

carrier of property or passengers has obtained, and has in effect, the minimum levels of financial responsibility as set forth in applicable regulations (motor carriers of property—49 CFR 387.9; and motor carriers of passengers—49 CFR 387.33). FMCSA and the public can verify that a motor carrier of property or passengers has obtained, and has in effect, the required minimum levels of financial responsibility, by use of the information enclosed within these documents.

On February 25, 2016, FMCSA published a notice in the **Federal Register** requesting public comments on the “Financial Responsibility for Motor Carriers of Passengers and Motor Carriers of Property” Information Collection Request, OMB Control Number 2126–0008 (81 FR 9582). Two comments were received in response to this notice. FMCSA contacted one of the commenters and determined that the question was about a company-specific FMCSA registration issue unrelated to the notice, which has already been resolved. FMCSA believes the other comment can be interpreted as an advertisement for the commenter’s company, and not a question about the notice.

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) whether the proposed collection is necessary for the performance of FMCSA’s 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.

Issued under the authority delegated in 49 CFR 1.87 on: June 15, 2016.

**G. Kelly Regal,**

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

[FR Doc. 2016–14743 Filed 6–20–16; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA–2010–0161]

#### Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated April 8, 2016, the Hoosier Valley Railroad Museum (HVRM), petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain

provisions of the Federal railroad safety regulations contained at 49 CFR part 223, Railroad Safety Glazing Standards. FRA assigned the petition Docket Number FRA–2010–0161.

HVRM has requested a permanent waiver of compliance for one caboose from the requirements of 49 CFR part 223, which requires certified glazing in all windows. HVRM’s five cabooses, B&LE 1989, EL C345, NKP 471, GTW 75072, and EJ&E 184, were previously granted relief from the glazing requirements in FRA’s July 14, 2011, decision letter. Since that time, the glazing requirements have been amended to add provisions for glazing on equipment that is over 50 years of age from its original construction date. Only Caboose EJ&E 184, which was built in 1970, does not meet the 50-year threshold in order to be covered under the recently enacted glazing rule for antiquated equipment. Caboose EJ&E 184 is less than 50 years of age and does not meet the glazing requirements of 49 CFR 223.13, and thus requires regulatory relief to continue in operation.

HVRM is a non-profit 501(c)(3) organization located in North Judson, Indiana. It is a member of the Association of Tourist Railroads & Railway Museums, and operates the railroad museum with the mission to preserve railroad history in northwest Indiana. The town of North Judson acquired 33 miles of rail line, purchased in 2004 from CSX Transportation to help maintain a rail corridor for railway excursions provided by HVRM using the heritage equipment. HVRM is all volunteer operated, has 15 or less “hours of service” volunteer workers, and has FRA-approved certification programs for engineers and conductors. HVRM operations/train excursions are conducted primarily on weekends. There are also 10 or less weekday excursions annually for school field trips and community organizations. The town of North Judson contracts with a Class III short line operator, the Chesapeake & Indiana Railroad (CKIN), to maintain the rail line and provide freight service to the rail line customers. The primary freight corridor is Malden to La Crosse to Wellsboro, Indiana. La Crosse contains a wye track used both by HVRM and CKIN for their respective operations. HVRM provides a 30-day advance notice of excursion train schedules to CKIN. Both entities operate under the General Code of Operating Rules and the entire 33-mile rail line is operated under yard limits at speeds not to exceed 20 miles per hour.

HVRM notes that the use of this caboose for tourist, historic, or

excursion operations will be on expanded territory as referenced in HVRM’s April 11, 2016, letter assigned to FRA Docket Number FRA–2006–24647. In addition to the 10 miles between North Judson and La Crosse, the caboose will occasionally operate in tourist, excursion, and special event trains as far as Malden, South Thomaston, Hanna, and Wellsboro.

The subject caboose, EJ&E 184, is only operated at limited track speed under yard limits subject to the authority of the CKIN, which is part of the general railroad system. HVRM notes that the installed glass in the subject caboose is in good condition, operations are in a benign environment, and the expense of retrofitting the subject caboose with FRA certified glazing imposes a financial burden.

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 Docket Operations Facility, 1200 New Jersey Avenue 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 party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for the request.

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

- *Web site:* <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 August 5, 2016 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to 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.). In accordance with 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 [www.dot.gov/privacy](http://www.dot.gov/privacy). See also <http://www.regulations.gov/#!privacyNotice> for the privacy notice of [regulations.gov](http://www.regulations.gov).

