

qualitative customer and stakeholder feedback in an efficient, timely manner, in accordance with the Administration's commitment to improving service delivery. By qualitative feedback we mean information that provides useful insights on perceptions and opinions, but are not statistical surveys that yield quantitative results that can be generalized to the population of study. This feedback will provide insights into customer or stakeholder perceptions, experiences and expectations, provide an early warning of issues with service, or focus attention on areas where communication, training or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative and actionable communications between the Agency and its customers and stakeholders. It will also allow feedback to contribute directly to the improvement of program management.

Feedback collected under this generic clearance will provide useful information, but it will not yield data that can be generalized to the overall population. This type of generic clearance for qualitative information will not be used for quantitative information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address: The target population to which generalizations will be made, the sampling frame, the sample design (including stratification and clustering), the precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential non-response bias, the protocols for data collection, and any testing procedures that were or will be undertaken prior to fielding the study. Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms that are designed to yield quantitative results. Below we provide FHWA's projected average estimates for the next three years:

**Respondents:** State and local governments, highway industry organizations, and the general public.

**Estimated Average Annual Burden:** The burden hours per response will vary with each survey; however, we estimate an average burden of 15 minutes for each survey.

**Estimated Total Annual Burden Hours:** We estimate that FHWA will survey approximately 21,000 respondents annually during the next 3

years. Therefore, the estimated total annual burden is 5,200 hours.

**Authority:** The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Issued on: May 25, 2018.

**Michael Howell,**

*Information Collection Officer.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2018-0033]

#### Petition for Waiver of Compliance

Under part 211 of Title 49 of the Code of Federal Regulations (CFR), this provides the public notice that on March 30, 2018, Michigan State Trust for Railway Preservation, Inc. (MSTP) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR 240.201(d). FRA assigned the petition Docket Number FRA-2018-0033.

MSTP seeks a waiver of compliance from 49 CFR 240.201(d) which states, "After December 31, 1991, no railroad shall permit or require any person to operate a locomotive in any class of locomotive or train service unless that person has been certified as a qualified locomotive engineer and issued a certificate that complies with § 240.223." MSTP desires to conduct a "Hands on the Throttle Program," which would allow "non-certified" individuals to operate a locomotive as a "Student Locomotive Engineer."

MSTP is a non-profit educational corporation which owns and operates steam locomotives. The organization is located at the steam locomotive repair facility in Owosso, Michigan, and connected to the tracks of the Great Lakes Central Railway (GLC). The MSTP does not own or control any trackage, except for the track leads going to the repair shop building and museum.

As proposed, MSTP will verify that each participant possesses a valid state issued motor vehicle license, and will have a certified locomotive engineer in the cab at all times. The operations will be conducted on GLC designated tracks during daylight hours with only one locomotive movement at a time, operate at restricted speed, communication will be maintained through the GCL dispatcher, and be afforded blue flag and derail protection. The locomotive will be inspected daily, receive a new

brake test per participant, and public highway grade crossings will not be involved. MSTP believes that this waiver will enable it to generate needed interest and revenue to teach steam technology to future generations. MSTP also believes these operations will not pose any safety concerns to the public at large.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Ave. SE, W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested parties desire an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- **Website:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax:** 202-493-2251.
- **Mail:** Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W12-140, Washington, DC 20590.
- **Hand Delivery:** 1200 New Jersey Avenue SE, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by July 19, 2018 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable. Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in

the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacyNotice> for the privacy notice of [regulations.gov](https://www.regulations.gov).

**Robert C. Lauby,**

*Associate Administrator for Railroad Safety,  
Chief Safety Officer.*

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**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

[Docket No. DOT-OST-2018-0075]

### Agency Request for Renewal of a Previously Approved Information Collection(s): Disadvantaged Business Enterprise Program Collections

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of Transportation (DOT) invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew information collections associated with DOT's Disadvantaged Business Enterprise (DBE) program. These collections are: Uniform Report of DBE Awards or Commitments and Payments, the Uniform Certification Application Form, Annual Affidavit of No Change, DOT Personal Net Worth Form, and Reporting Requirements for Percentages of DBEs in Various Categories. All five collections were previously approved under one OMB Control Number to allow DOT to more efficiently administer the DBE program. The information to be collected is necessary because it helps to ensure that State and local recipients that let federally funded contracts carry out their mandated responsibility to provide a level playing field for small businesses owned and controlled by socially and economically disadvantaged individuals. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

**DATES:** Written comments should be submitted by August 3, 2018.

**ADDRESSES:** You may submit comments [identified by Docket No. DOT-OST-2018-0075] through one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 1-202-493-2251.
- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey

Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. Marc Pentino, Departmental Office of Civil Rights, Office of the Secretary, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590, (202) 366-6968, or at [marc.pentino@dot.gov](mailto:marc.pentino@dot.gov).

