

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Schultz, Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards, FMCSA; Telephone: 202-366-4325. Email: *MCPSD@dot.gov*. If you have questions on viewing or submitting material to the docket, contact Docket Services, telephone (202) 366-9826.

**SUPPLEMENTARY INFORMATION:**

**Background**

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain parts of the Federal Motor Carrier Safety Regulations. FMCSA must publish a notice of each exemption request in the *Federal Register* (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted, and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulations (49 CFR 381.305). The decision of the Agency must be published in the *Federal Register* (49 CFR 381.315(b)) with the reasons for denying or granting the application and, if granted, the name of the person or class of persons receiving the exemption, and the regulatory provision from which the exemption is granted. The notice must also specify the effective period and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)), but only after the public is provided the opportunity to comment on the renewal.

**Request for Exemption**

UA and PLCA, the applicants, jointly seek exemption from part 391, "Qualifications of Drivers," part 392, "Driving of Commercial Motor Vehicles," part 393 "Parts and Accessories Necessary for Safe Operation," and part 395, "Hours of Service of Drivers." The regulations from which the applicants seek exemption apply only to drivers and motor carriers operating in interstate commerce. According to UA and PLCA, welders "live in various states and travel from job to job, often across state lines," but the applicants did not otherwise address the question whether pipeline welders operate in interstate commerce. The complete application is available in the docket referred to at the beginning of this notice.

UA is a trade union whose membership includes approximately 3,500 welders who are employed by companies engaged in the construction, repair and maintenance of pipelines. The typical welder owns a heavy-duty pickup truck equipped with welding equipment and weighing less than 15,000 pounds that he or she drives to the work site. The pipeline-construction companies employing the drivers are members of PLCA, a trade association. According to the joint application for exemption, pipeline contractors typically hire 10 to 12 welders for a specific location and the employment usually lasts 4 to 6 weeks. PLCA states that its contractors were involved in approximately 500 such projects in 2014.

For many welders, the truck is the sole vehicle they have; they use it for personal errands and other everyday use when they are not on the job. The applicants state that the pipeline contractor hiring the welder enters into a lease for use of the truck for the period of the welder's employment. It also agrees to pay an hourly fee for the time during which the welding equipment is actually in use.

Pipeline projects are typically located in remote areas served by right-of-ways that are not open to the public. As described in the application, at the beginning of the day, welders typically drive their welding vehicle to a prearranged "assembly point" that is usually about 10 miles from the pipeline right of way. After driving their vehicle 10 miles on public roads, welders enter the pipeline right-of-way at the project site and do not usually return to the public roads until the end of the workday. The applicants state that even the largest pipeline projects do not exceed 100 miles in length. The typical workday for a welder includes significant "waiting time" in the remote area because welders often have to wait for other work to be completed before they can weld. Welders typically work 10 hours a day, 6 days a week.

The FMCSRs place responsibility upon motor carriers to ensure the safety of the vehicles they place into commerce. The applicants state that it is not practical for the pipeline contractors to be responsible for inspection of the welding-vehicles because the vehicles remain under control of the welders at all times. They cite terms of the collective bargaining agreement requiring the welders to maintain their vehicle in safe condition, and point out that PLCA provides safety training to its members and their drivers. They also contend that the FMCSRs should not apply to the operation of the welding

CMVs because these vehicles must pass state inspections applicable to passenger vehicles.

The FMCSRs place various responsibilities upon motor carriers relative to the qualifications and health of the drivers it permits to operate CMVs in interstate commerce. The applicants contend that because pipeline-construction companies hire welders temporarily—usually for 6 weeks or less—it is not practical for them to comply with regulatory requirements pertaining to driver qualification files and driver hours of service. Pipeline-welders are often also motor carriers as that term is defined by the FMCSRs. The welders assert that it is not practical for them to comply with the FMCSRs because they are sole proprietors and it is too taxing for them to keep up with all the requirements of the FMCSRs. They further contend that welding CMVs are seldom on public roads and that "DOT officials and officers" apply truck safety rules inconsistently when they encounter welding vehicles on public roads.

