

SUPPLEMENTARY INFORMATION: We published a **Federal Register** notice with a 60-day public comment period on this information collection on January 24, 2024 (89 FR 4649).

Title: Innovative Finance and Equal Access for Over the Road Buses.

Background: The Federal Highway Administration (FHWA), Office of Operations and Office of the Chief Financial Officer, jointly collects information related to State Infrastructure Banks (SIB), Grant Anticipation Revenue Vehicles, and Toll Credits. This information is published on FHWA's public websites to monitor activity in each innovative finance program. This information satisfies the requirement under 23 U.S.C. 610(g)(7) for each SIB to make an annual report to the Secretary on its status no later than September 30 of each year and such other reports as the Secretary may require. The data will also satisfy new requirements under section 11503 of the Infrastructure Investment and Jobs Act (IIJA), Public Law 117-58, effective November 15, 2021, requiring the Secretary to make available a publicly accessible website on which States shall post the amount of toll credits that are available for sale or transfer.

The data includes activity, volume, and balances. The data is published annually on the Center for Innovative Finance's website. Information from this collection is used for the proper stewardship and oversight of each program, as well as compliance with each program's Federal statute.

Equal Access for Over the Road Buses: Section 11523 of the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act, Public Law 117-58 (Nov. 15, 2021) amended 23 U.S.C. 129 to add reporting requirements to the equal access provisions for over the road busses. Specifically, not later than 90 days after the date of enactment of the BIL, a public authority that operates a toll facility shall report to the Secretary any rates, terms, or conditions for access to the toll facility by public transportation vehicles that differ from the rates, terms, or conditions applicable to over-the-road busses.

Further, a public authority that operates a toll facility shall report to the Secretary any change to the rates, terms, or conditions for access to the toll facility by public transportation vehicles that differ from the rates, terms, or conditions applicable to over-the-road busses by not later than 30 days after the date on which the change takes effect.

Respondents: State governments of the 50 States, the District of Columbia,

the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Marianas, and the Virgin Islands share this burden.

Frequency: Annually August 1st to October 31st.

Estimated Average Burden per Response: The estimated average reporting burden per response for the annual collection and processing of the data is 55.5 hours for each of the States (including local governments), the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Marianas, and the Virgin Islands.

Estimated Total Annual Burden Hours: The estimated total annual burden for all respondents is 1164.5 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 FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, 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.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.48.

Issued on: April 2, 2024.

Jazmyne Lewis,
Information Collection Officer.

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[FTA-2021-0010]

Notice of Availability of Proposed Policy Guidance for the Capital Investment Grants Program

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

ACTION: Notice of availability of proposed policy guidance for the Capital Investment Grants program.

SUMMARY: The Federal Transit Administration (FTA) invites public comment on revisions to the agency's policy guidance for the Capital Investment Grants (CIG) program. These

revisions are intended to amend FTA's CIG Policy Guidance last published in January 2023 and are a comprehensive update of the CIG Policy Guidance for notice and comment, incorporating feedback FTA received in response to its Request for Information published in the **Federal Register** in July 2021. The proposed guidance has been placed in the docket and posted on the FTA website. This policy guidance continues to complement FTA's regulations that govern the CIG program. FTA is also posing questions concerning the CIG New Starts and Small Starts Land Use and Economic Development Project Justification Criteria.

DATES: Comments must be received on or before June 4, 2024. Late-filed comments will be considered to the extent practicable.

ADDRESSES: You may submit comments to DOT docket number FTA-2021-0010 by any of the following methods:

Federal eRulemaking Portal: Go to <https://www.regulations.gov> and follow the online instructions for submitting comments.

U.S. Mail: Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590-0001.

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

Fax: 202-493-2251.

Instructions: You must include the agency name (Federal Transit Administration) and docket number (FTA-2021-0010) for this notice at the beginning of your comments. You must submit two copies of your comments if you submit them by mail. If you wish to receive confirmation FTA received your comments, you must include a self-addressed, stamped postcard. Due to security procedures in effect since October 2001, mail received through the U.S. Postal Service may be subject to delays. Parties submitting comments may wish to consider using an express mail firm to ensure prompt filing of any submissions not filed electronically or by hand.

All comments received will be posted, without charge and including any personal information provided, to <https://www.regulations.gov>, where they will be available to internet users. You may review DOT's complete Privacy Act Statement published in the **Federal Register** on April 11, 2000, at 65 FR 19477. For access to the docket and to

read background documents and comments received, go to <https://www.regulations.gov> at any time or to the U.S. Department of Transportation, 1200 New Jersey Avenue SE, Docket Management Facility, West Building, Ground Floor, Room W12-140, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Elizabeth Day, FTA Office of Planning and Environment, telephone (202) 366-5159 or Elizabeth.Day@dot.gov.

