

IN THE UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

In re PARALYZED VETERANS OF AMERICA,
JAMES THOMAS WHEATON, JR.,

Petitioners.

No. 18-1465

JULY 5, 2019 STATUS REPORT

Pursuant to the Court's May 20, 2019 order, the government respectfully submits this status report regarding the U.S. Department of Transportation's "progress on issuing the notice of proposed rulemaking" at issue in these mandamus proceedings. The government states as follows:

1. In Section 2108 of the 2016 FAA Reauthorization Act, Congress required the Secretary of Transportation to issue a proposed rule governing lavatory access on single-aisle aircraft by July 15, 2017. As the government has explained, since November 2018, the Secretary of Transportation has repeatedly announced a projected date of December 2, 2019 for issuing such a lavatory-access proposed rule. *See* SA13, 815, 936. Based on those representations, this Court "abated" these proceedings "pending further order of this court" and required the government "to file a status report every forty-five days from the issuance of this order through December 2, 2019" regarding progress on that proposed rule.

2. The Transportation Department's December 2, 2019 timetable for issuing a proposed rule governing lavatory access on single-aisle aircraft remains in place. Since this Court's order, the Department has received the Volpe Center's preliminary economic analysis, which was necessary to prepare the proposed rule. The Department is currently "review[ing] that analysis and coordinat[ing] . . . on any further work that is deemed necessary." SA12. As we explained, the government "plans to proceed following that required analysis." Resp. 33.

3. The Transportation Department's most recent June 2019 Significant Rulemakings Report details the current, tentative plans. *See* Exh. A (June 2019 Report). "The topic of accessible lavatories on single-aisle aircraft was removed from" its original regulatory docket number "and will be addressed in" two separate "new rulemaking action[s] under" docket numbers "RIN 2105-AE88 and RIN 2105-AE89." *Id.* at 77.

Under RIN 2105-AE88, the Department would issue a notice of proposed rulemaking governing lavatory access, and the June 2019 Report estimates the Federal Register publication date of that proposed rule as December 3, 2019.¹ Exh. A, at 81. The Report further states:

¹ The posted date of December 3, 2019 – rather than December 2, 2019 – is a typographical error, which the Department intends to correct in future reports.

This rulemaking would require airlines to take steps to improve the accessibility of lavatories on single-aisle aircraft short of increasing the size of the lavatories. The rulemaking would ensure the accessibility of features within an aircraft lavatory, including but not limited to, toilet seat, assist handles, faucets, flush control, attendant call buttons, lavatory controls and dispensers, lavatory door sill, and door locks. The rulemaking would also consider standards for the on-board wheelchair to improve its safety/maneuverability and easily permit its entry into the aircraft lavatory.

Id. The comment period for that proposed rule would end in March 2020.

Under RIN 2105-AE89, the Department would issue an additional advance notice of proposed rulemaking, and the June 2019 Report estimates the Federal Register publication date of that advance notice as December 10, 2019, shortly after the proposed rule is published. Exh. A, at 82. The Report further states:

This rulemaking would solicit comment and gather updated information on the costs and benefits of requiring airlines to make lavatories on new single-aisle aircraft large enough, equivalent to that currently found on twin-aisle aircraft, to permit a passenger with a disability (with the help of an assistant, if necessary) to approach, enter, and maneuver within the aircraft lavatory as necessary to use all lavatory facilities and leave by means of the aircraft's on-board wheelchair.

Id. The comment period for that advance notice would end in February 2020.

4. The government's recent Spring 2019 Unified Agenda, published around May 2019, reflects these same plans. *See* Exh. B (RIN 2105-AE88); Exh. C (RIN 2105-AE89). The Unified Agenda states that both the proposed rule and the advance notice will be published "12/00/19," which indicates a Federal Register

publication date of December 2019, also consistent with the Secretary's June 2019 Report and her repeated announcements. *Id.*

Respectfully submitted,

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s/ Dennis Fan

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JULY 2019

CERTIFICATE OF SERVICE

I hereby certify that on July 5, 2019, I electronically filed the foregoing status report with the Clerk of the Court by using the appellate CM/ECF system. The participants in the case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

s/ Dennis Fan
DENNIS FAN

CERTIFICATE OF DIGITAL SUBMISSION

All required privacy redactions were made per Tenth Circuit Rule 25.5. Any required paper copies to be submitted to the court are exact copies of the version submitted electronically. A virus check was performed on the document using Symantec Endpoint Protection (last updated July 5, 2019), and no virus was detected.

s/ Dennis Fan
DENNIS FAN

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Federal Aviation Administration

Federal Aviation Administration

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|--|-----|
| 1. Airport Safety Management System | Red |
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Popular Title: Airport SMS

RIN 2120-AJ38

Stage: Final Rule

Previous Stage: NPRM: Publication Date 10/07/2010; End of Comment Period 01/05/2011; Extension of Comment Period 12/10/2010; End of Extended of Comment Period 03/07/2011; Extension of Comment Period 03/07/2011; End of Extended of Comment Period 07/05/2011. SNPRM Publication: 07/14/2016; End of SNPRM Comment Period 09/12/2016.

Abstract: This rulemaking would require certain airport certificate holders to develop, implement, maintain, and adhere to a safety management system (SMS) for its aviation related activities. An SMS is a formalized approach to managing safety by developing an organization-wide safety policy, developing formal methods of identifying hazards, analyzing and mitigating risk, developing methods for ensuring continuous safety improvement, and creating organization-wide safety promotion strategies.

Effects:

- Regulatory Flexibility Act
- Information Collection
- Peer Review
- Foreign

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: Final rule: 11/05/2012

Rulemaking Project Initiated: 07/22/2008

Docket Number: FAA-2010-0997

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | 04/23/2018 | 12/27/2019 | |

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Federal Aviation Administration

2. **Regulation Of Flight Operations Conducted By Alaska Guide Pilots** Red

Popular Title: Alaska Guide Pilots

RIN 2120-AJ78

Stage: Undetermined

Previous Stage: None

Abstract: The rulemaking would establish regulations concerning Alaska guide pilot operations. The rulemaking would implement Congressional legislation and establish additional safety requirements for the conduct of these operations. The intended effect of this rulemaking is to enhance the level of safety for persons and property transported in Alaska guide pilot operations. In addition, the rulemaking would add a general provision applicable to pilots operating under the general operating and flight rules concerning falsification, reproduction, and alteration of applications, logbooks, reports, or records. This rulemaking is a statutory mandate under section 732 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, (Pub. Law 106-181).

Effects:

Regulatory Flexibility Act
Information Collection

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 05/04/2010

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: Other, higher priorities

Federal Register Citation for Undetermined: None

Federal Aviation Administration

3. **Pilot Professional Development** Red

Popular Title: Pilot Professional Development

RIN 2120-AJ87

Stage: Final Rule

Previous Stage: NPRM: Publication Date 10/07/2016; End of Comment Period 01/05/2017.

Abstract: This rulemaking would amend the regulations for air carrier training programs under part 121. The action is necessary to ensure that air carriers establish or modify training programs to address mentoring, leadership and professional development of flight crewmembers in part 121 operations. This rulemaking is required by the Airline Safety and Federal Aviation Administration Act of 2010.

Effects:

Information Collection

Prompting action: Statute

Legal Deadline: NPRM: 04/20/2015

Rulemaking Project Initiated: 08/01/2010

Docket Number:

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | 06/12/2018 | 7/31/2019 | |
| Effective Date | | 9/30/2019 | |

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Federal Aviation Administration

4. **System Safety Assessment** Black

Popular Title: System Safety Assessment

RIN 2120-AJ99

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking would standardize regulations and guidance for conducting airplane-level safety assessments of various critical systems installed on transport category airplanes. Current differences happened over time as system safety rules and policies were developed independently. This rulemaking would adopt Aviation Rulemaking Advisory Committee recommendations and harmonize with the European Aviation Safety Agency CS-25.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 03/03/2011

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 08/06/2012 | 12/31/2019 | |
| End of Comment Period | 10/04/2012 | 03/31/2020 | |

Explanation for any delay: Additional coordination necessary

Federal Register Citation for NPRM: None

Federal Aviation Administration

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| 5. | Applying the Flight, Duty, and Rest requirements to Ferry Flights that Follow Domestic, Flag, or Supplemental All-Cargo Operations (Reauthorization) | Green |
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Popular Title: Tail End Ferry in Part 121

RIN 2120-AK22

Stage: ANPRM

Previous Stage: NPRM: Publication Approved; Publication Date; End of Comment Period.

Abstract: This rulemaking would apply the flight, duty, and rest requirements for domestic, flag and supplemental operations to ferry flights that follow domestic, flag or supplemental all-cargo operations. A ferry flight that follows a domestic, flag or supplemental all-cargo operation would be subject to the same flight, duty, and rest rules as the all-cargo operation it follows. This rule is necessary as it would make part 121 flight, duty, and rest limits applicable to tail-end ferry flights that follow an all-cargo operation.

Effects:

Regulatory Flexibility Act
Information Collection

Prompting action: Statute

Legal Deadline: Initiation date: 08/14/2012

Rulemaking Project Initiated: 02/14/2012

Docket Number:

Dates for ANPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 05/31/2020 | | |
| End of Comment Period | 07/31/2020 | | |

Explanation for any delay: N/A

Federal Register Citation for ANPRM: None

Federal Aviation Administration

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|----|--|-------|
| 6. | Applying the Flight, Duty, and Rest Rules of 14 CFR part 135 to Tail-End Ferry Operations (FAA Reauthorization) | Black |
|----|--|-------|

Popular Title: Tail-End Ferry in Part 135

RIN 2120-AK26

Stage: ANPRM

Previous Stage: None

Abstract: This rulemaking would require a flightcrew member who is employed by an air carrier conducting operations under part 135, and who accepts an additional assignment for flying under part 91 from the air carrier or from any other air carrier conducting operations under part 121 or 135, to apply the period of the additional assignment toward any limitation applicable to the flightcrew member relating to duty periods or flight times under part 135.

Effects:

- Major Regulatory Flexibility Act Information Collection

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 01/15/2013

Docket Number:

Dates for ANPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 02/27/2015 | 01/20/2020 | |
| End of Comment Period | 05/28/2015 | 03/20/2020 | |

Explanation for any delay: N/A

Federal Register Citation for ANPRM: None

Federal Aviation Administration

7. **Pilot Records Database (HR 5900)** Black

Popular Title: Pilot Records Database

RIN 2120-AK31

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking would implement a Pilot Records Database as required by Public Law 111-216 (Aug. 1, 2010). Section 203 amends the Pilot Records Improvement Act by requiring the FAA to create a pilot records database that contains various types of pilot records. These records would be provided by the FAA, air carriers, and other persons who employ pilots. The FAA must maintain these records until it receives notice that a pilot is deceased. Air carriers would use this database to perform a record check on a pilot prior to making a hiring decision.

Effects:

- Regulatory Flexibility Act
- Information Collection
- Privacy

Prompting action: Statute

Legal Deadline: Final: 08/01/2010

Rulemaking Project Initiated: 08/01/2010

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 01/30/2015 | 09/16/2019 | |
| End of Comment Period | 04/30/2015 | 12/27/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Aviation Administration

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| 8. Pilot Biometric Certificates (FAA Reauthorization) | Green |
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Popular Title: Pilot Biometric Certificates

RIN 2120-AK33

Stage: Undetermined

Previous Stage: None

Abstract: This rulemaking would require the issuance of pilot certificates that are resistant to tampering, alteration, and counterfeiting. The certificates would include a photograph of the individual to whom the certificate is issued and will be a smart card that is able to accommodate biometric identifiers. Certificates would also be compliant with Federal Information Processing Standards Publication 201 (FIPS-201) or Personal Identity Verification-Interoperability (PIV-I) standards for processing through security checkpoints into airport sterile areas. Under section 321 of the FAA Modernization and Reform Act of 2012 (Pub. Law 112-95), the FAA is required to begin issuing new certificates no later than November 10, 2012.

