

In October 2020, FHWA again contacted Iowa DOT with additional questions regarding its efforts to comply with Buy America and Executive Order 13788, 82 FR 18837 (Apr. 21, 2017), which was later revoked by Executive Order 14005. 86 FR 7475 (Jan. 28, 2021). FHWA also sought clarity on the scope of waiver the request. Later that month, Iowa DOT provided answers to FHWA's questions with additional information on its compliance efforts and a cost estimate sheet identifying all items for which it seeks a waiver (Exhibit D). A link to Exhibit D is included on the Notice of Buy America Waiver Request published on FHWA's website on January 5, 2021, as described below. All items included in the waiver request are identified as not meeting Buy America in the first column of Exhibit D. The estimated total cost of the waiver items is approximately \$768,000. FHWA removed the cost estimates for individual line items in Exhibit D to maintain the confidentiality of the city's procurement-sensitive information during its solicitation process.

In accordance with the Further Consolidated Appropriations Act, 2020 (Pub. L. 116-94), FHWA published a notice seeking comment on whether a waiver was appropriate on its website, <https://www.fhwa.dot.gov/construction/contracts/waivers.cfm?id=156>, on January 5, 2020.

The FHWA received 36 comments in response to the publication. Seven commenters opposed the waiver and 29 commenters generally expressed support for it. Six of the comments opposing the waiver did not offer any information on the availability of compliant products, nor did they suggest specific, additional actions that Iowa DOT could take to maximize its use of goods, products, and materials produced in the U.S. Another commenter opposing the waiver suggested obtaining additional certification documentation from suppliers but did not offer specific information on compliant products or means of identifying them. Thus, Iowa DOT did not receive any new information indicating that the subject parts could be produced by domestic manufacturers.

Although Iowa DOT did not identify compliant components for the let-down structures, it provided information to FHWA supporting its waiver request, including:

- Information describing its efforts to obtain the domestic content characteristics of the manufactured products needed;
- Information supporting the necessity of these specific let-down

structures for the project's intended purpose of passenger transport and demonstrating that alternative designs were infeasible;

- Information documenting efforts to locate compliant manufactured products;
- Information documenting efforts to maximize domestic content even if full compliance was not possible, including efforts to have foreign manufacturers incorporate domestic steel; and
- Information describing the effects of denying the request.

The following sections summarize relevant information from Iowa DOT.

Although ultimately unsuccessful, Iowa DOT made substantial efforts to find suitable Buy America compliant components for the let-down structures.

**Timing and Need for a Waiver.** The Iowa DOT maintains that approval of a Buy America waiver for the relevant components of the let-down structures is now critical to maintain the schedule of ongoing construction on the project. The I-74 Mississippi River Bridge opened to Iowa-bound vehicle traffic at the end of 2020 and is scheduled to open to Illinois-bound vehicle traffic before the end of 2021. Iowa DOT believes it has exhausted its options for domestic alternatives.

**Executive Order 14005.** Executive Order 14005, "Ensuring the Future is Made in All of America by All of America's Workers," provides that agencies should, consistent with applicable law, maximize the use of goods, products, and materials produced in, and services offered in, the U.S. 86 FR 7475 (Jan. 28, 2021). Based on the information contained in the waiver request from Iowa DOT and the lack of responsive comments following publication of a notice seeking comment on January 5, 2020, regarding available domestic manufacturers for the subject parts, FHWA concludes that issuing a waiver is not inconsistent with Executive Order 14005.

#### Finding and Request for Comments

Based on all the information available to the Agency, FHWA concludes that there are no Buy America-compliant relevant components for the let-down structures for the pedestrian bridge associated with the I-74 Mississippi River Bridge Project, specifically including: (i) Traction elevator components; (ii) elevator guide rails; and (iii) certain auxiliary components of the elevators or let-down structures. This finding only includes components identified in the waiver request and supporting documents included on FHWA's website.

Iowa DOT and its contractors and subcontractors involved in the procurement of the relevant components are reminded of the need to comply with the Cargo Preference Act in 46 CFR part 38, if applicable.

In accordance with the provisions of Section 117 of the SAFETEA-LU Technical Corrections Act of 2008 (Pub. L. 110-244, 122 Stat. 1572), FHWA is providing this notice as its finding that a waiver of Buy America requirements is appropriate. The FHWA invites public comment on this finding for an additional 5 days following the effective date of the finding. Comments may be submitted to FHWA's website via the link provided to the waiver page noted above.

**Authority:** 23 U.S.C. 313; Pub. L. 110-161; 23 CFR 635.410.

**Stephanie Pollack,**

*Acting Administrator, Federal Highway Administration.*

[FR Doc. 2021-21293 Filed 9-29-21; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-FMCSA-2021-0126]

#### Agency Information Collection Activities; Renewal of an Approved Information Collection: Financial Responsibility Motor Carriers, Freight Forwarders, and Brokers

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

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval and invites public comment. The purpose of this ICR titled, "Financial Responsibility Motor Carriers, Freight Forwarders, and Brokers," is to provide registered motor carriers, property brokers, and freight forwarders a means of meeting financial responsibility filing requirements. This ICR sets forth the financial responsibility documentation requirements for motor carriers, freight forwarders, and brokers as a result of the Agency's jurisdictional statutes.

