

Estimated Total Annual Burden:
5,623 hours.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2019-0056]

**Hours of Service of Drivers: R.J.
Corman Railroad Services,
Cranemasters, Inc., and National
Railroad Construction and
Maintenance Association, Inc.**

AGENCY: Federal Motor Carrier Safety
Administration (FMCSA), Department
of Transportation (DOT).

ACTION: Notice of provisional renewal of
exemption; request for comments.

SUMMARY: FMCSA announces its
decision to provisionally renew for six
months the exemption requested by R.J.
Corman Railroad Services (R.J. Corman),
Cranemasters, Inc. (Cranemasters), and
the National Railroad Construction and
Maintenance Association Inc. (NRC)
from the prohibition against driving a
property-carrying commercial motor
vehicle (CMV) beyond the 14th hour
after coming on duty and driving after
accumulating 60 hours of on-duty time
in 7 consecutive days, or 70 hours of on-
duty time in 8 consecutive days. The
exemption renewal is applicable to
employees of R.J. Corman and
Cranemasters operating CMVs in
response to unplanned events that occur
outside of or extend beyond the subject
employees' normal work hours. FMCSA
requests public comment on the
application for exemption renewal.

DATES: This renewed exemption is
effective March 4, 2025, and expires on
September 4, 2025. Comments must be
received on or before April 9, 2025.

ADDRESSES: You may submit comments
identified by Federal Docket
Management System Number FMCSA-
2019-0056 by any of the following
methods:

- *Federal eRulemaking Portal:*
www.regulations.gov. See the Public
Participation and Request for Comments
section below for further information.

- *Mail:* Dockets Operations, U.S.
Department of Transportation, 1200
New Jersey Avenue SE, West Building,
Ground Floor, Washington, DC 20590-
0001.

- *Hand Delivery or Courier:* West
Building, Ground Floor, 1200 New
Jersey Avenue SE, Washington, DC
20590-0001 between 9 a.m. and 5 p.m.
E.T., Monday through Friday, except
Federal holidays.

- *Fax:* (202) 493-2251.

Each submission must include the
Agency name and the docket number for
this notice (FMCSA-2019-0056). Note
that DOT posts all comments received
without change to www.regulations.gov,
including any personal information
included in a comment. Please see the
Privacy Act heading below.

Docket: For access to the docket to
read background documents or
comments, go to www.regulations.gov at
any time or visit the ground level of the
U.S. Department of Transportation,
West Building, at 1200 New Jersey
Avenue SE, Washington, DC 20590-
0001 between 9 a.m. and 5 p.m., ET,
Monday through Friday, except Federal
holidays. To be sure someone is there to
help you, please call (202) 366-9317 or
(202) 366-9826 before visiting Dockets
Operations.

Privacy Act: In accordance with 49
U.S.C. 31315(b)(6), DOT solicits
comments from the public on the
exemption renewal request. DOT posts
these comments, including any personal
information the commenter provides, to
www.regulations.gov, as described in
the system of records notice (DOT/ALL-
14 FDMS), which can be reviewed
under the "Department Wide System of
Records Notices" at [www.dot.gov/
privacy/privacy-act-system-records-
notices](http://www.dot.gov/privacy/privacy-act-system-records-
notices). The comments are searchable
by the name of the submitter and are
posted without edit.

FOR FURTHER INFORMATION CONTACT:
Bernadette Walker, Driver and Carrier
Operations Division; Office of Carrier,
Driver and Vehicle Safety Standards;
FMCSA; (202) 385-2415;
Bernadette.walker@dot.gov. If you have
questions on viewing or submitting
material to the docket, contact Dockets
Operations, (202) 366-9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation and Request for Comments

FMCSA encourages you to participate
by submitting comments and related
materials.

A. Submitting Comments

If you submit a comment, please
include the docket number for this
notice (FMCSA-2019-0056), indicate
the specific section of this document to
which the comment applies, and
provide a reason for suggestions or
recommendations. You may submit

your comments and material online or
by fax, mail, or hand delivery, but
please use only one of these means.
FMCSA recommends that you include
your name and a mailing address, an
email address, or a phone number in the
body of your document so the Agency
can contact you if it has questions
regarding your submission.

To submit your comment online, go to
www.regulations.gov, insert the docket
number (FMCSA-2019-0056) in
keyword box, and click on this notice,
click "Comment," and type your
comment into the text box on the
following screen.

If you submit your comments by mail
or hand delivery, submit them in an
unbound format, no larger than 8½ by
11 inches, suitable for copying and
electronic filing.

FMCSA will consider all comments
and material received during the
comment period. Comments received
after the comment closing date will be
filed in the public docket and will be
considered to the extent practicable.