Effects:

- Information Collection
- Privacy

Prompting action: Statute

Legal Deadline: Final: 11/10/2012

Rulemaking Project Initiated: 02/14/2012

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

Federal Aviation Administration

9. **Aircraft Registration and Airmen Certification Fees** Black

Popular Title: Registry Fees

RIN 2120-AK37

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking would establish fees for airman certificates, medical certificates, and provision of legal opinions pertaining to aircraft registration or recordation. This rulemaking also would revise existing fees for aircraft registration, recording of security interests in aircraft or aircraft parts, and replacement of an airman certificate. This rulemaking addresses provisions of the FAA Modernization and Reform Act of 2012. This rulemaking is intended to recover the estimated costs of the various services and activities for which fees would be established or revised.

Effects:

Regulatory Flexibility Act
Information Collection

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 02/14/2012

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 03/05/2015 | 05/30/2020 | |
| End of Comment Period | 06/03/2015 | 08/30/2020 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Aviation Administration

10. **Permanent Requirement for Helicopters to use the New York North Shore Helicopter Route** Black

Popular Title: New York North Shore Helicopter Route

RIN 2120-AK39

Stage: Undetermined

Previous Stage: Undetermined

Abstract: This rulemaking would delete the expiration date and make permanent the requirement to use the New York North Shore Helicopter Route. The current rule requiring use of the route expires on August 6, 2020. This rule will protect and enhance public welfare by making the current rule permanent, thereby continuing to reduce helicopter overflights and attendant noise disturbance over nearby communities.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 09/24/2013

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

Federal Aviation Administration

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| 11. | Helicopter Air Ambulance Pilot Training and Operational Requirements (HAA II) (FAA Reauthorization) | Black |
|-----|--|-------|

Popular Title: Helicopter Air Ambulance II

RIN 2120-AK57

Stage: Undetermined

Previous Stage: None

Abstract: This rulemaking would develop training requirements for crew resource management, flight risk evaluation, and operational control of the pilot in command, as well as to develop standards for the use of flight simulation training devices and line-oriented flight training. Additionally, it would establish requirements for the use of safety equipment for flight crewmembers and flight nurses. These changes will aide in the increase in aviation safety and increase survivability in the event of an accident. Without these changes, the Helicopter Air Ambulance industry may continue to see the unacceptable high rate of aircraft accidents. This rulemaking is a statutory mandate under section 306(e) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95).

Effects:

- Regulatory Flexibility Act
- Information Collection

Prompting action: Statute

Legal Deadline: NPRM: 08/18/2014

Rulemaking Project Initiated: 01/15/2014

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

Federal Aviation Administration

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|-----|--|-------|
| 12. | Requirements to File Notice of Construction of Meteorological Evaluation Towers and Other Renewable Energy Projects | Black |
|-----|--|-------|

Popular Title: Part 77 Notice Requirements

RIN 2120-AK77

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking would add specific requirements for proponents who wish to construct meteorological evaluation towers at a height of 50 feet above ground level (AGL) up to 200 feet AGL to file notice of construction with the FAA. This rule also requires sponsors of wind turbines to provide certain specific data when filing notice of construction with the FAA. This rulemaking is a statutory mandate under section 2110 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114-190).

Effects:

- Major
- Federalism
- EIS
- Privacy

Prompting action: Statute

Legal Deadline: Final: 07/18/2017

Rulemaking Project Initiated: 09/29/2014

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 03/02/2017 | 09/20/2019 | |
| End of Comment Period | 06/02/2017 | 11/21/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Aviation Administration

13. **Orbital Debris Mitigation Methods for Launch Vehicle Upper Stages (Orbital Debris)** Black

Popular Title: Orbital Debris Mitigation Methods

RIN 2120-AK81

Stage: NPRM

Previous Stage:

Abstract: Orbital debris poses a growing threat to space operations. Debris mitigation guidelines, standards, and policies must be revised periodically, enforced domestically, and adopted internationally to mitigate the operational impacts of orbital debris. To help accomplish this, FAA, in consultation with appropriate Federal partners would update its existing orbital debris mitigation regulations to more-closely align with the U.S. Government Orbital Debris Mitigation Standard Practices, and would update current launch collision avoidance regulations to match U.S. Air Force Space Command (AFSPC) practice.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 03/12/2013

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 08/11/2016 | 12/15/2019 | |
| End of Comment Period | 10/17/2016 | 02/15/2020 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Aviation Administration

14. **Registration and Marking Requirements for Small Unmanned Aircraft** Black

Popular Title: Small UAS Registration

RIN 2120-AK82

Stage: Undetermined

Previous Stage: IFR Publication: 12/16/2015; IFR End of Comment Period 01/15/2016 IFR Effective Date: 01/15/2016.

Abstract: This rulemaking would provide an alternative, streamlined and simple, web-based aircraft registration process for the registration of small unmanned aircraft, including small unmanned aircraft operated as model aircraft, to facilitate compliance with the statutory requirement that all aircraft register prior to operation. It would also provide a simpler method for marking small unmanned aircraft that is more appropriate for these aircraft. This action responds to public comments received regarding the proposed registration process in the Operation and Certification of Small Unmanned Aircraft notice of proposed rulemaking, the request for information regarding unmanned aircraft system registration, and the recommendations from the Unmanned Aircraft System Registration Task Force.

Effects:

- Regulatory Flexibility Act
- Information Collection
- Privacy
- EU
- NAFTA
- Foreign

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 11/24/2015

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

Federal Aviation Administration

15. **Unmanned Aircraft Systems Expanded Operations** Black

Popular Title: UAS XOps (DEREG)

RIN 2120-AL01

Stage: Undetermined

Previous Stage: NPRM: Publication Approved; Publication Date; End of Comment Period.

Abstract: This rulemaking would enable expanded operations of small unmanned aircraft systems (sUAS) in the national airspace system (NAS). As a result, it would increase the utility of sUAS for operations under 14 CFR part 107, and would advance technology by encouraging innovation in this rapidly developing segment of the aviation industry.

Effects:

Privacy

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 12/06/2016

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

Federal Aviation Administration

16. **Revision of ADS-B Out Requirements** Black

Popular Title: ADS-B Out Exceptions (DEREG)

RIN 2120-AL16

Stage: Final Rule

Previous Stage:

Abstract: The purpose of this rulemaking is to remove the requirement that all aircraft equipped with Automatic Dependent Surveillance-Broadcast Out (ADS-B Out) must transmit at all times. This rule provides an exception to ADS-B requirements, removing the transmission requirement for certain operations carried out in the interest of national security. The changes would provide relief to those government agencies that operate aircraft equipped with ADS-B Out but require the ability to terminate the transmission signal when conducting national security, sensitive, intelligence and law enforcement missions that could be compromised by the requirement to transmit flight information over non-encrypted signals.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 09/01/2017

Docket Number:

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | | 06/30/2019 | |
| End of Comment Period | | 07/30/2019 | |

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Federal Aviation Administration

17. **Streamlined Launch and Reentry Licensing Requirements** Black

Popular Title: Streamlined CST Regulations (DEREG)

RIN 2120-AL17

Stage: NPRM

Previous Stage:

Abstract: This action would fundamentally change how the FAA licenses launches and reentries in 14 CFR Chapter III by proposing a regulatory approach that relies on performance-based regulations rather than prescriptive regulations. This action would primarily consolidate and revise parts 415, 417, 431, and 435 into a single regulatory part that states safety objectives to be achieved for the launch of suborbital and orbital expendable and reusable launch vehicles, and the reentry of reentry vehicles, and will leave design or operational solutions up to the applicant. This action will be accompanied by a body of Advisory Circulars or standards that collectively provide at least one acceptable means of compliance for all performance-based regulations in the new part. This action would also enable flexible timeframes, remove unnecessary ground safety regulations, redefine when launch begins to allow specified pre-flight operations prior to license approval, and allow applicants to seek a license to launch from multiple sites. This proposal would significantly streamline and simplify licensing of launch and reentry operations, would enable novel operations, and would result in net cost savings.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 09/01/2017

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 09/28/2018 | 04/15/2019 | 04/15/2019 |
| End of Comment Period | 11/28/2018 | | 7/30/2019 |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Aviation Administration

18. **Domestic Noise Certification of Supersonic Aircraft** Black

Popular Title: Domestic Noise Certification (DEREG)

RIN 2120-AL29

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking would propose updates and additions to the noise certification rules to accommodate noise certification of new civil supersonic aircraft. The current noise regulations are limited in applicability to subsonic aircraft and the Concorde. These regulations must be amended to broaden their applicability, provide definitions, and adopt noise levels and test requirements that would apply to new design supersonic aircraft.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 02/20/2018

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 12/01/2019 | 03/12/2020 | |
| End of Comment Period | 02/03/2020 | 06/12/2020 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Aviation Administration

19. **Remote Identification of Unmanned Aircraft Systems** Black

Popular Title: Remote ID UAS

RIN 2120-AL31

Stage: NPRM

Previous Stage: Publication Approved; Publication Date; End of Comment Period.

Abstract: This action would implement system(s) for the remote identification of certain unmanned aircraft systems. The remote identification of unmanned aircraft systems in the national airspace system would further address security and law enforcement concerns regarding the further integration of these aircraft into the national airspace while also enabling greater operational capabilities by these same aircraft.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 02/20/2018

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 05/01/2019 | 09/20/2019 | |
| End of Comment Period | 07/01/2019 | 12/29/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Aviation Administration

20. **UAS Flight Restrictions near Critical Infrastructure Facilities** Black

Popular Title: UAS Flight Restrictions

RIN 2120-AL33

Stage: NPRM

Previous Stage:

Abstract: This action would implement section 2209, Applications for designation, of Public Law 114-190, the FAA Extension, Safety and Security Act of 2016 (130 Stat. 634). Specifically, this rule would establish the criteria and procedures for the operator or proprietor of eligible fixed site facilities to apply to the FAA for a UAS-specific flight restriction. In addition, this rule would establish the substantive criteria based on the enumerated statutory considerations (i.e. national security and aviation safety) that the FAA will use in determining to grant or deny a petition, as well as the procedures for notifying the petitioner of the determination made and the process for resubmission of any denial. Lastly, this rule would establish the process to be used by the FAA to implement the UAS-specific flight restriction and notify the public.

Effects:

Economically Significant

Prompting action: None

Legal Deadline: Final: 01/11/2017

Rulemaking Project Initiated: 02/20/2018

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 03/01/2020 | 10/29/2019 | |
| End of Comment Period | 10/19/2019 | 12/29/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Aviation Administration

21. **Use of Supplemental Restraints in Flight Operations for Compensation or Hire** Black

Popular Title: Supplemental Restraints

RIN 2120-AL37

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking would ensure that any supplemental passenger restraint used by an aircraft occupant during "doors off" flight operations has a release mechanism accessible to that occupant. The intended effect of this rulemaking is to ensure that any supplemental passenger restraint system can be quickly released with minimal difficulty to ensure egress from the aircraft in an emergency.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 03/23/2018

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 09/06/2019 | 10/08/2019 | |
| End of Comment Period | 10/07/2019 | 12/09/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Aviation Administration

22. **Flight Attendant Duty Period Limitations and Rest Requirements** Black

Popular Title: Flight Attendant Flight, Duty and Rest

RIN 2120-AL41

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking would be responsive to Public Law 115-254, section 335 (a), which requires the FAA to modify the rest periods required in 14 CFR section 121.467 to a minimum of 10 hours, without an option to reduce the rest period.