**Request for Comments**

In accordance with 49 U.S.C. 31136(e) and 31315(b)(4), FMCSA requests public comment on the joint application of UA and the PLCA for exemption from part 391, "Qualifications of Drivers," part 392, "Driving of Commercial Motor Vehicles," part 393 "Parts and Accessories Necessary for Safe Operation," and part 395, "Hours of Service of drivers." The Agency will consider all comments received by close of business on October 5, 2015. Comments will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice.

Issued on: August 28, 2015.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2015-21893 Filed 9-2-15; 8:45 am]

**BILLING CODE 4910-EX-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

[Docket No. FMCSA 2015-0146]

**Agency Information Collection Activities; Extension of a Currently-Approved Information Collection Request: Training Certification for Entry-Level Commercial Motor Vehicle Operators**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval and invites public comment. The Agency is asking OMB to renew without change FMCSA's estimate of the paperwork burden imposed by its regulations pertaining to the training of certain entry-level drivers of commercial motor vehicles (CMVs). Since 2004, FMCSA regulations have prohibited the operation of certain CMVs by individuals with less than 1 year of CMV-driving experience until they obtain this training. On May 28, 2015, FMCSA published a **Federal Register** notice allowing for a 60-day comment period on this ICR. The agency received no comments in response to that notice.

**DATES:** Please send your comments to this notice by October 5, 2015 OMB must receive your comments by this date to act quickly on the ICR.

**ADDRESSES:** All comments should reference Federal Docket Management System (FDMS) Docket Number FMCSA-2015-0146. Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the attention of the Desk Officer, Department of Transportation/Federal Motor Carrier Safety Administration, and sent via electronic mail to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov), faxed to (202) 395-6974, or mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas Yager, Chief, FMCSA Driver and Carrier Operations Division, Department of Transportation, FMCSA, West Building 6th Floor, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone: 202-366-4325. Email: [MCPSD@dot.gov](mailto:MCPSD@dot.gov).

**SUPPLEMENTARY INFORMATION:**

*Title:* Training Certification for Entry-Level Commercial Motor Vehicle Operators.

*OMB Control Number:* 2126-0028.

*Type of Request:* Extension of a currently-approved ICR.

*Respondents:* Entry-level CDL drivers.

*Estimated Number of Respondents:* 397,500.

*Estimated Time per Response:* 10 minutes.

*Expiration Date:* January 31, 2016.

*Frequency of Response:* On occasion.

*Estimated Total Annual Burden:* 66,250 hours. FMCSA estimates that an entry-level driver requires approximately 10 minutes to complete the tasks necessary to comply with the regulation. Those tasks are photocopying the training certificate, giving the photocopy to the motor carrier employer, and retaining the original of the certificate. Therefore, the annual burden for all entry-level drivers is 66,250 hours [397,500 drivers x 10/60 minutes to respond = 66,250 hours].

**Background**

The Commercial Motor Vehicle Safety Act of 1986 (CMVSA) (49 U.S.C. 31301 *et seq.*) established the commercial driver's license (CDL) program and directed the Federal Highway Administration (FHWA), FMCSA's predecessor agency, to establish minimum qualifications for issuance of a CDL. After public notice and an opportunity for comment, the FHWA established standards for the knowledge and skills that a CDL applicant must satisfy.

In 1985, the FHWA published the "Model Curriculum for Training Tractor-Trailer Drivers." The FHWA did not mandate driver training at that time. It believed the cost of developing a comprehensive driver-training program was too high in terms of agency resources. This was especially so, FHWA believed, in light of its reasonable expectation that the level of safety of entry level drivers would soon be elevated because (1) the deadline for States to adopt the new mandatory CDL-licensing standards for driver knowledge and skills was still in the future, and (2) many truck driving schools had updated their curricula in light of the new model curriculum ("Truck Safety: Information on Driver Training," Report of the U.S. General Accounting Office, GAO/RCED-89-163, August 1989, pages 4 and 5).

