

agency actions subject to 23 U.S.C. 139(J)(1) by issuing licenses, permits, and approvals for the Skyline Drive Roadway project in the State of Utah. This project proposes to construct a new roadway from 4300 North and 1100 West to United States Route 89 (US-89) located in the City of Pleasant View, Weber County, Utah. The project consists of the following improvements: Construct a new approximately 1.5 mile commercial vehicle haul route from 4300 North and 1100 West to United States Route 89 (US-89); and Realign Pleasant View Drive from approximately 0.2 miles southeast of the US-89 and Pleasant View Drive intersection to connect with the alignment approximately 0.1 miles northeast of the alignment's connection with US-89. These improvements were identified in the Final Environmental Assessment as Alternative L—Skyline Drive to Pleasant View Drive South. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Assessment (EA) for the project (Final Environmental Assessment, Skyline Drive Roadway in Pleasant View, Utah, Project #: F-LC57(18)), approved on May 31, 2017, in the UDOT Finding of No Significant Impact (FONSI) for the project (Utah Department of Transportation Finding of No Significant Impact for Skyline Drive Roadway in Pleasant View, Utah) issued on May 31, 2017, and in other documents in the UDOT project records. The Final EA, FONSI, and other project records are available by contacting UDOT at the address provided above. The UDOT Final EA and FONSI can be viewed and downloaded from the project Web site at <http://www.skylinedriveproject.com/>.

This notice applies to the EA and FONSI, the Section 4(f) Determination, the NHPA Section 106 Review, and all other Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351]; Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128].
2. Air: Clean Air Act [42 U.S.C. 7401–7671q].
3. Land: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303; 23 U.S.C. 138]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].
4. Wildlife: Endangered Species Act [16 U.S.C. 1531–1544 and Section 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667d]; Migratory Bird Treaty Act [16 U.S.C. 703–712].
5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act

of 1966, as amended [16 U.S.C. 470f]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470aa–470mm]; Archeological and Historic Preservation Act [16 U.S.C. 469–469c].

6. Noise: Federal-Aid Highway Act of 1970 [Pub. L. 91–605, 84 Stat. 1713].

7. Executive Orders: E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13287 Preserve America.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 139(J)(1)

Issued on: May 31, 2017.

Ivan Marrero,

Division Administrator, Federal Highway Administration, Salt Lake City, Utah.

[FR Doc. 2017–11630 Filed 6–7–17; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2016–0102; Notice 2]

Volkswagen Group of America, Inc., Grant of Petition for Decision of Inconsequential Noncompliance

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

ACTION: Grant of petition.

SUMMARY: Volkswagen Group of America, Inc. (Volkswagen), has determined that certain model year (MY) 2016 Volkswagen eGolf motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 108, *Lamps, reflective devices and associated equipment*. Volkswagen filed a noncompliance report dated September 16, 2016. Volkswagen then petitioned NHTSA on September 16, 2016, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

ADDRESSES: For further information on this decision contact Leroy Angeles, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366–5304, facsimile (202) 366–5930.

SUPPLEMENTARY INFORMATION:

I. Overview: Volkswagen Group of America, Inc. (Volkswagen), has determined that certain model year (MY) 2016 Volkswagen eGolf motor vehicles do not fully comply with

paragraph S6.5.3.2 of Federal Motor Vehicle Safety Standard (FMVSS) No. 108, *Lamps, reflective devices and associated equipment*. Volkswagen filed a noncompliance report dated September 16, 2016, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. Volkswagen then petitioned NHTSA on September 16, 2016, pursuant to 49 U.S.C. 30118(d) and 30120(h) and their implementing regulations at 49 CFR part 556, 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.

Notice of receipt of the petition was published, with a 30-day public comment period on October 26, 2016 in the **Federal Register** (81 FR 74500). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) Web page at: <http://www.regulations.gov/>. Then follow the online search instruction to locate docket number “NHTSA–2016–0102.”

II. Vehicles Involved: Affected are 1,967 MY 2016 Volkswagen eGolf motor vehicles manufactured between June 25, 2015, and September 14, 2016.

III. Noncompliance: Volkswagen explains that the noncompliance is due to a labeling error. The affected vehicles are equipped with halogen headlamps that are missing the required operation voltage label on the headlamp assembly and therefore do not meet the requirements specified in paragraph S6.5.3.2 of FMVSS No. 108.

IV. Rule Text: Paragraph S6.5.3.2 of FMVSS No. 108 states:

S6.5.3.2 *Voltage and trade number.* Each original and replacement equipment headlamp, and each original and replacement equipment beam contributor must be marked with its voltage and with its part or trade number.

