

Acquis. of Control Exemption—Atl. W. Transp. & Heart of Ga. R.R., FD 36105, slip op. at 3 (STB served Apr. 18, 2017) (holding carrier to similar representation in exemption proceeding). Moreover, no shipper (or any other entity) has objected to this control transaction. Based on the record, the Board finds that the transaction does not shift or consolidate market power and that regulation is not needed to protect shippers from an abuse of market power.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a carrier of its statutory obligation to protect the interests of employees. Accordingly, as a condition to granting this exemption, the Board will impose the standard employee protective conditions in *New York Dock Railway—Control—Brooklyn Eastern District Terminal*, 360 I.C.C. 60, *aff'd New York Dock Railway v. United States*, 609 F.2d 83 (2d Cir. 1979).

The control transaction is exempt from environmental reporting requirements under 49 CFR 1105.6(c)(1)(i) because it will not result in any significant change in carrier operations. Similarly, the transaction is exempt from the historic reporting requirements under 49 CFR 1105.8(b)(1) because GMXT states that it has no plans to dispose of or alter properties subject to the Board's jurisdiction that are 50 years old or older.

In its July 3, 2024 filing, GMXT asks that the exemption be made effective no later than August 27, 2024. (GMXT Suppl. 4.) GMXT's rationale is not persuasive, particularly given the questions raised in the *April 2024 Decision* in Docket No. FD 36701 and the complexities of this proceeding, which counsel in favor of giving interested parties time to review this decision prior to the exemption's effective date.¹² The Board will retain the 30-day period prescribed by 49 CFR 1121.4(e). The exemption will be effective September 12, 2024. Petitions to stay must be filed by August 23, 2024.

adversely affects interline optionality at international gateway and, if warranted, remedy the situation).

¹² GMXT requests expedited consideration "to allow the parties to complete all necessary actions required to accomplish the postponed closing [of the agreement with Seacor] without any further delay." (GMXT Suppl. 4; *see id.* at 3 (stating that closing was postponed "to align with [the agreement between GMXT and GWI], which includes a similar date".)) Petitioners' desire to meet their chosen closing date(s) is not, by itself, a sufficient basis for shortening the 30-day period (and, potentially, the related interim deadlines for stay, reconsideration, and reopening requests) identified in 49 CFR 1121.4(e) before an exemption may take effect, particularly given the circumstances of this proceeding.

Petitions for reconsideration or petitions to reopen must be filed by September 3, 2024.

It is ordered:

1. Under 49 U.S.C. 10502, the Board exempts from the prior approval requirements of 49 U.S.C. 11323–25 the control transaction described above, subject to the employee protective conditions in *New York Dock Railway—Control—Brooklyn Eastern District Terminal*, 360 I.C.C. 60, *aff'd New York Dock Railway v. United States*, 609 F.2d 83 (2d Cir. 1979).

2. Petitioners must adhere to GMXT's statement that it will not use the connection between CGR and Ferrosur to foreclose vertical competition over efficient joint line routes with unaffiliated carriers.

3. Notice of the exemption will be published in the **Federal Register**.

4. The exemption will become effective on September 12, 2024. Petitions for stay must be filed by August 23, 2024. Petitions for reconsideration or petitions to reopen must be filed by September 3, 2024.

Decided: August 8, 2024.

By the Board, Board Members Fuchs, Hedlund, Primus, and Schultz.

Kenyatta Clay,
Clearance Clerk.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No.: **FAA–2024–0357**; Summary Notice No. **2024–34**]

Petition for Exemption; Summary of Petition Received; Department of the Army—Joint Task Force North

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the inclusion nor omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number and must be received on or before September 3, 2024.

ADDRESSES: Send comments identified by docket number [FAA–2024–0357] using any of the following methods:

- **Federal eRulemaking Portal:** Go to <https://www.regulations.gov> and follow the online instructions for sending your comments electronically.

- **Mail:** Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

- **Hand Delivery or Courier:** Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- **Fax:** Fax comments to Docket Operations at (202) 493–2251.

Privacy: 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 <http://www.regulations.gov>, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at <http://www.dot.gov/privacy>.

Docket: Background documents or comments received may be read at <http://www.regulations.gov> at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Alexander Kem, alexander.s.kem@faa.gov Phone: 202–267–7571, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC.

Dan Ngo,

Manager, Part 11 Petitions Branch, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2024–0357.

Petitioner: Department of the Army—Joint Task Force North.

