

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****[Docket No. FHWA-2019-0034]****Agency Information Collection Activities: Notice of Request for Extension of Currently Approved Information Collection****AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice of request for extension of currently approved information collection.**SUMMARY:** The FHWA invites public comments about our intention to request the Office of Management and Budget's (OMB) approval for renewal of an existing information collection that is summarized below under**SUPPLEMENTARY INFORMATION.** We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.**DATES:** Please submit comments by January 13, 2020.**ADDRESSES:** You may submit comments identified by DOT Docket ID Number 2020-0034 by any of the following methods:

*Website:* For access to the docket to read background documents or comments received, go to the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the online instructions for submitting comments. Fax: 1-202-493-2251.

*Mail:* Docket Management Facility, U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

*Hand Delivery or Courier:* U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Steven Frankel, (202) 366-9649 or Beatriz Hernandez (202)366-3126, Office of the Chief Financial Officer, Federal Highway Administration, Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590, Monday through Friday, except Federal holidays.**SUPPLEMENTARY INFORMATION:***Title:* Request Form for Fund Transfers to Other Agencies and Among Title 23 Programs.*OMB Control Number:* 2125-0620.*Background:* The Fixing America's Surface Transportation (FAST) Act, Public Law 114-94, continues the

ability of States to transfer highway funds to other States and agencies and among programs/projects. These authorities are codified in sections 104 and 126 of title 23, United States Code, as amended by the FAST Act.

Transferability under the FAST Act is generally similar to that allowed under previous authorization acts such as the Moving Ahead for Progress in the 21st Century Act (MAP-21) and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). This notice establishes requirements for initiating the transfer of apportioned funds (funds distributed among States and programs by statutory formula) to carry out these provisions of law. The types of transfers affected by this notice are:

a. Transfer of funds from a State to the FHWA pursuant to U.S.C. Title 23, § 104(f)(3);

b. Transfer of funds from a State to a Federal Agency other than FHWA;

c. Transfer of funds from a State to another State;

d. Transfer of funds from FHWA to Federal Transit Administration pursuant to U.S.C. Title 23, § 104(f)(1);

e. Transfer of funds between programs pursuant to U.S.C. Title 23, § 126; and,

f. Transfer of funds between projects.

The State initiating the fund transfer must fill out a FHWA Funds Transfer Request form. This transfer form (FHWA-1575C) submitted for approval is similar to the currently approved transfer forms (FHWA-1575 and FHWA-1576) that have been utilized for the past five years. The main improvement is that this transfer form combines what were previously two forms (one for transfers within State or to another State and one for transfers to other agencies) into a single form. The new FHWA-1575C transfer form includes drop-down boxes that will allow States to select the type of transfer and other information. This new form will streamline that transfer request process for States by allowing them to use the single form for all types of transfers of apportioned funds rather than having to select the appropriate form. Information required to fill out a transfer form will include the requester's contact information; a description of the program/project the transfer will come from and go to, the fiscal year, the program code, a demo ID or an urban area when applicable, and the amount to be transferred. The form must be approved by the applicable State Department of Transportation and concurred on by the correlating FHWA Division Office.

*Respondents:* 50 State Transportation Departments, the District of Columbia, and Puerto Rico.*Frequency:* As Needed.*Estimated Average Burden per Response:* 15 minutes.*Estimated Total Annual Burden hours:* It is estimated that a total of 2,000 responses will be received annually, which would equal a total annual burden of 500 hours.**Authority:** The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Issued On: November 8, 2019.

**Michael Howell,***Information Collection Officer.*

[FR Doc. 2019-24721 Filed 11-13-19; 8:45 am]

**BILLING CODE 4910-22-P****DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration****[Docket No. FMCSA-2019-0188]****Hours of Service of Drivers: Palmetto State Armory; Application for Exemption****AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.**ACTION:** Notice of application for exemption; request for comments.**SUMMARY:** FMCSA announces that it has received an application from Palmetto State Armory (PSA) requesting an exemption to increase the 100 air-mile radius in "short-haul operations," to 150 air-miles for its drivers. PSA requests the exemption to permit two of its commercial motor vehicle (CMV) drivers to record hours of service on time records instead of record of duty status (RODS) when operating between 100 and 150 air miles. FMCSA requests public comment on PSA's application for exemption.**DATES:** Comments must be received on or before December 16, 2019.**ADDRESSES:** You may submit comments identified by Federal Docket Management System Number FMCSA-2019-0188 by any of the following methods:

- *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). See the *Public Participation and Request for Comments* section below for further information.