B. Confidential Business Information (CBI)

CBI is commercial or financial
information that is both customarily and
actually treated as private by its owner.
Under the Freedom of Information Act
(5 U.S.C. 552), CBI is exempt from
public disclosure. If your comments
responsive to the notice contain
commercial or financial information
that is customarily treated as private,
that you actually treat as private, and
that is relevant or responsive to the
notice, it is important that you clearly
designate the submitted comments as
CBI. Please mark each page of your
submission that constitutes CBI as
"PROPIN" to indicate it contains
proprietary information. FMCSA will
treat such marked submissions as
confidential under the Freedom of
Information Act, and they will not be
placed in the public docket of the
notice. Submissions containing CBI
should be sent to Brian Dahlin, Chief,
Regulatory Evaluation Division, Office
of Policy, FMCSA, 1200 New Jersey
Avenue SE, Washington, DC 20590-
0001 or brian.g.dahlin@dot.gov. At this
time, you need not send a duplicate
hardcopy of your electronic CBI
submissions to FMCSA headquarters.
Any comments FMCSA receives not
specifically designated as CBI will be
placed in the public docket for this
notice.

C. Viewing Comments and Documents

To view comments, as well as any
documents mentioned in this preamble
as being available in the docket, go to

<https://www.regulations.gov> insert FMCSA–2019–0056 in the keyword box, select the document tab and choose the document to review. To view comments, click this notice, then click “Browse Comments.” If you do not have access to the internet, you may view the docket online by visiting Docket Operations on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., ET Monday through Friday, except federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant's safety analyses. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews the safety analyses and the public comments and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved absent such exemption, pursuant to 49 U.S.C. 31315(b)(1). The Agency must publish the decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt and the effective period and will explain all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

III. Background

Current Regulatory Requirements

Under 49 CFR 395.3(a)(2), drivers are prohibited from driving after a period of 14 consecutive hours after coming on-duty following 10 consecutive hours off-duty.

Under 49 CFR 395.3(b)(1), drivers are prohibited from operating a CMV for any period after having been on duty 60 hours in any period of 7 consecutive days if the employing motor carrier does not operate CMVs every day of the week.

Under 49 CFR 395.3(b)(2), drivers are prohibited from operating a CMV for any period after having been on duty 70 hours in any period of 8 consecutive days if the employing motor carrier does operate CMVs every day of the week.

Application for Renewal of Exemption

R.J. Corman is a full-service railroad construction company, Cranemasters is a railroad contractor, and the NRC is a trade association for railroad contractors, suppliers, and the railroad and rail transit construction industry. The applicants request a renewal of their exemption from the Hours of Service (HOS) regulations for the R.J. Corman and Cranemasters employees who use CMVs to transport equipment used to clear derailed or disabled trains or debris blocking tracks or railroad rights-of-way when responding to unplanned events that affect interstate commerce, service, or the safety of railway operations, including passenger rail operations.

The applicants assert in their original exemption application that many unplanned events occur outside of normal business hours and in many instances, the situation is locally contained. According to the applicants, it would not be practical for a local government official to declare an emergency that would exempt the applicants from the HOS regulations, because (1) many unplanned events occur in remote locations where it may not be clear who a railroad should contact to declare an emergency; (2) more than half of unplanned event call times typically occur between 4:00 p.m. and 7:00 a.m., including a large number between midnight and 7:00 a.m., making it virtually impossible for the railroads to contact an official to request an emergency declaration before they request a contractor to respond to the unplanned event; and (3) companies likely would not know if such an emergency declaration had been made before they respond to a call from a railroad.

The applicants compare the work of railroad employees responding to an emergency to that of utility service employees responding to an emergency situation. Utility service vehicles are exempt from the HOS regulations under 49 CFR 395.1(n). According to the applicants, the rationale for the utility service vehicle exemption applies with equal force to railroad emergency response contractors when they respond to unplanned events.

The applicants' current exemption applies to time spent by their drivers driving to the site of the unplanned event. The term “unplanned event”

includes: a derailment; a rail failure or other report of dangerous track condition; a track occupancy light; a disruption to the electric propulsion system; a bridge-strike; a disabled vehicle on the track; a train collision; weather and storm-related events; and a matter concerning national security or public safety, including a blocked grade crossing.

A copy of the applicants' exemption renewal application is available for review in the docket for this notice.

IV. Equivalent Level of Safety

To ensure an equivalent level of safety, the applicants require drivers to stop operating a CMV after completing work until the drivers obtain the required 10 hours or 34 hours of rest, depending on their cumulative hours on duty for the day and week. The applicants list the following steps taken to ensure that safety is not compromised:

- Drivers will have at least one hour of lead time before mobilizing equipment and actively begin driving;
- During the one-hour lead time, drivers can participate in stretching and light exercise to improve alertness prior to driving;
- Drivers will drive in a convoy using escort vehicles in the front and back;
- Vehicles will be equipped with two-way radios and supervisors conduct routine radio checks every 30 to 45 minutes requiring response from drivers; and
- Supervisors will train employees to recognize fatigue and have a policy that no driver is required to drive a vehicle if feeling fatigued.

