- Section 610: OST has reviewed the regulations at 48 CFR parts 1201-1224 and found no SEISNOSE.
- General: OST determined that updates were needed to the regulations at 48 CFR parts 1201-1224. The regulations were updated as part of RIN 2105-AE26 (Revisions to the Transportation Acquisition Regulations). The final rule published on October 7, 2022.

Year 2 (Fall 2019) List of rules analyzed and summary of results

48 CFR parts 1227 through 1253 and new parts and subparts

- Section 610: OST has reviewed the regulations at 48 CFR parts 1227-1253 and found no SEISNOSE.
- General: OST determined that updates were needed to the regulations at 48 CFR parts 1227-1253. The regulations were updated as part of RIN 2105-AE26 (Revisions to the Transportation Acquisition Regulations). The final rule published on October 7, 2022.

Year 3 (Fall 2020) List of rules analyzed and summary of results

14 CFR 213—Terms, Conditions and Limitations of Foreign Air Carrier Permits

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR 214—Terms, Conditions, and Limitations for Foreign Air Carrier Permits Authorizing Charter Transportation Only

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR 215—Use and Change of Names of Air Carriers, Foreign Air Carriers and Commuter Air Carriers

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR 216—Commingling of Blind Sector Traffic by Foreign Air Carriers

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR 218—Lease by Foreign Air Carrier or Other Foreign Person of Aircraft with Crew

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR 221—TARIFFS

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: OST reviewed and has found that a non-substantive technical correction is necessary and will explore options to make this correction. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR 222—Intermodal Cargo Services by Foreign Air Carriers

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR 223—Free and Reduced-Rate Transportation

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

Year 5 (Fall 2022) List of rules analyzed and summary of results

49 CFR part 40 – PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING PROGRAMS

- OST reviewed the regulations at 49 CFR part 40 as part of its rulemaking to amend part 40 to authorize oral fluid drug testing as an additional methodology for employers to use as a means of achieving the safety goals of the Department's drug testing program (RIN 2015-AE94, published May 2023). DOT determined that these regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 256 – ELECTRONIC AIRLINE INFORMATION SYSTEMS

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 257—DISCLOSURE OF CODE-SHARING ARRANGEMENTS AND LONG-TERM WET LEASES

- Section 610: OST plans to conduct a Section 610 review and seeks public comment on impacts to small entities from this regulation.

14 CFR part 258—DISCLOSURE OF CHANGE-OF-GAUGE SERVICES

- Section 610: OST plans to conduct a Section 610 review and seeks public comment on impacts to small entities from this regulation.

14 CFR part 259 - ENHANCED PROTECTIONS FOR AIRLINE PASSENGERS

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed as these regulations were revised in May 2021 (see 86 FR 23270), April 2024 (see 89 FR 32832), and August 2024 (89 FR 65536). These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicated no need for substantial revision.

14 CFR part 260—REFUNDS FOR AIRLINE FARE AND ANCILLARY SERVICE FEES

- The Department published a final rule to establish part 260 on April 26, 2024. The Department will conduct a Section 610 review of part 260 within the timeframe established in the Regulatory Flexibility Act.

14 CFR part 262—TRAVEL CREDITS AND VOUCHERS DUE TO A SERIOUS COMMUNICABLE DISEASE

- The Department published a final rule to establish part 262 on April 26, 2024. The Department will conduct a Section 610 review of part 262 within the timeframe established in the Regulatory Flexibility Act.

14 CFR part 271 – GUIDELINES FOR SUBSIDIZING AIR CARRIERS PROVIDING ESSENTIAL AIR TRANSPORTATION

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 291 – CARGO OPERATIONS IN INTERSTATE AIR TRANSPORTATION

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 292—INTERNATIONAL CARGO TRANSPORTATION

- Section 610: OST plans to conduct a Section 610 review and seeks public comment on impacts to small entities from this regulation.

14 CFR part 293—INTERNATIONAL CARGO TRANSPORTATION

- Section 610: OST plans to conduct a Section 610 review and seeks public comment on impacts to small entities from this regulation.

14 CFR part 294—CANADIAN CHARTER AIR TAXI OPERATORS

- Section 610: OST plans to conduct a Section 610 review and seeks public comment on impacts to small entities from this regulation.

14 CFR part 295—AIR CHARTER BROKERS

- Section 610: OST plans to conduct a Section 610 review and seeks public comment on impacts to small entities from this regulation.

14 CFR part 296—INDIRECT AIR TRANSPORTATION OF PROPERTY

- Section 610: OST plans to conduct a Section 610 review and seeks public comment on impacts to small entities from this regulation.

14 CFR part 297—FOREIGN AIR FREIGHT FORWARDERS AND FOREIGN COOPERATIVE SHIPPERS ASSOCIATIONS

- Section 610: OST plans to conduct a Section 610 review and seeks public comment on impacts to small entities from this regulation.

14 CFR part 298 – EXEMPTIONS FOR AIR TAXI AND COMMUTER AIR CARRIER OPERATIONS

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

Year 6 (Fall 2023) List of rules analyzed and summary of results

14 CFR part 300 - RULES OF CONDUCT IN DOT PROCEEDING UNDER THIS CHAPTER

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.

- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 302 - RULES OF PRACTICE IN PROCEEDINGS

- Section 610 (Subpart D): The U.S. Department of Transportation (DOT) Office of the Secretary (OST) conducted a Section 610 review of this part and found no SEISNOSE.
- General (Subpart D): No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision. Rule was updated in 2019.

14 CFR part 303 - REVIEW OF AIR CARRIER AGREEMENTS

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 305 - RULES OF PRACTICE IN INFORMAL NONPUBLIC INVESTIGATIONS

- Section 610: The U.S. Department of Transportation (DOT) Office of the Secretary (OST) conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision. Rule was updated in 2019.

