

By Order of the Maritime Administrator.
T. Mitchell Hudson, Jr.,
Secretary, Maritime Administration.
 [FR Doc. 2024–25962 Filed 11–7–24; 8:45 am]
BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

Decommissioning and Disposition of the National Historic Landmark Nuclear Ship Savannah; Notice of Public Meeting

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: The Maritime Administration (MARAD) announces a public meeting of the Peer Review Group (PRG). The PRG was established pursuant to the requirements of the National Historic Preservation Act (NHPA) and its implementing regulations to plan for the decommissioning and disposition of the Nuclear Ship Savannah (NSS). PRG membership is comprised of officials from the U.S. Department of Transportation, MARAD, the U.S. Nuclear Regulatory Commission (NRC), the Advisory Council on Historic Preservation (ACHP), and the Maryland State Historic Preservation Officer (SHPO) and other consulting parties. The public meeting affords the public an opportunity to participate in PRG activities, including reviewing and providing comments on draft deliverables. MARAD encourages public participation and provides the PRG meeting information below.

DATES: The meeting will be held on Tuesday, November 19, 2024, from 2:30 p.m. to 4 p.m. eastern daylight time (EDT). Requests to attend the meeting must be received by 5 p.m. EDT one week before the meeting, Tuesday, November 12, 2024, to facilitate entry or to receive instructions to participate online. Requests for accommodations for a disability must also be received one week before the meeting, Tuesday, November 12, 2024.

ADDRESSES: The meeting will be held onboard the NSS, online, or by phone. The NSS is located at Pier 13 Canton Marine Terminal, 4601 Newgate Avenue, Baltimore, MD 21124.

FOR FURTHER INFORMATION CONTACT: Erhard W. Koehler, (202) 680–2066 or via email at marad.history@dot.gov. You may send mail to N.S. Savannah/Savannah Technical Staff, Pier 13 Canton Marine Terminal, 4601 Newgate Avenue, Baltimore, MD 21224, ATTN: Erhard Koehler.

SUPPLEMENTARY INFORMATION:

I. Background

The decommissioning and disposition of the NSS is an Undertaking under Section 106 of the NHPA. Section 106 requires that federal agencies consider views of the public regarding their Undertakings; therefore, in 2020, MARAD established a Federal docket at <https://www.regulations.gov/docket/MARAD-2020-0133> to provide public notice about the NSS Undertaking. The federal docket was also used in 2021 to solicit public comments on the future uses of the NSS. MARAD is continuing to use this same docket to take in public comment, share information, and post agency actions.

The NHPA Programmatic Agreement (PA) for the Decommissioning and Disposition of the NSS is available on the MARAD docket located at www.regulations.gov under docket id “MARAD–2020–0133.” The PA stipulates a deliberative process by which MARAD will consider the disposition of the NSS. This process requires MARAD to make an affirmative, good-faith effort to preserve the NSS. The PA also establishes the PRG in Stipulation II. The PRG is the mechanism for continuing consultation during the effective period of the PA and its members consist of the signatories and concurring parties to the PA, as well as other consulting parties. The PRG members will provide individual input and guidance to MARAD regarding the implementation of stipulations in the PA. PRG members and members of the public are invited to provide input by attending bi-monthly meetings and reviewing and commenting on deliverables developed as part of the PA.

II. Agenda

The agenda will include (1) welcome and introductions; (2) program update; (3) status of PA stipulations; (4) other business; and (5) date of next meeting. The agenda will also be posted on MARAD’s website at <https://www.maritime.dot.gov/outreach/history/maritime-administration-history-program> and on the MARAD docket located at www.regulations.gov under docket id “MARAD–2020–0133.”

III. Public Participation

The meeting will be open to the public. Members of the public who wish to attend in person or online must RSVP to the person listed in the **FOR FURTHER INFORMATION CONTACT** section with your name and affiliation. Members of the public may also call-in using the

following number: 312–600–3163 and conference ID: 930 866 814#.

Special services. The NSS is not compliant with the Americans with Disabilities Act (ADA). The ship has some capability to accommodate persons with impaired mobility. If you require accommodations to attend PRG meetings in-person, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The U.S. Department of Transportation is committed to providing all participants equal access to this meeting. If you need alternative formats or services such as sign language, interpretation, or other ancillary aids, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

(Authority: 5 U.S.C. 552b; 36 CFR part 800; 49 CFR 1.81 and 1.93.)