In 1991, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) (Pub. L. 102-240, December 18, 1991) directed the FHWA to "commence a rulemaking proceeding on the need to require training of all entry-level drivers of commercial motor vehicles (CMVs)" (Section 4007(a)(2)). On June 21, 1993, the FHWA issued an advance notice of proposed rulemaking entitled, "Commercial Motor Vehicles: Training for All Entry Level Drivers" (58 FR 33874). The Agency also began a study of the effectiveness of the driver training currently being received by

entry-level CMV drivers. The results of the study were published in 1997 under the title "Adequacy of Commercial Motor Vehicle Driver Training." The study is available under FMCSA Docket 1997-2199 at the *Federal eRulemaking Portal* ([www.regulations.gov](http://www.regulations.gov)) described above. The study found that three segments of the trucking industry were not receiving adequate entry-level training: Heavy truck, motor coach, and school bus.

On August 15, 2003, FMCSA published a notice of proposed rulemaking (NPRM) entitled, "Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators" (68 FR 48863). The Agency proposed mandatory training for operators of CMVs on four topics: Driver qualifications, hours-of-service of drivers, driver wellness and whistleblower protection. On May 21, 2004, FMCSA by final rule prohibited a motor carrier from allowing an entry-level driver to operate a CMV until it received a written certificate indicating that the driver had received training in the four subject areas (69 FR 29384). The rule became effective on July 20, 2004. Training providers were required to provide a certificate to each driver trainee receiving the requisite training.

The Agency is asking OMB to renew without change FMCSA's estimate of the paperwork burden imposed by its regulations. (The Agency is currently conducting a negotiated rulemaking to develop a notice of proposed rulemaking (NPRM) for training of entry-level CMV operators, and is currently preparing a NPRM based on the consensus recommendations of the Entry-Level Driver Training Advisory Committee; if the NPRM proposes amending driver-training requirements, the Agency will submit an estimate of the revised ICR burden of the requirements for OMB approval).

*Definitions:* (1) "Federal Motor Carrier Safety Regulations" (FMCSRs) are parts 350-399 of volume 49 of the Code of Federal Regulations. (2) "Commercial motor vehicle" (CMV) means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle—(a) has a gross combination weight rating of 11,794 kilograms or more (26,001 pounds or more) inclusive of a towed unit(s) with a gross vehicle weight rating (GVWR) of more than 4,536 kilograms (10,000 pounds); or (b) has a GVWR of 11,794 or more kilograms (26,001 pounds or more); or (c) is designed to transport 16 or more passengers, including the driver; or (d) is of any size and is used in the transportation of hazardous materials as

defined in 49 CFR 383.5 (49 CFR 383.5). The definition of CMV found at 49 CFR 390.5 of the FMCSRs is not applicable to this notice. (3) “Commercial Driver’s License (CDL) Driver” means the operator of a CMV because such operators must possess a valid commercial driver’s license (CDL) (Section 383.23(a)(2)). (4) “Entry-level CDL Driver” means a driver with less than one year of experience operating a CMV with a CDL in interstate commerce (49 CFR 380.502(b)).

### Public Comments Invited

FMCSA requests that you comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for FMCSA to perform its functions, (2) the accuracy of the estimated burden, (3) ways for the FMCSA to enhance the quality, usefulness, and clarity of the collected information, and (4) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize or include your comments in the request for OMB’s clearance of this information collection.

Issued under the authority delegated in 49 CFR 1.87 on: August 25, 2015.