14 CFR part 313 - IMPLEMENTATION OF THE ENERGY POLICY AND CONSERVATION ACT

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: DOT published a final rule on April 16, 2019, under RIN 2105-AD86 to eliminate obsolete provisions and correct outdated statutory references in this part. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 323 - TERMINATIONS, SUSPENSIONS, AND REDUCTIONS

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 325 - ESSENTIAL AIR SERVICE PROCEDURES

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

14 CFR part 372 - OVERSEAS MILITARY PERSONNEL CHARTERS

- Section 610: OST conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. OST's plain language review of these rules indicates no need for substantial revision.

Year 7 (Fall 2024) List of rules that will be analyzed during the next year

14 CFR part 374 - IMPLEMENTATION OF THE CONSUMER CREDIT PROTECTION ACT WITH RESPECT TO AIR CARRIERS AND FOREIGN AIR CARRIERS

14 CFR part 374a - EXTENSION OF CREDIT BY AIRLINES TO FEDERAL POLITICAL CANDIDATES

14 CFR part 375 - NAVIGATION OF FOREIGN CIVIL AIRCRAFT WITHIN THE UNITED STATES

14 CFR part 377 - CONTINUANCE OF EXPIRED AUTHORIZATIONS BY OPERATION OF LAW PENDING FINAL DETERMINATION OF APPLICATIONS FOR RENEWAL THEREOF

14 CFR part 380 – PUBLIC CHARTERS

14 CFR part 381 – SPECIAL EVENT TOURS

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 ASSIGNMENTS

14 CFR part 389 - FEES AND CHARGES FOR SPECIAL SERVICES

14 CFR part 398 - GUIDELINES FOR INDIVIDUAL DETERMINATIONS OF BASIC ESSENTIAL AIR SERVICE

FEDERAL AVIATION ADMINISTRATION (FAA)

SECTION 610 AND OTHER REVIEWS

The FAA has elected to analyze and review rules in the same year instead of using the two-step, two-year process used by most Department of Transportation (DOT) modes in past plans. Most DOT modes analyze rules in one year and delay the review process until the following year. As such, the FAA has divided its rules into ten groups, as displayed in the table below. All rules published during the previous 10 years within a 10% block of the regulations will be analyzed to identify those with a significant economic impact on a substantial number of small entities (SEISNOSE). Each rule identified with SEISNOSE will be reviewed in accordance with Section 610(b) to determine if SEISNOSE still exists and if so, should they be continued with or without change to minimize the impact on small entities. The results of those reviews will be published in the DOT Semiannual Regulatory Agenda.

Year	Regulations To Be Reviewed	Analysis and Review Year
1	14 CFR parts 43 through 49 and parts 406 through 415	2024
2	14 CFR parts 60 through 77	2025
3	14 CFR parts 91 through 105	2026
4	14 CFR parts 417 through 460	2027
5	14 CFR parts 119 through 129 and parts 150 through 156	2028
6	14 CFR parts 133 through 139 and parts 157 through 169	2029
7	14 CFR parts 141 through 147 and parts 170 through 187	2030
8	14 CFR parts 189 through 198 and parts 1 through 16	2031
9	14 CFR parts 17 through 33	2032
10	14 CFR parts 34 through 39 and parts 400 through 405	2033

Defining SEISNOSE for FAA Regulations

The RFA does not define “significant economic impact.” Therefore, there is no clear rule or number to determine when a significant economic impact occurs. However, the Small Business Administration (SBA) states that significance should be determined by considering the size of the business, the size of the competitor’s business and the impact the same regulation has on larger competitors.

Likewise, the RFA does not define “substantial number.” However, the legislative history of the RFA suggests that a substantial number must be at least one but does not need to be an overwhelming percentage such as more than half. The SBA states that the substantiality of the number of small businesses affected should be determined on an industry-specific basis.

This analysis consisted of the following three steps:

1. Review of the number of small entities affected by the amendments to parts 43 through 49, and parts 406 through 415.
2. Identification and analysis of all amendments to parts 43 through 49, and parts 406 through 455 since 2014 to determine whether any still have or now have a SEISNOSE.
3. Review of the FAA's regulatory flexibility assessment of each amendment performed as required by the RFA.

Year 1 (Fall 2024) List of rules analyzed and summary of results

14 CFR part 43

Maintenance, Preventive Maintenance, Rebuilding, and Alteration

Section 610: The agency conducted a Section 610 Review of this part and determined no amendments to 14 CFR part 43 promulgated since January 2014 has or will have a SEISNOSE.

14 CFR part 45

Identification and Registration Marking

Section 610: The agency conducted a Section 610 Review of this part and determined no amendments to 14 CFR part 45 promulgated since January 2014 has or will have a SEISNOSE.

General: No changes are needed. These regulations are cost-effective and impose the least burden.

14 CFR part 47

Aircraft Registration

Section 610: The agency conducted a Section 610 Review of this part and determined no amendments to 14 CFR part 47 promulgated since January 2014 has or will have a SEISNOSE.

General: No changes are needed. These regulations are cost-effective and impose the least burden.

14 CFR part 48

Registration and Marking Requirements for Small Unmanned Aircraft

Section 610: The agency conducted a Section 610 Review of this part and determined no amendments to 14 CFR part 48 promulgated since January 2014 has or will have a SEISNOSE.

General: No changes are needed. These regulations are cost-effective and impose the least burden.

14 CFR part 49

Recording of Aircraft Titles and Security Documents

Section 610: The agency conducted a Section 610 Review of this part and determined no amendments to 14 CFR part 49 promulgated since January 2014 has or will have a SEISNOSE.

General: No changes are needed. These regulations are cost-effective and impose the least burden.

14 CFR part 406

Investigations, Enforcement, and Administrative Review

Section 610: The agency conducted a Section 610 Review of this part and determined no amendments to 14 CFR part 406 promulgated since January 2014 has or will have a SEISNOSE.

