

OMB Control Number: 2130-0008.

Abstract: Title 49 CFR part 232

prescribes Federal safety standards for freight and other non-passenger train brake systems and equipment. Part 232 contains recordkeeping and information reporting requirements, including requirements relating to the following:

General (subpart A)—procedures for special approvals of alternative standards or test procedures and waivers, and procedures related to the movement of equipment with defective brakes.

General requirements (subpart B)—generally applicable system requirements for the operation of brake systems on complete trains, including braking systems, locomotive brakes, dynamic braking, train handling, and unattended equipment securement.

Inspection and testing requirements (subpart C)—various airbrake test requirements for specific train operating scenarios, including initial terminal tests, intermediate inspections, continuity tests, and extended haul trains. This subpart also has specific rules regarding the use of yard air for conducting the above tests in lieu of locomotives and the use of independent locomotives in double-heading and helper service.

Periodic maintenance and testing requirements (subpart D)—yearly and other periodic testing of individual equipment. This subpart also specifies the equipment and procedures necessary to modify the instructions used to perform these tests.

End-of-train (EOT) devices (subpart E)—design and performance standards of both one-way and two-way EOT devices used on all trains with air brakes. This subpart also includes the inspection and testing requirements for EOT devices.

Introduction of new brake system technology (subpart F)—approval procedures for the introduction of new technologies not already covered by existing regulations, and requirements for the development of a pre-revenue service acceptance testing plan.

Electronically controlled pneumatic (ECP) braking systems (subpart G)—alternate standards for the operation and maintenance of ECP brake systems, particularly where the ECP system is not harmonious with previous standards. This includes interoperability, training, inspection and testing, movement of defective equipment, and periodic maintenance.

Tourist, scenic, historic, and excursion operations (T&H) braking

approved title in the OMB inventory as Brake System Standards for Freight and Other Non-Passenger Trains and Equipment.

systems (subpart H)—regulations that apply specifically to T&H railroads.

Those regulations are the same as existed in 2001,<sup>2</sup> as stated in current 49 CFR 232.1(c).

Overall, the information collection requirements of part 232 serve two important safety purposes. First, the regulations allow FRA to monitor compliance with braking system safety regulations. Second, FRA refers to records regularly maintained under part 232 to assess the effectiveness of the regulations and identify opportunities for improvement.

*Type of Request:* Extension without change (with changes in estimates) of a currently approved information collection.

*Affected Public:* Railroads, Association of American Railroads (AAR), and manufacturers.

*Form(s):* N/A.

*Respondent Universe:* 784 Railroads.

*Frequency of Submission:* On occasion.

*Total Estimated Annual Responses:* 4,947,392.

*Total Estimated Annual Burden:* 324,638 hours.

*Total Estimated Annual Burden Hour Dollar Cost Equivalent:* \$27,896,141.

FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information that does not display a currently valid OMB control number.

Authority: 44 U.S.C. 3501-3520.

**Christopher S. Van Nostrand,**

*Deputy Chief Counsel.*

[FR Doc. 2024-21125 Filed 9-16-24; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2024-0122]

#### Request for Comments on the Renewal of a Previously Approved Collection: Shipbuilding Orderbook and Shipyard Employment

**AGENCY:** Maritime Administration, DOT  
**ACTION:** Notice.

**SUMMARY:** The Maritime Administration (MARAD) invites public comments on our intention to request the Office of Management and Budget (OMB) approval to renew an information

<sup>2</sup> In 2001, appendix B to part 232 was created to preserve part 232 as it existed prior to a 2001 final rule. In 2020, appendix B was moved, with some revisions, to a new subpart H. See 85 FR 80544, Dec. 11, 2020.

collection. The proposed collection OMB 2133-0029 (Shipbuilding Orderbook and Shipyard Employment) is used to provide essential information for reports, services, projects, and database to better understand the current state of the shipyards in the U.S. In compliance with the Merchant Marine Act of 1936, as amended, MARAD conducts this survey to obtain information from the shipbuilding and ship repair industry to be used primarily to determine if an adequate mobilization base exists for national defense and for use in a national emergency. There are no changes to the collection since the last renewal. We are required to publish this notice in the **Federal Register** to obtain comments from the public and affected agencies.

**ADDRESSES:** Written comments and recommendations for the proposed information collections should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Gearhart, 202-366-1867, Office of Shipyards and Marine Engineering (MAR 720), Maritime Administration, U.S. Department of Transportation, 1200 New Jersey Ave SE, Washington, DC 20590, Email: [beth.gearhart@dot.gov](mailto:beth.gearhart@dot.gov).

**SUPPLEMENTARY INFORMATION:** *Title:* Shipbuilding Orderbook and Shipyard Employment.

*OMB Control Number:* 2133-0029.

*Type of Request:* Extension of a previously approved information collection.

*Abstract:* In compliance with 46 U.S.C. 50102 (2007), the Merchant Marine Act of 1936, as amended, MARAD conducts this survey to obtain information from the shipbuilding and ship repair industry to be used primarily to determine if an adequate mobilization base exists for national defense and for use in a national emergency.

*Respondents:* Owners of U.S. shipyards who agree to complete the requested information.

*Affected Public:* Business or other for profit.

*Estimated Number of Respondents:* 200.

*Estimated Number of Responses:* 200.

*Estimated Hours per Response:* 0.5.

*Annual Estimated Total Annual Burden Hours:* 100.

*Frequency of Response:* Once Annually.

A 60-day **Federal Register** Notice soliciting comments on this information collection was published on June 13, 2024 (89 FR 50405).

(Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.49.)