V. Summary of Volkswagen's Petition: Volkswagen 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, Volkswagen stated that the correct halogen bulb specification is denoted on the headlamp glass lens, as required, as well as on the headlamp label and in service literature, etc. The halogen light bulb type implicitly carries the voltage specification, as the designated H7 bulb is always a 12V halogen light bulb. Additionally, the halogen light bulb socket is mechanically coded and will not accept the fitment of a replacement light bulb of incorrect specification. As

such, no safety risk is present, even though there is a noncompliance with FMVSS No. 108 regulatory requirements.

Volkswagen concluded by expressing the belief that the subject noncompliance presents no risk and is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

NHTSA'S Decision

NHTSA's Analysis: NHTSA has reviewed and accepts Volkswagen's analysis that the subject noncompliance is inconsequential to motor vehicle safety. Specifically, the halogen headlamps missing the required operation voltage label on the headlamp assembly poses little if any risk to motor vehicle safety.

Volkswagen stated in their petition that the H7 bulb is always a 12V halogen light bulb. In accordance with paragraph S11 of FMVSS No. 108, each replaceable light source must be designed to conform to the dimensions and electrical specifications furnished with respect to it pursuant to part 564, on file in Docket No. NHTSA-98-3397. By VW's line of thought, to ensure the bulb performs within the luminous flux and power ranges specified, the bulb designer would ensure that the performance of the bulb is such that the output is compliant for a known input of 12.8V and therefore the voltage becomes implicitly specified for that specific bulb. NHTSA notes that the docket entry detailing the H7 replaceable light source specifications¹ shows that DOT compliant H7 replaceable light sources when tested at 12.8 volts must achieve a luminous flux of $1250 \pm 12\%$ lumens with a maximum of 55.6 watts.

Consumers, dealers, and repair businesses will look at the bulb designation, H7, when replacing the light source in a headlamp assembly and will in no way rely on the voltage marking. As such, the missing voltage marking poses little if any risk to motor vehicle safety.

NHTSA's Decision: In consideration of the foregoing, NHTSA finds that Volkswagen has met its burden of persuasion that the subject FMVSS No. 108 noncompliance in the affected vehicles is inconsequential to motor vehicle safety. Accordingly, Volkswagen's petition is hereby granted and Volkswagen is consequently

exempted from the obligation of providing notification of, and a free remedy for, that noncompliance under 49 U.S.C. 30118 and 30120.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, this decision only applies to the subject vehicles that Volkswagen no longer controlled at the time it determined that the noncompliance existed. However, the granting of this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after Volkswagen notified them that the subject noncompliance existed.

Authority: 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8.

Jeffrey M. Giuseppe,
Director, Office of Vehicle Safety Compliance.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary of Transportation

[Docket No. OST-2017-0057]

Transportation Infrastructure: Notice of Review of Policy, Guidance, and Regulation

AGENCY: Office of the Secretary of Transportation (OST), DOT.

ACTION: Notice; request for input.

SUMMARY: The Department of Transportation (DOT) is reviewing its existing policy statements, guidance documents, and regulations to identify unnecessary obstacles to transportation infrastructure projects. As part of this review, the Department invites affected stakeholders and the public to identify non-statutory requirements that the Department imposes and that should be removed or revised.

DATES: Comments should be received on or before July 24, 2017. Late-filed comments will be considered to the extent practicable.

ADDRESSES: You may file comments identified by the docket number DOT-

OST-2017-0057 by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the online instructions for submitting comments.

- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Ave. SE., Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* The Docket Management Facility is located on the West Building, Ground Floor, of the U.S. Department of Transportation, 1200 New Jersey Ave. SE., Room W12-140, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* 202-493-2251.

Instructions: You must include the agency name and the Docket Number DOT-OST-2017-0057 at the beginning of your comment. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

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, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Docket: For access to the docket to read background documents or comments received, visit the Docket Management Facility described above or go to <http://www.regulations.gov> and follow the online instructions for accessing the docket.

FOR FURTHER INFORMATION CONTACT: Michael A. Smith, Office of the General Counsel, U.S. Department of Transportation, 1200 New Jersey Ave. SE., Washington, DC 20590, 202-366-2917, michael.a.smith@dot.gov.

SUPPLEMENTARY INFORMATION:

Purpose

The Department of Transportation recognizes that there are regulatory and administrative burdens that impede transportation infrastructure projects. The Department also recognizes that the stakeholders who deliver projects have

¹ NHTSA-1998-3397-0004.