General: No changes are needed. These regulations are cost-effective and impose the least burden.

14 CFR part 413

License Application Procedures

Section 610: The agency conducted a Section 610 Review of this part and determined no amendments to 14 CFR part 413 promulgated since January 2014 has or will have a SEISNOSE.

General: No changes are needed. These regulations are cost-effective and impose the least burden.

14 CFR part 414

Safety Element Approvals

Section 610: The agency conducted a Section 610 Review of this part and determined no amendments to 14 CFR part 414 promulgated since January 2014 has or will have a SEISNOSE.

General: No changes are needed. These regulations are cost-effective and impose the least burden.

14 CFR part 415

Launch License

Section 610: The agency conducted a Section 610 Review of this part and determined no amendments to 14 CFR part 415 promulgated since January 2014 has or will have a SEISNOSE.

General: No changes are needed. These regulations are cost-effective and impose the least burden.

Year 2 (2025) List of rules to be analyzed the next year

14 CFR parts 60 through 77

14 CFR part 60 Flight Simulation Training Device Initial and Continuing Qualification and Use

14 CFR part 61 Certification: Pilots, Flight Instructors, and Ground Instructors

14 CFR part 63 Certification: Flight Crewmembers Other Than Pilots

14 CFR part 65 Certification: Airmen Other Than Flight Crewmembers

14 CFR part 67 Medical Standards and Certification

14 CFR part 68 Requirements for Operating Certain Small Aircraft Without a Medical Certificate

14 CFR part 71 Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points

14 CFR part 73 Special Use Airspace

14 CFR part 77 Safe, Efficient Use, and Preservation of the Navigable Airspace

FEDERAL HIGHWAY ADMINISTRATION (FHWA)

SECTION 610 AND OTHER REVIEWS

In complying with this section, FHWA has elected to use the two-step, two-year process used by most OAs. As such, FHWA has divided its rules into 10 groups as displayed in the table below. During the analysis year, the listed rules will be analyzed to identify those with a SEISNOSE. During the review year,

each rule identified in the analysis year as having a SEISNOSE will be reviewed in accordance with section 610(b) to determine if it should be continued without change or changed to minimize the impact on small entities.

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	None	2018	2019
2	23 CFR parts 1 to 260	2019	2020
3	23 CFR parts 420 to 470	2020	2021
4	23 CFR part 500	2021	2022
5	23 CFR parts 620 to 637	2022	2023
6	23 CFR parts 645 to 669	2023	2024
7	23 CFR parts 710 to 924	2024	2025
8	23 CFR parts 940 to 973	2025	2026
9	23 CFR parts 1200 to 1252	2026	2027
10	New parts and subparts	2027	2028

Federal-Aid Highway Program

The Federal Highway Administration (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 aid for highways. The primary law authorizing Federal aid for highways is chapter I of title 23 of the U.S.C. section 145, which 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 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 2023) List of rules analyzed and a summary of the results

23 CFR part 645—Utilities

- Section 610: No SEISNOSE. No small entities are affected.
- General: No changes are needed for purposes of the Regulatory Flexibility Act. FHWA's plain language review of the regulations indicates no need for substantial revision.

23 CFR part 646—Railroads

- Section 610: No SEISNOSE. No small entities are affected.
- General: No changes are needed for purposes of the Regulatory Flexibility Act. FHWA's plain language review of the regulations indicates no need for substantial revision.

23 CFR part 650—Bridges, Structures and hydraulics

- Section 610: No SEISNOSE. No small entities are affected.
- General: No changes are needed for purposes of the Regulatory Flexibility Act. FHWA recently updated aspects of the part 650 regulations under RIN 2125-AF55 (87 FR 27396, May 6, 2022). FHWA's plain language review of the regulations indicates no need for substantial revision.

23 CFR part 655—Traffic Operations

- Section 610: No SEISNOSE. No small entities are affected.
- General: No changes are needed for purposes of the Regulatory Flexibility Act. FHWA recently updated aspects of the part 655 regulations under RIN 2125-AF85 (88 FR 87672, December 19, 2023). FHWA's plain language review of the regulations indicates no need for substantial revision.

23 CFR part 656—Carpool and Vanpool Projects

- Section 610: No SEISNOSE. No small entities are affected.
- General: No changes are needed for purposes of the Regulatory Flexibility Act. FHWA's plain language review of the regulations indicates no need for substantial revision.

23 CFR part 657—Certification of Size and Weight Enforcement

- Section 610: No SEISNOSE. No small entities are affected.

- General: No changes are needed for purposes of the Regulatory Flexibility Act. FHWA is proposing to revise aspects of the part 657 regulations under RIN 2125-AF94. FHWA's plain language review of the regulations indicates no need for substantial revision.

23 CFR part 658—Truck Size and Weight, Route Designations – Length, Width and Weight Limitations

- Section 610: No SEISNOSE. No small entities are affected.
- General: No changes are needed for purposes of the Regulatory Flexibility Act. FHWA is proposing to revise aspects of the part 658 regulations under RIN 2125-AF94. FHWA's plain language review of the regulations indicates no need for substantial revision.

23 CFR part 660—Special Programs (Direct Federal)

- Section 610: No SEISNOSE. No small entities are affected.
- General: No changes are needed for purposes of the Regulatory Flexibility Act. FHWA's plain language review of the regulations indicates no need for substantial revision.

23 CFR part 661—Indian Reservation Road Bridge Program

- Section 610: No SEISNOSE. No small entities are affected.
- General: No changes are needed for purposes of the Regulatory Flexibility Act. FHWA recently updated aspects of the part 661 regulations under RIN 2125-AF91 (89 FR 57078, July 12, 2024). FHWA's plain language review of the regulations indicates no need for substantial revision.

