

project, unless FTA issues a written determination otherwise.

Carolyn Flowers,

Acting Administrator.

[FR Doc. 2016-23504 Filed 9-28-16; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2016-0087]

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2014-0083]

Notice of Availability of a Draft Environmental Assessment for Rulemaking To Require the Installation and Maintenance of Speed Limiting Devices in Heavy Vehicles

AGENCY: National Highway Traffic Safety Administration (NHTSA) and Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of availability; request for comments.

SUMMARY: NHTSA and FMCSA announce the availability of a Draft Environmental Assessment (EA) to evaluate the potential environmental impacts of proposed regulations requiring the installation of vehicle speed limiting devices in new heavy vehicles and maintenance of a maximum speed setting by motor carriers operating affected vehicles. The Draft EA was prepared in compliance with the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality's (CEQ) regulations implementing NEPA, U.S. DOT Order 5610.1C, NHTSA's NEPA implementing regulations, and FMCSA's NEPA Order 5610.1. Interested persons are invited to comment on the Draft EA.

DATES: You should submit your comments early enough to ensure that the docket receives them not later than November 7, 2016.

ADDRESSES: You may submit comments on the Draft EA, bearing the Federal Docket Management System Docket IDs [NHTSA-2016-0087] or [FMCSA-2014-0083] using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility: U.S. Department of Transportation, 1200

New Jersey Avenue SE., West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

- *Fax:* (202) 493-2251.

Each submission must include the Agencies' names and the docket numbers for this notice. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the "Privacy Act" heading below.

You may call the Docket at 202-366-9324.

Docket: For access to the docket to read background documents or comments received, go to www.regulations.gov or the street address listed above.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy. Anyone is able to search the electronic form of 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.).

FOR FURTHER INFORMATION CONTACT:

NHTSA: Mr. Markus Price, Chief, Visibility and Injury Prevention Division, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone: 202-366-1810.

FMCSA: Ms. Andrea Pahlevanpour, Environmental Program Analyst, Regulatory Evaluation Division, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone: 202-366-5370.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to NEPA, NHTSA and FMCSA have prepared a Draft EA analyzing the potential environmental impacts of the agencies' proposed rulemaking regarding the installation and maintenance of speed limiting devices in heavy vehicles. See 81 FR 61942 (Sep. 7, 2016). Specifically, the proposal requires all newly manufactured U.S. trucks, buses, and

multipurpose passenger vehicles with a gross vehicle weight rating more than 11,793.4 kilograms (26,000 pounds) to be equipped with a speed limiting device set to a designated speed. Further, under the proposal, motor carriers operating commercial vehicles in interstate commerce would be responsible for maintaining the speed limiting devices at or below the designated speed for the service life of the vehicle. Although the agencies do not propose the designated speed for the speed limiting devices to be set, the agencies considered the benefits and costs of four alternatives in the proposal: 60 mph, 65 mph, 68 mph maximum speeds and the No Action Alternative of not requiring the installation of speed limiters in heavy vehicles. At this time, the agencies have not selected a preferred alternative and seek public comment on the specified maximum speed level to require in the final rule.

Environment

NEPA (42 U.S.C. 4321-4347) requires Federal agencies to integrate environmental values into their decision-making processes by requiring Federal agencies to consider the potential environmental impacts of their proposed actions. In accordance with NEPA, CEQ's regulations implementing NEPA (40 CFR parts 1500-1508), U.S. DOT Order 5610.1C, NHTSA's NEPA implementing regulations (49 CFR part 520), and FMCSA's NEPA Order 5610.1 (69 FR 9680 [Mar. 1, 2004]), NHTSA and FMCSA have prepared a Draft EA to outline the purpose and need for the proposed rulemaking, a reasonable range of alternative actions the agencies could adopt through rulemaking (in particular, the maximum specified speeds under consideration), and the projected environmental impacts of these alternatives.

NHTSA and FMCSA anticipate that the action alternatives will have negligible or no impact on the following resource and impact categories: (1) Topography, geology, and soils; (2) water resources (including wetlands and floodplains); (3) biological resources; (4) resources protected under the Endangered Species Act; (5) historical and archeological resources; (6) farmland resources; (7) environmental justice; and (8) resources protected under 49 U.S.C. 303 ("Section 4(f)" properties). The impact areas that may be affected and were evaluated in the Draft EA include air quality and greenhouse gas emissions; socioeconomics; public health and safety; solid waste; hazardous materials; and fuel savings.