- *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:* West Building, Ground Floor, Room W12-

140, 1200 New Jersey Avenue SE, between 9 a.m. and 5 p.m. E.T., Monday through Friday, except Federal holidays.

• *Fax:* 1-202-493-2251.

Each submission must include the Agency name and the docket number for this notice. Note that DOT posts all comments received without change to [www.regulations.gov](http://www.regulations.gov), including any personal information included in a comment. Please see the *Privacy Act* heading below.

*Docket:* For access to the docket to read background documents or comments, go to [www.regulations.gov](http://www.regulations.gov) at any time or visit Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. The on-line FDMS is available 24 hours each day, 365 days each year.

*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](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).

**FOR FURTHER INFORMATION CONTACT:** Ms. Pearlle Robinson, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; Telephone: (202) 366-4325; Email: [MCPSD@dot.gov](mailto:MCPSD@dot.gov). If you have questions on viewing or submitting material to the docket, contact Docket Services, telephone (202) 366-9826.

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Public Participation and Request for Comments**

FMCSA encourages you to participate by submitting comments and related materials.

##### *Submitting Comments*

If you submit a comment, please include the docket number for this notice (FMCSA-2019-0188), indicate the specific section of this document to which the comment applies, and provide a reason for suggestions or recommendations. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to [www.regulations.gov](http://www.regulations.gov) and put the docket

number, “FMCSA-2019-0188” in the “Keyword” box, and click “Search.” When the new screen appears, click on “Comment Now!” button and type your comment into the text box in the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope. FMCSA will consider all comments and material received during the comment period.

#### **II. Legal Basis**

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain Federal Motor Carrier Safety Regulations. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted, and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)) with the reasons for denying or granting the application and, if granted, the name of the person or class of persons receiving the exemption, and the regulatory provision from which the exemption is granted. The notice must also specify the effective period (up to 5 years) and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

#### **III. Request for Exemption**

Drivers qualifying for the HOS short-haul exception in 49 CFR 395.1(e)(1) do not have to maintain a record of duty status (RODS), provided that (among other things) they operate within a 100 air-mile radius of their normal work reporting location and return to that location and are released from work within 12 hours after coming on duty. A driver who exceeds the 100 air-mile radius or the 12-hour limit loses the short-haul exception and must immediately prepare RODS for the

entire day, or use an electronic logging device (ELD) if the driver is required to prepare RODS for more than eight days in a thirty day period, per 49 CFR 395.8(a)(1)(i).

PSA is requesting an exemption to increase the 100 air-mile radius in 49 CFR 395.1(e)(1) to 150 air-miles for its drivers. This proposed exemption would enable the drivers not exceeding the 150 air-mile radius to utilize time records instead of a RODS for that day.

PSA reported in its application that drivers pick up and deliver products between manufacturing facilities, many of whom are sister companies. Drivers also drive to PSA retail stores. They drive for short periods of time, usually less than two hours between stops. These stops or deliveries allow the driver to remain alert. All drivers operate property-carrying CMVs within 150 air-miles and return to their work reporting location at the end of each day.

PSA wrote that current operations include trips between 103 and 109 air-miles. PSA contends that the use of ELDs or maintaining driver logs adds substantial costs to its operation and does not increase the level of safety. PSA requests that the exemption cover the maximum allowable duration of 5 years.

#### **IV. Method To Ensure an Equivalent or Greater Level of Safety**

To ensure an equivalent level of safety PSA offers monitoring CSA safety management scores, managing hours of service, requiring both pre-trip and post-trip vehicle inspection, as well as training in defensive driving. PSA reports that its CSA safety management scores are zero in all seven categories; with no recordable accidents during the past 24 months. A copy of the application for exemption is available for review in the docket for this notice.

Issued on: November 6, 2019.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2019-24722 Filed 11-13-19; 8:45 am]

**BILLING CODE 4910-EX-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Railroad Administration**

**[Docket Number FRA-1999-6253]**

#### **Petition for Waiver of Compliance**

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on October 31, 2019, the Utah Transit Authority (UTA) petitioned the