

*Respondents:* Approximately 650 respondents annually.

*Frequency:* On occasion.

*Estimated Average Burden per Response:* Approximately 2 hours.

*Estimated Total Annual Burden:* Approximately 35,466 hours annually.

Issued in Washington, DC, on December 15, 2020.

**David F. Cushing,**

Manager, Airports Financial Assistance Division, APP-500.

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BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2019-0093]

#### Deepwater Port License Application: Texas GulfLink LLC; Extension of Draft Environmental Impact Statement Comment Period

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice of extension of the Draft Environmental Impact Statement comment period.

**SUMMARY:** By **Federal Register** notice of Friday, November 27, 2020, titled *Notice of Availability; Notice of Virtual Public Meetings; Request for Comments*, the Maritime Administration (MARAD), in coordination with the U.S. Coast Guard (USCG), announced the availability of the Draft Environmental Impact Statement (DEIS) for the Texas GulfLink LLC (GulfLink) deepwater port license application for the export of crude oil from the United States to nations abroad. Publication of this notice announced a 45-day comment period, requested public participation in the environmental impact review process, provided information on how to participate in the environmental impact review process, and announced the two virtual public meetings and an informational open house website for the DEIS.

The notice advised that the comment period for Texas GulfLink would end on January 11, 2021. MARAD and USCG have determined that an extension of the public comment period to January 22, 2021 for the GulfLink application is necessary to allow the public and interested parties a full 45 days to review the application and provide written feedback to the agencies. This extension is due to delays in getting the DEIS fully posted on the project's docket at [www.regulations.gov](http://www.regulations.gov). This notice announces the extension of the

comment period and new comment period end date.

**DATES:** Comments or related material on the Texas GulfLink deepwater port license application must be received by January 22, 2021.

**ADDRESSES:** The public docket for the Texas GulfLink deepwater port license application is maintained by the U.S. Department of Transportation, Docket Management Facility, West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. The license application is available for viewing at the [Regulations.gov](http://www.regulations.gov) website: <http://www.regulations.gov> under docket number MARAD-2019-0093.

We encourage you to submit comments electronically through the Federal eRulemaking Portal at <http://www.regulations.gov>. If you submit your comments electronically, it is not necessary to also submit a hard copy. If you cannot submit material using <http://www.regulations.gov>, please contact either Mr. Patrick Clark, USCG or Linden Houston, MARAD, as listed in the following **FOR FURTHER INFORMATION CONTACT** section of this document, which also provides alternate instructions for submitting written comments. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted. Anonymous comments will be accepted. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. The Federal Docket Management Facility's telephone number is 202-366-9317 or 202-366-9826, the fax number is 202-493-2251.

**FOR FURTHER INFORMATION CONTACT:** Mr. Patrick Clark, U.S. Coast Guard, telephone: 202-372-1358, email: [Patrick.W.Clark@uscg.mil](mailto:Patrick.W.Clark@uscg.mil) or Mr. Linden Houston, Maritime Administration, telephone: 202-366-4839, email: [Linden.Houston@dot.gov](mailto:Linden.Houston@dot.gov). For questions regarding viewing the Docket, call Docket Operations, telephone: 202-366-9317 or 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Request for Comments

We request public comment on this proposal. The comments may relate to, but are not limited to, the environmental impact of the proposed action. All comments will be accepted. You may submit comments directly to the Federal Docket Management Facility during the public comment period (see Dates). We will consider all comments

and material received during the extended scoping period.

The license application, comments and associated documentation, as well as the DEIS and Final Environmental Impact Statement (when published), are available for viewing at the Federal Docket Management System (FDMS) website: <http://www.regulations.gov> under docket number MARAD-2019-0093.

Public comment submissions should include:

- Docket number MARAD-2019-0093.

- Your name and address.

Submit comments or material using only one of the following methods:

- Electronically (preferred for processing) to the Federal Docket Management System (FDMS) website: <http://www.regulations.gov> under docket number MARAD-2019-0093.
- By mail to the Federal Docket Management Facility (MARAD-2019-0093), U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

- By personal delivery to the room and address listed above between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

- By fax to the Federal Docket Management Facility at 202-493-2251.

Faxed, mailed or hand delivered submissions must be unbound, no larger than 8½ by 11 inches and suitable for copying and electronic scanning. The format of electronic submissions should also be no larger than 8½ by 11 inches. If you mail your submission and want to know when it reaches the Federal Docket Management Facility, please include a stamped, self-addressed postcard or envelope.

Regardless of the method used for submitting comments, all submissions will be posted, without change, to the FDMS website (<http://www.regulations.gov>) and will include any personal information you provide. Therefore, submitting this information to the docket makes it public. You may wish to read the Privacy and Use Notice that is available on the FDMS website and the Department of Transportation Privacy Act Notice that appeared in the **Federal Register** on April 11, 2000 (65 FR 19477), see Privacy Act. You may view docket submissions at the Federal Docket Management Facility or electronically on the FDMS website.

#### Privacy Act

The electronic form of all comments received into the FDMS can be searched by the name of the individual

submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). The Department of Transportation Privacy Act Statement can be viewed in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70, pages 19477–78) or by visiting <http://www.regulations.gov>.

