

### FMCSA Decision

FMCSA has evaluated the Lytx exemption application. The ADAS camera system housing is approximately 4.2 inches tall, and is mounted near the top of the center of the windshield, with the bottom of the camera housing located approximately 8 inches below the top of the area swept by the windshield wipers. The camera needs to be mounted in this location for optimal functionality of the ADAS system. The size of the camera system precludes mounting it (1) higher in the windshield, and (2) within 4 inches from the top of the area swept by the windshield wipers to comply with § 393.60(e)(1)(ii)(A).

The Agency believes that granting the temporary exemption to allow placement of the ADAS lower than currently permitted by Agency regulations will provide a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption because (1) based on the technical information available, there is no indication that the ADAS would obstruct drivers' views of the roadway, highway signs and signals surrounding traffic; (2) generally, trucks and buses have an elevated seating position that greatly improves the forward visual field of the driver, and any impairment of available sight lines would be minimal; and (3) the mounting location 8 inches below the upper edge of the windshield and out of the driver's normal sightline will be reasonable and enforceable at roadside. In addition, the Agency believes that use of ADAS by fleets is likely to improve the overall level of safety for the motoring public.

This action is consistent with previous Agency action permitting the placement of similarly-sized devices on CMVs outside the driver's sight lines to the road, and highway signs and signals. FMCSA is not aware of any evidence showing that installation of other vehicle safety technologies mounted on the interior of the windshield has resulted in any degradation in safety.

### Terms and Conditions for the Exemption

The Agency hereby grants the exemption for a 5-year period, beginning May 21, 2020 and ending May 18, 2025. During the temporary exemption period, motor carriers will be allowed to operate CMVs equipped with Lytx's ADAS in the approximate center of the top of the windshield and such that the bottom edge of the camera housing is approximately 8 inches below the upper edge of the windshield, outside of the driver's and passenger's

normal sight lines to the road ahead, highway signs and signals, and all mirrors. The exemption will be valid for 5 years unless rescinded earlier by FMCSA. The exemption will be rescinded if: (1) Motor carriers and/or commercial motor vehicles fail to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(b).

Interested parties possessing information that would demonstrate that motor carriers operating CMVs equipped with Lytx's ADAS are not achieving the requisite statutory level of safety should immediately notify FMCSA. The Agency will evaluate any such information and, if safety is being compromised or if continuation of the exemption is not consistent with 49 U.S.C. 31136(e) and 31315(b), will take immediate steps to revoke the exemption.

### Preemption

In accordance with 49 U.S.C. 31315(d), as implemented by 49 CFR 381.600, during the period this exemption is in effect, no state shall enforce any law or regulation applicable to interstate commerce that conflicts with or is inconsistent with this exemption with respect to a firm or person operating under the exemption. States may, but are not required to, adopt the same exemption with respect to operations in intrastate commerce.

**James A. Mullen,**

*Acting Administrator.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Notice To Rescind Notice of Intent To Prepare a Supplemental Draft Environmental Impact Statement for the Proposed Transit Improvements in the Eastside Transit Corridor Phase 2, Eastern Portion of Los Angeles County, California

**AGENCY:** Federal Transit Administration (FTA), Department of Transportation (DOT).

**ACTION:** Rescind Notice of Intent to prepare a Supplemental Draft Environmental Impact Statement.

**SUMMARY:** The FTA in cooperation with the Los Angeles County Metropolitan

Transportation Authority (LACMTA) is issuing this notice to advise the public that the Notice of Intent (NOI) to prepare a Supplemental Draft Environmental Impact Statement (EIS) for the proposed Eastside Transit Corridor Phase 2 Project in eastern Los Angeles County, California is being rescinded.

**FOR FURTHER INFORMATION CONTACT:** Ms. Mary Nguyen, Environmental Protection Specialist, Federal Transit Administration Region 9, Los Angeles Office, 888 South Figueroa Street, Suite 440, Los Angeles, CA 90017-5467, Phone (213) 202-3960, email [mary.nguyen@dot.gov](mailto:mary.nguyen@dot.gov).

**SUPPLEMENTARY INFORMATION:** The FTA, as lead federal agency, and LACMTA published an NOI on May 29, 2019 (80 FR 24857) to prepare a Supplemental Draft EIS for the LACMTA Eastside Transit Corridor Phase 2 Project. The Project would extend the existing Metro (Gold) Line from its current terminus at Atlantic Station in the unincorporated area of East Los Angeles to eastern Los Angeles County to South El Monte via the State Route 60 freeway alignment, to Whittier along the Washington Boulevard alignment, or to both South El Monte and Whittier with the Combined Alternative. The Project would traverse densely populated, low-income, and heavily transit-dependent communities with major activity centers within the Gateway Cities and San Gabriel Valley subregions of Los Angeles County. Following the publication of the NOI, LACMTA reevaluated its funding sources and has identified that the Project can be funded through state and local sources. Thus, LACMTA is not seeking federal funding from FTA at this time, and FTA is rescinding the May 29, 2019 NOI. LACMTA Board of Directors took action at its February 27, 2020 Board meeting to proceed with the California Environmental Quality Act (CEQA) only for the Project's environmental study. Comments and questions concerning the proposed action should be directed to FTA at the address provided above.

**Raymond Tellis,**

*Regional Administrator, FTA Region 9.*

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