**G. Kelly Regal,**

*Associate Administrator, Office of Research and Information Technology.*

[FR Doc. 2015–21894 Filed 9–2–15; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Expedited Public Transportation Improvement Initiative

**AGENCY:** Federal Transit Administration, DOT.

**ACTION:** Notice of initiative and online dialogue

**SUMMARY:** The Federal Transit Administration (FTA) announces the establishment of a multi-faceted Expedited Public Transportation Improvement Initiative (“*XPEDITE*”) and solicits participation in a forthcoming Online Dialogue on the initiative. The goal of *XPEDITE* is to facilitate the transit industry’s implementation of:

- Proven technologies to improve service delivery and maintenance for the public transit industry
- Proven methods to speed up planning, development, approval and delivery of FTA supported capital investments; and

- Innovative financing methods and opportunities for public-private partnerships that support capital investments

During the *XPEDITE Online Dialogue* FTA will be asking you to identify (1) possible improvements in the technology of public transportation and any barriers to their implementation, (2) procedural improvements which can be made to the delivery of all capital projects, program-wide, (3) ways to improve project delivery through innovations in financial arrangements and partnerships with private sector project developers.

**DATES:** FTA will open its *XPEDITE Online Dialogue* on its Web site no later than September 8, 2015.

**FOR FURTHER INFORMATION CONTACT:** For specific information regarding the initiative please contact Tom Yedinak, Office of Budget and Policy, phone: (202) 366–5137, or email: [tom.yedinak@dot.gov](mailto:tom.yedinak@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### 1. Background

Each year the Federal Transit Administration (FTA), together with its transit industry partners, invests billions of dollars in capital projects designed to improve public transportation by reinvesting in existing assets to assure that they are in a state of good repair, implementing technological improvements in public transportation equipment and facilities, and increasing the extent and quality of public transportation service by making new investments. These projects take considerable amounts of time to plan, design, develop, approve and deploy. While it is important to take time to ensure that only well-conceived projects are implemented in the most efficient and effective manner, taking too much time delays the delivery of the intended benefits of the projects to the riding public and may increase the cost of the project. In addition, there is a wide range of technological innovations which are not being adopted as widely as possible, resulting in missed opportunities to improve the efficiency and effectiveness of public transportation.

FTA funds larger-scale capital projects in a number of its grant programs, including the Urbanized Areas, Rural Areas, State of Good Repair, and Bus and Bus Facilities Formula Programs, as well as the Capital Investment Grants Program. While the very large investments in new projects in the Capital Investment Grants program tend to garner the most attention, significant efforts to innovate

and expedite such projects are well underway. Capital projects supported by the formula programs also take considerable effort to plan, design, obtain approval, and deliver. FTA is interested in improving each aspect of the project delivery process for all of its programs.

FTA already has made considerable progress to expedite FTA’s project delivery processes. Pursuant to Accelerated Project Delivery provisions of Subtitle C of the Moving Ahead for Progress in the 21st Century Act (MAP–21), Public Law 112–141 (July 6, 2012), FTA and FHWA undertook a series of rulemakings that expedite compliance with the National Environmental Policy Act (NEPA), 42 U.S.C. 4321, *et seq.* Above and beyond these joint efforts, FTA established sixteen new Categorical Exclusions that are specific to public transportation projects. In addition, FTA has taken steps to improve its oversight processes by eliminating duplicative reviews and taking a more risk-based approach to determining oversight topics needing special attention. FTA also has streamlined the risk assessment process for major projects, recently concluded a top to bottom review of its project management oversight program, and in the near future will implement a series of improvements to better focus oversight of major projects. Additionally, FTA has put in place a number of features designed to streamline the Capital Investment Grants program, discussed in more detail below. Finally, FTA has developed and promoted a series of technological improvements.

On a multimodal level, the Department of Transportation (DOT) has established a new Build America Transportation Investment Center (BATIC). This center is serving as a one-stop shop for state and local governments, public and private developers, and investors seeking to use innovative financing strategies for transportation infrastructure projects. Through this Web site and hands-on support, advice, and expertise, the Center provides navigator services for all types of projects and project sponsors. The Center is housed within the Office of the Secretary, and draws on expertise from across DOT’s operating administrations.

By this notice, FTA is announcing a multi-faceted program entitled the Expedited Public Transportation Improvement Initiative (“*XPEDITE*”). The initiative will identify: (1) Improvements in the technology of public transportation and any barriers to their implementation, (2) procedural improvements which can be made to the