By Order of the Maritime Administrator.
T. Mitchell Hudson, Jr.,
Secretary, Maritime Administration.
 [FR Doc. 2024–26021 Filed 11–7–24; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2024–0067]

HOLON U.S. Inc.—Receipt of Petition for Temporary Exemption From Various Requirements of the Federal Motor Vehicle Safety Standards for an Automated Driving System-Equipped Vehicle

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

ACTION: Notice of receipt of petition for temporary exemption; request for public comment.

SUMMARY: HOLON and HOLON U.S. Inc have petitioned NHTSA for a temporary exemption from certain requirements in seven Federal motor vehicle safety standards (FMVSS) for its “automated electric bus,” which is a vehicle equipped with an Automated Driving System (ADS). Specifically, HOLON seeks exemption from portions of FMVSS No. 101, Controls and displays; FMVSS No. 102, Transmission shift position sequence, starter interlock, and transmission braking effect; FMVSS No. 104, Windshield wiping and washing systems; FMVSS No. 105, Windshield wiping and washing systems; FMVSS No. 108, Lamps, reflective devices, and associated equipment; FMVSS No. 111, Rear visibility; and FMVSS No. 208, Occupant crash protection. NHTSA is

publishing this document in accordance with statutory and administrative provisions and seeks comment on the merits of HOLON's exemption petition and on potential terms and conditions that should be applied to a temporary exemption if granted. After receiving and considering public comments, NHTSA will assess the merits of the petition and will publish a notice in the **Federal Register** notice setting forth NHTSA's reasoning for either granting or denying the petition.

DATES: Comments must be received on or before January 7, 2025.

ADDRESSES: NHTSA invites you to submit comments on the petition described herein and the questions posed below. You may submit comments identified by docket number in the heading of this notice by any of the following methods:

- *Fax:* (202) 493-2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

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

• *Instructions:* All submissions must include the agency name and docket number. 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. NHTSA will consider all comments received before the close of business on the comment closing date indicated above. To the extent possible, NHTSA will also consider comments filed after the closing date.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> at any time or to 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. Telephone: (202) 366-9826.

Privacy Act: 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, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through

www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Confidential Business Information: If you wish to submit any information under a claim of confidentiality, you must submit your request directly to NHTSA's Office of the Chief Counsel. Requests for confidentiality are governed by part 512. NHTSA is currently treating electronic submission as an acceptable method for submitting confidential business information to the agency under part 512. If you would like to submit a request for confidential treatment, you may email your submission to Dan Rabinovitz in the Office of the Chief Counsel at Daniel.Rabinovitz@dot.gov or you may contact Dan for a secure file transfer link. At this time, you should not send a duplicate hardcopy of your electronic CBI submissions to DOT headquarters. If you claim that any of the information or documents provided to the agency constitute confidential business information within the meaning of 5 U.S.C. 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. 1905, you must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with part 512, to the Office of the Chief Counsel. Your request must include a cover letter setting forth the information specified in our confidential business information regulation (49 CFR 512.8) and a certificate, pursuant to § 512.4(b) and part 512, appendix A. In addition, you should submit a copy, from which you have deleted the claimed confidential business information, to the Docket at the address given above.

FOR FURTHER INFORMATION CONTACT: For legal issues: Sara R. Bennett, Office of the Chief Counsel, Telephone: (202) 366-2992; Fax: (202) 366-3820. For technical issues: Andrew Magaletti, Rulemaking Office of Automation Safety at Andrew.Magaletti@dot.gov, Telephone: (202) 366-2190; Fax: (202) 366-7002. Mailing address: National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

I. Introduction

- II. Authority and Procedures for Temporary Exemption
- III. HOLON's Petition
 - A. Overview of the HOLON Bus
 - B. Description of HOLON Petition
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- IV. Agency's Review of HOLON's Petition
- V. Public Interest Considerations
- VI. Statement on Terms
- VII. Public Participation

I. Introduction

NHTSA is responsible for promulgating and enforcing Federal motor vehicle safety standards (FMVSS) designed to improve motor vehicle safety. Generally, a manufacturer may not manufacture for sale, sell, offer for sale, or introduce or deliver for introduction into interstate commerce a vehicle that does not comply with all applicable FMVSS.¹ There are limited exceptions to this general prohibition.² One path permits manufacturers to petition NHTSA for an exemption for noncompliant vehicles under a specified set of statutory bases.³ The details of these bases, and on which basis HOLON, described as an international company headquartered in Germany, and HOLON U.S. Inc., the U.S.-based subsidiary (hereinafter referred to collectively as "HOLON"), petitions, is provided in the sections of this notice that follow.