23 CFR part 667—Periodic Evaluation of Facilities Repeatedly Requiring Repair and Reconstruction Due to Emergency Events

- Section 610: No SEISNOSE. No small entities are affected.
- General: No changes are needed for purposes of the Regulatory Flexibility Act. FHWA's plain language review of the regulations indicates no need for substantial revision.

23 CFR part 668—Emergency Relief Program

- Section 610: No SEISNOSE. No small entities are affected.
- General: No changes are needed for purposes of the Regulatory Flexibility Act. FHWA is proposing to revise aspects of the part 658 regulations under RIN 2125-AG01. FHWA's plain language review of the regulations indicates no need for substantial revision.

23 CFR part 669—Enforcement of Heavy Vehicle Use Tax

- Section 610: No SEISNOSE. No small entities are affected.
- General: No changes are needed for purposes of the Regulatory Flexibility Act. FHWA's plain language review of the regulations indicates no need for substantial revision.

Year 7 (Fall 2024) List of rules that will be analyzed during the next year

23 CFR part 710—Right-of-Way and Real Estate

23 CFR part 750—Highway Beautification

23 CFR part 751—Junkyard Control and Acquisition

23 CFR part 752—Landscape and Roadside Development

23 CFR part 771—Environmental Impact and Related Procedures

23 CFR part 772—Procedures for Abatement of Highway Traffic Noise and Construction Noise

23 CFR part 773—Surface Transportation Project Delivery Program Application Requirements and Termination

23 CFR part 774—Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites (Section 4(f))

23 CFR part 777—Mitigation of Impacts to Wetlands and Natural Habitat

23 CFR part 778—Pilot Program for Eliminating Duplication of Environmental Reviews

23 CFR part 810—Mass Transit and Special Use Highway Projects

23 CFR part 924—Highway Safety Improvement Program

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA)

SECTION 610 AND OTHER REVIEWS

In complying with this section, FMCSA has elected to use the two-step, two-year process used by most OAs. As such, FMCSA has divided its rules into 10 groups as displayed in the table below. During the analysis year, the listed rules will be analyzed to identify those with a SEISNOSE. During the review year, each rule identified in the analysis year as having a SEISNOSE will be reviewed in accordance with section 610(b) to determine if it should be continued without change or changed to minimize the impact on small entities.

Year	Regulations to Be Reviewed	Analysis Year	Review Year
1	49 CFR part 386	2018	2019
2	49 CFR part 385	2019	2020
3	49 CFR parts 382 and 383	2020	2021
4	49 CFR part 380	2021	2022
5	49 CFR part 387	2022	2023
6	49 CFR part 398	2023	2024
7	49 CFR part 392	2024	2025
8	49 CFR part 375	2025	2026
9	49 CFR part 367	2026	2027
10	49 CFR part 395	2027	2028

Year 6 (2023) List of rules that were analyzed and a summary of the results

49 CFR part 398—Transportation of Migrant Workers

49 CFR Part 398 applies to carriers of migrant workers by motor vehicle, as defined in § 398.1(b), but only in the case of transportation of any migrant worker for a total distance of more than 75 miles (120.7 kilometers) in interstate commerce, as defined in 49 CFR 390.5. Parts 398.1 through 398.8 are related to driver and vehicle qualifications, safe driving, vehicle parts, accessories, maintenance, inspections, hours of service, and roadside inspections.

- Section 610: FMCSA analyzed 49 CFR part 398 but found no SEIOSNOSE.
- Under 49 U.S.C. 31138 and 31139, FMCSA is required to establish minimum levels of financial responsibility at or above the levels set by Congress.
- This rule does not establish any additional costs beyond the broader rules of 49 CFR Part 350 and Part 385. It does not drive any additional costs on the industry and, therefore does not impose a significant economic impact.

- There is no need for substantial revision. These regulations provide necessary/clear guidance to motor carriers. The regulations do not pose an economic burden on the industry.

Year 7 (2024) List of rules that will be analyzed during the next year

- 49 CFR part 392 — Driving of Commercial Vehicles

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA)

SECTION 610 AND OTHER REVIEWS

In complying with this section, NHTSA has elected to use the two-step, two-year process used by most OAs. As such, NHTSA has divided its rules into 10 groups as displayed in the table below. During the analysis year, the listed rules will be analyzed to identify those with a SEISNOSE. During the review year, each rule identified in the analysis year as having a SEISNOSE will be reviewed in accordance with section 610(b) to determine if it should be continued without change or changed to minimize the impact on small entities.

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR 571.223 through 571.500, and parts 575 and 579	2018	2019
2	23 CFR part 1300	2019	2020
3	49 CFR parts 501 through 526 and 571.213	2020	2021
4	49 CFR 571.131, 571.217, 571.220, 571.221, and 571.222	2021	2022
5	49 CFR 571.101 through 571.110, and 571.135, 571.136, 571.138 and 571.139	2022	2023

6	49 CFR 571.141, and 49 CFR parts 529 through 578, except parts 571 and 575.	2023	2024
7	49 CFR 571.111 through 571.129 and parts 580 through 588	2024	2025
8	49 CFR 571.201 through 571.212	2025	2026
9	49 CFR 571.214 through 571.219, except 571.217	2026	2027
10	49 CFR parts 591 through 595 and new parts and subparts	2027	2028

Years 1 through 7 (Fall 2019 - 2025) List of rules with ongoing or pending analysis

49 CFR part 571.101—Controls and displays

49 CFR part 571.102—Transmission shift position sequence, starter interlock, and transmission braking effect

49 CFR part 571.103—Windshield defrosting and defogging systems

49 CFR part 571.104—Windshield wiping and washing systems

49 CFR part 571.105—Hydraulic and electric brake systems

49 CFR part 571.106—Brake hoses

49 CFR part 571.108—Lamps, reflective devices, and associated equipment

49 CFR part 571.109—New pneumatic tires for vehicles manufactured from 1949 to 1975, bias ply tires, and T-type spare tires