**DATES:** We must receive your comments on or before November 29, 2021.

**ADDRESSES:** You may submit comments identified by Federal Docket

Management System (FDMS) Docket Number FMCSA–2021–0126 using any of the following methods:

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

- *Fax:* 1–202–493–2251.

- *Mail:* Docket Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12–140, 20590–0001.

- *Hand Delivery or Courier:* West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday through Friday, except Federal holidays.

*Instructions:* All submissions must include the Agency name and docket number. For detailed instructions on submitting comments and additional information on the exemption process, see the Public Participation heading below. 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 heading below.

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

*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 association, business, labor union, etc.). You may review DOT’s complete Privacy Act Statement for the Federal Docket Management System published in the **Federal Register** on January 17, 2008. (73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdf/E8-794.pdf>.

*Public Participation:* The Federal eRulemaking Portal is available 24 hours each day, 365 days each year. You can obtain electronic submission and retrieval help and guidelines under the “help” section of the Federal eRulemaking Portal website. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments online. Comments received after the comment closing date will be included in the docket and will be considered to the extent practicable.

**FOR FURTHER INFORMATION CONTACT:** Lorenzo Allen, Lead Transportation

Specialist, Office of Registration & Safety Information, West Building 6th Floor, 1200 New Jersey Avenue SE, Washington, DC 20590. Telephone: (202) 385–2465; email [lorenzo.allen@dot.gov](mailto:lorenzo.allen@dot.gov).

**SUPPLEMENTARY INFORMATION:**

*Background:* The Secretary of Transportation (Secretary) is authorized to register for-hire motor carriers of property and passengers under the provisions of 49 U.S.C. 13902, surface freight forwarders under the provisions of 49 U.S.C. 13903, and property brokers under the provisions of 49 U.S.C. 13904. These persons may conduct transportation services only if they are registered pursuant to 49 U.S.C. 13901. The Secretary has delegated authority pertaining to these registration requirements to the FMCSA under 49 CFR part 387. The registration remains valid only as long as these transportation entities maintain, on file with the FMCSA, evidence of the required levels of financial responsibility pursuant to 49 U.S.C. 13906. FMCSA regulations governing the financial responsibility requirements for these entities are found at 49 CFR part 387. The information collected from these forms are summarized and displayed in the Licensing and Information system.

**Forms for Endorsements, Certificates of Insurance and Other Evidence of Bodily Injury and Property Damage (BI&PD) Liability and Cargo Liability Financial Responsibility**

Forms BMC–91 and BMC–91X, titled “Motor Carrier Automobile Bodily Injury and Property Damage Liability Certificate of Insurance,” and Form BMC–82, titled “Motor Carrier Bodily Injury Liability and Property Damage Liability Surety Bond Under 49 U.S.C. 13906,” provide evidence of the required coverage for bodily injury and property damage (BI & PD) liability. A Form BMC–91X filing is required when a carrier’s insurance is provided by multiple companies instead of just one. Form BMC–34, titled “Household Goods Motor Carrier Cargo Liability Certificate of Insurance,” and Form BMC–83, titled “Household Goods Motor Carrier Cargo Liability Surety Bond Under 49 U.S.C. 13906,” establish a carrier’s compliance with the Agency’s cargo liability requirements. Only household goods (HHG) motor carriers are required to file evidence of cargo insurance with FMCSA. 49 CFR 387.303(c). Form BMC–90, titled “Endorsement for Motor Carrier Policies of Insurance for Automobile Bodily Injury and Property Damage Liability Under Section 13906,

Title 49 of the United States Code,” and Form BMC–32, titled “Endorsement for Motor Common Carrier Policies of Insurance for Cargo Liability Under 49 U.S.C. 13906,” are executed by the insurance company, attached to BI & PD or cargo liability insurance policy, respectively, and forwarded to the motor carrier or freight forwarder.

**Requirement To Obtain Surety Bond or Trust Fund Agreement**

Form BMC–84, titled “Broker’s or Freight Forwarder’s Surety Bond Under 49 U.S.C. 13906,” and Form BMC–85, titled “Broker’s or Freight Forwarder’s Trust Fund Agreement Under 49 U.S.C. 13906 or Notice of Cancellation of the Agreement,” are filed by brokers or freight forwarders to comply with the requirement that they must have a \$75,000 surety bond or trust fund agreement in effect before FMCSA will issue property broker or freight forwarder operating authority registration.