On August 28, 2024, HOLON submitted a petition for exemption for its HOLON bus vehicle (HOLON Bus), which HOLON states is an SAE Level 4 Automated Driving System-Dedicated Vehicle (ADS-DV).⁴ Specifically, HOLON petitioned NHTSA for a temporary exemption from portions of seven FMVSS. HOLON requests a two-year exemption for not more than 2,500 exempted vehicles for each 12-month period covered by the exemption. HOLON does not specify how many vehicles it intends to produce under the exemption. Without this information, NHTSA may assume that HOLON intends to utilize the exemption for up to 2,500 vehicles. NHTSA requests comment on this assumption. The temporary exemption, if granted, will allow HOLON to manufacture for sale, sell, and deploy into interstate commerce vehicles that lack certain safety features required by the FMVSS.

II. Authority and Procedures for Temporary Exemption

The National Traffic and Motor Vehicle Safety Act (Safety Act), codified

¹ 49 U.S.C. 30112(a)(1).

² 49 U.S.C. 30112(b); 49 U.S.C. 30113; 49 U.S.C. 30114.

³ 49 U.S.C. 30113.

⁴ Page 4 of the Petition

at 49 U.S.C. chapter 301, authorizes the Secretary of Transportation to exempt motor vehicles, on a temporary basis and under specified circumstances, and on terms the Secretary considers appropriate, from a FMVSS or bumper standard. This authority is set forth at 49 U.S.C. 30113. The Secretary has delegated the authority for implementing this section to NHTSA.⁵

The Safety Act authorizes the Secretary to grant, in whole or in part, a temporary exemption to a vehicle manufacturer if the Secretary makes one of four specified findings.⁶ The Secretary must also look comprehensively at the request for exemption and find that the exemption is consistent with the public interest and with the objectives of the Safety Act.⁷

The Secretary must evaluate the petition for exemption under at least one of the following bases:

(i) Compliance would cause substantial economic hardship, and the manufacturer tried to comply in good faith;

(ii) the exemption would make easier the development or field evaluation of a new motor vehicle safety feature, and the safety level is equal to the safety level of the standard;

(iii) the exemption would make the development or field evaluation of a low-emission motor vehicle easier, and the safety level of the vehicle is not unreasonably lowered; or

(iv) compliance would prevent the manufacturer from selling a motor vehicle with an overall safety level at least equal to the overall safety level of nonexempt vehicles.⁸

HOLON seeks temporary exemption under the basis that compliance with the seven FMVSS would prevent it from selling a motor vehicle with an overall safety level at least equal to the overall safety level of nonexempt (*i.e.*, compliant) vehicles.⁹

NHTSA established 49 CFR part 555, *Temporary Exemption from Motor Vehicle Safety and Bumper Standards*, to implement the statutory provisions concerning temporary exemptions. The requirements in 49 CFR 555.5 state that the petitioner must set forth the basis of the petition and the information required under 49 CFR 555.6, and the reasons why the exemption would be in the public interest and consistent with the objectives of the Safety Act. A petition submitted on the basis that the

applicant is otherwise unable to sell (or in this instance, manufacture) a vehicle whose overall level of safety or impact protection is at least equal to that of a nonexempt vehicle must include the information specified in 49 CFR 555.6(d).

III. HOLON's Petition

The following discussion provides: An overview of the HOLON Bus based on information submitted in HOLON's petition; a brief summary of HOLON's safety showing and arguments for exemption from portions of certain FMVSS; and a summary of the petitioner's arguments that granting its petition for exemption would be in the public interest. Additionally, HOLON implies, though does not state explicitly, that it does not intend to comply with the seven standards at the end of the exemption period.¹⁰ Specifically, HOLON states that it intends to work with industry stakeholders on rulemaking efforts during the exemption period. HOLON also states that if new rulemaking is not completed by NHTSA by the end of the requested period, HOLON will apply for an exemption renewal. Because HOLON has sought confidential treatment of some aspects of its petition, a redacted version of HOLON's petition is included in the docket referenced at the beginning of this notice. NHTSA notes that the descriptions in this section are extracted from HOLON's petition and do not necessarily reflect the views of NHTSA.