Effects:

Economically Significant

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 02/21/2019

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 05/28/2020 | 05/28/2020 | |
| End of Comment Period | | | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Aviation Administration

23. **ARAC Regulatory Reform – Transport Airplane Certification Streamlining** Black

Popular Title: ARAC Regulatory Reform

RIN 2120-AL42

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking amendment would address the recommendation that the Federal Aviation Administration received from Aviation Rulemaking Advisory Committee (ARAC) to reform and streamline the FAA's existing part 25 certification regulations. This amendment would codify commonly used special conditions, equivalent level-of-safety findings, and exemptions for Title 14 Code of Federal Regulations (14 CFR) Part 25 and would, in part, harmonize with the standards that the European Aviation Safety Agency (EASA) currently requires.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 02/22/2019

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | | 08/30/2020 | |
| End of Comment Period | | 10/30/2020 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Aviation Administration

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|-----|--|-------|
| 24. | Extension of the Prohibition Against Certain Flights in Specified Areas of the Sanaa Flight Information Region (FIR) (OYSC) | Black |
|-----|--|-------|

Popular Title: Sanaa SFAR

RIN 2120-AL44

Stage: Final Rule

Previous Stage: None

Abstract: Assuming that the intelligence assessment that will be conducted in support of this project does not support changing the parameters of the rule, this action will extend the prohibition against certain flight operations in the Sanaa Flight Information Region (FIR) (OYSC) by all: U.S. air carriers; U.S. commercial operators; persons exercising the privileges of an airman certificate issued by the FAA, except when such persons are operating U.S.-registered aircraft for a foreign air carrier; and operators of U.S.-registered civil aircraft, except where the operator of such aircraft is a foreign air carrier. The FAA expects extending the flight prohibition will be necessary to address a potential hazard to persons and aircraft engaged in such flight operations

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 03/19/2019

Docket Number:

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 12/23/2019 | | |
| End of Comment Period | | | |

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Federal Aviation Administration

25. **Extension of the Prohibition Against Certain Flights in the Territory and Airspace of Somalia** Black

Popular Title: Somalia SFAR

RIN 2120-AL46

Stage: Final Rule

Previous Stage:

Abstract: Assuming that the intelligence assessment that will be conducted in support of this project does not support changing the parameters of the rule, this action will extend the prohibition against certain flight operations in the territory and airspace of Somalia at altitudes below Flight Level (FL) 260 by all: U.S. air carriers; U.S. commercial operators; persons exercising the privileges of an airman certificate issued by the FAA, except when such persons are operating U.S.-registered aircraft for a foreign air carrier; and operators of U.S.-registered civil aircraft, except where the operator of such aircraft is a foreign air carrier. The FAA expects that extension of the flight prohibition will be necessary to address a potential hazard to persons and aircraft engaged in such flight operations.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 03/19/2019

Docket Number:

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 12/23/2019 | | |
| End of Comment Period | | | |

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Federal Highway Administration

Federal Highway Administration

26. **Pavement Markings** Red

Popular Title: Pavement Markings

RIN 2125-AF34

Stage: Final Rule

Previous Stage: NPRM: Publication Date 4/22/2010; End of C/P: 8/20/10; SNPA: 1/4/17; End of C/P: 5/4/17.

Abstract: This rulemaking would amend the Manual on Uniform Traffic Control Devices, incorporated by reference in 23 CFR part 655, subpart F, to include standards, guidance, options, and supporting information related to maintaining minimum levels of retroreflectivity for pavement markings on all roads open to public travel.

Effects:

None

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 12/07/2009

Docket Number: FHWA-2009-0139

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | 12/30/2011 | 10/28/2019 | |

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Federal Highway Administration

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|--|-------|
| 27. National Bridge Inspection Standards (MAP-21) | Green |
|--|-------|

Popular Title: NBIS

RIN 2125-AF55

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking would update 23 CFR Part 650, Subpart C, National Bridge Inspection Standards, to incorporate changes made by section 1111 of MAP-21. This rulemaking would also update this Subpart to provide clarification of the requirements related to complex structures, critical findings, and inspection intervals. Finally, this rulemaking would update 23 CFR Part 650 by removing Subparts D and G as the programs covered by these regulations have been eliminated.

Effects:

None

Prompting action: Statute

Legal Deadline: Final Rule: 10/01/2015

Rulemaking Project Initiated: 07/06/2012

Docket Number: FHWA-2017-0047

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 07/03/2014 | 09/19/2019 | |
| End of Comment Period | 08/15/2014 | 11/21/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Highway Administration

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|-----|--|-------|
| 28. | Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs | Black |
|-----|--|-------|

Popular Title: Uniform Act

RIN 2125-AF79

Stage: NPRM

Previous Stage: None

Abstract: The FHWA is proposing to amend its Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 regulations at 49 CFR part 24. The revisions are prompted by enactment of the Moving Ahead for Progress in the 21st Century Act (MAP-21). Section 1521 of MAP-21 amendments included increases in statutory relocation benefits and a reduction of length of occupancy requirements. This proposal is intended to develop regulations on the use of those amendments. The FHWA is also proposing to update the Uniform Act regulations to reflect the agency's experience with the Federal-aid highway program since the last comprehensive rulemaking for part 24, which occurred in 2005. The updates include streamlining processes to better meet current Federal-aid highway program needs, and eliminating duplicative and outdated regulatory language.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 09/25/2017

Docket Number: FHWA-2018-0039

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 09/21/2018 | 09/06/2019 | |
| End of Comment Period | 11/26/2018 | 11/06/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Highway Administration

29. **Manual on Uniform Traffic Control Devices for Streets and Highways** Black

Popular Title: MUTCD

RIN 2125-AF85

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking would update the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) incorporated by reference at 23 CFR part 655. The new edition will update the technical provisions of the 2009 edition to reflect advances in technologies and operational practices that are not currently allowed in the MUTCD.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 07/13/2018

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 03/11/2019 | 12/31/2019 | |
| End of Comment Period | 06/11/2019 | 03/02/2020 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Motor Carrier Safety Administration

Federal Motor Carrier Safety Administration

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| 30. | Application by Certain Mexico-Domiciled Motor Carriers to Operate Beyond U.S. Municipalities and Commercial Zones on the U.S.-Mexico Border | Red |
|-----|--|-----|

Popular Title: Mexico-Domiciled Motor Carriers

RIN 2126-AA34

Stage: Undetermined

Previous Stage: IFR: Publication Date 03/19/2002; End of Comment Period 04/18/2002. Undetermined: Publication Approved; Publication Date; End of Comment Period.

Abstract: This rulemaking would change FMCSA regulations to govern applications by Mexican carriers to operate beyond municipalities and commercial zones at the United State-Mexico border. It would also revise the application form, OP-1MX, to be filed by these Mexican motor carriers. The revised form would require additional information about the applicant’s business and operating practices to allow the FMCSA to determine if the applicant can meet the safety standards established for operating in interstate commerce in the United States. Carriers that had previously submitted an application would have to submit the updated form. These changes are needed to implement part of the North American Free Trade Agreement (NAFTA). On January 16, 2003, the Ninth Circuit Court remanded this rule, along with two other NAFTA-related rules, to the agency, requiring a full environmental impact statement and an analysis required by the Clean Air Act. On June 7, 2004, the Supreme Court reversed the Ninth Circuit and remanded the case, holding that FMCSA is not required to prepare the environmental documents as ruled by the Ninth Circuit. FMCSA originally planned to publish a final rule by November 20, 2003.

Effects:

- Information Collection
- NAFTA

Prompting action: International Agreement

Legal Deadline: None

Rulemaking Project Initiated: 02/07/2001

Docket Number: FMCSA-98-3298

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: Unanticipated issues requiring further analysis

Federal Register Citation for Undetermined: None

Federal Motor Carrier Safety Administration

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| 31. | Safety Monitoring System and Compliance Initiative for Mexico-Domiciled Motor Carriers Operating in the United States | Red |
|-----|--|-----|

Popular Title: Safety Monitoring

RIN 2126-AA35

Stage: Undetermined

Previous Stage: IFR: Publication Date 03/19/2002; End of Comment Period 04/18/2002.

Abstract: This rule would implement a safety monitoring system and compliance initiative designed to evaluate the continuing safety fitness of all Mexico-domiciled carriers within 18 months after receiving a provisional Certificate of Registration or provisional authority to operate in the United States. It also would establish suspension and revocation procedures for provisional Certificates of Registration and operating authority, and incorporate criteria to be used by FMCSA in evaluating whether Mexico-domiciled carriers exercise basic safety management controls. The interim rule included requirements that were not proposed in the NPRM but which are necessary to comply with the FY-2002 DOT Appropriations Act. On January 16, 2003, the Ninth Circuit Court of Appeals remanded this rule, along with two other NAFTA-related rules, to the agency, requiring a full environmental impact statement and an analysis required by the Clean Air Act. On June 7, 2004, the Supreme Court reversed the Ninth Circuit and remanded the case, holding that FMCSA is not required to prepare the environmental documents. FMCSA originally planned to publish a final rule by November 28, 2003.

Effects:

- Regulatory Flexibility Act
- Federalism
- Information Collection
- NAFTA

Prompting action: International Agreement

Legal Deadline: None

Rulemaking Project Initiated: 02/07/2001

Docket Number: FMCSA-1998-3299

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: Unanticipated issues requiring further analysis

Federal Register Citation for Undetermined: None

Federal Motor Carrier Safety Administration

32. **Consumer Complaint Information** Red

Popular Title: Consumer Complaint Information

RIN 2126-AB01

Stage: Undetermined

Previous Stage: NPRM: Publication Date 02/20/2008, End of Comment Period 4/21/2008.

Abstract: The rulemaking would require each motor carrier of household goods to submit a quarterly report of specific identified information regarding complaints that each receives from shippers and consumers to the Agency. This rule responds to Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

Effects:

- Information Collection
- Privacy

Prompting action: Statute

Legal Deadline: Report in place: 08/10/2006

Rulemaking Project Initiated: 08/10/2005

Docket Number: FMCSA-2008-0029

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: Lack of resources
Lack of staffing

Federal Register Citation for Undetermined: None

Federal Motor Carrier Safety Administration

33. **New Entrant Safety Assurance Process: Implementation of Section 210(b) of the Motor Carrier Safety Improvement Act of 1999** Red

Popular Title: MCSIA 210(b) New Entrant Knowledge Test

RIN 2126-AB17

Stage: Undetermined

Previous Stage: ANPRM: Publication Date 08/25/2009; End of Comment Period 10/26/2009.

Abstract: This rulemaking would consider methods for ensuring a new applicant carrier is knowledgeable about the applicable safety requirements before being granted New Entrant authority. The agency is considering whether to implement a proficiency examination as part of its revised New Entrant Safety Assurance Process as well as other alternatives. This rulemaking responds to issues raised in a petition from Advocates for Highway and Auto Safety regarding new entrant applicant knowledge.

Effects:

None

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 02/26/2009

Docket Number: FMCSA-2001-11061

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Undetermined: None

Federal Motor Carrier Safety Administration

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|-----|---|-------|
| 34. | MAP-21 Enhancements and Other Updates to the Unified Registration System | Green |
|-----|---|-------|

Popular Title: URS 2

RIN 2126-AB56

Stage: Undetermined

Previous Stage: None NPRM: Publication Date; End of Comment Period.

Abstract: FMCSA proposes to implement several provisions of the Moving Ahead for Progress in the 21st Century Act (MAP-21) that relate to the FMCSA's Unified Registration System (URS) as well as update and codify the Agency's procedures for granting, suspending, and revoking registration. These procedures would apply to all entities required to register under the Agency's commercial or safety jurisdiction. Many of the proposed provisions codify existing Agency practices, while others improve on existing processes and procedures. FMCSA proposes this rule to achieve greater transparency, uniformity, efficiency, and predictability with respect to granting, suspending, or revoking registration.

Effects:

- Information Collection
- Privacy
- NAFTA
- Foreign

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 07/06/2012

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

Federal Motor Carrier Safety Administration

35. **Heavy Vehicle Speed Limiters** Black

Popular Title: Heavy Vehicle Speed Limiters

RIN 2126-AB63

Stage: Undetermined

Previous Stage: NPRM: Published 9/7/16, C/P Ends 11/7/16 NPRM: Publication Approved 09/01/2016; Publication Date 09/07/2016; End of Comment Period 11/07/2016.

Abstract: This joint NHTSA and FMCSA rulemaking would respond to petitions from ATA and Roadsafe America to require the installation of speed limiting devices on heavy vehicles. This rulemaking would consider a new Federal Motor Vehicle Safety Standard that would require the installation of speed limiting devices on heavy vehicles.