49 CFR part 571.110—Tire selection and rims and motor home/recreation vehicle trailer load carrying capacity information for motor vehicles with a GVWR of 4,536 kilograms (10,000 pounds) or less

49 CFR part 571.111—Rear visibility

49 CFR part 571.113—Hood latch system

49 CFR part 571.114—Theft protection and rollaway prevention

49 CFR part 571.116—Motor vehicle brake fluids

49 CFR part 571.117—Retreaded pneumatic tires

49 CFR part 571.118— Power-operated window, partition, and roof panel systems

49 CFR part 571.119— New pneumatic tires for motor vehicles with a GVWR of more than 4,536 kilograms (10,000 pounds), specialty tires, and tires for motorcycles

49 CFR part 571.120— Tire selection and rims and motor home/recreation vehicle trailer load carrying capacity information for motor vehicles with a GVWR of more than 4,536 kilograms (10,000 pounds)

49 CFR part 571.121— Air brake systems

49 CFR part 571.122— Motorcycle brake systems

49 CFR part 571.123— Motorcycle controls and displays

49 CFR part 571.124— Accelerator control systems

49 CFR part 571.125— Warning devices

49 CFR part 571.126— Electronic stability control systems for light vehicles

49 CFR part 571.127— Automatic emergency braking systems for light vehicles

49 CFR part 571.129— New non-pneumatic tires for passenger cars

49 CFR part 571.131—School Bus Pedestrian Safety Devices

49 CFR part 571.135—Light vehicle brake systems

49 CFR part 571.136—Electronic stability control systems for heavy vehicles

49 CFR part 571.138—Tire pressure monitoring systems

49 CFR part 571.139—New pneumatic radial tires for light vehicles

49 CFR 571.141—Minimum Sound Requirements for Hybrid and Electric Vehicles

49 CFR part 571.213—Child Restraint Systems

49 CFR part 571.217—Bus Emergency Exits and Window Retention and Release

49 CFR part 571.220—School Bus Rollover Protection

49 CFR part 571.221—School Bus Body Joint Strength

49 CFR part 571.222—School Bus Passenger Seating and Crash Protection

49 CFR part 571.223—Rear Impact Guards

49 CFR part 571.224—Rear Impact Protection

49 CFR part 571.225—Child Restraint Anchorage Systems

49 CFR part 571.226—Ejection Mitigation

49 CFR part 571.301—Fuel System Integrity

49 CFR part 571.302—Flammability of Interior Materials

49 CFR part 571.303—Fuel System Integrity of Compressed Natural Gas Vehicles

49 CFR part 571.304—Compressed Natural Gas Fuel Container Integrity

49 CFR part 571.305—Electric-Powered Vehicles: Electrolyte Spillage and Electrical Shock Protection

49 CFR part 571.401—Interior Trunk Release

49 CFR part 571.403—Platform Lift Systems for Motor Vehicles

49 CFR part 571.404—Platform Lift Installations in Motor Vehicles

49 CFR part 571.500—Low-Speed Vehicles

49 CFR part 501—Organization and Delegation of Powers and Duties

49 CFR part 509—OMB Control Numbers for Information Collection Requirements

49 CFR part 510—Information Gathering Powers

49 CFR part 511—Adjudicative Procedures

49 CFR part 512—Confidential Business Information

49 CFR part 520—Procedures for Considering Environmental Impacts

49 CFR part 523—Vehicle Classification

49 CFR part 525—Exemptions from Average Fuel Economy Standards

49 CFR part 526—Petitions and Plans for Relief under the Automobile Fuel Efficiency Act of 1980

49 CFR part 529—Manufacturers of Multistage Automobiles

49 CFR part 531—Passenger Automobile Average Fuel Economy Standards

49 CFR part 533—Light Truck Fuel Economy Standards

49 CFR part 534—Rights and Responsibilities of Manufacturers in the Context of Changes in Corporate Relationships

49 CFR part 535—Medium- and Heavy-Duty Vehicle Fuel Efficiency Program

49 CFR part 536—Transfer and Trading of Fuel Economy Credits

49 CFR part 537—Automotive Fuel Economy Reports

49 CFR part 538—Manufacturing Incentives for Alternative Fuel Vehicles

49 CFR part 541—Federal Motor Vehicle Theft Prevention Standard

49 CFR part 542—Procedures for Selecting Light Duty Truck Lines to Be Covered by the Theft Prevention Standard

49 CFR part 543—Exemption from Vehicle Theft Prevention Standard

49 CFR part 545—Federal Motor Vehicle Theft Prevention Standard Phase-in and Small-Volume Line Reporting Requirements

49 CFR part 551—Procedural Rules

49 CFR part 552—Petitions for Rulemaking, Defect, and Noncompliance Orders

49 CFR part 553—Rulemaking Procedures

49 CFR part 554—Standards Enforcement and Defects Investigation

49 CFR part 555—Temporary Exemption from Motor Vehicle Safety and Bumper Standards

49 CFR part 556—Exemption for Inconsequential Defect or Noncompliance

49 CFR part 557—Petitions for Hearings on Notification and Remedy of Defects

49 CFR part 562—Lighting and Marking of Agricultural Equipment

49 CFR part 563—Event Data Recorders

49 CFR part 564—Replaceable Light Source and Sealed Beam Headlamp Information

49 CFR part 565—Vehicle Identification Number (VIN) Requirements

49 CFR part 566—Manufacturer Identification

49 CFR part 567—Certification

49 CFR part 568—Vehicles Manufactured in Two or More Stages—All Incomplete, Intermediate and Final-Stage Manufacturers of Vehicles Manufactured in Two or More Stages