NHTSA and FMCSA invite interested parties to comment on the Draft EA by following the instructions under **ADDRESSES** above. The Draft EA is available on both agencies' Web sites at <http://www.nhtsa.gov/> and <http://www.fmcsa.dot.gov/> or on the public docket at <http://www.regulations.gov> (Docket No. NHTSA-2016-0087-0003 and Docket No. FMCSA-2014-0083-0002).

Subject to public notice and comment, NHTSA and FMCSA anticipate issuing a Finding of No Significant Impact (FONSI) related to this action.

Issued pursuant to authority delegated in 49 CFR 1.81, 1.95, and 501.8 on: September 22, 2016.

Raymond R. Posten,

*Associate Administrator for Rulemaking,
National Highway Traffic Safety
Administration.*

Issued pursuant to authority delegated in 49 CFR 1.81 and 1.87 on: September 22, 2016.

Larry W. Minor,

*Associate Administrator for Policy, Federal
Motor Carrier Safety Administration.*

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2016-0093; Notice 1]

General Motors, LLC, Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: General Motors, LLC (GM), has determined that certain model year (MY) 2016-2017 Cadillac CTS, CT6, XTS and Escalade motor vehicles do not fully comply with paragraph S5.5.5(a) of Federal Motor Vehicle Safety Standard (FMVSS) No. 135, *Light Vehicle Brake Systems*. GM filed a report dated August 17, 2016, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. GM then petitioned NHTSA under 49 CFR part 556 for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

DATES: The closing date for comments on the petition is October 31, 2016.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition.

Comments must refer to the docket and notice number cited in the title of this notice and be submitted by any of the following methods:

- **Mail:** Send comments by mail addressed to U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- **Hand Deliver:** Deliver comments by hand to U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.

- **Electronically:** Submit comments electronically by logging onto the Federal Docket Management System (FDMS) Web site at <https://www.regulations.gov/>. Follow the online instructions for submitting comments.

- Comments may also be faxed to (202) 493-2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

The petition, supporting materials, and all comments received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All documents submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at <https://www.regulations.gov> by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000 (65 FR 19477-78).

SUPPLEMENTARY INFORMATION:

I. **Overview:** Pursuant to 49 U.S.C. 30118(d) and 30120(h) and their implementing regulations at 49 CFR part 556, GM submitted a petition for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety.

This notice of receipt of GM's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

II. **Vehicles Involved:** Affected are 46,205 of the following MY 2016-2017 Cadillac motor vehicles manufactured between March 10, 2015, and June 13, 2016:

- Cadillac CT6
- Cadillac CTS
- Cadillac Escalade
- Cadillac Escalade ESV
- Cadillac XTS

III. **Noncompliance:** GM explains that the noncompliance is that when the parking brake is applied on the subject vehicles the telltale light that illuminates within the cluster does not meet the lettering height requirements as specified in paragraph S5.5.5(a) of FMVSS No. 135 and also referenced in table 1; column 1, of FMVSS No. 101. Specifically, the lettering height for the telltale on the subject vehicles is 2.44 mm when it should be a minimum height of 3.2 mm.

IV. **Rule Text:** Paragraph S5.5.5(a) of FMVSS No. 135 states, in pertinent part:

S5.5.5 Labeling. (a) Each visual indicator shall display a word or words in accordance with the requirements of Standard No. 101 (49 CFR 571.101) and this section, which shall be legible to the driver under all daytime and nighttime conditions when activated. Unless otherwise specified, the words shall have letters not less than 3.2 mm ($\frac{1}{8}$ inch) high and the letters and background shall be of contrasting colors, one of which is red . . .

V. **Summary of GM's Petition:** GM described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, GM submitted the following reasoning:

(a) The park brake applied telltale (identified by the word "PARK") is red in color contrasted against a black screen, as required by S5.5.5(a) and (d)(4), conspicuously located and readily visible at the top left-of-center position of the instrument panel cluster. Additionally, the four letters of the word "PARK" are all capitalized such