Effects:

Economically Significant
Major

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 05/29/2013

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

Federal Motor Carrier Safety Administration

36. **Amendments to Motor Carrier Safety Assistance Program** Black

Popular Title: 350 Rewrite

RIN 2126-AC02

Stage: NPRM

Previous Stage:

Abstract: FMCSA proposes amendments to the Agency's financial assistance programs resulting from the Fixing America's Surface Transportation (FAST) Act, including the funding formula recommendations derived from the Motor Carrier Safety Assistance Program (MCSAP) Formula Working Group (working group). This proposal would reorganize the Agency's regulations to create a standalone subpart for the High Priority Program. It would also include other programmatic changes to reduce redundancies, require the use of multi-year MCSAP Commercial Vehicle Safety Plans (CVSPs), and align the financial assistance programs with FMCSA's current enforcement and compliance programs.

Effects:

None

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 11/16/2016

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 04/05/2018 | 09/27/2019 | |
| End of Comment Period | 06/05/2018 | 11/27/2019 | |

Explanation for any delay: Awaiting development of additional data

Federal Register Citation for NPRM: None

Federal Motor Carrier Safety Administration

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|-----|--|-------|
| 37. | Controlled Substances and Alcohol Testing: State Driver's Licensing Agency Downgrade of Commercial Driver's License | Black |
|-----|--|-------|

Popular Title: Drug and Alcohol testing: CDL Downgrade

RIN 2126-AC11

Stage: NPRM

Previous Stage:

Abstract: The Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse) final rule (81 Fed. Reg. 87686 (Dec. 5, 2016), requires State Driver Licensing Agencies (SDLAs) to check the Clearinghouse before issuing, renewing, transferring, or upgrading a Commercial Driver's License (CDL) to determine whether the driver is qualified to operate a commercial motor vehicle (CMV). Drivers who commit drug or alcohol testing violations are prohibited from operating a CMV until complying with return-to-duty requirements. FMCSA plans to propose, requirements on SDLAs to take specific actions for individuals' subject to the CMV driving prohibition. FMCSA also looks to propose alternate additional actions SDLAs may be required to take after receiving notice that a driver licensed in their State is subject to the driving ban. The NPRM would also revise how reports of actual knowledge violations, based on a citation for Driving Under the Influence (DUI) in a CMV, would be maintained in the Clearinghouse. These proposed changes would improve highway safety by increasing compliance with existing drug and alcohol program requirements.

Effects:

Federalism

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 11/01/2017

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 04/05/2018 | 09/27/2019 | |
| End of Comment Period | 06/05/2018 | 11/27/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Motor Carrier Safety Administration

38. **Broker and Freight Forwarder Financial Responsibility** Black

Popular Title: Broker Trust Funds and Surety Bonds

RIN 2126-AC10

Stage: ANPRM

Previous Stage: ANPRM: published 8/27/18, C/P ended 11/26/18.

Abstract: FMCSA plans to initiate a rulemaking action pertaining to section 32918 of the Moving Ahead for Progress in the 21st Century Act (MAP-21). MAP-21 raised the financial security amount for brokers from \$10,000 to \$75,000 and, for the first time, established financial security requirements for freight forwarders. In the ANPRM, the Agency will consider eight separate areas: 1) group surety bonds/trust funds, 2) assets readily available, 3) immediate suspension of broker/freight forwarder operating authority, 4) surety or trust responsibilities in cases of broker/freight forwarder financial failure or insolvency, 5) enforcement authority, 6) entities eligible to provide trust funds for form BMC-85 filings, 7) Form BMC-84 and BMC-85 trust fund revisions, and 8) household goods (HHG).

Effects:

None

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 09/21/2017

Docket Number: FMCSA-2016-0102

Dates for ANPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 03/23/2018 | 09/28/2018 | 09/27/2018 |
| End of Comment Period | 05/23/2018 | 11/28/2018 | 11/26/2018 |

Explanation for any delay: N/A

Federal Register Citation for ANPRM: None

Federal Motor Carrier Safety Administration

39. **Safe Integration of Automated Driving Systems-Equipped Commercial Motor Vehicles** Black

Popular Title: ADS CMVs

RIN 2126-AC17

Stage: ANPRM

Previous Stage:

Abstract: FMCSA requests public comment about Federal Motor Carrier Safety Regulations (FMCSRs) that may need to be updated, modified, or eliminated to facilitate the safe introduction of automated driving systems (ADS) equipped commercial motor vehicles (CMVs) onto our Nation's roadways. FMCSA requests comment on specific regulatory requirements that are likely to be affected by an increased integration of ADS-equipped CMVs. However, the Agency is not seeking comments on its financial responsibility requirements because they are not directly related to CMV technologies and because future insurance requirements will depend in part on the evolution of State tort law with respect to liability for the operation of ADS-equipped vehicles.

Effects:

None

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 03/22/2018

Docket Number:

Dates for ANPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 12/28/2018 | 05/31/2019 | 05/28/2019 |
| End of Comment Period | 03/01/2019 | 07/29/2019 | 07/29/2019 |

Explanation for any delay: N/A

Federal Register Citation for ANPRM: None

Federal Motor Carrier Safety Administration

40. **Hours of Service of Drivers** Black

Popular Title: HOS

RIN 2126-AC19

Stage: NPRM

Previous Stage: ANPRM: published 8/23/18, extended C/P ended 10/10/18. ANPRM: Publication Date 08/23/2018; End of Comment Period 09/24/2018; Extension of Comment Period 09/20/2018; End of Extended Comment Period 10/10/2018; Analyzing Comments.

Abstract: The introduction of electronic logging devices and their ability to accurately record hours-of-service (HOS) compliance for drivers of commercial motor vehicles (CMVs) have prompted numerous requests from Congress and the public for FMCSA to consider revising certain HOS provisions. To address these requests, FMCSA seeks public input and data that the Agency could use in a future proposal.

Effects:

None

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 07/02/2018

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 05/08/2019 | 07/31/2019 | |
| End of Comment Period | 06/24/2019 | 09/16/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Motor Carrier Safety Administration

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|-----|---|-------|
| 41. | Hours of Service of Drivers of Commercial Motor Vehicles; Transportation of Agricultural Commodities | Black |
|-----|---|-------|

Popular Title: HOS - Ag Commodities

RIN 2126-AC24

Stage: ANPRM

Previous Stage:

Abstract: FMCSA seeks comment to assist in determining whether, and if so to what extent, the Agency should revise or otherwise clarify the definitions of "agricultural commodity" or "livestock" in the "Hours of Service (HOS) of Drivers" regulations. Currently, during harvesting and planting seasons as determined by each State, drivers transporting agricultural commodities, including livestock, are exempt from the HOS requirements from the source of the commodities to a location within a 150-air-mile radius from the source. This ANPRM is prompted by indications that the current definition of these terms may not be understood or enforced consistently when determining whether the HOS exemption applies.

Effects:

None

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 09/20/2018

Docket Number: FMCSA-2018-0348

Dates for ANPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 03/18/2019 | 07/01/2019 | |
| End of Comment Period | 05/20/2019 | 09/02/2019 | |

Explanation for any delay: N/A

Federal Register Citation for ANPRM: None

Federal Railroad Administration

Federal Railroad Administration

42. **Risk Reduction Program** Red

Popular Title: Risk Reduction Program

RIN 2130-AC11

Stage: Final Rule

Previous Stage: ANPRM: Publication Date 12/08/2010; End of Comment Period 02/07/2011 NPRM: Publication Date 02/27/14; End of Comment Period 04/27/15.

Abstract: This rule requires each Class I freight railroad and each freight railroad with inadequate safety performance to develop and implement a Risk Reduction Program (RRP) to improve the safety of its operations. RRP is a comprehensive, system-oriented approach to safety that determines a railroad operation's level of risk by identifying and analyzing applicable hazards, and involves developing plans to mitigate, if not eliminate, that risk. Each railroad has flexibility to tailor an RRP to its specific railroad operations. Each railroad must implement its RRP under a written RRP plan that FRA has reviewed and approved and conduct an annual internal assessment of its RRP. FRA will audit railroad's RRP processes and procedures. Section 103 of the Rail Safety Improvement Act of 2008 (RSIA) mandates this rulemaking.

Effects:

Information Collection

Prompting action: Statute

Legal Deadline: Final Rule: 10/16/2012

Rulemaking Project Initiated: 10/16/2008

Docket Number: FRA-2009-0038

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | 02/26/2016 | 09/30/2019 | |

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Federal Railroad Administration

43. **Emergency Escape Breathing Apparatus** Red

Popular Title: Emergency Escape Breathing Apparatus

RIN 2130-AC14

Stage: Undetermined

Previous Stage: NPRM: Publication Date 10/05/2010, End of Comment Period 12/06/2010.

Abstract: Section 413 of the Rail Safety Improvement Act of 2008 (RSIA) requires the Secretary to prescribe regulations requiring railroads to provide specified emergency escape breathing apparatus (EEBA) for all crew members in locomotive cabs on freight trains carrying poison-inhalation-hazard hazardous material and provide training in its use. FRA cannot identify an economical means of compliance. Therefore, FRA instead issued a guidance document that railroads will use to develop EEBA programs to protect railroad employees involved in transporting hazardous materials posing an inhalation hazard. In this guidance document, FRA highlighted factors to consider when selecting appropriate EEBA devices and explained various programmatic components to evaluate when developing an EEBA program.

Effects:

None

Prompting action: Statute

Legal Deadline: Final Rule: 04/16/2010

Rulemaking Project Initiated: 10/16/2008

Docket Number: FRA-2009-0044

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: Additional coordination necessary
Other, higher priorities

Federal Register Citation for Undetermined: None

Federal Railroad Administration

44. **High-Speed Intercity Passenger Rail (HSIPR) Program; Buy America Program Requirements** Red

Popular Title: Buy America Program Requirements

RIN 2130-AC23

Stage: Undetermined

Previous Stage: None

Abstract: This rulemaking would establish regulations for FRA’s Buy America requirements as part of the High-Speed Intercity Passenger Rail (HSIPR) program. The Passenger Rail Investment and Improvement Act of 2008 (PRIIA) authorized the appropriation of funds to establish several new passenger rail grant programs, including capital investment grants to support intercity passenger rail service (§301), high-speed corridor development (§501), and congestion grants (§302). FRA has consolidated these and other closely related programs into the HSIPR program, as detailed in FRA’s HSIPR Interim Guidance and FY 2010 Interim Guidance. Spending authorized under PRIIA is subject to the Buy America provision of 49 U.S.C. § 24405(a). This rulemaking would provide standards to govern FRA’s application of the Buy America provision to all PRIIA-authorized spending as part of the HSIPR program.

Effects:

- Economically Significant
- Major
- Information Collection

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 09/14/2010

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Undetermined: None

Federal Railroad Administration

45. **Train Crew Staffing and Location** Black

Popular Title: Train Crew Staffing and Location

RIN 2130-AC48

Stage: Withdrawal

Previous Stage: NPRM: 03/15/2016; End of Comment Period 05/16/2016.

Abstract: On May 29, 2019, FRA issued a withdrawal of the March 15, 2016 NPRM concerning train crew staffing. In withdrawing the NPRM, FRA provided notice of its affirmative decision that no regulation of train crew staffing is necessary or appropriate for railroad operations to be conducted safely at this time. This rulemaking will not appear on next month's report.

Effects:

Regulatory Flexibility Act

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 03/27/2014

Docket Number: FRA-2014-0033

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | 05/29/2019 |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

Federal Railroad Administration

46. **Locomotive Recording Devices** Black

Popular Title: Locomotive Recording Devices

RIN 2130-AC51

Stage: NPRM

Previous Stage: None

Abstract: The FAST Act requires the Secretary to promulgate regulations requiring each railroad carrier that provides regularly scheduled intercity rail passenger or commuter rail passenger transportation to the public to install inward- and outward-facing image recording devices in all controlling locomotives of passenger trains. This rulemaking would require the installation of inward- and outward-facing locomotive video cameras on controlling locomotives of passenger trains. The recordings would be used to help determine the cause of railroad accidents and to prevent similar accidents. They would also be used to ensure passenger railroad employee compliance with applicable Federal railroad safety regulations and railroad rules, particularly regulations prohibiting the use of personal electronic devices. This rulemaking attempts to fulfill NTSB recommendations urging FRA to adopt regulations requiring locomotive-mounted audio and video recording devices. FRA is requesting comments regarding whether audio recording devices should be required.