A. Overview of the HOLON Bus

HOLON describes the HOLON Bus as a purpose-built, highly automated, low-emission vehicle designed specifically for operation by an Automated Driving System rather than a human driver. It is not equipped with manually operated driving controls or features (*e.g.*, steering wheel, pedals, manual turn signals, mirrors) that a human might need if manually driving the vehicle. It also is designed with "campfire" seating, meaning a front row of seats that faces backwards, a back row of seats that faces forwards, and a side row of seats that faces towards the doors on the right of the vehicle. It is classified as a bus with a total capacity of 15 passengers (9 seated, 6 standing) and a gross vehicle weight rating of 4,800 kilograms (10,582 lbs.). The HOLON Bus's SAE Level 4 ADS was collaboratively developed by HOLON and Mobileye. HOLON states that while the vehicle is designed to be operated by the ADS under normal operating

conditions, it is equipped with limited manual controls should the need for human intervention arise. This limited manual mode is reserved for emergency purposes and is speed limited to approximately 6 kilometers per hour (3.7 miles per hour). HOLON's petition provides some basic information about the ADS and its sensors. For specific FMVSS, HOLON goes into greater detail about how it believes the ADS and the accompanying sensor suite fulfill those FMVSS requirements with which it does not comply and is seeking exemption.

At the time of the submission of HOLON's petition, the HOLON Bus had not yet started regular serial production. In its petition, HOLON provides multiple digital renderings of the interior and exterior of the vehicle.

B. Description of HOLON Petition

HOLON has petitioned NHTSA for a temporary exemption from certain requirements in seven FMVSS for its ADS-equipped vehicle, the HOLON Bus. Specifically, HOLON seeks exemption from portions of:

- FMVSS No. 101, "Controls and displays"
- FMVSS No. 102, "Transmission shift position sequence, starter interlock, and transmission braking effect"
- FMVSS No. 104, "Windshield wiping and washing systems"
- FMVSS No. 105, "Hydraulic and electric brake systems"
- FMVSS No. 108, "Lamps, reflective devices, and associated equipment"
- FMVSS No. 111, "Rear visibility," and
- FMVSS No. 208, "Occupant crash protection"

In its petition for exemption, HOLON asserts that the requirements from which it seeks exemption generally assume the presence of a human driver to maintain visibility or to activate a manual control. Other requirements requiring exemption are related to the HOLON Bus's unconventional campfire seating configuration. HOLON states that the HOLON Bus and its ADS can meet all applicable elements of the FMVSS for which HOLON seeks exemption and that the overall safety in operating the bus will be maintained. A short description of the rationale HOLON provides for how its vehicle establishes an equivalent level of safety for each exemption sought and why it should receive an exemption follows. HOLON's petition includes additional detail and support for its arguments related to each FMVSS.

HOLON petitions for exemption from portions of six of NHTSA's crash avoidance FMVSS:

⁵ 49 CFR 1.95.

⁶ 49 U.S.C. 30113(b)(3).

⁷ 49 U.S.C. 30113(b)(3)(A).

⁸ 49 U.S.C. 30113(b)(3)(B).

⁹ 49 U.S.C. 30113(b)(3)(B)(iv).

¹⁰ See 49 CFR 555.6(d)(3).

- FMVSS No. 101 establishes requirements for vehicle controls, telltales, and indicators. HOLON argues that the ADS is capable of receiving information through the Controller Area Network (CAN) bus, without visual indication, and can initiate controls without a physical means to do so. When operating the vehicle in limited manual mode, HOLON explains that the certified operator will be provided with the same level of information as they would gain through a visual telltale or indicator via the command center.

- If the transmission shift position sequence includes a park position, FMVSS No. 102 requires the identification of gear selection shift positions to be displayed in view of the driver, including the positions in relation to each other and the position selected, when certain conditions exist. HOLON states that the HOLON Bus's ADS can meet all shifting requirements of FMVSS No. 102. Additionally, HOLON states that in limited manual mode, HOLON provides a gear shift device to allow for the human operator to shift gears in a manner consistent with the safety objectives of the standard.

