

burden from the requirement in Section 214.505 that personal respiratory protective equipment be supplied to employees in the event of a failure of the environmental controls in a pressurized cab. However, this requirement does not present a new burden on small entities, as it simply mirrors OSHA regulations already in effect.

The RFA concludes that this final rule will not have a significant economic

impact on a substantial number of small entities. Thus, FRA certifies that this final rule is not expected to have a "significant" economic impact on a "substantial" number of small entities under the Regulatory Flexibility Act and Executive Order 13272.

*Paperwork Reduction Act*

The information collection requirements in this final rule have been submitted for approval to the Office of

Management and Budget (OMB) under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.* The sections that contain the new information collection requirements for Subpart D, which will be added to those of the Railroad Workplace Safety regulations (49 CFR part 214), and the estimated time to fulfill each requirement are as follows:

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden cost
214.503—Good-Faith Challenges; Procedures for Notification and Resolution.	50,000 Roadway Workers.	250 notifications .....	10 minutes .....	42	\$1,428
—Resolution Procedures .....	579 Railroads .....	20 procedures .....	2 hours .....	40	1,400
214.505—Required Environmental Control and Protection Systems For New On-Track Roadway Maintenance Machines with Enclosed Cabs.	579 Railroads .....	30 lists .....	2.5 hours .....	75	2,625
—Designated Machines .....	579 Railroads .....	60 designations .....	5 minutes .....	5	175
214.507—Required Safety Equipment For New On-Track Roadway Maintenance Machines.	579 Railroads .....	1,000 Stickers .....	5 minutes .....	83	2,822
—Display of Light Weight in Conspicuous Location					
214.511—Required Audible Warning Devices For New On-Track Roadway Maintenance Machines.	579 Railroads .....	3,700 mechanisms	5 minutes .....	308	10,472
214.513—Retrofitting of Existing On-Track Roadway Maintenance Machines; General.	579 Railroads .....	2,300 mechanisms	5 minutes .....	192	6,528
—Identification of Triggering Mechanism—Horns					
214.515—Overhead Covers For Existing On-Track Roadway Maintenance Machines.	579 Railroads .....	1,050 requests + 1,050 responses.	10 minutes + 20 minutes.	525	18,200
214.517—Retrofitting of Existing On-Track Roadway Maintenance Machines Manufactured After 1990.	579 Railroads .....	6,000 stencils .....	5 minutes .....	500	17,000
214.518—Safe and Secure Position For Riders.	579 Railroads .....	7,500 stencils .....	5 minutes .....	625	21,250
214.523—Hi-Rail Vehicles—Inspections—Records.	579 Railroads .....	2,000 records .....	30 minutes .....	1,000	34,000
—Non-Complying Conditions .....	579 Railroads .....	250 tags + 250 reports.	5 min. + 15 min .....	84	2,856
214.527—On Track Roadway Maintenance Machines; Inspection for Compliance and Repair Schedules.	579 Railroads .....	550 tags + 550 reports.	5 min. + 15 min .....	184	6,256
214.533—Schedule of Repairs Subject to Availability of Parts.	579 Railroads .....	250 records .....	15 minutes .....	63	2,205

All estimates include the time for reviewing instructions; searching existing data sources; gathering or maintaining the needed data; and reviewing the information. Pursuant to 44 U.S.C. 3506(c)(2)(B), FRA solicited comments concerning: whether these information collection requirements are necessary for the proper performance of the function of FRA, including whether the information has practical utility; the accuracy of FRA's estimates of the burden of the information collection requirements; the quality, utility, and clarity of the information to be collected; and whether the burden of

collection of information on those who are to respond, including through the use of automated collection techniques or other forms of information technology, may be minimized. FRA received no replies in response to this request for comments. For information or a copy of the paperwork package submitted to OMB, contact Robert Brogan, FRA Information Clearance Officer, at (202) 493-6292.

OMB is required to make a decision concerning the collection of information requirements contained in this final rule between 30 and 60 days after publication of this document in the

**Federal Register.** Therefore, a comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication.

FRA cannot impose a penalty on persons for violating information collection requirements which do not display a current OMB control number, if required. FRA intends to obtain current OMB control numbers for any new information collection requirements resulting from this rulemaking action prior to the effective date of the final rule. The OMB control number, when assigned, will be