

NFRMPO's purchase of up to 25 minivans.

The market for non-ADA accessible minivans has changed since 2013. In 2013, the Chrysler minivan met the domestic content requirements but was not assembled in the United States. FTA issued a non-availability waiver for final assembly because more than 60 percent of the minivan's components were produced in the United States. Today, Chrysler does not meet either Buy America requirements. However, there are at least four manufacturers—GMC, Ford, Honda and Toyota—that make non-ADA-accessible minivans that are assembled in the U.S.²

Because there are at least four minivans manufacturers who assemble their vehicles in the United States, FTA will not grant Pace a non-availability waiver for both final assembly and domestic content. Instead, in order to maintain U.S. jobs and obtain the benefits of the Buy America statute, FTA proposes to grant a general waiver of only the domestic content requirement for non-ADA-accessible minivans. This waiver would apply to all procurements of non-ADA-accessible minivans and is limited to contracts entered into before September 30, 2019 or until a fully-compliant domestic source becomes available, whichever is earlier. Because the non-ADA-accessible minivans are production line vehicles sold to the general public (*i.e.*, they are not designed and manufactured specifically to be purchased using Federal funds), and those sales substantially outnumber purchases with Federal funds, manufacturers have been reluctant to subject their vehicles to the pre-award and post-delivery audit requirements in 49 CFR part 663 to verify their domestic content. FTA seeks comments on whether manufacturers would consider submitting to a pre-award and post-delivery audit process that was conducted by FTA on each new model year, as opposed to requiring audits for each individual procurement.

This waiver would not apply to ADA-accessible minivans because such vehicles are available that meet the Buy America requirements.

FTA is publishing this Notice to seek public and industry comment from all interested parties in accordance with 49 U.S.C. 5323(j)(3)(A). Such information and comments will help FTA understand completely the facts surrounding the request, including the

merits of the request. A full copy of the request has been placed in docket number FTA-2016-0025.

Ellen Partridge,
Chief Counsel.

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[Safety Advisory 16-2]

Contact Rail (Third Rail) System Hazards

AGENCY: Federal Transit Administration (FTA), Department of Transportation (DOT).

ACTION: Notice of Safety Advisory.

SUMMARY: The Federal Transit Administration (FTA) issued Safety Advisory 16-2 regarding contact rail system hazards on rail fixed guideway public transportation systems (RFGPTS). A letter to the Managers of State Safety Oversight (SSO) programs with RFGPTS that use a contact rail system, was also issued requesting data and information on contact rail system hazards occurring during calendar year 2015. Safety Advisory 16-2 and the accompanying letter are available in their entirety on the FTA public Web site at <http://www.fta.dot.gov/tso.html>.

DATES: FTA is asking the managers of the SSO programs to submit the requested data and information 90 days from issuance of the advisory.

FOR FURTHER INFORMATION CONTACT: For program matters, Sam Shelton, Office of System Safety, telephone (202) 366-0815 or Sam.Shelton@dot.gov. For legal matters, Scott Biehl, Senior Counsel, telephone (202) 366-0826 or Scott.Biehl@dot.gov.

SUPPLEMENTARY INFORMATION: Nationwide, 13 RFGPTS operate and maintain contact rail traction power electrification (TPE) systems to power trains that move millions of daily passengers in some of the nation's largest cities. Recently, the FTA has investigated several safety events related to failures of contact rail TPE systems, including:

- Smoke events caused by arcing insulators and traction power cable fires;
- An explosion caused by a flashover on porcelain insulators;
- A high-intensity fire caused by an electrical short circuit that resulted in the total loss of a traction power substation and major service disruptions;

- Damage to electrical propulsion equipment on dozens of railcars caused by spiking voltage that significantly impacted passenger service; and
- Poor track conditions exacerbated by electrolysis and corrosion from stray current, which degraded anchor bolts and fasteners to the point of failure in a tunnel.

The FTA finds sufficient evidence that each SSOA with an RFGPTS operating and maintaining a contact rail TPE system should investigate potential hazards associated with these systems through its hazard management program specified at 49 CFR 659.31. Further, in accordance with its authority at 49 CFR 659.39(d) to periodically request program information from the SSOAs,¹ the FTA asks these SSOAs to collect the information requested below.

(1) A brief description of the RFGPTS contact rail TPE system and components.

(2) A brief description regarding any major changes or upgrades to the contact rail TPE system made over the last 10 years and whether the traction power cables were also upgraded.

(3) A brief description of the RFGPTS preventive maintenance program in place to determine the insulation integrity of traction power feeder cables (*i.e.*, meggering, hipot testing, metering or other testing program). If such a program does not exist, or has been modified or eliminated, please explain in the response.

(4) The approximate percentage of traction power feeder cables used by the RFGPTS that are low smoke and zero halogen emission cables. Please specify the type and manufacturer.

(5) A brief description of the construction and installation processes used to manage potential impacts of vibration, friction, rubbing, etc. on traction power cables, and whether protective matting is used for cables lying along the ballast and tunnel invert.

(6) A listing of any corrective action plans (CAPs) required and approved by the SSOA related to the traction power electrification system since calendar year 2012 and their status, to include both open and closed CAPs.

(7) A copy of the RFGPTS inspection, testing, and maintenance program manual for its contact rail TPE system.

(8) The RFGPTS definition of "arcing insulator."