- For HOLON's petition for exemption from portions of FMVSS No. 104 (Windshield Wiping and Washing Systems), HOLON suggests that the purpose and intent of the safety standard is obviated by the vehicle's sensor system design. HOLON states that the HOLON Bus's ADS has a 360-degree view of roadway surroundings with a sensor cleaning system functionally equivalent to a windshield wiping system.

- Requirements in FMVSS No. 105 refer to foot- and hand-operated parking brake systems as well as brake system indicator lamps visible to the driver. HOLON states that the HOLON Bus's ADS activates the parking brake through electrical means and can function properly without a visual indicator or physical activation. When operating the vehicle in limited manual mode, HOLON explains that the certified operator can activate the parking brake and will be provided with information about the vehicle's braking system status through the command center.

- Portions of FMVSS No. 108 contain requirements related to manual controls for use by humans in switching various signals and lights. HOLON argues that an ADS does not need manual devices for signals and lights to function properly, and the HOLON Bus's ADS is capable of activation and control of all lighting and signals through other means.

- FMVSS No. 111 contains requirements for outside mirrors on buses. HOLON states that the HOLON Bus's ADS has a 360-degree view of surroundings and therefore provides clear and reasonably unobstructed view to the rear. When operated in limited manual mode, the certified operator is provided with a camera view that provides an equivalent field of view to that of outside mirrors.

Finally, HOLON petitions for exemption from one portion of one of NHTSA's crashworthiness FMVSS: FMVSS No. 208, "Occupant Crash Protection." S4.4.4.1 of FMVSS No. 208 contains two options for meeting occupant crash protection requirements for buses with a gross vehicle weight rating of more than 4,526 kg (10,000 lb.) but not greater than 11,793 kg (26,000 lb.). One option requires a complete passenger protection system in the driver's seating position only. The other option provides seat belt requirements at the driver's designated seating position and all designated seating positions in the front row of seats in a bus. HOLON argues that the HOLON Bus cannot meet requirements related to a driver's designated seating position because it does not have a driver's designated seating position and proposes to interpret the forward-facing seats in its campfire seating configuration as the conventional front row of seats referenced in in the second option in the standard.

NHTSA requests comment on the strength and persuasiveness of these arguments and the support for each provided by HOLON.

C. HOLON's Public Interest Argument

HOLON argues that granting its petition for exemption for the HOLON Bus furthers the Safety Act's objectives and advances other public interests, including:

1. Saving lives and protecting vulnerable road users
2. Creating jobs and developing the public transit workforce
3. Reducing greenhouse gas emissions
4. Reducing traffic congestion
5. Accelerating equitable economic development
6. Promoting inclusivity, accessibility, and freedom of mobility
7. Supporting flexible and more equitable mobility planning

NHTSA requests comment on the strength and persuasiveness of these arguments and the support for each provided by HOLON.

IV. Agency's Review of HOLON's Petition

NHTSA has not yet made any judgment on the merits of HOLON's petition, the adequacy of the information submitted, or the safety of the HOLON Bus. NHTSA will assess the merits of the petition and consider public comments on the petition, as well as any additional information that the agency receives from HOLON. NHTSA is placing a non-confidential copy of the petition in the docket in accordance with statutory and administrative provisions.

V. Public Interest Considerations

NHTSA is seeking comment on the agency's consideration of specific matters of public interest in both deciding whether granting the exemption is consistent with the public interest and in developing terms and conditions with which the petitioner must comply if its petition is granted. Section 30113 authorizes NHTSA to grant exemptions that are consistent with the public interest and the Safety Act and authorizes NHTSA to apply appropriate terms to any such grant. Whether granting the exemption is consistent with the public interest and the objectives of the Safety Act are required findings that are no less critical than a discussion of the particular statutory basis on which the exemption is sought (*e.g.*, whether the subject vehicle provides an equivalent level of safety to a nonexempt vehicle). Although NHTSA's mission is primarily a safety mission, NHTSA's authority under section 30113 requires the agency to extend its consideration to issues beyond traffic safety.¹¹

As the Federal regulatory agency governing automotive safety in the U.S. and the interpretation of its existing standards, NHTSA has significant discretion in making the safety findings required under these provisions. Further, the broad authority to determine whether the public interest and general goals of the Safety Act will be served by granting the exemption allows the agency to consider many diverse effects of the temporary exemption.

