

enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

**FOR FURTHER INFORMATION CONTACT:**

Barbara Hall by email at: [Barbara.L.Hall@faa.gov](mailto:Barbara.L.Hall@faa.gov); phone: 940-594-5913.

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 2120-0044.

*Title:* Rotorcraft External Load Operator Certificate Application.

*Form Numbers:* FAA Form 8710-4.

*Type of Review:* This is a renewal of an information collection.

*Background:* Application for certificate issuance or renewal of a 14 CFR part 133 Rotorcraft External Load Operator Certificate. Application for an original certificate or renewal of a certificate issued under 14 CFR part 133 is made on a form, and in a manner, prescribed by the Administrator. The FAA form 8710-4 may be obtained from an FAA Flight Standards District Office. The completed application is sent to the district office that has jurisdiction over the area in which the applicant's home base of operation is located.

The information collected includes: Type of application, Operators name/DBAs, telephone number, mailing address, physical address of the principal base of operations, Chief pilot/designee name, airman certificate grade and number, rotorcraft make/model registration numbers to be used and load combinations requested.

*Respondents:* 358 active 14 CFR part 133 Certificate Holders.

*Frequency:* New applications as industry dictates, however, current 14 CFR part 133 certificate holders must renew every 24 months.

*Estimated Average Burden per Response:* Approximately 30 minutes per application.

*Estimated Total Annual Burden:* 89.5 hours per year for 14 CFR part 133 renewals.

Issued in Fort Worth, TX on January 8, 2018.

**Barbara L. Hall,**

*FAA Information Collection Clearance Officer, Performance, Policy, and Records Management Branch, ASP-110.*

[FR Doc. 2018-00827 Filed 1-18-18; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**Notice of Final Federal Agency Actions on Proposed Highway Project in Rhode Island**

**AGENCY:** Federal Highway Administration (FHWA), Department of Transportation (DOT).

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA.

**SUMMARY:** This notice announces actions taken by the FHWA that are final pursuant to the statute. The actions relate to a proposed highway project, Toll Locations 1 and 2 in the Towns of Hopkinton, Richmond, and Exeter in the State of Rhode Island, FHWA Project Number TOLL002, Rhode Island Department of Transportation (RIDOT) Contract Number 2017-OT-002.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before June 18, 2018. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** For FHWA: Mr. Carlos E. Padilla-Fresse, MSCE, Program Delivery Supervisor, Federal Highway Administration Rhode Island Division, 380 Westminster Mall, Suite 601, Providence, Rhode Island 02903; telephone: (401) 528-4577; email: [Carlos.Padilla@dot.gov](mailto:Carlos.Padilla@dot.gov). The FHWA Rhode Island Division Office's normal business hours are 8:00 a.m. to 4:30 p.m. (Eastern Standard Time), Monday through Friday, except Federal Holidays. For RIDOT: Mr. David Fish, P.E., Administrator of Project Management, Rhode Island Department of Transportation, Two Capitol Hill, Providence, Rhode Island 02903-1124, telephone: (401) 222-2023, email: [david.fish@dot.ri.gov](mailto:david.fish@dot.ri.gov). RIDOT normal business hours are 8:00 a.m. to 4:30 p.m. (Eastern Standard Time), Monday through Friday, except Federal Holidays.

**SUPPLEMENTARY INFORMATION:** Effective December 20, 2017, the Federal Highway Administration (FHWA) assumed environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that the FHWA has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing a Finding of No Significant Impact

(FONSI) for the following highway project in the State of Rhode Island: Toll Locations 1 and 2 in the Towns of Hopkinton, Richmond, and Exeter. RIDOT proposes to construct and operate electronic toll systems at two locations (Toll Location 1—between Exits 2 and 3, and Location 2—between Exits 4 and 5) along Interstate 95 in the southwestern part of Rhode Island (Proposed Action). Revenue from Toll Locations 1 and 2 would be generated and used in accordance with *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016*. The proposed toll systems would be used to collect toll revenue from a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers traveling across select bridges associated with the toll locations. Each toll system would be comprised of one or more gantries with communication and electrical connections, a roadside cabinet on a concrete pad, and additional safety guardrail.

The actions by the FHWA, and the laws under which such actions were taken, are described in the Environmental Assessment (EA) for the project approved on December 15, 2017, and a Finding of No Significant Impact (FONSI) issued on December 20, 2017. The EA, FONSI, and other project records are available by contacting the FHWA or the Rhode Island Department of Transportation at the addresses provided above. The EA and FONSI can be viewed and downloaded from the project website at <http://www.dot.ri.gov/rhodeworks/>.

This notice applies to all 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:

- General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4370h]; Federal-Aid Highway Act [Title 23] and associated regulations [CFR part 23].
- Hazardous Materials:* Comprehensive Environmental Response, Compensation, and Liability Act [42 U.S.C. 9601-9675]; Superfund Amendments and Reauthorization Act of 1986 [Pub. L. 99-499]; Resource Conservation and Recovery Act [42 U.S.C. 6901-6992(k)].
- Air:* Clean Air Act, [42 U.S.C. 7401-7671(q)](transportation conformity); Intermodal Surface Transportation Efficiency Act of 1991, Congestion Mitigation and Air Quality Improvement Program (Sec 1008 U.S.C. 149).
- Noise:* 23 U.S.C. 109(i) (Pub. L. 91-605) (Pub. L. 93-87).
- Wildlife:* Endangered Species Act [16 U.S.C. 1531-1544]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667(e)]; Migratory Bird Treaty Act [16 U.S.C. 703-712]. Plant Protection Act [7 U.S.C. 7701 *et seq.*].