Effects:

None

Prompting action: None

Legal Deadline: FAST Act: 12/04/2017

Rulemaking Project Initiated: 06/18/2015

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 01/19/2016 | 07/10/2019 | |
| End of Comment Period | 03/21/2016 | 09/08/2019 | |

Explanation for any delay: Additional Coordination and New Legislation

Federal Register Citation for NPRM: None

Federal Railroad Administration

47. **Rail Integrity and Track Safety Standards Amendments (RRTF)** Black

Popular Title: Track Safety Standards (DEREG)

RIN 2130-AC53

Stage: NPRM

Previous Stage: None

Abstract: This NPRM proposes to revise FRA's Track Safety Standards (Standards), which prescribe the minimum safety requirements for railroad track. The proposed changes include allowing inspection of rail using continuous rail testing; allowing the use of flange-bearing frogs in crossing diamonds; relaxing the guard check gage limits on heavy-point frogs used in Class 5 track; removing an inspection-method exception for high-density commuter lines; and other miscellaneous revisions.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 05/26/2014

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 05/27/2016 | 10/18/2019 | |
| End of Comment Period | 07/27/2016 | 12/17/2019 | |

Explanation for any delay: Additional coordination necessary
Awaiting development of additional data
Unanticipated issues requiring further analysis

Federal Register Citation for NPRM: None

Federal Railroad Administration

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|-----|--|-------|
| 48. | Amendments to Brake System Safety Standards to Incorporate Waivers and Address Tourist and Historic Railroads (previously Tourist and Historic Railroad Amendments) | Black |
|-----|--|-------|

Popular Title: Amendments to Brake System Safety Standards

RIN 2130-AC67

Stage: NPRM

Previous Stage: None

Abstract: The rulemaking would propose to amend 49 CFR Part 232 by incorporating a number of existing long-standing waivers related to end-of-train devices and single car testing. The rule would also propose modifications to Appendix B to better address brake system maintenance on tourist, historic, and scenic operations and would propose to extend the existing 4-hours off-air requirement to 24 hours consistent with Canadian railroad operations as requested by AAR via a waiver and rulemaking petition.

Effects:

Information Collection

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 03/17/2017

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 05/27/2016 | 10/18/2019 | |
| End of Comment Period | 07/27/2016 | 12/17/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Federal Transit Administration

Federal Transit Administration

49. Buy America: Amendments (MAP-21) Black

Popular Title: Buy America

RIN 2132-AB16

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking would amend 49 CFR Part 661 to incorporate changes made by MAP-21 and to make other updates and amendments.

Effects:

Information Collection

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 01/10/2013

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 01/10/2014 | 03/25/2020 | |
| End of Comment Period | 03/14/2014 | 05/27/2020 | |

Explanation for any delay: Additional coordination necessary

Federal Register Citation for NPRM: None

National Highway Traffic Safety Administration

National Highway Traffic Safety Administration

50. **Tire Fuel Efficiency Consumer Information - Part 2** Red

Popular Title: Tire Fuel Efficiency Part 2 (DEREG)

RIN 2127-AK76

Stage: SNPRM

Previous Stage: NPRM: Publication Date 06/22/2009; Comment Period End 08/21/2009.

Abstract: This rulemaking would respond to requirements of the Energy Independence and Security Act of 2007 to establish a national tire fuel efficiency consumer information program for replacement tires designed for use on motor vehicles. On March 30, 2010, NHTSA published a final rule specifying the test procedures to be used to rate the performance of replacement passenger car tires for this new program (75 FR 15893). This rulemaking would address how this information would be made available to consumers.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 12/19/2007

Docket Number: NHTSA-2011-0099

Dates for SNPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 08/15/2012 | 03/30/2020 | |
| End of Comment Period | 10/15/2012 | 05/29/2020 | |

Explanation for any delay: Additional coordination necessary

Federal Register Citation for SNPRM: None

National Highway Traffic Safety Administration

51. **Heavy Vehicle Speed Limiters** Red

Popular Title: Heavy Vehicle Speed Limiters

RIN 2127-AK92

Stage: Undetermined

Previous Stage: NPRM: Publication Approved 08/29/2016; Publication Date 09/07/2016; End of Comment Period 11/07/2016.

Abstract: This joint NHTSA and FMCSA rulemaking would respond to petitions from American Trucking Association and Roadsafe America to require the installation of speed limiting devices on heavy vehicles. This rulemaking would consider a new FMVSS that would require the installation of speed limiting devices on heavy vehicles.

Effects:

Economically Significant
Major

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 03/18/2011

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

National Highway Traffic Safety Administration

52. **Establish Side Impact Performance Requirements for Child Restraint Systems (MAP-21)** Red

Popular Title: Side Impact Test Procedure for CRS

RIN 2127-AK95

Stage: Final Rule

Previous Stage: NPRM: 01/28/14; End of C/P: 04/28/14; Reopen C/P: 06/04/14; End of Reopened C/P: 10/02/14

Abstract: This rulemaking, if finalized, would include side impact performance requirements, a side impact test procedure, and the use of a new side impact dummy in FMVSS No. 213, "Child restraint systems," to evaluate the performance of child restraint systems in side impacts. This rulemaking is mandated by MAP-21.

Effects:

Economically Significant
Major

Prompting action: Statute

Legal Deadline: Final Rule: 10/01/2014

Rulemaking Project Initiated: 03/18/2011

Docket Number:

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | 04/30/2017 | 03/30/2020 | |
| Effective Date | | | |

Explanation for any delay: Additional research and data analysis necessary.

Federal Register Citation for Final Rule: None

National Highway Traffic Safety Administration

53. **Motorcoach Rollover Structural Integrity (MAP-21)** Red

Popular Title: Motorcoach Rollover Structural Integrity

RIN 2127-AK96

Stage: Final Rule

Previous Stage: NPRM: 08/06/14; End of C/P: 10/06/14

Abstract: This rulemaking, if finalized, would promulgate a new FMVSS for rollover structural integrity requirements for motorcoaches and large buses, would address 6 recommendations issued by the NTSB on motorcoach roof strength and structural integrity, and is mandated by MAP-21.

Effects:

None

Prompting action: Statute

Legal Deadline: Publish Final Rule: 10/01/2014

Rulemaking Project Initiated: 03/18/2011

Docket Number: NHTSA-2014-0085

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | 12/31/2015 | 01/30/2020 | |
| Effective Date | | | |

Explanation for any delay: Other, higher priorities

Federal Register Citation for Final Rule: None

National Highway Traffic Safety Administration

54. **FMVSS No. 218 and Enforcement Policy Concerning Novelty Helmets** Red

Popular Title: Novelty Helmets Enforcement

RIN 2127-AL01

Stage: Other

Previous Stage: Undetermined: Publication Date. Withdrawal: Publication Date.

Abstract: NHTSA plans to withdraw its May 21, 2015 notice of proposed rulemaking to amend Federal Motor Vehicle Safety Standard FMVSS No. 218, Motorcycle helmets. This rulemaking proposed adding a definition of motorcycle helmet, adding preliminary screening requirements and adding an alternate compliance process. Since publication of the NPRM, NHTSA has decided to evaluate other alternatives that might prove effective in reducing novelty helmet availability and use and has decided that changed circumstances warrant its withdrawal.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 04/21/2011

Docket Number:

Dates for Other:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | 10/30/2019 | | |

Explanation for any delay: N/A

Federal Register Citation for Other: None

National Highway Traffic Safety Administration

55. **Consumer Information on Fuel Economy, Emissions, and Alternative Fuel Usage** Black

Popular Title: Alternative Fuel Consumer Information

RIN 2127-AL12

Stage: Undetermined

Previous Stage: None

Abstract: This rulemaking would as required by the Energy Independence and Security Act of 2007 (EISA) and promulgated under 49 U.S.C. § 32908(g), develop and implement a consumer information campaign to: (1) improve understanding of automobile performance related to fuel economy, greenhouse gas emissions, and other pollutant emissions; (2) inform consumers of the benefits of using alternative fuels and the location of alternative fueling stations; (3) and increase awareness of automotive thermal management technologies. This rulemaking is the third, and final, phase of consumer information initiatives required by EISA. The first phase promulgated new Fuel Economy and Environment labels for new automobiles, and was finalized in May 2011 (2127-AK73). The second phase (2127-AK75), currently being developed, addresses EISA requirements to: affix a permanent and prominent display that identifies new automobiles that are capable of operating on alternative fuels; attach a label to the fuel tank filler compartment of alternative fuel vehicles; and include in the owner’s manual for vehicles capable of operating on alternative fuels information describing the benefits of using alternative fuels, including their renewable nature and environmental benefits.

Effects:

None

Prompting action: Statute

Legal Deadline: EISA statutory deadline: 06/16/2011

Rulemaking Project Initiated: 12/19/2007

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

National Highway Traffic Safety Administration

56. **Upgrade of LATCH Usability Requirements (MAP-21)** Black

Popular Title: Upgrade of LATCH Usability Requirements

RIN 2127-AL20

Stage: Undetermined

Previous Stage: NPRM: 01/23/15; End of C/P: 03/24/15

Abstract: This rulemaking would amend FMVSS No. 225, Child restraint anchorage systems, to improve the ease of use for lower anchorages and tether in all rear seating positions in accordance with MAP-21, address comments on LATCH usability received in response to the LATCH public meeting held on February 8, 2007, and standardize features of LATCH for enabling simple and standardized consumer messaging to facilitate increased LATCH use and correct child seat installation.

Effects:

- EU
- NAFTA
- Foreign

Prompting action: Statute

Legal Deadline: Initiate NPRM: 10/01/2013
Publish Final Rule: 10/01/2015

Rulemaking Project Initiated: 02/27/2012

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

National Highway Traffic Safety Administration

57. **Upgrade FMVSS No. 213 for Improved Child Occupant Protection** Black

Popular Title: FMVSS No. 213 Upgrade

RIN 2127-AL34

Stage: NPRM

Previous Stage: None

Abstract: In accordance with MAP-21 § 31501(b)(1), this notice proposes to upgrade FMVSS No. 213 seat assembly and test parameters. NHTSA is considering updates to the standard seat geometry, seat cushion stiffness, and seat belt assembly that could better replicate real world conditions. In addition, revision to the frontal crash sled pulse is being considered to be more representative of crash pulses of the current vehicle fleet.

Effects:

None

Prompting action: 2011 Retrospective Regulatory Review

Legal Deadline: Initiate Rulemaking: 10/01/2014

Final Rule: 10/01/2016

Rulemaking Project Initiated: 01/17/2013

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 08/30/2018 | 09/28/2019 | |
| End of Comment Period | 10/30/2018 | 11/27/2019 | |

Explanation for any delay: Additional coordination necessary

Federal Register Citation for NPRM: None

National Highway Traffic Safety Administration

58. **Rear Seat Belt Reminder System** Black

Popular Title: Rear Seat Belt Reminder System

RIN 2127-AL37

Stage: ANPRM

Previous Stage: NPRM: Publication Date; End of Comment Period.

Abstract: This notice seeks comment on proposals to amend FMVSS No. 208, "Occupant crash protection," to require automobile manufacturers to install a seat belt reminder system for certain designated seating positions in passenger vehicles. This notice also responds in part to a petition for rulemaking submitted by Public Citizen and Advocates for Highway and Auto Safety, as well as MAP-21 requirements.

