

**Authority:** 49 U.S.C. 5329, 5334; 49 CFR 1.91.

■ 2. Amend § 672.21 by revising paragraph (d) to read as follows:

**§ 672.21 Records.**

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(d) *Annual reporting.* The identified POC must submit documentation annually to FTA, via electronic method defined by FTA, that identifies:

\* \* \* \* \*

Issued in Washington, DC, under authority delegated in 49 CFR 1.91.

**Tariq Bokhari,**

*Acting Administrator.*

[FR Doc. 2025–12150 Filed 6–27–25; 4:15 pm]

**BILLING CODE 4910–57–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### 49 CFR Part 675

[Docket No. FTA–2023–0018]

RIN 2132–AB46

#### Transit Worker Hours of Service and Fatigue Risk Management; Withdrawal

**AGENCY:** Federal Transit Administration (FTA), Department of Transportation (DOT).

**ACTION:** Advance notice of proposed rulemaking (ANPRM); withdrawal.

**SUMMARY:** FTA is withdrawing the October 30, 2023, advance notice of proposed rulemaking (ANPRM) concerning minimum safety standards to address fatigue-related safety incidents. FTA has determined not to issue a notice of proposed rulemaking at this time.

**DATES:** The ANPRM published on October 30, 2023, at 88 FR 74107 is withdrawn as of July 1, 2025.

**ADDRESSES:** You may send comments, identified by docket number FTA–2023–0018, by any of the following methods:

- *Federal Rulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for sending comments.
- *Fax:* (202) 493–2251.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery/Courier:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

**Instructions:** All submissions received must include the agency name and docket number or Regulatory Information Number (RIN) for this rulemaking. All comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

**Docket:** For access to the docket to read background documents or comments received, go to <https://www.regulations.gov>. Background documents and comments received may also be viewed at the U.S. Department of Transportation, 1200 New Jersey Ave. SE, Docket Operations, M–30, West Building Ground Floor, Room W12–140, Washington, DC 20590–0001, between 9 a.m. and 5 p.m. EST, Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** For program matters, contact Jeremy Furrer, Office of Transit Safety and Oversight (TSO), (202) 366–8929, or [jeremy.furrer@dot.gov](mailto:jeremy.furrer@dot.gov). For legal matters, contact Mark Montgomery, Office of Chief Counsel, (202) 366–1017, or [mark.montgomery@dot.gov](mailto:mark.montgomery@dot.gov). Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 30, 2023, FTA published an ANPRM seeking public input on minimum safety standards to provide protections for transit workers to obtain adequate rest to reduce the risk of fatigue-related safety incidents (88 FR 74107). Specifically, FTA sought public input in two areas: (1) hours of service; and (2) fatigue risk management programs. FTA received 76 relevant comments in response to the ANPRM but did not receive specific information about current hours of service and fatigue policies and regulations. The submitted comments were generally supportive of FTA action to mitigate transit worker fatigue but expressed concerns about the lack of available data needed to produce an effective rulemaking.

Subsequently, FTA issued a request for information (RFI) directly to all 797 agencies subject to the Public Transportation Agency Safety Plan (PTASP) regulation at 49 CFR part 673, including State departments of transportation and State safety oversight agencies (SSOAs). The RFI sought to collect information related to current policies and requirements mitigating the risk of fatigue-related safety incidents through hours of service policies and/or fatigue risk management programs. FTA received responses from 261

organizations, including 239 comments from PTASP agencies sharing useful information about current fatigue mitigation praxis. The comments revealed that 129 agencies already have some form of hours of service policy and 41 agencies have a fatigue risk management plan. An additional 32 agencies use fatigue management practices without having a fully formalized policy in place.

#### FTA's Reason for Withdrawal

FTA has determined not to proceed with an NPRM at this time because safety risks associated with transit worker fatigue are covered by the PTASP regulation at 49 CFR part 673. That regulation requires operators of public transportation systems that receive Federal funds under the FTA Urbanized Area Formula Grants (49 U.S.C. 5307), and rail transit agencies subject to the FTA State Safety Oversight (SSO) Program under 49 CFR part 674, to develop an Agency Safety Plan (ASP) that includes the processes and procedures to implement a Safety Management System (SMS). SMS is a comprehensive, collaborative, and systematic approach to managing safety. The regulation sets scalable and flexible minimum standards for ASPs, including requirements for the identification, assessment, and mitigation of risk and strategies to minimize exposure to hazards. In cases where transit agencies determine there is a risk of operator fatigue or related safety risks, the PTASP regulation requires agencies as part of their SMS processes to develop methods to identify mitigations or strategies to reduce the likelihood and severity of the potential consequences.

As an alternative to rulemaking, FTA may take other actions pursuant to its safety authorities under 49 U.S.C. 5329 to address risks associated with transit worker fatigue, including the issuance of special or general directives. Additionally, FTA must issue restrictions and prohibitions by whatever means are determined necessary and appropriate if it determines that an unsafe condition or practice, or a combination of unsafe conditions and practices, exist such that there is a substantial risk of death or personal injury. 49 U.S.C. 5329(h). This would include unsafe conditions or practices associated with operator fatigue.