By Order of the Maritime Administrator.  
**T. Mitchell Hudson, Jr.**  
*Secretary, Maritime Administration.*

[FR Doc. 2024–21104 Filed 9–16–24; 8:45 am]

**BILLING CODE** 4910–81–P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2019–0077; Notice 2]

#### Harley-Davidson Motor Company, Denial of Petition for Decision of Inconsequential Noncompliance

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

**ACTION:** Denial of petition.

**SUMMARY:** Harley-Davidson Motor Company (Harley-Davidson) has determined that certain model year (MY) 2018–2019 Harley-Davidson Softail motorcycles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 120, *Tire Selection and Rims and Motor Home/ Recreation Vehicle Trailer Load Carrying Capacity Information for Motor Vehicles with a GVWR of more than 4,536 kilograms (10,000 Pounds)*. Harley-Davidson filed a noncompliance report dated June 20, 2019. Harley-Davidson subsequently petitioned NHTSA, on July 17, 2019, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces and explains the denial of Harley-Davidson’s petition.

**FOR FURTHER INFORMATION CONTACT:** Kamna Ralhan, Office of Vehicle Safety Compliance, NHTSA, (202) 366–7236.

#### SUPPLEMENTARY INFORMATION:

##### I. Overview

Harley-Davidson has determined that certain MY 2018–2019 Harley-Davidson Softail motorcycles do not fully comply with paragraph S5.3.1 of FMVSS No. 120, *Tire Selection and Rims and Motor Home/Recreation Vehicle Trailer Load Carrying Capacity Information for Motor Vehicles with a GVWR of More Than 4,536 Kilograms (10,000 Pounds)* (49 CFR 571.120). On June 20, 2019, Harley-Davidson filed a noncompliance report

with NHTSA for the subject motorcycles, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. On July 17, 2019, Harley-Davidson petitioned NHTSA for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301, asserting that the noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance*.

Notice of receipt of Harley-Davidson’s petition was published with a 30-day public comment period, on June 12, 2020, in the **Federal Register** (85 FR 35987). NHTSA did not receive any comments on the petition. To view the petition and all supporting documents, log onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Then follow the online search instructions to locate docket number “NHTSA–2019–0077.”

##### II. Motorcycles Involved

Approximately 12,931 MY 2018–2019 Harley-Davidson Softail FXBB Street Bob and FXLR Low Rider motorcycles, manufactured between June 22, 2017, and June 11, 2019, are potentially involved.

##### III. Noncompliance

Harley-Davidson explains that the noncompliance is that the subject motorcycles are equipped with a certification label which incorrectly states the recommended cold inflation pressure for the front tires and, therefore, does not fully comply with paragraph S5.3.1 of FMVSS No. 120. Specifically, when a motorcycle’s tires are set to the inflation pressure stated on the certification label, the load ratings of the front tires, according to the Tire and Rim Association Year Book (TRA Year Book), are less than the stated front gross axle weight ratings (GAWR) of the motorcycles.

##### IV. Rule Requirements

Paragraphs S5.1.2 and S5.3.1 of FMVSS No. 120 set forth the relevant requirements for which Harley-Davidson is claiming an inconsequential noncompliance. Pursuant to FMVSS No. 120, S5.1.2, the sum of the maximum load ratings of the tires fitted to an axle shall not be less than the GAWR of the axle system as specified on the vehicle’s certification label, which is required by 49 CFR part 567. Additionally, FMVSS No. 120, S5.3.1 requires that the sum of the load ratings of the tires on each axle, based on the tire size designation (not

necessarily for the tires on the vehicle) and the recommended cold inflation pressure for those tires, is appropriate for the GAWR as calculated in accordance with S5.1.2.

##### V. Summary of Harley-Davidson’s Petition

The following views and arguments presented in this section are the views and arguments provided by Harley-Davidson in its petition and do not reflect the views of the Agency.

Harley-Davidson describes the subject noncompliance and states that the noncompliance is inconsequential as it relates to motor vehicle safety. In support of its petition, Harley-Davidson offers the following reasoning:

The front wheel of the FXBB motorcycle is fitted with a Dunlop D401F 100/90–19 57H BW tire as original equipment. The model has a GAWR of 450 lbs., but when a motorcycle owner inflates the tire to the recommended inflation level that is shown on the certification label (*i.e.*, 30 psi), the calculated load rating of the front tire, according to the TRA Year Book, is 386 lbs. Because the FXBB’s GAWR is 450 lbs., the tire’s load rating at its recommended inflation pressure is 64 lbs. below the required front tire GAWR.

The front wheel of the FXLR motorcycle is fitted with a Michelin Scorcher “31” 100/90B19 62H BW tire as original equipment. The front axle has a GAWR of 450 lbs., but when a motorcycle owner inflates the tire to the recommended inflation level shown on the certification label (*i.e.*, 30 psi), the calculated load rating of the front tire, according to the TRA Year Book, is 443 lbs. Because the FXLR’s GAWR is 450 lbs., the tire’s load rating at its recommended inflation pressure is 7 lbs. below the required front tire GAWR.

Harley-Davidson cites NHTSA as explaining that the GAWR “formalizes the decision each manufacturer makes about the load-bearing ability of the tires, rims, axle, brakes, and suspension components (at a minimum) chosen to support and control the loaded vehicle.” See 42 FR 7140 (February 7, 1977). FMVSS No. 120, S5.3.1 seeks to ensure that the combination of the tire size designation and the recommended cold inflation pressure can support and control the loaded vehicle.

In its views, despite the load rating of the tires at the recommended inflation pressure falling below the GAWR, Harley-Davidson contends that the noncompliant tires were designed to carry a greater load than specified. Harley-Davidson supports its position by submitting test results conducted by