¹ Please note, on March 16, 2016, FTA issued a final rule for State Safety Oversight that will eventually replace the longstanding regulations at 49 CFR part 659. See, 81 FR 14230-62. SSOAs and RFGPTSs must continue to comply with 49 CFR part 659, however, until they come into compliance with the new regulations, which have been codified at 49 CFR part 674.

² This information is from the 2016 report submitted by car manufacturers to the National Highway Transportation Safety Administration (NHTSA) under the American Automobile Labeling Act. A copy of the report is posted on NHTSA's Web site at <http://www.nhtsa.gov>.

(9) The following safety event information for calendar year 2015:

a. The total number of times a fire department responded to smoke conditions at the RFGPTS related to the contact rail TPE system;

b. The total number of smoke/fire events related to the contact rail TPE system that resulted in evacuations for fire/life safety reasons at the RFGPTS; and

c. The total number of fatalities and injuries and the total amount of property damage at the RFGPTS resulting from smoke/fire events related to the contact rail TPE system.

(10) A description of any hazards, issues, or concerns related to the contact rail TPE system reported to, identified and/or investigated by the SSOA during calendar year 2015.

The cooperation of the rail transit industry would be very helpful in developing a better understanding of contact rail system hazards, and in due course, a strategy for mitigating the safety risks created by these hazards.

Issued in Washington, DC, this 12th day of May, 2016.

Carolyn Flowers,

Acting Administrator.

[FR Doc. 2016-11580 Filed 5-16-16; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[Docket No. FTA-2016-0024]

Compendium of Public Transportation Safety Standards

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Request for comments.

SUMMARY: FTA is inviting the public to evaluate and provide comments on its Compendium of transit safety standards and protocols. The Fixing America's Surface Transportation Act (FAST Act) requires the Secretary of Transportation to conduct a review of public transportation safety standards and protocols to document existing standards and protocols and examine their efficacy. Following the review, the Secretary also is required to engage with the public in an evaluation of the standards to assess the need to establish additional Federal minimum public transportation safety standards. Upon completion of the review and evaluation, the Secretary must issue a report presenting the findings of the review of standards; the outcome of the evaluation; a comprehensive set of recommendations to improve the safety

of the public transportation industry, including recommendations for regulatory changes, if applicable; and actions that the Secretary of the Department of Transportation will take to address the recommendations provided.

DATES: Comments must be submitted by June 16, 2016. Comments filed after the deadline will be considered to the extent practicable.

ADDRESSES: Please submit your comments by only one of the following methods, identifying your submission by Docket Number (FTA-2016-0024).

- *Federal eRulemaking Portal:*

Submit electronic comments and other data to <http://www.regulations.gov>.

- *U.S. Mail:* Send comments to

Docket Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12-140 of the West Building, Ground Floor, at 1200 New Jersey Avenue SE., Washington, DC, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

- *Fax:* Fax comments to Docket Operations, U.S. Department of Transportation, at (202) 493-2251.

Instructions: You must include the agency name (Federal Transit Administration) and Docket Number (FTA-2016-0024) for this notice, at the beginning of your comments. If sent by mail, submit two copies of your comments. Due to security procedures in effect since October 2001, mail received through the U.S. Postal Service may be subject to delays. Parties submitting comments should consider using an express mail firm to ensure the prompt filing of any submissions not filed electronically or by hand. If you wish to receive confirmation that FTA received your comments, you must include a self-addressed stamped postcard. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Anyone is able to search the electronic form for all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the United States Department of Transportation's (DOT) Privacy Act system of records notice for the DOT Federal Docket Management System (FDMS) in the **Federal Register** published on December 29, 2010 (75 FR 82132) at <http://www.gpo.gov/fdsys/pkg/FR-2010-12-29/pdf/2010-32876.pdf>.

FOR FURTHER INFORMATION CONTACT: For program matters, contact Brian Alberts, Office of Transit Safety and Oversight, (202) 366-1783 or Brian.Alberts@dot.gov; or Raj Wagley, Office of Research and Innovation, (202)-366-5386 or Raj.Wagley@dot.gov.

Office hours are from 8:30 a.m. to 5:00 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

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I. Overview

Section 3020 of the FAST Act requires the Secretary of Transportation to conduct a review of public transportation safety standards and protocols to assess the efficacy of those standards and protocols. The content of the review must include minimum safety performance standards developed by the public transportation industry and safety performance standards, practices, or protocols in use by rail fixed guideway public transportation systems. The review also must include rail and bus safety standards, practices, or protocols in use by public transportation systems regarding (1) rail and bus design and the workstation of rail and bus operators, (2) scheduling fixed route rail and bus service with adequate time and access for operators to use restroom facilities, (3) fatigue management, (4) and crash avoidance and worthiness. Section 3020(b) of the FAST Act requires the Secretary to conduct an evaluation following the review in consultation with the public transportation industry to assess the need to establish additional Federal minimum public transportation safety standards.

FTA has placed in the docket and on FTA's Web site its review of public transportation safety standards and protocols contained as a "Compendium of Public Transportation Safety Standards" (Compendium) provided in tabular format. Included within this Compendium are standards for all public transportation modes (where available), including commuter rail and ferry boat, modes for which regulatory oversight rests within another DOT modal administration. FTA seeks comments from the public transportation industry on the utilization of the standards contained within the Compendium, observations or data driven statements of the effectiveness of the standards, and areas