Because the relief is limited to the trip to the scene of the unplanned event and such events would happen only occasionally and not during a predictable number of times per week or per month, drivers would not operate CMVs after the 14th hour of coming on duty as a regular part of their schedules. Similarly, drivers would not regularly operate CMVs after accumulating on-duty time of 60 hours during seven consecutive days, or 70 hours during eight consecutive days. Drivers' standard schedules would include adherence to the 14-hour rule and adherence to the 60- and 70-hour rules.

V. Grant of Provisional Renewal of Exemption

FMCSA provisionally renews the exemption for a period of six months, subject to the terms and conditions of this decision. The exemption from the requirements of 49 CFR 395.3(a)(2), 49 CFR 395.3(b)(1), and 49 CFR 395.3(b)(2) is effective beginning March 4, 2025,

through September 4, 2025, 11:59 p.m. local time, unless revoked.

A. Applicability of Exemption

This exemption is restricted to individuals employed by R.J. Corman and Cranemasters while driving CMVs to the site of an “unplanned event” which includes the following:

- A derailment;
- a rail failure or other report of a dangerous track condition;
- a track occupancy light;
- a disruption to the electric propulsion system;
- a bridge-strike;
- a disabled vehicle on the train tracks;
- a train collision;
- weather- and storm-related events, including fallen trees and other debris on the tracks, snow, extreme cold or heat, rock and mud slides, track washouts, and earthquakes; and
- a matter concerning national security or public safety, including a blocked grade crossing.

B. Terms and Conditions

1. When operating under this exemption, drivers and carriers:
 - May extend the 14-hour duty period in 49 CFR 395.3(a)(2) to no more than 17 hours;
 - May not exceed 11 hours of driving time, following 10 consecutive hours off duty;
 - May extend the 60- and 70-hour rule in 49 CFR 395.3(b) by no more than 6 hours; and
 - May not travel more than 300 air miles from the normal work-reporting location or terminal.
2. Drivers must comply with the applicable HOS limits after arriving at the site and drivers must record all time working to restore rail service as on duty, not driving time.
3. Drivers may take advantage of the Agency’s personal conveyance regulatory guidance when travelling between the unplanned event work site and nearby lodging or dining facilities (June 7, 2018; 83 FR 26377). If that guidance is not applicable to the trip, CMV drivers who have reached the HOS limits must be transported from the work site by an individual who is not subject to HOS restrictions or use a vehicle that does not meet FMCSA’s definition of a CMV (49 CFR 390.5) when they leave the site.
4. Drivers must complete the Driver Education Module 3 and the Driver Sleep Disorders and Management Module 8 of the North American Fatigue Management Program (NAFMP) (www.nafmp.org) prior to operating under the exemption; and

5. Motor carriers and drivers must comply with all other provisions of the Federal Motor Carrier Safety Regulations.

C. Preemption

In accordance with 49 U.S.C. 31315(d), as implemented by 49 CFR 381.600, during the period this exemption is in effect, no State shall enforce any law or regulation applicable to interstate commerce that conflicts with or is inconsistent with this exemption with respect to a firm or person operating under the exemption. States may, but are not required to, adopt the same exemption with respect to operations in intrastate commerce.

D. Notification to FMCSA

R.J. Corman and Cranemasters must notify FMCSA within 5 business days of any accident (as defined in 49 CFR 390.5), involving any of the motor carrier’s CMVs operating under the terms of this exemption. The notification must include the following information:

1. Identifier of the Exemption: “R.J. Corman/Cranemasters”;
 2. Name of operating carrier and USDOT number;
 3. Date of the crash;
 4. City or town, and State, in which the accident occurred, or closest to the crash scene;
 5. Driver’s name and license number;
 6. Co-driver’s name (if any) and license number;
 7. Vehicle number and State license number;
 8. Number of individuals suffering physical injury;
 9. Number of fatalities;
 10. The police-reported cause of the crash, if provided by the enforcement agency;
 11. Whether the driver was cited for violation of any traffic laws, motor carrier safety regulations; and
 12. The total on-duty time accumulated during the 7 consecutive days prior to the date of the crash, and the total on-duty time and driving time in the work shift prior to the crash.
- Reports filed under this provision shall be emailed to MCPSD@DOT.GOV.

E. Termination

FMCSA does not believe the drivers covered by this exemption will experience any deterioration of their safety record. However, the exemption will be rescinded if: (1) R.J. Corman, Cranemasters, or the drivers operating under the exemption fail to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than

was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objects of 49 U.S.C. 31136(e) and 31315(b).

VI. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all persons interested in the application for an exemption renewal. All comments received before the close of business on the comment closing date will be considered and will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Adrienne E. Camire,

Acting Administrator.

[FR Doc. 2025–03764 Filed 3–7–25; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2025–0016]

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of information collection; request for comment.

SUMMARY: Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA seeks approval of the Information Collection Request (ICR) summarized below. Before submitting this ICR to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities identified in the ICR.

DATES: Interested persons are invited to submit comments on or before May 9, 2025.

ADDRESSES: Written comments and recommendations for the proposed ICR should be submitted on www.regulations.gov to the docket, Docket No. FRA–2025–0016. All comments received will be posted without change to the docket, including