**Cancellation of Prior Filings**

Form BMC–35, titled “Notice of Cancellation Motor Carrier Insurance under 49 U.S.C. 13906,” Form BMC–36, titled “Motor Carrier and Broker’s Surety Bonds under 49 U.S.C. 13906 Notice of Cancellation,” and Form BMC–85, titled “Broker’s or Freight Forwarder’s Trust Fund Agreement Under 49 U.S.C. 13906 or Notice of Cancellation of the Agreement,” can be used to cancel prior filings.

**Self-Insurance**

Motor carriers can also apply to FMCSA to self-insure BI & PD and/or cargo liability in lieu of filing certificates of insurance with the FMCSA, as long as the carrier maintains a satisfactory safety rating (see 49 CFR 387.309.) Form BMC–40 is the application used by carriers to apply for self-insurance authority.

*Title:* Financial Responsibility Motor Carriers, Freight Forwarders, and Brokers.

*OMB Control Number:* 2126–0017.

*Type of Request:* Renewal.

*Respondents:* For-hire Motor Carriers, Brokers, and Freight Forwarders.

*Estimated Number of Respondents:* 200,146.

*Estimated Time per Response:* The estimated average burden per response for Form BMC–40 is 40 hours. The estimated average burden per response for forms BMC–34, 35, 36, 82, 83, 84, 85, 91, and 91X is 10 minutes per form. In addition, form BMC–32 takes 10 minutes.

*Expiration Date:* February 28, 2022.

*Frequency of Response:* Certificates of insurance, surety bonds, and trust fund agreements are required when the transportation entity first registers with FMCSA and then when such coverages are changed or replaced by these entities. Notices of cancellation are required only when such certificates of insurance, surety bonds, and trust fund agreements are cancelled. The BMC-40 is filed only when a carrier seeks approval from FMCSA to self-insure its bodily injury and property damage (BI & PD) and/or cargo liability coverage.

*Estimated Total Annual Burden:* 49,359 hours.

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The Agency will summarize or include your comments in the request for OMB's clearance of this information collection.

Issued under the authority delegated in 49 CFR 1.87.

**Thomas P. Keane,**

*Associate Administrator, Office of Research and Registration.*

[FR Doc. 2021-21195 Filed 9-29-21; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2016-0050]

#### Hours of Service of Drivers; Parts and Accessories: Application for Exemptions Renewal for Cleveland-Cliffs Steel, LLC, Formerly Known as ArcelorMittal Indiana Harbor, LLC

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

**ACTION:** Notice of renewal of exemption; request for comments.

**SUMMARY:** FMCSA renews the exemption granted Cleveland-Cliffs Steel, LLC (Cliffs), formerly ArcelorMittal Indiana Harbor, LLC, from certain hours-of-service (HOS) and cargo securement rules and requests public comment on the renewal. The renewal of the exemption allows Cliffs' employee-drivers with commercial driver's licenses (CDLs), who transport

steel coils a fraction of a mile between their production and shipping locations on public roads, to continue to work up to 16 hours per day, and to operate with less than 10 consecutive hours off duty between work shifts. The renewal of the exemption also allows Cliffs to use metal coil carriers that do not meet the "heavy hauler trailer" definition, restrictions on the height of rear side marker lamps, tire loading restrictions, and the commodity-specific cargo securement requirements for metal coils. The Agency has concluded that granting the request for a renewal of the exemption will likely maintain a level of safety that is equivalent to or greater than the level of safety achieved through compliance with the specific regulatory requirements. The Agency requests comments on the Cliffs' request for a renewal of the exemption.

**DATES:** The renewal of the exemption is effective September 23, 2021. Comments must be received on or before November 1, 2021.

**ADDRESSES:** You may submit comments identified by Docket Number FMCSA-2016-0050 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!docketDetail;D=FMCSA-2016-0050>. Follow the online instructions for submitting comments.

- *Mail:* Docket Operations, 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:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366-9317 or (202) 366-9826 before visiting Dockets Operations.

- *Fax:* (202) 493-2251.

**FOR FURTHER INFORMATION CONTACT:** Mr. José R. Cestero, Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety, MC-PSV, (202) 366-5541, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590-0001. If you have questions on viewing or submitting material to the docket, call Dockets Operations at (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 2021-0098), indicate the specific section of this document to which the comment applies, and provide a reason for each suggestion or recommendation. 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 FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to [www.regulations.gov/#!docketDetail;D=FMCSA-2016-0050](http://www.regulations.gov/#!docketDetail;D=FMCSA-2016-0050), click on the "Comment Now!" button and type your comment into the text box on 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.

#### Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov/#!docketDetail;D=FMCSA-2016-0050> and choose the document to review. If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in Room W12-140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366-9317 or (202) 366-9826 before visiting Dockets Operations.

#### Privacy Act

DOT solicits comments from the public to better inform its regulatory process, in accordance with 5 U.S.C. 553(c). DOT posts these comments,