

REFLECTORIZATION BENEFIT ESTIMATION TECHNIQUES—Continued

Total Benefits (NPV)	\$87,517,527.50	\$69,304,986.61	\$101,411,947.44 (AVG).
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² "The Effectiveness of Retroreflective Tape on Heavy Trailers," National Highway Traffic Safety Administration (NHTSA) Technical Report, DOT HS 809 22, March 2001.

Estimated ten-year discounted benefits range from a low of \$69 million based on the Signal Detection Model, to a high of more than \$101 million (NHTSA's truck reflectorization follow-up study), with FRA subjective analysis coming in between at \$87 million. While there is certainly a broad range in these estimates, the fact that they are as close as they are, given the vastly different approaches taken, gives FRA confidence that together they represent a reasonable indicator of the magnitude of benefits achievable for the reflectorization of railroad freight equipment. FRA believes that reflectorization of rail freight rolling stock is a feasible method of enhancing rail car visibility, that will likely improve safety in a cost effective manner. FRA expects that the measures called for in this proposal would prevent or mitigate the severity of casualties greater in value than the costs

of complying with the proposed requirements.

B. Regulatory Flexibility Act of 1980 and Executive Order 13272

The Regulatory Flexibility Act of 1980 (5 U.S.C. 601–612) requires an assessment of the impacts of proposed rules on small entities. FRA has conducted a regulatory flexibility assessment of this rule's impact on small entities, and the assessment has been placed in the public docket for this rulemaking. This proposed rule affects railroad freight car and locomotive owners and may affect other entities as well.

Entities impacted by the proposed rule are companies and railroads that own freight cars and locomotives. Many companies that own freight cars are subsidiaries of larger companies that are not considered small businesses. FRA does not expect that smaller railroads

will be affected disproportionately. The level of costs incurred by each organization should vary in proportion to car ownership.

Passenger railroads are excepted from the proposed rule. Visibility conditions for passenger rail cars are different than freight rail cars. FRA solicits comments to identify the impacts of these provisions to the extent that those affected by such provisions are small entities.

C. Paperwork Reduction Act of 1995

The information collection requirements in this proposed 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 and the estimated time to fulfill each requirement are as follows:

CFR section—49 CFR	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden cost
224.7—Waivers	289 Car Owners	20 petitions	1 hour	20 hours	\$700
224.15—Special Approval Procedures:					
—Petitions For Special Approval.	289 Car Owners	10 petitions	40 hours	400 hours	\$19,040
—Public Comments	Public/Railroads	None	NA	NA	NA
—Written Request For Hearing.	Interested Parties ..	None	N/A	N/A	N/A
224.103—Characteristics of Retroreflective Sheeting:					
—Certification	4 Manufacturer	NA	NA	NA	NA
—Alternative Standards	289 Car Owners	Cov. Under 224.15	Cov. Under 224.15	Cov. Under 224.15	Cov. Under 224.15
224.107—Application of Retroreflective Sheeting:	289 Car Owners	140 plans/forms	28 hours	3,920 hours	\$137,200
—Reports of Failure Meet Percentage requirements.	289 Car Owners	15 reports	16 Hours	240 hours	\$8,400
—Existing Cars with Retroreflective Sheet-ing—Forms.	289 Car Owners	Cov. Above	Cov. Above	Cov. Above	Cov. Above.
224.109—Inspection and Re-placements: Locomotives—Records of Restriction.	289 Car Owners	2 records	3 minutes10 hour	\$5

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 solicits comments concerning: whether these information collection requirements are necessary for the proper performance of the functions 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. For information or a copy of the paperwork

package submitted to OMB, contact Mr. Robert Brogan, Information Clearance Officer, at 202–493–6292.

Organizations and individuals desiring to submit comments on the collection of information requirements should direct them to Mr. Robert Brogan, Federal Railroad Administration, 1120 Vermont Avenue, NW, Mail Stop 17, Washington, DC 20590. Comments may also be submitted via e-mail to Mr. Brogan at