

and final assembly for non-ADA-accessible minivans.

FTA Response: With regard to a manufacturer's willingness to document its compliance with the audit requirements, because today's Notice waives the domestic content requirement, recipients will not be obligated to document or audit a covered vehicle's domestic components. However, a recipient still must confirm a vehicle's compliance with the other requirements of 49 CFR part 663, including conformity to the original bid specifications, and compliance with all applicable Federal Motor Vehicle Safety Standards (FMVSS).

F. Comments on FTA's Question 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

Commenters were supportive of the concept of annual audits of vehicle models, rather than requiring audits for each individual procurement. Six commenters provided input on FTA's pre-award and post-delivery audit process question. None of the commenters were minivan manufacturers and commenters noted that while they could not speak on behalf of automakers, they supported any policy that would promote more entrants, more competition, and more options in the procurement of minivans for vanpool purposes.

FTA Response: FTA believes this proposal has merit and will take this recommendation into consideration in a future action that FTA may take to address pre-award and post-delivery audits for minivan procurements. Until that time, however, recipients procuring vans with FTA financial assistance must still conduct pre-award and post-delivery audits, consistent with the statutory requirement at 49 U.S.C. 5323(m) and FTA's implementing regulation at 49 CFR part 663. Given the circumstances warranting this waiver, the audits will not need to document the domestic content of the vehicle for compliance, but will still need to confirm the place of final assembly. The audit will need to document that the vehicle conforms to the requirements outlined in the bid specifications, and complies with the FMVSS.

Conclusion

Although no minivans are presently available in the domestic market that meet both the final assembly and domestic content requirements, FTA has identified four non-ADA-accessible

vehicles that may be suitable for vanpool use that meet FTA's Buy America final assembly requirement. Therefore, FTA is providing a Buy America waiver of the domestic content requirement for non-ADA-accessible minivans and vans; final assembly in the U.S. is still required. This waiver is limited to contracts entered into on or before September 30, 2019 or until a fully-compliant domestic source becomes available whichever is earlier.

Additionally, FTA is granting Pace a one-time non-availability waiver of both domestic content and final assembly requirements for the purchase of up to 188 Dodge Caravan minivans for its vanpool program, as set forth in Pace's original request for a waiver. Pace originally sought a waiver for the procurement of minivans for its vanpool program in April 2014, after the solicitation resulted in no bidders that certified compliance with Buy America. FTA requested that Pace re-advertise its procurement for minivans (IFB 412654), which Pace did in October 2014. The October 2014 solicitation also resulted in no bidders who could certify to both Buy America requirements. Pace has an immediate need for replacement vehicles for its vanpool program, and acquisition of these vehicles has been delayed due to the Buy America waiver review process. Therefore, FTA also is granting Pace a limited waiver of Buy America for the purchase up to 188 Dodge Caravan minivans for its vanpool program pursuant to IFB 412654.

Ellen Partridge,
Chief Counsel.

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket Number PHMSA-2016-0110; Notice No. 2016-21]

Hazardous Materials: Damaged, Defective, Recalled Lithium Cells or Batteries or Portable Electronic Devices

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Withdrawal of Safety Advisory Notice No. 2016-18.

SUMMARY: Safety Advisory Notice 2016-18 is withdrawn effective at noon (ET) on October 15, 2016. At that time, it will be superseded by an Emergency Restriction/Prohibition Order [Order

No. FAA-2016-9288] by the United States Department of Transportation (DOT) pursuant to 49 U.S.C. 5121(d).

FOR FURTHER INFORMATION CONTACT: Kevin Leary, Standards and Rulemaking Division, Pipeline and Hazardous Materials Safety Administration, telephone: (202) 366-8553.

SUPPLEMENTARY INFORMATION:

Additional Information

Additional information pertinent to the Order is available through the Office of the Federal Register Web site (<https://www.federalregister.gov/public-inspection/current>).

Additional information pertinent to the traveling public is available through the DOT Safe Travel Web site (see <http://phmsa.dot.gov/safetravel/batteries>) and through the FAA Pack Safe Web site (see <http://www.faa.gov/Go/PackSafe>). For additional information on returning your device to the manufacturer, please call 1-800-SAMSUNG or 1-800-726-7864. For additional information on the recall please visit the Consumer Product Safety Commission's Web site at www.cpsc.gov.

Issued in Washington, DC, on October 14, 2016.

Marie Therese Dominguez,
Administrator, Pipeline and Hazardous Materials Safety Administration.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No.: DOT-OST-2016-0203]

Advisory Committee on Automation in Transportation

AGENCY: Office of the Secretary, U.S. Department of Transportation (DOT).

ACTION: Notice of establishment of the Advisory Committee on Automation in Transportation (ACAT) and solicitation of nominations for membership.

SUMMARY: Pursuant to Section 9(a)(2) of the Federal Advisory Committee Act (FACA), and in accordance with Title 41, Code of Federal Regulations, Section 102-3.65, and following consultation with the Committee Management Secretariat, General Services Administration, notice is hereby given that the ACAT will be established for a 2-year period.

It is the policy of the U.S. Department of Transportation to foster the safe deployment of advanced automated and connected vehicle technologies to