Effects:

Economically Significant
Major

Prompting action: Statute

Legal Deadline: Initiate: 10/01/2014
Final Rule: 10/01/2015

Rulemaking Project Initiated: 07/06/2012

Docket Number:

Dates for ANPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | 05/31/2019 | | |

Explanation for any delay: N/A

Federal Register Citation for ANPRM: None

National Highway Traffic Safety Administration

| | | |
|-----|---|-------|
| 59. | Federal Motor Vehicle Safety Standard (FMVSS) 150 - Vehicle to Vehicle (V2V) Communication | Black |
|-----|---|-------|

Popular Title: Vehicle to Vehicle (V2V) Communication

RIN 2127-AL55

Stage: Undetermined

Previous Stage: ANPRM 08/20/14; End of C/P 10/20/14; NPRM 01/12/17; End of C/P 04/12/17

Abstract: This rulemaking would require that all light vehicles be capable of V2V communication by use of on-board dedicated short-range radio communication (DSRC) devices, which would broadcast messages about a vehicle's speed, heading, brake status, and other information to other vehicles and receive the same information from the messages, with extended range and 'line-of-sight' capabilities.

Effects:

- Economically Significant
- Major
- Privacy

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: None

Rulemaking Project Initiated: 07/09/2014

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

National Highway Traffic Safety Administration

60. **Retroreflective Tape and Underride Guards for Single Unit Trucks** Black

Popular Title: Retroreflective Tape for Single Unit Trucks

RIN 2127-AL57

Stage: Other

Previous Stage: ANPRM: 07/23/15; End of C/P: 09/21/15; ANPRM C/P Extended: 10/06/15; End of Extended C/P: 11/05/15 Undetermined: Publication Date. ANPRM: Publication Date 07/23/2015; End of Comment Period 09/21/2015; Notice of Withdrawal; Effective Date.

Abstract: NHTSA withdraws its July 23, 2015 Advanced Notice of Proposed Rulemaking (ANPRM) that responded in part to a petition for rulemaking regarding possible amendments to the Federal motor vehicle safety standards (FMVSSs) relating to rear underride guards. The ANPRM requested comment on NHTSA's analysis of the costs and benefits of amending the FMVSS to single unit trucks (SUTs) either to be equipped with improved rear underride guards or with retroreflective tape to improve visibility to other drivers. NHTSA has determined based on the comments received, as well as further agency analysis of the petitions, that the changes considered in the ANPRM are not justified at this time.

Effects:

Economically Significant
Major

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 09/03/2014

Docket Number:

Dates for Other:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|----------------------|---------------------------|--------------------|-------------|
| Notice of Withdrawal | 10/31/2018 | 06/28/2019 | |

Explanation for any delay: N/A

Federal Register Citation for Other: None

National Highway Traffic Safety Administration

61. **Requirements for Importing Motor Vehicles and Motor Vehicle Equipment** Black

Popular Title: Importing Motor Vehicles and Equipment

RIN 2127-AL61

Stage: Undetermined

Previous Stage: None

Abstract: This rulemaking would amend regulations that pertain to the importation of motor vehicles and motor vehicle equipment subject to the Federal motor vehicle safety, bumper, and theft prevention standards. The amendments would implement a recently enacted statute, codified at 49 U.S.C. § 30164(c)-(f), that authorizes NHTSA to issue regulations conditioning the importation of a motor vehicle or motor vehicle equipment upon the manufacturer (including the importer) providing such information that is necessary to identify and track the product by name and the manufacturer's address, and each retailer or distributor to which the manufacturer directly supplied motor vehicles or motor vehicle equipment.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 06/11/2015

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

National Highway Traffic Safety Administration

62. **49 CFR Part 577 Defect and Noncompliance Notification** Black

Popular Title: Part 577 Defect and Noncompliance Notifications

RIN 2127-AL66

Stage: Undetermined

Previous Stage: ANPRM: 01/25/16; End of C/P: 03/10/16; NPRM: 09/01/16; End of C/P: 10/31/16

Abstract: This rulemaking, if finalized, would respond to Section 24104 of the FAST Act directing the Secretary to issue a rule requiring manufacturers "notification by electronic means in addition to notification by first class mail" to owners for defects and noncompliance of motor vehicles. MAP-21 allowed the Secretary discretion for the notification to be "in a manner other than, or in addition to, first class mail." MAP-21 also authorized the Secretary of Transportation to improve the efficacy of recalls by requiring manufacturers to send additional notifications of defects or noncompliance if a second notification by the manufacturer does not result in an adequate number of motor vehicles or replacement equipment being returned for remedy. 49 U.S.C. § 30119(e).

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 08/12/2015

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

National Highway Traffic Safety Administration

63. **49 CFR Part 578, Civil Penalties** Black

Popular Title: 49 CFR Part 578, Civil Penalties

RIN 2127-AL94

Stage: Final Rule

Previous Stage: NPRM 04/02/18; End of C/P 05/02/18 NPRM: Publication Date 04/02/2018; End of Comment Period 05/02/2018.

Abstract: This rulemaking, if finalized, would establish a civil penalty rate applicable to automobile manufacturers that fail to meet applicable CAFE standards and are unable to offset such a deficit with compliance credits. NHTSA proposed this civil penalty rate based on a tentative determination regarding the applicability of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, and in accordance with the Energy Policy and Conservation Act of 1975 (EPCA) and the Energy Independence and Security Act of 2007 (EISA). If finalized, the rulemaking would also increase the maximum penalty permitted for other violations of EPCA, as amended, to account for inflation, pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015.

Effects:

None

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 01/31/2018

Docket Number:

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | 08/31/2018 | 06/30/2019 | |

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

National Highway Traffic Safety Administration

64. **Removing Regulatory Barriers for Automated Driving Systems** Black

Popular Title: Removing Barriers to ADS (DEREG)

RIN 2127-AM00

Stage: ANPRM

Previous Stage: None

Abstract: This notice seeks comment on existing motor vehicle regulatory barriers to the introduction and certification of automated driving systems. NHTSA is developing the appropriate analysis of requirements that are necessary to maintain the agency's continued focus on safety while enabling innovative vehicle designs and removing or modifying those requirements that would no longer be appropriate if a human driver will not be operating the vehicle. NHTSA previously published a Federal Register notice requesting public comment on January 18, 2018. In response to comments received from the January notice, the agency initiated this ANPRM to begin the rulemaking process.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 02/20/2018

Docket Number:

Dates for ANPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 12/31/2018 | 08/30/2019 | 05/28/2019 |
| End of Comment Period | 02/24/2019 | 10/30/2019 | 07/29/2019 |

Explanation for any delay: N/A

Federal Register Citation for ANPRM: None

National Highway Traffic Safety Administration

65. **Occupant Protection for Automated Driving Systems** Black

Popular Title: Occupant Protection for ADS

RIN 2127-AM06

Stage: NPRM

Previous Stage: None

Abstract: This action proposes to amend crashworthiness regulations that may be necessary to facilitate the certification of motor vehicles equipped without driver controls. The agency published a Federal Register notice on January 18, 2018 requesting comment on existing regulatory barriers that may block the introduction and certification of ADS-equipped vehicles, particularly those without human controls. In response to comments received from the January notice, the agency initiated this NPRM to begin the rulemaking process. NHTSA will consider comments received from this notice, agency research, stakeholder engagement, and internal agency analysis to remove crashworthiness-related regulatory barriers.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 07/26/2018

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 03/31/2019 | 12/31/2019 | |
| End of Comment Period | 05/31/2019 | 02/28/2020 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

National Highway Traffic Safety Administration

66. **Considerations for Telltales, Indicators and Warnings in ADS Vehicles** Black

Popular Title: None

RIN 2127-AM07

Stage: ANPRM

Previous Stage: None

Abstract: This notice seeks comments on amending the Federal motor vehicle safety standards to address the applicability and appropriateness of safety messaging (telltales, indicators, and warnings) in vehicles without conventional driver controls.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 07/26/2018

Docket Number:

Dates for ANPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 09/30/2019 | 03/30/2020 | |
| End of Comment Period | 11/30/2019 | 05/30/2020 | |

Explanation for any delay: N/A

Federal Register Citation for ANPRM: None

National Highway Traffic Safety Administration

67. **Safety Principles for Automated Driving Systems** Black

Popular Title: Safety Principles for Automated Driving Systems

RIN 2127-AM15

Stage: ANPRM

Previous Stage:

Abstract: This notice solicits comments on regulatory approaches to motor vehicles equipped with Automatic Driving System (ADS). The agency seeks public comments on the creation of a safety framework for objectively and transparently assessing and validating the success of each ADS vehicle or developer in designing safety into its vehicles. More specifically, it asks commenters about developing and establishing a regulatory approach such as amending Federal Motor Vehicle Safety Standards (FMVSS) or developing alternative safety regulations relating to ADS vehicle performance.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 02/20/2019

Docket Number:

Dates for ANPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 12/30/2019 | | |
| End of Comment Period | 02/28/2020 | | |

Explanation for any delay: N/A

Federal Register Citation for ANPRM: None

National Highway Traffic Safety Administration

68. **EPCA CAFE Civil Penalties** Black

Popular Title: EPCA CAFE Civil Penalties

RIN 2127-AM16

Stage: NPRM

Previous Stage:

Abstract: This rulemaking would consider actions to adhere to the statutory provisions concerning the civil penalty rate for non-compliance with Corporate Average Fuel Economy (CAFE) standards.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 02/20/2019

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 02/28/2020 | | |
| End of Comment Period | 04/29/2020 | | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

National Highway Traffic Safety Administration

69. **Medium and Heavy-Duty Trailer Fuel Efficiency Standards** Black

Popular Title: MD/HD Trailer Fuel Efficiency Standards

RIN 2127-AM17

Stage: NPRM

Previous Stage:

Abstract: This notice responds to an October 25, 2016, petition for rulemaking from the Truck Trailer Manufacturers Association requesting amendments to the fuel efficiency standards and greenhouse gas emissions standards for medium and heavy-duty trailers. NHTSA granted the petition on August 17, 2017, and with the Environmental Protection Agency, is commencing a joint rulemaking proceeding.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 02/20/2019

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 01/30/2020 | 10/31/2019 | |
| End of Comment Period | 03/30/2020 | 12/30/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Office of the Secretary

Office of the Secretary

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| 70. | Carrier-Supplied Medical Oxygen, Service Request Reporting, and Seating Accommodations with Extra Legroom | Red |
|-----|--|-----|

Popular Title: Medical Oxygen; Legroom; Accommodation Requests

RIN 2105-AE12

Stage: Undetermined

Previous Stage: NPRM: 06/08/2010; C/P End: 08/09/2010.

Abstract: This rulemaking would follow up on air travel accessibility issues discussed in the preamble of the 2008 Air Carrier Access Act (ACAA) final rule. This rulemaking would consider (1) whether carriers should be required to supply in-flight medical oxygen for a fee to passengers who require it to access air transportation; (2) whether carriers should be required to report to the Department annually the number of requests for disability assistance they receive; and (3) whether to broaden the scope of passengers with disabilities who must be afforded seats with extra leg room, and whether carriers should be required to provide seating accommodations with extra leg room in all classes of service. The issue of whether carriers should be required to provide accessible lavatories on single aisle aircraft has been transferred to RIN 2105-AE32. The topic of service animals is removed from this rulemaking action and will be addressed in a new rulemaking action under RIN 2105-AE63. (The issue of Accessibility of Web Sites and Automated Kiosks at U.S. Airports was addressed under RIN 2105-AD96.) This rulemaking would follow up on air travel accessibility issues discussed in the preamble of the 2008 Air Carrier Access Act (ACAA) final rule.

Effects:

None

Prompting action: Secretarial/Head of Operating Administration Decision

Legal Deadline: Deadline to issue NPRM: 07/15/2017

Rulemaking Project Initiated: 04/25/2011

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

Office of the Secretary

71. **Use of Mobile Wireless Devices for Voice Calls on Aircraft** Black

Popular Title: Mobile Wireless Devices

RIN 2105-AE30

Stage: Undetermined

Previous Stage: ANPRM: 02/24/2014; End of C/P: 03/26/2014.