¹¹ NHTSA stated, in the notice granting Nuro the first exemption for an ADS-equipped vehicle, that the broad authority to determine whether the public interest and general goals of the Vehicle Safety Act will be served by granting the exemption allows the Secretary to consider many diverse effects of the exemption, including: The overall safety of the transportation system beyond the analysis required in the safety determination; how an exemption will further technological innovation; economic impacts, such as consumer benefits; and environmental effects. 85 FR 7826, 7828 (Feb. 11, 2020).

ADS-equipped vehicles have the potential to benefit our transportation system significantly beyond the analysis required in the safety determination. As NHTSA considers the potentially transformative impact of ADS technology, it is also considering its role in encouraging the use of ADS-equipped vehicles in ways that maximize their benefit to society. NHTSA will also continue to consider how exemptions affect the development of advanced vehicle technologies.

NHTSA seeks comments on whether the agency should consider additional matters of public interest in developing terms and conditions with which a part 555 petitioner must comply if its petition were granted. NHTSA is seeking comment on whether other areas of public interest should be considered, and how the agency can best promote the public interest through the exercise of our discretion in granting exemptions and establishing terms and conditions to such exemptions.

VI. Statement on Terms

Section 30113 authorizes the Secretary, NHTSA by delegation, to condition the grant of a temporary exemption “on terms [NHTSA] considers appropriate.”¹² The agency’s authority to set terms is broad. It is not limited solely to terms and conditions relevant to its specific determination. Instead, this provision allows the agency to set terms that would allow NHTSA to collect information about the exempted vehicles that would service the public interest, such as information concerning the safety performance of the ADS.¹³

If a manufacturer receives a temporary exemption, NHTSA can issue terms that can limit or change the permitted use of those vehicles produced pursuant to the exemption. NHTSA may also effectively limit the use of the exempted vehicles as it exercises its enforcement authority (e.g., its safety defect authority). The agency would carefully consider whether and what terms to establish if it were to grant a temporary exemption. The manufacturer would need to agree to abide by the terms set for that exemption before it may begin and continue producing vehicles pursuant to that temporary exemption.

Due to the novel nature of ADS technology and NHTSA’s interest in better understanding the safety and utility of ADS-equipped vehicles, if the petition were granted in whole or in

part, the agency anticipates applying conditions to the grant.

NHTSA exercised its authority to apply a variety of terms when it granted Nuro’s petition for the first ADS-equipped vehicle exempted under part 555.¹⁴ The terms NHTSA chose were designed to enhance the public interest and included post-crash reporting, periodic reporting, terms concerning cybersecurity, and certain general requirements.

If HOLON’s petition is granted, HOLON will need to agree to abide by the terms set for that temporary exemption before it may begin and continue producing vehicles pursuant to that temporary exemption. Nothing in either the statute or implementing regulations limits the application of these terms to the period during which the exempted vehicles are produced. NHTSA could set terms that continue to apply to the vehicles throughout their normal service life if it determines that doing so is necessary to be consistent with the Safety Act.

Thus, if NHTSA grants a temporary exemption, it could establish, for example, reporting terms to ensure a continuing flow of information to the agency throughout the normal service life of the exempted vehicles, not just during the two-year period of exemption. Since only a portion of the total mileage that the vehicles, if exempted, could be expected to travel during their normal service life would have been driven by the end of the exemption period, the data would need to be reported over a longer period of time to enable the agency to make sufficiently reliable judgments. Such judgments might include those made in a retrospective review of the agency’s determination about the anticipated safety effects of the exemption. For example, when NHTSA granted Nuro’s exemption, NHTSA stated that the terms would apply throughout the useful life of the vehicles. Beyond the two-year exemption period, HOLON, like Nuro, could be subject to civil penalties for failure to comply with the terms established as a condition for granting the part 555 temporary exemption.

Other potential terms could include limitations on vehicle operations (based upon location, speed, weather, identified Operational Design Domains, road types, ownership, and management, etc.). Conceivably, some conditions could be graduated, *i.e.*, restrictions could be progressively relaxed after a period of demonstrated driving performance. Further, as with data-sharing, it may be necessary to

specify that these terms would apply to the exempted vehicles beyond the two-year exemption period.