**Robert C. Lauby,**

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

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**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

[Docket Number FRA-2016-0018]

**Notice of Public Hearing for Statutory Exemption**

On March 21, 2016, the Federal Railroad Administration (FRA) published a notice in the **Federal Register** (81 FR 15146) regarding the Association of American Railroads' (AAR) request for a waiver of compliance and statutory exemption from certain provisions of Title 49 Code of Federal Regulations (CFR) Part 232-Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices. Specifically, AAR petitioned FRA for a waiver of compliance from 49 CFR 232.213-*Extended haul trains*, 49 CFR 232.15-*Movement of defective equipment*, and 49 CFR 232.103(f)-*General requirements for all train brake systems*; and requests a statutory exemption to 49 U.S.C. 20303-*Moving defective and insecure vehicles needing repairs*, for the purposes of conducting testing to demonstrate the effectiveness of using wayside wheel temperature detector data to ensure safe braking performance. This petition was assigned Docket Number FRA-2016-0018.

Pursuant to 49 U.S.C. 20306-*Exemption for technological improvements*, AAR has requested a hearing during which evidence can be developed for a statutory exemption to 49 U.S.C. 20303. Accordingly, a hearing is scheduled to begin at 10 a.m. September 13, 2016, at the National

Housing Center, National Association of Home Builders, 1201 15th Street NW., Washington, DC 20005. Interested parties are invited to present oral statements at this hearing. For information on facilities or services for persons with disabilities, or to request special assistance at the hearing, contact Mr. Steven Zuiderveen, FRA Railroad Safety Specialist, by telephone, email, or in writing, at least 5 business days before the date of the hearing. Mr. Zuiderveen's contact information is as follows: FRA, Office of Railroad Safety, Mail Stop 25, 1200 New Jersey Avenue SE., Washington, DC 20590; (202) 493-6337; [Steven.Zuiderveen@dot.gov](mailto:Steven.Zuiderveen@dot.gov). The informal hearing will be conducted by a representative designated by FRA in accordance with FRA's Rules of Practice (see specifically 49 CFR 211.25). FRA's representative will make an opening statement outlining the scope of the hearing, as well as any additional procedures for the conduct of the hearing. The hearing will be a non-adversarial proceeding in which all interested parties will be given the opportunity to express their views regarding the waiver petition without cross examination. After all initial statements have been completed, those individuals wishing to make brief rebuttal statements will be given an opportunity to do so.

In addition, FRA is extending the comment period for this waiver petition to October 13, 2016, to allow adequate time for any additional comments to be submitted following the public hearing scheduled for September 13, 2016.

Communications received by that date will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* Docket Operations Facility, U.S. Department of Transportation (DOT), 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.

Anyone is able to 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.). In accordance with 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 [www.dot.gov/privacy](http://www.dot.gov/privacy). See also <http://www.regulations.gov/#!privacyNotice> for the privacy notice of [regulations.gov](http://www.regulations.gov).

**Robert C. Lauby,**

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

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**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

[Docket No. FRA-2012-0033]

**Notice of Intent To Grant a Buy America Waiver to the City of Sacramento, California, Department of Public Works, To Use Marmoleum Flooring**

**AGENCY:** Federal Railroad Administration (FRA), United States Department of Transportation (DOT).

**ACTION:** Notice of intent to grant Buy America waiver.

**SUMMARY:** FRA is issuing this notice to advise the public it intends to grant the City of Sacramento, California, Department of Public Works (Sacramento), a waiver from FRA's Buy America requirement to use Walton Cirrus Original Brown #3665 (Brown Marmoleum), in the Sacramento Valley Station Phase II intermodal project.

**DATES:** Written comments on FRA's determination to grant Sacramento's Buy America waiver request should be provided to the FRA on or before June 28, 2016.

**ADDRESSES:** Please submit your comments by one of the following means, identifying your submissions by docket number FRA-2012-0033. All electronic submissions must be made to the U.S. Government electronic site at <http://www.regulations.gov>. Commenters should follow the instructions below for mailed and hand-delivered comments:

(1) *Web site:* <http://www.regulations.gov>. Follow the instructions for submitting comments on the U.S. Government electronic docket site;

(2) *Fax:* (202) 493-2251;