49 CFR part 569—Regrooved Tires

49 CFR part 570—Vehicle in Use Inspection Standards

49 CFR part 572—Anthropomorphic Test Devices

49 CFR part 573—Defect and Noncompliance Responsibility and Reports

49 CFR part 574—Tire Identification and Recordkeeping

49 CFR part 576—Record Retention

49 CFR part 577—Defect and Noncompliance Notification

49 CFR part 578—Civil and Criminal Penalties49 CFR part 575—Consumer Information

49 CFR part 579—Reporting of Information and Communications About Potential Defects

49 CFR part 580—Odometer Disclosure Requirements

49 CFR part 581— Bumper Standard

49 CFR part 582— Insurance Cost Information Regulation

49 CFR part 583— Automobile Parts Content Labeling

49 CFR part 585— Phase-in Reporting Requirements

49 CFR part 586— Replica Motor Vehicles

49 CFR part 587— Deformable Barriers

49 CFR part 588—Child Restraint Systems Recordkeeping Requirements

23 CFR part 1200—Uniform Procedures for State Highway Safety Grant Programs

23 CFR part 1300—Uniform Procedures for State Highway Safety Grant Programs

FEDERAL RAILROAD ADMINISTRATION (FRA)

SECTION 610 AND OTHER REVIEWS

In complying with this section, FRA has elected to use the two-step, two-year process used by most OAs. As such, FRA has divided its rules into 10 groups as displayed in the table below. During the analysis year, the listed rules will be analyzed to identify those with a SEISNOSE. During the review year, each rule identified in the analysis year as having a SEISNOSE will be reviewed in accordance with section 610(b) to determine if it should be continued without change or changed to minimize the impact on small entities.

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR parts 200, 207, 209, and 210	2018	2019
2	49 CFR parts 211, 212, 213, 214, and 215	2019	2020
3	49 CFR parts 216, 217, 218, 219, and 220	2020	2021
4	49 CFR parts 221, 222, 223, 224, and 225	2021	2022

5	49 CFR parts 227, 228, 229, 230, and 231	2022	2023
6	49 CFR parts 232, 233, 234, 235, and 236	2023	2024
7	49 CFR parts 237, 238, 239, 240, and 241	2024	2025
8	49 CFR parts 242, 243, 244, 250, and 256	2025	2026
9	49 CFR parts 261, 262, 264, 266, and 268	2026	2027
10	49 CFR parts 269, 270, and 272	2027	2028

Year 6 (Fall 2023) List of rules analyzed and a summary of results

49 CFR part 232 – Brake System Safety Standards for Freight and Other Non-Passenger Train and Equipment; End-of-Train Devices

- Section 610: There is no SEISNOSE. This part provides minimum Federal safety standards for freight and other non-passenger train brake systems and equipment as well as for passenger train end-of-train devices. However, the impact on small railroads is positive, overall. The 2020 rule made changes to incorporate relief from various long-standing waivers. These changes included extending the time railroad equipment may remain off-air between brake tests from 4 hours to 24 hours, providing for new technology for end-of-train (EOT) and clarifying regulations for brake tests and inspections for discontinued brake valves applicable to railroads that operate tourist, scenic, historic, and excursion service.
- General: This part governs critical safety systems of the train and therefore, continues to be needed. The 2020 rule prescribed minimum Federal safety standards for freight and other non-passenger train track systems and equipment as well as for freight and other non-passenger train brake systems and included revisions to incorporate relief from various long-standing waivers related to single cars air brake tests, end-of-train devices, and brake maintenance. The objective of these regulations is to enhance the safety of rail transportation, protecting both those traveling and working on the system and those off the system who might be adversely affected by a rail incident. There is minor overlap with other 49 parts 215 and 229 for regulatory expediency and

clarity, but no additional burden is imposed. Furthermore, FRA's plain language review indicates no need for substantial revision.

49 CFR part 233 – Signal Systems Reporting Requirements

- Section 610: There is no SEISNOSE.
- General: Since these regulations prescribe signal system reporting requirements, they encourage improvements in the safety of railroad operations and do not impose any significant costs on railroads. FRA's plain language review indicates no need for substantial revision.

49 CFR part 234 – Grade Crossing Safety

- Section 610: There is no SEISNOSE.
- General: Since the regulations prescribe maintenance, inspection and testing standards for highway-rail grade crossing warning systems, standards for the reporting of highway-rail grade crossing warning system failures and other unsafe conditions, as well as requirements for reporting and periodically updating information in the Crossing Inventory, they promote and enhance the safety of railroad operations. Small railroads have a proportionately smaller number of grade crossing warning systems to inspect, test, maintain, and report to the Crossing Inventory. For instance, a large Class I railroad is responsible for approximately 35,000 active grade crossing warning systems compared to less than 40 grade crossing warning systems for the smaller, short line railroads. In addition, other factors such as train speed, the number of trains operated through crossings per day, and the installation and maintenance of complex grade crossing warning systems may contribute to additional costs for large railroads. Additionally, FRA's plain language review indicates no need for substantial revision.

49 CFR part 235 – Instructions Governing Applications for Approval of a Discontinuance or Material Modification of a Signal System or Relief from the Requirements of Part 236

- Section 610: There is no SEISNOSE.
- General: Since the regulations establish a process for FRA approval of certain applications for

discontinuance or material modification of a block signal system, interlocking, traffic control system, automatic train stop, train control, or cab signal system, or other similar appliance, device, method, or system, they promote and enhance the safety of railroad operations. FRA's plain language review indicates no need for substantial revision.

49 CFR part 236 – Rules, Standards, and Instructions Governing the Installation, Inspection, Maintenance, and Repair of Signal and Train Control Systems, Devices, and Appliances

- Section 610: There is no SEISNOSE.
- General: Since the regulations prescribe standards for the installation, inspection, maintenance and repair of signal and train control systems, devices and appliances, including performance-based safety standards for PTC systems, they promote and enhance the safety of railroad operations. The impact on small entities is minimal. The regulations do not require smaller entities to develop new processor-based signal and train control systems with costly risk analyses and were designed to allow small entities to be able to take advantage of commercially available products. FRA's plain language review indicates no need for substantial revision.