#### SUPPLEMENTARY INFORMATION:

*OMB Control Number:* 2105-0510.

*Title:* Disadvantaged Business

Enterprise Program Collections.

*Form Numbers:* Not applicable.

*Type of Review:* Renewal of an information collection.

*Background:* DOT's DBE program is mandated by statute, including Section 1101(b) of the Fixing America's Surface Transportation Act (FAST Act) (Pub. L. 114-94) and 49 U.S.C. 47113. The Department's final regulations implementing these statutes are 49 CFR parts 23 and 26. The program is implemented by recipients of DOT financial assistance (State highway agencies, transit authorities, and airports).

The "Uniform Report of DBE Awards or Commitments and Payments" is necessary for the Department to be able to carry out its oversight responsibilities. It implements statutory reporting requirements and 49 CFR 26.11, and 26.47.

The "Uniform Certification Application Form" is necessary to implement 49 CFR 26.83(c)(2) and determine whether a particular firm qualifies for certification as a DBE.

The "Annual Affidavit of No Change" is mandated under 49 CFR 26.83(j) and is necessary to ensure the integrity of the DBE program that requires DBEs annually state that they remain eligible for the program.

The "Personal Net Worth Form" is necessary to implement the requirement found in 49 CFR 26.67(a)(2) that a firm applying for DBE status must certify that the personal net worth of the owners does not exceed the current maximum threshold.

The "Percentages of DBEs in Various Categories" collection is necessary to implement a long-standing statutory requirement calling on States to report annually, a list of small businesses certified as DBEs that are owned and controlled by socially and economically disadvantaged individuals, most recently included at section 1101(b)(4)(A) and (B) of the FAST Act. Submission of this information will also satisfy 49 CFR 26.11(e).

The information collections support one of DOT's strategic objectives of

mission efficiency and support. The collection also helps ensure that State and local recipients that let federally funded contracts carry out their mandated responsibility to ensure that only eligible small businesses owned and controlled by socially and economically disadvantaged individuals may compete for such contracts as a DBE.

The Department anticipates making minor editorial corrections to the forms published in the Code of Federal Regulations; and is seeking public comment on helping us identify any errors to enhance the quality of the collection and program integrity.

#### Uniform Report of DBE Awards/Commitments and Payments

*Respondents:* DOT financially-assisted State and local transportation agencies.

*Number of Respondents:* 1,250.

*Frequency:* Once/twice a year.

*Number of Responses:* One/two.

*Total Annual Burden:* 9,000 hours.

#### Uniform Certification Application Form

*Respondents:* Firms applying to be certified as DBEs.

*Number of Respondents:* 9,500.

*Frequency:* Once during initial certification.

*Number of Responses:* One.

*Total Annual Burden:* 76,000 hours.

#### Annual Affidavit of No Change

*Respondents:* Certified DBEs.

*Number of Respondents:*

Approximately 38,338 certified DBE firms.

*Frequency:* Once per year.

*Number of Responses:* One.

*Total Annual Burden:* 57,507 hours.

#### Personal Net Worth Form

*Respondents:* Certified DBEs and firms applying to be DBEs.

*Number of Respondents:* 9,500.

*Frequency:* Once per year.

*Number of Responses:* One.

*Total Annual Burden:* 19,000 hours.

#### Percentage of DBEs in Various Categories

*Respondents:* States (through their UCPs).

*Number of Respondents:* 53 (50 states, plus the District of Columbia, Puerto Rico, and the Virgin Islands).

*Frequency:* Once per year.

*Number of Responses:* One.

*Total Annual Burden:* 161.6 hours.

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for the