**Authority:** 33 U.S.C. 1501, *et seq.*, 49 CFR 1.93(h).

Dated: December 16, 2020.

By Order of the Maritime Administrator.

**T. Mitchell Hudson, Jr.,**

*Secretary, Maritime Administration.*

[FR Doc. 2020–28044 Filed 12–18–20; 8:45 am]

**BILLING CODE 4910–81–P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2020–0119]

#### Notice Regarding the Applicability of NHTSA FMVSS Test Procedures to Certifying Manufacturers

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

**ACTION:** Notice of interpretation; request for comments.

**SUMMARY:** The National Traffic and Motor Vehicle Safety Act (Safety Act) prohibits the sale, manufacture for sale, import or introduction into interstate commerce of a motor vehicle or item of motor vehicle equipment, unless fully compliant with all applicable Federal motor vehicle safety standards (FMVSS). The FMVSS set a threshold of performance that a vehicle or equipment item must attain, at a minimum, to meet the need for safety. The Safety Act also requires a manufacturer or distributor of a motor vehicle or motor vehicle equipment to certify that the vehicle or equipment complies with applicable FMVSS. This notice reestablishes NHTSA's longstanding position that the FMVSS test conditions and procedures apply to NHTSA's compliance testing, and that manufacturers are not required to ensure that their vehicles are designed in such a manner as to ensure that the vehicles are capable of being tested pursuant to such standards as a condition of self-certification. This notice also discusses NHTSA's enforcement with respect to vehicles with novel or innovative designs that preclude them from being tested for FMVSS compliance using NHTSA's FMVSS test procedures. This notice supersedes prior contrary statements the

Agency has made—including those in NHTSA's 2016 letter of interpretation to Google, Inc.—stating that manufacturers could not validly certify FMVSS compliance unless NHTSA could verify compliance using the FMVSS test procedures.

**DATES:** NHTSA is inviting public comment on this document. The comment closing date is January 20, 2021. NHTSA will post a public response to major concerns raised in the comments.

You may submit comments to the docket number identified in the heading of this document by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *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:* 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9322 before coming.
- *Fax:* 202–493–2251.

Regardless of how you submit your comments, please be sure to mention the docket number of this document.

**Instructions:** For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Participation section of this document.

Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act discussion below regarding documents submitted to the agency's dockets.

**Docket:** For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or the street address listed above. Follow the online instructions for accessing the dockets.

#### Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an organization, business, labor union, etc.). You may review DOT's complete Privacy Act statement in the **Federal Register** published on April 11, 2000 (Volume

65, Number 70; Pages 19477–78) or you may visit <http://www.dot.gov/privacy.html>.

**FOR FURTHER INFORMATION CONTACT:** Daniel Koblenz or Kerry Kolodziej, Office of Chief Counsel, Telephone: 202–366–2992, Facsimile: 202–366–3820. The mailing address for these officials is: National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590.

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The National Traffic and Motor Vehicle Safety Act<sup>1</sup> (the Safety Act) requires that motor vehicles meet two separate requirements before they may be sold or otherwise introduced into interstate commerce in the United States: (1) they must be compliant with the FMVSS, and (2) they must be certified as compliant by a manufacturer exercising reasonable care.<sup>2</sup> In a 2016 letter of interpretation to Google, Inc.,<sup>3</sup> NHTSA stated, without substantive discussion, that manufacturers could not validly certify vehicles as compliant with FMVSS unless the vehicles were capable of being tested using the test procedures associated with those standards.<sup>4</sup> This interpretation imposed major design restrictions on motor vehicles, because it effectively required manufacturers not only to certify that a motor vehicle complies with the substantive requirements of all applicable FMVSS, but also to design the vehicle in such a way that NHTSA would be able to conduct each element of each test procedure specified within each applicable regulation.

It should be noted the 2016 Google interpretation addressed a situation involving a novel, theoretical design of a vehicle that lacked driving controls, including the absence of a steering wheel and a brake pedal. Heretofore, the

<sup>1</sup> 49 U.S.C. 30101, *et seq.*

<sup>2</sup> 49 U.S.C. 30112, 30115.

<sup>3</sup> Letter to C. Urmson, Google (Feb. 4, 2016), <https://www.nhtsa.gov/interpretations/google-compiled-response-12-nov-15-interp-request-4-feb-16-final>.

<sup>4</sup> For purposes of this notice, the term “test conditions and procedures” refers to the preparatory steps NHTSA takes prior to measuring the performance of a motor vehicle or item of motor vehicle equipment when checking for FMVSS compliance. NHTSA designs test conditions and procedures both to ensure that vehicle performance is measured under realistic driving conditions (representative of the real-world situation posing the safety risk), and to eliminate or control variables that reduce the objectivity of the compliance test. Test procedures are incorporated into the regulatory text alongside the performance requirement with which they are associated. NHTSA's Enforcement office publishes test procedures on NHTSA's website to provide more detail into how NHTSA conducts a compliance test. <https://www.nhtsa.gov/vehicle-manufacturers/test-procedures>.