#### Conclusion

Based on the foregoing reasons, FTA withdraws the October 30, 2023, ANPRM titled “Transit Worker Hours of Service and Fatigue Risk Management.” If FTA determines further action to be

necessary, it will consider regulatory action.

**Authority:** 49 U.S.C. 5329, 49 CFR 1.91

Issued in Washington, DC, under authority delegated in 49 CFR 1.91.

**Tariq Bokhari,**

*Acting Administrator.*

[FR Doc. 2025–12173 Filed 6–27–25; 4:15 pm]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

[Docket No. FWS–R4–ES–2025–0033;  
FXES1111090FEDR–256–FF09E21000]

**RIN 1018–BI18**

#### Endangered and Threatened Wildlife and Plants; Endangered Species Status for Barrens Darter

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), propose to list the Barrens darter (*Etheostoma forbesi*), a fish species from Cannon, Coffee, Grundy, and Warren Counties, Tennessee, as an endangered species under the Endangered Species Act of 1973, as amended (Act). This determination also serves as our 12-month finding on a petition to list the Barrens darter. After a review of the best scientific and commercial data available, we find that listing the species is warranted. Accordingly, we propose to list the Barrens darter as an endangered species under the Act. If we finalize this rule as proposed, it would add this species to the List of Endangered and Threatened Wildlife and extend the Act's protections to the species. We find that designating critical habitat for this species is not determinable at this time.

**DATES:** We will accept comments received or postmarked on or before September 2, 2025. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. eastern time on the closing date. We must receive requests for a public hearing, in writing, at the address shown in **FOR FURTHER INFORMATION CONTACT** by August 15, 2025.

**ADDRESSES:** *Comment submission:* You may submit comments by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: [https://](https://www.regulations.gov)

[www.regulations.gov](https://www.regulations.gov). In the Search box, enter FWS–R4–ES–2025–0033, which is the docket number for this rulemaking. Then, click on the Search button. On the resulting page, in the panel on the left side of the screen, under the Document Type heading, check the Proposed Rule box to locate this document. You may submit a comment by clicking on “Comment.”

(2) *By hard copy:* Submit by U.S. mail to: Public Comments Processing, Attn: FWS–R4–ES–2025–0033, U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

We request that you send comments only by the methods described above. We will post all comments on <https://www.regulations.gov>. This generally means that we will post any personal information you provide us (see Information Requested, below, for more information).

*Availability of supporting materials:* Supporting materials, such as the species status assessment report, are available on the Service's website at <https://www.fws.gov/office/tennessee-ecological-services>, at <https://www.regulations.gov> at Docket No. FWS–R4–ES–2025–0033, or both.

**FOR FURTHER INFORMATION CONTACT:** Daniel Elbert, Field Supervisor, U.S. Fish and Wildlife Service, Tennessee Ecological Services Field Office; telephone 931–431–2480; [daniel\\_elbert@fws.gov](mailto:daniel_elbert@fws.gov). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. Please see Docket No. FWS–R4–ES–2025–0033 on <https://www.regulations.gov> for a document that summarizes this proposed rule.

#### SUPPLEMENTARY INFORMATION:

##### Information Requested

We intend that any final action resulting from this proposed rule will be based on the best scientific and commercial data available and be as accurate and as effective as possible. Therefore, we request comments or information from other governmental agencies, Native American Tribes, the scientific community, industry, or any other interested parties concerning this proposed rule. We particularly seek comments concerning:

(1) The species' biology, range, and population trends, including:

(a) Biological or ecological requirements of the species, including habitat requirements for feeding, breeding, and sheltering;

(b) Genetics and taxonomy;

(c) Historical and current range, including distribution patterns and the locations of any additional populations of this species;

(d) Historical and current population levels, and current and projected trends; and

(e) Past and ongoing conservation measures for the species, its habitat, or both.

(2) Threats and conservation actions affecting the species, including:

(a) Factors that may be affecting the continued existence of the species, which may include habitat modification or destruction, overutilization, disease, predation, the inadequacy of existing regulatory mechanisms, or other natural or manmade factors;

(b) Biological, commercial trade, or other relevant data concerning any threats (or lack thereof) to this species; and

(c) Existing regulations or conservation actions that may be addressing threats to this species.

(3) Additional information concerning the historical and current status of this species.

Please include sufficient information with your submission (such as scientific journal articles or other publications) to allow us to verify any scientific or commercial information you include.

Please note that submissions merely stating support for, or opposition to, the action under consideration without providing supporting information, although noted, do not provide substantial information necessary to support a determination, as section 4(b)(1)(A) of the Act directs that determinations as to whether any species is an endangered or a threatened species must be made solely on the basis of the best scientific and commercial data available, and section 4(b)(2) of the Act directs that the Secretary shall designate critical habitat on the basis of the best scientific data available.

You may submit your comments and materials concerning this proposed rule by one of the methods listed in **ADDRESSES**. We request that you send comments only by the methods described in **ADDRESSES**.

If you submit information via <https://www.regulations.gov>, your entire submission—including any personal identifying information—will be posted on the website. If your submission is made via a hardcopy that includes personal identifying information, you