

**DEPARTMENT OF TRANSPORTATION****Research and Innovative Technology Administration**

[Docket ID Number RITA 2008-0002]

**Agency Information Collection; Activity Under OMB Review; Report of Passengers Denied Confirmed Space—BTS Form 251**

**AGENCY:** Research & Innovative Technology Administration (RITA), Bureau of Transportation Statistics (BTS), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, Public Law 104-13, the Bureau of Transportation Statistics invites the general public, industry and other governmental parties to comment on the continuing need for and usefulness of BTS collecting reports on the number of passengers holding confirmed reservations that voluntarily or involuntarily give up their seats when the airline oversells the flight. Comments are requested concerning whether (a) The collection is still needed by the Department of Transportation, (b) BTS accurately estimated the reporting burden; (c) there are other ways to enhance the quality, utility and clarity of the information collected; and (d) there are ways to minimize reporting burden, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted by June 25, 2010.

**FOR FURTHER INFORMATION CONTACT:** Bernie Stankus, Office of Airline Information, RTS-42, Room E36-303, RITA, BTS, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001, Telephone Number (202) 366-4387, Fax Number (202) 366-3383 or e-mail [bernard.stankus@dot.gov](mailto:bernard.stankus@dot.gov).

*Comments:* Comments should identify the associated OMB approval #2138-0018 and Docket ID Number RITA 2008-0002. Persons wishing the Department to acknowledge receipt of their comments must submit with those comments a self-addressed stamped postcard on which the following statement is made: Comments on OMB #2138-0018, Docket—RITA 2008-0002. The postcard will be date/time stamped and returned.

**SUPPLEMENTARY INFORMATION:**

*OMB Approval No.* 2138-0018.  
*Title:* Report of Passengers Denied Confirmed Space.  
*Form No:* BTS Form 251.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Large certificated and foreign air carriers.

*Number of Respondents:* 18.

*Number of Responses:* 72.

*Total Annual Burden:* 960 hours.

*Needs and Uses:* BTS Form 251 is a one-page report on the number of passengers denied seats either voluntarily or involuntarily, whether these bumped passengers were provided alternate transportation and/or compensation, and the amount of the payment. U.S. air carriers that account for at least 1 percent of domestic scheduled passenger service must report all operations with 30 seat or larger aircraft that depart a U.S. airport. Carriers do not report data from inbound international flights because the protections of 14 CFR part 250 *Oversales* do not apply to these flights. The report allows the Department to monitor the effectiveness of its oversales rule and take enforcement action when necessary. While the involuntarily denied-boarding rate has decreased from 4.38 per 10,000 passengers in 1980 to 1.09 for the quarter ended December 2009, the rate is up from the 0.89 attained for the nine month period that ended on September 30, 2005. The publishing of the carriers' individual denied boarding rates has negated the need for more intrusive regulation. The rate of denied boarding can be examined as a continuing fitness factor. This rate provides an insight into a carrier's customer service practices. A rapid sustained increase in the rate of denied boarding may indicate operational difficulties. Because the rate of denied boarding is released quarterly, travelers and travel agents can select carriers with lower incidences of bumping passengers. This information is available in the *Air Travel Consumer Report* at: <http://airconsumer.ost.dot.gov/reports/index.htm>. The *Air Travel Consumer Report* is also sent to newspapers, magazines, and trade journals. Without Form 251, determining the effectiveness of the Department's oversales rule would be impossible.

The Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note), requires a statistical agency to clearly identify information it collects for non-statistical purposes. BTS hereby notifies the respondents and the public that BTS uses the information it collects under this OMB approval for non-statistical purposes including, but not limited to, publication of both Respondent's identity and its data, submission of the information to agencies outside BTS for

review, analysis and possible use in regulatory and other administrative matters.

**Anne Suissa,**

*Director, Office of Airline Information.*

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**BILLING CODE 4910-HY-P**

**DEPARTMENT OF TRANSPORTATION****Federal Railroad Administration****Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236**

Pursuant to Title 49 Code of Federal Regulations (CFR) Part 235 and 49 U.S.C. 20502(a), the following railroad has petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236, as detailed below.

[Docket Number FRA-2010-0081]

*Applicant:* Mr. D. C. Francis, Canadian National—North America, System Senior Manager S&C Design/Standards, 17641 South Ashland Avenue, Homewood, Illinois 60430.

The Canadian National—North America (CN) seeks temporary relief from § 236.301, where signals shall be provided, relative to CN's EJ&E Griffith Connection project involving the Matteson Subdivision and the South Bend Subdivision. CN has planned construction of a connection at Griffith, Station Sign 36.2, on the Matteson Subdivision to route trains to and from Kirk Yard via the South Bend Subdivision. CN is seeking expedited temporary relief of § 236.301 to allow movements to and from Kirk Yard via the South Bend Subdivision using hand-throw switches within the interlocking on a proposed new connecting track until final construction is complete and the interlocking plant is fully in compliance. Upon completion, the hand-throw switches are to be replaced with power-operated switches. During the temporary installation of the connecting track, train operations will be governed as follows: A speed restriction of 20 mph on all routes over the hand-throw switches on the connecting track; switch circuit controllers on the connecting track, which will open the OST input to the appropriate microprocessor and put all signals to stop when one or both switches are greater than 1/4" from normal to full reverse; a temporary track