6. *Historic and Cultural Resources*: Section 106 of the National Historic Preservation Act of 1966, [54 U.S.C. 306108]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)–470(mm)]; Archeological and Historic Preservation Act [16 U.S.C. 469–469 c–2]; Native American Grave Protection and Repatriation Act [25 U.S.C. 3001–3013].
7. *Land*: Section 4(f) of The Department of Transportation Act: [49 U.S.C. 303] Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209]. Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 [42 U.S.C. 6901, *et seq.*].
8. *Social and Economic*: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; Uniform Relocation Assistance and Real Property Acquisition Act [42 U.S.C. 61].
9. *Wetlands and Water Resources*: Clean Water Act [33 U.S.C. 1251–1387 (Sections 319, 401, and 404)]; Flood Disaster Protection Act [42 U.S.C. 4012a 4106].
10. *Executive Orders*: E.O. 11990 Protection of Wetlands; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 11988 Floodplain Management; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 13112 Invasive Species.

(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(l)(1)

Issued on: January 9, 2018.

**Barbara Breslin,**

*FHWA Rhode Island Division Second in Line, Providence, Rhode Island.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2016–0428]

### Hours of Service; Electronic Logging Devices; Limited 90-Day Waiver; Truck Renting and Leasing Association, Inc.

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT

**ACTION:** Notice; grant of waiver.

**SUMMARY:** FMCSA grants a limited 3-month waiver from the Federal hours-of-service (HOS) requirements for electronic logging devices (ELDs) to motor carriers and drivers operating

property-carrying commercial motor vehicles (CMVs) that are rented for a period not exceeding 30 days. The Agency takes this action in response to a waiver request from the Truck Renting and Leasing Association, Inc. (TRALA). The Agency has determined that granting this waiver is in the public interest and will likely achieve a level of safety that is equivalent to the level that would be achieved absent the waiver, based on the terms and conditions imposed.

**DATES:** This waiver is effective January 19, 2018, through April 19, 2018.

**FOR FURTHER INFORMATION CONTACT:** Thomas L. Yager, Chief, Driver and Carrier Operations Division, Office of Bus and Truck Standards and Operations, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave. SE, Washington, DC 20590. Email: [MCPSD@dot.gov](mailto:MCPSD@dot.gov). Phone: (614) 942–6477.

#### SUPPLEMENTARY INFORMATION:

##### Legal Basis

The Transportation Equity Act for the 21st Century (TEA–21) (Pub. L. 105–178, 112 Stat. 107, sec. 4007(a) June 9, 1998) provides the Secretary of Transportation (the Secretary) the authority to grant waivers from any of the Federal Motor Carrier Safety Regulations issued under Chapter 313 of Title 49 of the United States Code or 49 U.S.C. 31136, to a person(s) seeking regulatory relief (49 U.S.C. 31136(e), 31315(a)). The Secretary must make a determination that the waiver is in the public interest and that it is likely to achieve a level of safety that is equivalent to, or greater than, the level of safety that would be obtained in the absence of the waiver. Individual waivers may be granted only for a specific unique, non-emergency event, for a period up to three months. TEA–21 authorizes the Secretary to grant waivers without prior notice or request for public comment.

The Administrator of FMCSA has been delegated authority under 49 CFR 1.87(e) to carry out the functions vested in the Secretary by 49 U.S.C. chapter 311, subchapters I and III, relating to commercial motor vehicle programs and safety regulations.

##### Background

TRALA is a national trade association representing companies that engage in commercial truck renting and leasing as well as consumer truck rentals. Its membership encompasses major independent firms such as Ryder System, Penske Truck Leasing, U-Haul, Budget, and Enterprise Truck Rental, as

well as small and medium-size businesses that generally participate as members of four leasing group systems: Idealease, NationalLease, PACCAR Leasing company, and Mack Leasing System-Volvo Truck Leasing. In total, its nearly 500 member companies operate more than 5,000 commercial leasing and rental locations, and more than 20,000 consumer rental locations throughout the United States, Mexico, and Canada. “Renting” is a term of art in the vehicle leasing industry, generally meaning a transaction granting the exclusive use of a vehicle for 30 days or less, whereas a lease generally means a transaction granting the exclusive use of a vehicle for more than 30 days.

In November 2016, TRALA submitted a petition requesting a 5-year exemption on behalf of operators of property-carrying commercial motor vehicles rented for 30 days or fewer from the requirement that motor carriers whose drivers are required to keep records of duty status (RODS) under the HOS rules generally must employ ELDs beginning December 18, 2017, in lieu of paper logs, pursuant to an FMCSA rule published December 16, 2015 (80 FR 78292). While TRALA stated that it supported the ELD mandate, it was concerned about unintended technical and operational consequences that would unfairly and adversely affect short-term rental vehicles, namely, lack of interoperability between the motor carrier’s ELD technology and the rental company’s platform, potentially precluding data transfer between the two systems. TRALA also raised concerns about data liability, particularly if the rental companies needed to bear the burden of safeguarding data on behalf of the motor carrier.

In accordance with 49 CFR 381.315, FMCSA sought public comment on TRALA’s exemption request (82 FR 14789 (Mar. 22, 2017)). FMCSA evaluated TRALA’s application and the public comments and granted a limited exception, subject to specified terms and conditions, but only for rentals not exceeding 8 days (82 FR 47306 (Oct. 11, 2017)).

##### Waiver Request

After FMCSA granted TRALA’s exemption in part, TRALA filed a request for a 90-day waiver from the ELD requirement for truck rentals not exceeding 30 days. TRALA indicated that a 90-day waiver would allow rental companies and their customers “critical additional time to develop compliance strategies” to address “unique issues relating to the use of ELDs in short-term rental vehicles” and allow time for