Section(s) of 14 CFR Affected: §§ 91.209(a)(1) and 91.209(b).

Description of Relief Sought: Department of the Army—Joint Task Force North has requested relief from 14 CFR 91.209(a)(1) and 91.209(b) to

conduct night-vision-goggle (NVG) lights-out operations with the UH-72 Lakota helicopters along the southwest border with Mexico.

[FR Doc. 2024-17929 Filed 8-12-24; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2024-0208]

Notice of Review of Guidance

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Regulatory guidance; notice of review of guidance.

SUMMARY: The Federal Motor Carrier Safety Administration (FMCSA) will be reviewing its existing guidance documents to evaluate their continued necessity and determine whether they should be updated or eliminated. As part of this review, FMCSA invites the public to identify and provide input on existing guidance documents that are good candidates for revision or rescission.

DATES: Comments should be received on or before September 12, 2024.

ADDRESSES: You may submit comments identified by Docket Number FMCSA-2024-0208 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov/docket/FMCSA-2024-0208/document>. Follow the online instructions for submitting comments.

- *Mail:* Dockets Operations, U.S. DOT, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* Dockets Operations, U.S. DOT, 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: Ms. Anna Winkle, Attorney-Advisor, Office of Chief Counsel, FMCSA, 1200 New Jersey Ave. SE, Washington, DC 20590-0001; 202-366-5257; anna.winkle@dot.gov.

SUPPLEMENTARY INFORMATION:

I. Public Participation and Request for Comments

A. Comments Sought for Consideration During Regular Review of FMCSA Guidance Documents

FMCSA's primary mission is to reduce crashes, injuries and fatalities involving large trucks and buses. In carrying out this safety mandate, FMCSA develops and enforces data-driven regulations and produces guidance documents to clarify regulatory requirements and aid compliance. Section 5203(c) of the Fixing America's Surface Transportation (FAST) Act requires that, not less than once every 5 years, FMCSA conduct a comprehensive review ("regular review") of the guidance documents it has issued to determine whether such documents are consistent and clear, uniformly and consistently enforced, and still necessary. A similar comprehensive review was conducted in early 2020, culminating in the effective reissuance of all of the guidance in FMCSA's guidance portal on March 3, 2020, the date the Department announced the availability of the regulatory guidance portals.¹ Prior to beginning a regular review, FMCSA is required to publish a notice and request for comment in the **Federal Register** that solicits input from stakeholders on which guidance documents should be updated or eliminated. This notice satisfies this statutory requirement.

Accordingly, FMCSA seeks written input from the public on all FMCSA guidance documents that are good candidates for revision or rescission including guidance published at FMCSA's guidance portal page located at <https://www.fmcsa.dot.gov/guidance>. The public is encouraged to identify guidance documents that: (1) are inconsistent or unclear; (2) may not be conducive to uniform or consistent enforcement; or (3) are no longer necessary.

B. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA-2024-0208), indicate the specific guidance document to which your 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 <https://www.regulations.gov/docket/FMCSA-2024-0208/document>, click on this notice, click "Comment," and type your comment into the text box on the following screen.

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.

C. Content of Comments

FMCSA will consider all comments and material received during the comment period. To maximize the usefulness of comments, FMCSA encourages commenters to provide the following information.

1. *A specific reference to the guidance document and associated statutes or regulations that the comment discusses.* This should include the title or subject, the date of issuance, guidance document number if available (e.g., FMCSA-CDL-383.73-FAQ01(2024-05-20)), internet address of guidance location, or other source of the guidance document. You may also provide copies of the guidance if it is not readily identifiable through these sources. If available, the reference should include citations to the associated statutes (e.g., FAST Act) or regulations in the Code of Federal Regulations. A specific reference will assist FMCSA in identifying the guidance document and any associated statutory or regulatory requirements.

2. *A description of the problem with the specific guidance document.* A comment that explains why the guidance document should be eliminated or revised is more useful than a comment that merely asserts that the guidance should be eliminated or revised. Comments that reflect experience with the guidance or a related statutory or regulatory requirement and provide data describing that experience are more helpful than comments that are not tied to direct experience.

3. *A description of alternatives that are better than the specific guidance document.* If the commenter believes that the objective that motivated the guidance document may be achieved using a better alternative, the commenter should describe that alternative in detail. Likewise, if the

¹ See 85 FR 12663 and <https://www.transportation.gov/guidance/operating-administration-guidance-portals>.