SUPPLEMENTARY INFORMATION: Pursuant to 49 U.S.C. 5309(g)(5), FTA is required to publish policy guidance on the CIG program each time the agency makes significant changes. Also, FTA is required to invite public comment on the guidance, and to publish its response to comments. In brief, the policy guidance that FTA periodically issues for the discretionary Capital Investment Grants (“CIG”) program complements the FTA regulations that govern the CIG program, codified at 49 CFR part 611. The regulations set forth the process that grant applicants must follow to be considered for discretionary funding under the CIG program, and the procedures and criteria FTA uses to rate and evaluate the projects to determine their eligibility for that discretionary funding. The policy guidance provides a greater level of detail about the methods FTA uses and the sequential steps a sponsor must follow in developing a project.

FTA is seeking comment on proposed changes to FTA’s CIG Policy Guidance last issued in January 2023. (<https://www.transit.dot.gov/funding/grant-programs/capital-investments/final-capital-investment-grant-program-interim-policy>). The proposals cover multiple topics. The proposals being made today are available on the agency’s public website at <https://www.transit.dot.gov/CIG>, and in the docket at <https://www.regulations.gov>.

FTA is also posing questions concerning the CIG New Starts and Small Starts Land Use and Economic Development Project Justification Criteria:

1. FTA currently evaluates Land Use for New Starts and Small Starts projects based primarily on station area population densities, total employment served by the project, and the percentage of “legally binding affordability restricted” housing within a ½ mile of station areas as compared to the counties in which the corridor is located. FTA is proposing to evaluate Land Use for New Starts and Small Starts projects based on station area population densities, total employment served by the project, the percentage of “legally binding affordability restricted” housing within a ½ mile of station areas, and two new quantitative measures—community risk and access to essential services. Should FTA also add a measure of walkability to the New Starts and Small Starts Land Use Criteria? If so, please identify measures/data sources that would be readily available nationwide without requiring an undue burden on project sponsors to gather and FTA to verify the information. For example, should FTA add a measure using EPA’s National Walkability Index (<https://www.epa.gov/smartgrowth/national-walkability-index-user-guide-and-methodology>)?

2. For New Starts and Small Starts projects, should FTA use the US DOT Equitable Transportation Community (ETC) Explorer (<https://www.transportation.gov/priorities/equity/justice40/etc-explorer>), an interactive web application that uses census tracts and data to explore the cumulative burden communities experience as a result of underinvestment in transportation, as a measure for Land Use? If so, should this be in addition to the five measures FTA is proposing in the Policy Guidance, or as a substitute for the proposed community risk measure?

3. For New Starts and Small Starts projects, FTA currently evaluates the following under Economic Development: (1) transit-supportive plans and policies, which includes supportive zoning in station areas; (2) the performance and impacts of transit-supportive plans and policies; and (3)

the tools to maintain or increase the share of affordable housing in station areas. FTA is proposing to make supportive zoning in station areas a standalone subfactor. FTA is proposing to move the other current measures of transit-supportive plans and policies (growth management (for New Starts only), transit supportive corridor policies, and tools to implement land use policies) to the subfactor performance and impacts of transit-supportive plans and policies. FTA is proposing that equal weight be given to three subfactors: supportive zoning in station areas, performance and impacts of transit-supportive plans and policies, and tools to maintain or increase the share of affordable housing in station areas, when developing the overall Economic Development rating. Should FTA do more to increase the relative weight of zoning as part of the Economic Development rating? For example, should FTA:

a. Maintain its proposal to include three subfactors within Economic Development (supportive zoning in station areas, performance and impacts of transit-supportive plans and policies, and tools to maintain or increase the share of affordable housing in station areas) but assign the zoning subfactor more weight than the other two?

b. Eliminate some of the non-zoning Economic Development subfactors or measures and if so, which ones?

c. Make any other changes to the Economic Development subfactors or measures, and if so, which ones and how?

After review and consideration of the comments provided on the proposals in this document and the answers to the questions, FTA will issue a final notice and incorporate these changes into the existing CIG Policy Guidance.

Issued under the authority delegated in 49 CFR 1.91.

Veronica Vanterpool,
Acting Administrator.

[FR Doc. 2024-07218 Filed 4-4-24; 8:45 am]

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