Abstract: This rulemaking would explore whether DOT should adopt a rule to disclose or restrict voice communications on passengers’ mobile wireless devices on scheduled flights within, to and from the United States. In 2013, the Federal Communications Commission (FCC) issued a notice of proposed rulemaking that, if adopted would, among other things, create a pathway for airlines to permit the use of cellphones or other mobile wireless devices to make or receive calls on board aircraft. At present, however, air carriers do not offer voice call service within U.S. airspace.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 01/07/2014

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

Office of the Secretary

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|---|-------|
| 72. Accessible In-Flight Entertainment | Black |
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Popular Title: Accessible IFE

RIN 2105-AE32

Stage: NPRM

Previous Stage: NPRM 07/15/17 (for Accessible Lavatories)

Abstract: This rulemaking follows-up on an air travel accessibility issue discussed in the preamble of the 2008 Air Carrier Access Act (ACAA) final rule on whether carriers should be required to ensure that the same in-flight entertainment available to all passengers is accessible to passengers with disabilities. In 2016, a DOT negotiated rulemaking committee reached consensus on both in-flight entertainment and accessible lavatories. The topic of accessible lavatories on single-aisle aircraft was removed from RIN 2105-AE12 and will be addressed in a new rulemaking action under RIN 2105-AE88 and RIN 2105-AE89. The topic of service animals was removed from RIN 2105-AE12 and will be addressed in a new rulemaking action under RIN 2105-AE63.

Effects:

Negotiated Rulemaking

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 03/07/2014

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 07/25/2017 | 10/30/2020 | |
| End of Comment Period | 10/25/2017 | 01/28/2021 | |

Explanation for any delay: Additional coordination needed for regulatory evaluation
Additional research and data analysis necessary.

Federal Register Citation for NPRM: None

Office of the Secretary

73. **Air Transportation Consumer Protection Requirements for Ticket Agents** Black

Popular Title: Consumer Protection Reqs: Air Transp. Ticket Agent

RIN 2105-AE57

Stage: Undetermined

Previous Stage: NPRM: 5/23/14; End of C/P: 08/21/14.

Abstract: This rulemaking would address a number of proposals to enhance protections for air travelers and to improve the air travel environment. Specifically, this rulemaking would enhance airline passenger protections by addressing whether to codify in regulation a definition of the term "ticket agent." The rulemaking would also consider whether to require large travel agents to adopt minimum customer service standards and prohibit the unfair and deceptive practice of post-purchase price increases. These issues, previously part of a rulemaking known as Airline Pricing Transparency and Other Consumer Protection Issues, (2105-AE11) have been separated into this proceeding.

Effects:

Major

Prompting action: None

Legal Deadline: final rule: 04/03/2019

Rulemaking Project Initiated: 07/18/2016

Docket Number:

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

Office of the Secretary

74. **Traveling by Air with Service Animals** Black

Popular Title: Service Animals

RIN 2105-AE63

Stage: NPRM

Previous Stage: ANPRM: 05/23/18; End of C/P: 07/09/18.

Abstract: This rulemaking would address the appropriate definition of a service animal and include safeguards to ensure safety and reduce the likelihood that passengers wishing to travel with their pets on aircraft will be able to falsely claim that their pets are service animals. This NPRM follows up on air travel accessibility issues discussed in the preamble of the 2008 Air Carrier Access Act (ACAA) final rule. This rulemaking covers one of the topics initially proposed under RIN 2105-AE12.

Effects:

None

Prompting action: Statute

Legal Deadline: FAA Extension, Safety, and Security Act of 2016 required issuance of NPRM on service animals: 07/15/2017

Rulemaking Project Initiated: 01/12/2017

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 03/08/2019 | 11/18/2019 | |
| End of Comment Period | 05/08/2019 | 01/18/2020 | |

Explanation for any delay:

Federal Register Citation for NPRM: None

Office of the Secretary

75. **Processing Buy America and Buy American Waivers Based on Nonavailability** Black

Popular Title: Buy America(n) Nonavailability Waivers

RIN 2105-AE79

Stage: NPRM

Previous Stage: None

Abstract: This rule will establish the applicable regulatory standard for waivers from the Buy America requirement on the basis that a product or item is not manufactured in the United States meeting the applicable Buy America requirement. This standard will require the use of items and products with the maximum known amount of domestic content. The rule will also establish the required information, which is expected to be consistent across the Department, the applicants must provide in applying for such waivers.

Effects:

Information Collection

Prompting action: Presidential Direction

Legal Deadline: None

Rulemaking Project Initiated: 07/31/2018

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 06/24/2019 | 08/30/2019 | |
| End of Comment Period | 08/26/2019 | 10/30/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Office of the Secretary

76. **Accessible Lavatories on Single-Aisle Aircraft: Part I** Black

Popular Title: Accessible Lavs: Part 1

RIN 2105-AE88

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking would require airlines to take steps to improve the accessibility of lavatories on single-aisle aircraft short of increasing the size of the lavatories. The rulemaking would ensure the accessibility of features within an aircraft lavatory, including but not limited to, toilet seat, assist handles, faucets, flush control, attendant call buttons, lavatory controls and dispensers, lavatory door sill, and door locks. The rulemaking would also consider standards for the on-board wheelchair to improve its safety/maneuverability and easily permit its entry into the aircraft lavatory.

Effects:

Negotiated Rulemaking

Prompting action: None

Legal Deadline: Supplemental notice of proposed rulemaking: 07/15/2017

Rulemaking Project Initiated: 03/15/2019

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 12/03/2019 | | |
| End of Comment Period | 03/02/2020 | | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Office of the Secretary

77. **Accessible Lavatories on Single-Aisle Aircraft: Part II** Black

Popular Title: Accessible Lavatories: Part 2

RIN 2105-AE89

Stage: ANPRM

Previous Stage: None.

Abstract: This rulemaking would solicit comment and gather updated information on the costs and benefits of requiring airlines to make lavatories on new single-aisle aircraft large enough, equivalent to that currently found on twin-aisle aircraft, to permit a passenger with a disability (with the help of an assistant, if necessary) to approach, enter, and maneuver within the aircraft lavatory as necessary to use all lavatory facilities and leave by means of the aircraft's on-board wheelchair.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 04/19/2019

Docket Number:

Dates for ANPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 12/03/2019 | 12/10/2019 | |
| End of Comment Period | 03/02/2020 | 02/10/2020 | |

Explanation for any delay: N/A

Federal Register Citation for ANPRM: None

Pipeline and Hazardous Materials Safety Administration

Pipeline and Hazardous Materials Safety Administration

78. **Pipeline Safety: Safety of Hazardous Liquid Pipelines** Red

Popular Title: OPS: Hazardous Liquid Pipelines

RIN 2137-AE66

Stage: Final Rule

Previous Stage: NPRM 10/13/2015

Abstract: This rulemaking amends the Pipeline Safety Regulations to improve protection of the public, property, and the environment by closing regulatory gaps where appropriate, and ensuring that operators are increasing the detection and remediation of unsafe conditions, and mitigating the adverse effects of hazardous liquid pipeline failures.

Effects:

Regulatory Flexibility Act

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 08/13/2010

Docket Number: PHMSA-2010-0229

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | 10/03/2016 | 06/28/2019 | |
| Effective Date | | 07/28/2019 | |

Explanation for any delay: Additional coordination necessary

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

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| 79. | Pipeline Safety: Safety of Gas Transmission Pipelines, MAOP Reconfirmation, Expansion of Assessment Requirements and Other Related Amendments | Red |
|-----|--|-----|

Popular Title: OPS: Gas Transmission

RIN 2137-AE72

Stage: Final Rule

Previous Stage: NPRM: 04/08/2016

Abstract: This rulemaking amends the pipeline safety regulations to address the testing and pressure reconfirmation of certain previously untested gas transmission pipelines and certain gas transmission pipelines with inadequate records, require operators incorporate seismicity into their risk analysis and data integration, require the reporting of maximum allowable operating pressure exceedances, allow a 6-month extension of integrity management reassessment intervals with notice, and expand integrity assessments outside of high consequence areas to other populated areas.

Effects:

Major

Prompting action: 2011 Retrospective Regulatory Review

Legal Deadline: None

Rulemaking Project Initiated: 01/04/2011

Docket Number: PHMSA-2011-0023

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | 08/30/2019 | |
| Effective Date | | 10/29/2019 | |

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

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|-----|---|-------|
| 80. | Pipeline Safety: Amendments to Parts 192 and 195 to require Valve installation and Minimum Rupture Detection Standards | Black |
|-----|---|-------|

Popular Title: OPS: Rupture Detection and Valves

RIN 2137-AF06

Stage: NPRM

Previous Stage: None

Abstract: PHMSA is proposing to revise the Pipeline Safety Regulations applicable to newly constructed or entirely replaced natural gas transmission and hazardous liquid pipelines to improve rupture mitigation and shorten pipeline segment isolation times in high consequence and select non-high consequence areas. The proposed rule defines certain pipeline events as "ruptures" and outlines certain performance standards related to rupture identification and pipeline segment isolation. PHMSA also proposes specific valve maintenance and inspection requirements, and 9-1-1 notification requirements to help operators achieve better rupture response and mitigation. The rule addresses congressional mandates, incorporate recommendations from the National Transportation Safety Board, and are necessary to reduce the serious consequences of large-volume, uncontrolled releases of natural gas and hazardous liquids.

Effects:

Major
Regulatory Flexibility Act

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 11/21/2013

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 01/06/2015 | 09/27/2019 | |
| End of Comment Period | 02/26/2015 | 11/26/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Pipeline and Hazardous Materials Safety Administration

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|--|-------|
| 81. Hazardous Materials: Enhanced Safety Provisions for Lithium Batteries Transported by Aircraft (FAA Reauthorization Act of 2018) | Black |
|--|-------|

Popular Title: OHMS: Revised Lithium Battery Provisions by Air

RIN 2137-AF20

Stage: Final Rule

Previous Stage: IFR: 3/6/2019.

Abstract: This rulemaking amends the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180) to (1) prohibit the transport of lithium ion cells and batteries as cargo on passenger aircraft; (2) require all lithium ion cells and batteries to be shipped at not more than a 30 percent state of charge on cargo-only aircraft; and (3) limit the use of alternative provisions for small lithium cell or battery to one package per consignment. The amendments will not restrict passengers or crew members from bringing personal items or electronic devices containing lithium cells or batteries aboard aircraft, or restrict the air transport of lithium ion cells or batteries when packed with or contained in equipment. To accommodate persons in areas potentially not serviced daily by cargo aircraft, PHMSA is providing a limited exception for not more than two replacement lithium cells or batteries specifically used for medical devices to be transported by passenger aircraft and at a state of charge greater than 30 percent, under certain conditions and as approved by the Associate Administrator. This rulemaking is necessary to meet the FAA Reauthorization Act of 2018, address a safety hazard, and harmonize the HMR with emergency amendments to the 2015-2016 edition of the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions).

Effects:

- Information Collection
- Foreign

Prompting action: Statute

Legal Deadline: FAA Reauthorization Act of 2018 (§333): 01/03/2019

Rulemaking Project Initiated: 01/25/2016

Docket Number: PHMSA-2016-0014

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | 03/30/2020 | | |

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

82. **Pipeline Safety: Underground Storage Facilities for Natural Gas** Black

Popular Title: OPS: Underground Storage Facilities Natural Gas

RIN 2137-AF22

Stage: Final Rule

Previous Stage: Interim Final Rule: Publication Date 12/19/2016; End of Comment Period 02/17/2017; Effective Date 01/18/2017. Response to petition FR 06/20/2017

Abstract: PHMSA issued an interim final rule that requires operators of underground storage facilities for natural gas to comply with minimum safety standards, including compliance with API RP 1171, Functional Integrity of Natural Gas Storage in Depleted Hydrocarbon Reservoirs and Aquifer Reservoirs, and API RP 1170, Design and Operation of Solution-mined Salt Caverns Used for Natural Gas Storage. The next planned action is to finalize the interim final rule.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 02/17/2016

Docket Number:

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | 09/30/2019 | |

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

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|--|-------|
| 83. Hazardous Materials: Vapor Pressure of Unrefined Petroleum Products and Class 3 Materials | Black |
|--|-------|

Popular Title: OHMS: Vapor Pressure Unrefined Petro and Class 3

RIN 2137-AF24

Stage: Undetermined

Previous Stage: ANPRM: 1/18/2017.