Year 7 (Fall 2024) List of rules(s) that will be analyzed during this year

49 CFR part 237—Bridge Safety Standards

49 CFR part 238—Passenger Equipment Safety Standards

49 CFR part 239—Passenger Train Emergency Preparedness

49 CFR part 240—Qualification and Certification of Locomotive Engineers

49 CFR part 241—United States Locational Requirement for Dispatching of United States Rail Operations

FEDERAL TRANSIT ADMINISTRATION (FTA)

SECTION 610 AND OTHER REVIEWS

In complying with this section, FTA has elected to use the two-step, two-year process used by most OAs. As such, FTA has divided its rules into 10 groups as displayed in the table below. During the analysis year, the listed rules will be analyzed to identify those with a SEISNOSE. During the review year,

each rule identified in the analysis year as having a SEISNOSE will be reviewed in accordance with section 610(b) to determine if it should be continued without change or changed to minimize the impact on small entities.

Year	Regulations to Be Reviewed	Analysis Year	Review Year
1	49 CFR parts 604, 605, and 624	2018	2019
2	49 CFR parts 609 and 640	2019	2020
3	49 CFR part 633	2020	2021
4	49 CFR part 611	2021	2022
5	49 CFR part 655	2022	2023
6	49 CFR parts 602 and 614	2023	2024
7	49 CFR parts 661 and 663	2024	2025
8	49 CFR parts 625, 630, and 665	2025	2026
9	49 CFR parts 613, 622, 670 and 674	2026	2027
10	49 CFR parts 650, 672 and 673	2027	2028

Year 6 (Fall 2023) List of rules analyzed and summary of results

49 CFR part 602—Emergency Relief

- Section 610: FTA conducted a Section 610 review of 49 CFR part 602 and determined that it would not result in a SEISNOSE within the meaning of the RFA. The regulation implements FTA's Public Transportation Emergency Relief Program as authorized by the Moving Ahead for Progress in the 21st Century Act (MAP-21).
- General: No changes are needed. MAP-21 authorized the Public Transportation Emergency Relief Program at 49 U.S.C. 5324. Subsequently, the Disaster Relief Appropriations Act, 2013 (Pub. L. 113–2), enacted on January 29, 2013, required FTA to issue interim regulations for the Emergency Relief Program, which FTA did on March 29, 2013 (78 FR 19136). On October 7, 2014, FTA issued a final rule that made minor changes responsive to comments received on the interim rule (79 FR 60349). Since that time, FTA issued an Emergency Relief Manual that provides detailed guidance on the program. This manual was updated on March 27, 2023.

The rule accords significant flexibility for small-entities receiving Emergency Relief Program funding by allowing the Administrator to determine the terms and conditions of the grants based on the circumstances of the specific emergency or major disaster for which funding is available and providing a 45-day waiver of normal FTA grant requirements. Further, the rule provides for an annual emergency relief docket, implemented under 49 CFR part 601, by which affected recipients may request additional waivers from FTA requirements. Accordingly, FTA determined that the rule would not have a significant economic impact on a substantial number of small entities.

49 CFR part 614—Transportation Infrastructure Management

- Section 610: FTA conducted a Section 610 review of 49 CFR part 614 and determined that it would not result in a SEISNOSE within the meaning of the RFA. The regulation cross-referenced the Management and Monitoring Systems regulation for the Federal Highway Administration (FHWA).
- General: FTA rescinded 49 CFR part 614 in 2019 because the statutory basis for the cross-referenced regulation was rescinded by legislation in 2012.

Year 7 (Fall 2024) List of rules to be analyzed this year

49 CFR part 661—Buy America Requirements

49 CFR part 663—Pre-Award and Post-Delivery Audits of Rolling Stock Purchases

MARITIME ADMINISTRATION (MARAD)

SECTION 610 AND OTHER REVIEWS

In complying with this section, MARAD has elected to use the two-step, two-year process used by most OAs. As such, MARAD has divided its rules into 10 groups as displayed in the table below. During the analysis year, the listed rules will be analyzed to identify those with a SEISNOSE. During the review year, each rule identified in the analysis year as having a SEISNOSE will be reviewed in accordance with section 610(b) to determine if it should be continued without change or changed to minimize the impact on small entities.

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	46 CFR parts 201 through 205, 46 CFR parts 315 through 340, 46 CFR part 345 through 347, and 46 CFR parts 381 and 382	2018	2019
2	46 CFR parts 221 through 232	2019	2020
3	46 CFR parts 249 through 296	2020	2021
4	46 CFR parts 298	2021	2022
5	46 CFR parts 307 through 309	2022	2023
6	46 CFR part 310	2023	2024
7	46 CFR parts 315 through 340	2024	2025
8	46 CFR parts 345 through 381	2025	2026
9	46 CFR parts 382 through 389	2026	2027
10	46 CFR parts 390 through 393	2027	2028

Year 6 (2023) List of rules analyzed and summary of results

46 CFR part 310—Merchant Marine Training

- Section 610: MARAD is conducting a rulemaking to amend part 310 under RIN 2133-AB96, Amendment to the United States Merchant Marine Academy Regulations; Maritime Service Obligation, to conform with intervening statutory changes and revise agency procedures in its administration of MARAD's maritime service obligation compliance requirements. MARAD will also consider whether other updates to part 310 are warranted and welcomes comment from the public on any such updates.

Year 7 (2024) List of rules with ongoing analysis

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION (PHMSA)

SECTION 610 AND OTHER REVIEWS

In complying with this section, PHMSA has elected to use the two-step, two-year process used by most OAs. As such, PHMSA has divided its rules into 10 groups as displayed in the table below. During the analysis year, the listed rules will be analyzed to identify those with a SEISNOSE. During the review year, each rule identified in the analysis year as having a SEISNOSE will be reviewed in accordance with section 610(b) to determine if it should be continued without change or changed to minimize the impact on small entities.

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	49 CFR part 178	2018	2019
2	49 CFR parts 178 through 180	2019	2020
3	49 CFR parts 172 and 175	2020	2021
4	49 CFR part 171, sections 171.15 and 171.16	2021	2022
5	49 CFR parts 106, 107, 171, 190, and 195	2022	2023
6	49 CFR parts 174, 177, and 199	2023	2024
7	49 CFR parts 176, 191 and 192	2024	2025
8	49 CFR parts 172 and 178	2025	2026
9	49 CFR parts 172, 173, 174, 176, 177, and 193	2026	2027
10	49 CFR parts 173 and 194	2027	2028

Year 6 (Fall 2024) List of rules analyzed and a summary of results

49 CFR part 174—CARRIAGE BY RAIL

49 CFR part 177—CARRIAGE BY PUBLIC HIGHWAY

- Section 610: PHMSA conducted a review of these parts and found no SEISNOSE.

- General: PHMSA has reviewed these parts and found that while these parts do not have SEISNOSE, they could be revised to reflect new technologies and updated to reflect current practices. Therefore, PHMSA has initiated rulemakings that—where necessary—revise portions of parts 174 and 177. Otherwise, PHMSA’s plain language review of these parts indicates no need for substantial revision. Where confusing or ambiguous language has been identified, PHMSA plans to propose or finalize revisions by way of rulemakings.

As an example, the “Hazardous Materials: Advancing Safety of Modal Specific Provisions” (2137-AF41) rulemaking action is part of PHMSA’s response to clarify current regulatory requirements and address public comments. This rulemaking also proposes to address a variety of petitions for rulemaking, specific to modal stakeholders, and other issues identified by PHMSA during its regulatory review. The impact that the 2137-AF41 rulemaking will have on small entities is not expected to be significant. The rulemaking is based on PHMSA’s initiatives and correspondence with the regulated community, as well as PHMSA’s consultation with its modal partners, including FMCSA, FRA, and the United States Coast Guard (USCG). The proposed amendments are expected to result in an overall net cost savings and ease the regulatory compliance burden for small entities, shippers, carriers, manufacturers, and requalifiers, specifically those modal-specific packaging and requalification requirements. This rulemaking is one example of PHMSA’s review of rulemakings which ensures that our rules do not have a significant economic impact on a substantial number of small entities.

For a second example, the “Hazardous Materials: Harmonization With International Standards” (2137-AF64) rulemaking action is part of PHMSA’s ongoing biennial process to harmonize the Hazardous Materials Regulations (HMR) with international regulations and standards. Federal law and policy strongly favor the harmonization of domestic and international standards for hazardous materials transportation. The Federal hazardous materials transportation law (Federal hazmat law; 49 U.S.C. 5101 et seq.) directs PHMSA to participate in relevant international standard-setting bodies and promotes consistency of the HMR with international transport standards to the extent practicable. Federal hazardous materials law permits PHMSA to depart from international standards where appropriate, including to promote safety or other overriding public interests. However, Federal

hazardous materials law otherwise encourages domestic and international harmonization (see 49 U.S.C. 5120). Harmonization facilitates international trade by minimizing the costs and other burdens of complying with multiple or inconsistent safety requirements for transportation of hazardous materials. Safety is enhanced by creating a uniform framework for compliance, and as the volume of hazardous materials transported in international commerce continues to grow, harmonization becomes increasingly important. The impact that the 2137-AF64 rulemaking will have on small entities is not expected to be significant. The rulemaking will clarify provisions based on PHMSA's initiatives and correspondence with the regulated community and domestic and international stakeholders, which helps promote safety through increased regulatory compliance. The changes are generally intended to provide relief and, as a result, positive economic benefits to shippers, carriers, and packaging manufacturers and testers, including small entities. This rulemaking is expected to lead to both economic and safety benefits. The amendments are expected to result in net benefits for shippers engaged in domestic and international commerce, including trans-border shipments within North America. Additionally, the effective changes of this rulemaking will relieve U.S. companies, including small entities competing in foreign markets, from the burden of complying with a dual system of regulations. This rulemaking is a second example of PHMSA's review of rulemakings which helps ensure that the HMR do not have a significant economic impact on a substantial number of small entities.

49 CFR part 199— DRUG AND ALCOHOL TESTING

- Section 610: PHMSA conducted a review of this part and found no SEISNOSE. However, PHMSA conducts regular regulatory reviews to ensure that the Office of Pipeline Safety regulations keep up to date with new technologies and to be responsive to petitions, mandates, recommendations, and safety issues. When necessary, PHMSA's Office of Pipeline Safety proposes amendments to provide relief to small businesses by clarifying and updating its regulations.

Year 7 (Fall 2025) List of rules that will be analyzed during the next year

49 CFR part 176—CARRIAGE BY VESSEL

49 CFR part 191—TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE; ANNUAL, INCIDENT, AND OTHER REPORTING

49 CFR part 192—TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE: MINIMUM FEDERAL SAFETY STANDARDS

GREAT LAKES SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION (GLS)

SECTION 610 AND OTHER REVIEWS

Year	Regulations To Be Reviewed	Analysis Year	Review Year
1	*33 CFR parts 401 through 403	2018	2019

**The review for these regulations recurs each year of the 10-year review cycle (currently 2018 through 2027).*

Year 1 (Fall 2018) List of rules that will be analyzed during the next year

33 CFR part 401—Seaway Regulations and Rules

33 CFR part 402—Tariff of Tolls

33 CFR part 403—Rules of Procedure of the Joint Tolls Review Board