Abstract: In this rulemaking, PHMSA is assessing the merits of a petition for rulemaking submitted by the Attorney General of the State of New York regarding vapor pressure standards for the transportation of crude oil. The petition requests that PHMSA implement a Reid Vapor Pressure (RVP) limit less than 9.0 pounds per square inch (psi) for crude oil transported by rail. PHMSA will use the comments in response to the ANPRM to help assess and respond to the petition and to evaluate any other potential regulatory actions related to sampling and testing of crude oil and other Class 3 hazardous materials. PHMSA will also evaluate the potential safety benefits and costs of utilizing vapor pressure thresholds within the hazardous materials classification process for unrefined petroleum-based products and Class 3 hazardous materials.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 06/23/2016

Docket Number: PHMSA-2016-0077

Dates for Undetermined:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | | |

Explanation for any delay: N/A

Federal Register Citation for Undetermined: None

Pipeline and Hazardous Materials Safety Administration

84. **Pipeline Safety: Enhanced Emergency Order Procedures** Black

Popular Title: OPS: Enhanced Emergency Order Procedures

RIN 2137-AF26

Stage: Final Rule

Previous Stage: Interim Final Rule: Publication Date 10/14/2016; End of Comment Period 12/13/2016; Effective Date 10/14/2016.

Abstract: PHMSA issued an interim final rule (IFR) that established regulations implementing the emergency order authority conferred on the Secretary of Transportation by the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2016 (PIPES Act of 2016 or Act). These regulations are mandated by the PIPES Act of 2016 and establish procedures for the issuance of emergency orders (restrictions, prohibitions) to address unsafe conditions or practices posing an imminent hazard. These requirements are expected to improve PHMSA's existing enforcement authority by allowing it to respond immediately and effectively to conditions or practices that pose serious threats to life, property, or the environment. The next planned action is to finalize the interim final rule, as required by the Act.

Effects:

None

Prompting action: Statute

Legal Deadline: The PIPES Act of 2016, which amends 49 U.S.C. § 60117, requires the Secretary of Transportation to issue a temporary regulation no later than 60 days and a final regulation no later than 270 days: 08/22/2016

Rulemaking Project Initiated: 08/16/2016

Docket Number:

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | | 08/01/2019 | |

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

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| 85. Pipeline Safety: Class Location Requirements | Black |
|---|-------|

Popular Title: OPS: Class Location Requirements

RIN 2137-AF29

Stage: NPRM

Previous Stage: ANPRM, 83 FR 36861, July 31, 2018. ANPRM: Publication Approved 07/27/2018; Publication Date 07/31/2018; End of Comment Period 10/01/2018.

Abstract: This rulemaking regards existing class location requirements for natural gas transmission lines, specifically as they pertain to actions operators are required to take following class location changes due to population growth near the pipeline. Operators have suggested that performing integrity management measures on pipelines where class locations have changed due to population increases would be an equally safe but less costly alternative to the current requirements of either reducing pressure, pressure testing, or replacing pipe. The ANPRM requested public comment to inform future regulatory or deregulatory efforts related to this topic.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 06/29/2017

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | | 11/15/2019 | |
| End of Comment Period | | 01/15/2020 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Pipeline and Hazardous Materials Safety Administration

86. **Pipeline Safety: Gas Pipeline Regulatory Reform** Black

Popular Title: OPS: Gas Pipeline Regulatory Reform

RIN 2137-AF36

Stage: NPRM

Previous Stage: None

Abstract: This rulemaking would amend the Pipeline Safety Regulations to adopt a number of actions that ease regulatory burdens on the construction and operation of gas transmission, gas distribution and gas gathering pipeline systems. These amendments include regulatory relief actions identified by internal agency review, existing petitions for rulemaking, and public comments on the Department of Transportation Regulatory Review and Transportation Infrastructure notices.

Effects:

Economically Significant
Major

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 02/20/2018

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 02/01/2019 | 09/30/2019 | |
| End of Comment Period | 04/01/2019 | 11/29/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Pipeline and Hazardous Materials Safety Administration

87. **Pipeline Safety: Safety of Gas Gathering Pipelines** Black

Popular Title: OPS: Safety of Gas Gathering Pipelines

RIN 2137-AF38

Stage: Final Rule

Previous Stage: NPRM: Publication Date 04/08/2016.

Abstract: This rulemaking would require all gas gathering pipeline operators to report incidents and annual pipeline data. PHMSA is also extending regulatory safety requirements to Type A gathering lines in Class 1 locations and is proposing to change certain definitions related to gas gathering operation.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 03/01/2018

Docket Number:

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | 08/14/2019 | 06/26/2020 | |

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

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|--|-------|
| 88. Pipeline Safety: Safety of Gas Transmission Pipelines, Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change, and Other Related Amendments | Black |
|--|-------|

Popular Title: OPS: Safety of Gas Transmission Pipelines: IM Impr.

RIN 2137-AF39

Stage: Final Rule

Previous Stage: NPRM: Publication Date 04/08/2016.

Abstract: This rulemaking would amend the pipeline safety regulations relevant to gas transmission pipelines by adjusting the repair criteria in high consequence areas and creating new criteria for non-high consequence areas, requiring the inspection of pipelines following extreme events, requiring safety features on in-line inspection tool launchers and receivers, updating and bolstering pipeline corrosion control, codifying a management of change process, clarifying certain integrity management provisions, and strengthening integrity management assessment requirements.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 03/01/2018

Docket Number:

Dates for Final Rule:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|------------------|---------------------------|--------------------|-------------|
| Publication Date | 06/12/2019 | 12/20/2019 | |

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

89. **Hazardous Materials: Liquefied Natural Gas by Rail** Black

Popular Title: OHMS: LNG by Rail (DEREG)

RIN 2137-AF40

Stage: NPRM

Previous Stage: N/A

Abstract: Liquefied natural gas (LNG) is a critical energy resource for the 21st century. Currently, the Hazardous Materials Regulations (HMR) do not authorize the bulk transport of LNG in rail tank cars. PHMSA, in collaboration with the Federal Railroad Administration, believes this is a potential area for industry innovation to support infrastructure development while maintaining a high level of safety. This deregulatory rulemaking action would develop a framework for the safe transport of LNG in rail tank cars.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 03/19/2018

Docket Number: PHMSA-2018-0025

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 02/25/2019 | 07/29/2019 | |
| End of Comment Period | 04/26/2019 | 09/27/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Pipeline and Hazardous Materials Safety Administration

90. **Pipeline Safety: Repair Criteria for Hazardous Liquid Pipelines** Black

Popular Title: Repair Criteria for HL Pipelines

RIN 2137-AF44

Stage: NPRM

Previous Stage: None

Abstract: PHMSA plans a notice of proposed rulemaking that would modify the provisions for determining the need to make repairs to hazardous liquid pipelines, commonly referred to as repair criteria, in High Consequence Areas (HCAs) and develop new repair criteria for hazardous liquid pipelines in non-HCAs.

Effects:

None

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 07/16/2018

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | 06/26/2020 | | |
| End of Comment Period | 08/26/2020 | | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

Pipeline and Hazardous Materials Safety Administration

91. **Pipeline Safety: Amendments to Liquefied Natural Gas Facilities** Black

Popular Title: LNG Rule

RIN 2137-AF45

Stage: NPRM

Previous Stage: None: Undetermined: Publication Approved; Publication Date; End of Comment Period.

Abstract: PHMSA is proposing to update incorporated industry standards and revise all subparts of Part 193 as needed. These updates to Part 193 will address the risks associated with today's liquefied natural gas facilities, including permanent, small scale liquefied natural gas pipeline facilities as required by Section 27 of the PIPES Act of 2016.

Effects:

None

Prompting action: Statute

Legal Deadline: None

Rulemaking Project Initiated: 07/16/2018

Docket Number:

Dates for NPRM:

| Milestone | Originally Scheduled Date | New Projected Date | Actual Date |
|-----------------------|---------------------------|--------------------|-------------|
| Publication Date | | 09/02/2019 | |
| End of Comment Period | | 10/02/2019 | |

Explanation for any delay: N/A

Federal Register Citation for NPRM: None

RIN Data

DOT/OST

RIN: 2105-AE88

Publication ID: Spring 2019

Title: •+Accessible Lavatories on Single-Aisle Aircraft: Part I(Rulemaking Resulting From a Section 610 Review)

Abstract:

This rulemaking would require airlines to take steps to improve the accessibility of lavatories on single-aisle aircraft short of increasing the size of the lavatories. The rulemaking would ensure the accessibility of features within an aircraft lavatory, including but not limited to, toilet seat, assist handles, faucets, flush control, attendant call buttons, lavatory controls and dispensers, lavatory door sill, and door locks. The rulemaking would also consider standards for the on-board wheelchair to improve its safety/maneuverability and easily permit its entry into the aircraft lavatory.

Agency: Department of Transportation(DOT)

Priority: Other Significant

RIN Status: First time published in the Unified Agenda

Agenda Stage of Rulemaking: Proposed Rule Stage

Major: Undetermined

Unfunded Mandates: No

EO 13771 Designation: Regulatory

RFA Section 610 Review: Rulemaking Resulting From a Section 610 Review

CFR Citation: [14 CFR 382](#)

Legal Authority: [Air Carrier Access Act, 49 U.S.C. 41705](#) FAA Reauthorization Act of 2016, sec. 2108

Legal Deadline:

| Action | Source | Description | Date |
|--------|-----------|------------------------------|------------|
| Other | Statutory | 2016 FAA Reauthorization Act | 07/15/2017 |

Overall Description of Deadline: The 2016 FAA Reauthorization Act provides that "[n]ot later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue the supplemental notice of proposed rulemaking referenced in the Secretary's Report on Significant Rulemakings, dated June 15, 2015, and assigned Regulation Identification Number 2105-AE12." One year from the Act's enactment is July 15, 2017. The issues, under RIN 2105-AE12, includes accessible lavatories on single-aisle aircraft.

Timetable:

| Action | Date | FR Cite |
|--------|------------|---------|
| NPRM | 12/00/2019 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Small Entities Affected: No

Federalism: No

Included in the Regulatory Plan: No

RIN Information URL: www.regulations.gov

Public Comment URL: www.regulations.gov

RIN Data Printed in the FR: Yes

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RIN Data

DOT/OST

RIN: 2105-AE89

Publication ID: Spring 2019

Title: •+Accessible Lavatories on Single-Aisle Aircraft: Part II

Abstract:

This ANPRM seeks to solicit comment and gather updated information on the costs and benefits of requiring airlines to make lavatories on new single-aisle aircraft large enough, equivalent to that currently found on twin-aisle aircraft, to permit a passenger with a disability (with the help of an assistant, if necessary) to approach, enter, and maneuver within the aircraft lavatory as necessary to use all lavatory facilities and leave by means of the aircraft's on-board wheelchair.

Agency: Department of Transportation(DOT)

Priority: Other Significant

RIN Status: First time published in the Unified Agenda

Agenda Stage of Rulemaking: Prerule Stage

Major: Undetermined

Unfunded Mandates: Private Sector

EO 13771 Designation: Regulatory

CFR Citation: [14 CFR 382](#)

Legal Authority: [Air Carrier Access Act, 49 U.S.C. 41705](#)

Legal Deadline: None

Timetable:

| Action | Date | FR Cite |
|--------|------------|---------|
| ANPRM | 12/00/2019 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Small Entities Affected: No

Federalism: No

Included in the Regulatory Plan: No

RIN Information URL: www.regulations.gov

Public Comment URL: www.regulations.gov

RIN Data Printed in the FR: No

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