NHTSA notes that its regulations at 49 CFR part 555 provide that the agency can revoke a part 555 exemption if a manufacturer fails to satisfy the terms of the exemption. NHTSA could also seek injunctive relief.¹⁵

NHTSA seeks comment on whether the agency should apply the same types of conditions that it applied to Nuro’s exemption for ADS-equipped low-speed occupantless vehicles. NHTSA seeks comment not only on whether these conditions are appropriate to apply to HOLON’s exemption, if granted, but also whether there are additional terms that NHTSA should apply. HOLON’s exemption request differs significantly from Nuro’s in that the request is for a passenger vehicle, and it is not limited to 25 mph, as was the case of the Nuro vehicle. As such, there are likely additional terms that would be appropriate to apply to HOLON’s exemption, if granted.

VII. Public Participation

A. Request for Comment and Comment Period

The agency seeks comment from the public on the merits of HOLON’s petition for a temporary exemption. NHTSA is also seeking comment on the potential types of terms the agency should set if the agency decides to grant the petition.

NHTSA is providing a 60-day comment period. After considering public comments and other available information, NHTSA will publish a notice of final action on the petition in the **Federal Register**.

B. Instructions for Submitting Comments

How long do I have to submit comments?

Please see **DATES** section at the beginning of this document.

How do I prepare and submit comments?

- Your comments must be written in English.

- To ensure that your comments are correctly filed in the Docket, please include the Docket Number shown at the beginning of this document in your comments.

- If you are submitting comments electronically as a PDF (Adobe) File, NHTSA asks that the documents be submitted using the Optical Character Recognition (OCR) process, thus

¹² 49 U.S.C. 30113(b)(1) (delegation of authority at 49 CFR 1.95).

¹³ 85 FR 7826, 7840 (Feb. 11, 2020).

¹⁴ *Id.*

¹⁵ 49 U.S.C. 30163(a).

allowing NHTSA to search and copy certain portions of your submissions. Comments may be submitted to the Docket electronically by logging onto the Docket Management System website at <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- You may also submit two copies of your comments, including the attachments, to Docket Management at the address given above under **ADDRESSES**.

Please note that pursuant to the Data Quality Act, in order for substantive data to be relied upon and used by the agency, it must meet the information quality standards set forth in the OMB and DOT Data Quality Act guidelines. Accordingly, we encourage you to consult the guidelines in preparing your comments. OMB's guidelines may be accessed at <http://www.whitehouse.gov/omb/fedreg/reproducible.html>. DOT's guidelines may be accessed at http://www.bts.gov/programs/statistical_policy_and_research/data_quality_guidelines.

Will the Agency consider late comments?

We will consider all comments that Docket Management receives before the close of business on the comment closing date indicated above under **DATES**. To the extent possible, we will also consider comments that Docket Management receives after that date.

How can I read the comments submitted by other people?

You may see the comments on the internet. To read the comments on the internet, go to <http://www.regulations.gov>. Follow the online instructions for accessing the dockets.

Please note that, even after the comment closing date, we will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late comments. Accordingly, we recommend that you periodically check the Docket for new material.

(Authority: 49 U.S.C. 30113 and 49 U.S.C. 30166; delegations of authority at 49 CFR 1.95 and 501.5.)

Issued in Washington, DC, under authority delegated in 49 CFR 1.95 and 501.5.

Sophie Shulman,

Deputy Administrator.

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DEPARTMENT OF TRANSPORTATION

Transportation Statistics Bureau

[Docket ID Number: DOT-OST-2014-0031]

Notice of Submission of Proposed Information Collection to OMB; Agency Request for Renewal of a Previously Approved Collection: Airline Service Quality Performance—Part 234

AGENCY: Office of the Assistant Secretary for Research and Technology (OST-R), Bureau of Transportation Statistics (BTS), Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces DOT's intention to renew Office of Management and Budget (OMB) Control Number 2138-0041 covering Airline Service Quality Performance On-time Performance and Mishandled Baggage reports that the largest U.S. air carriers file with DOT.

DATES: Comments on this notice must be received by January 7, 2025. Interested persons are invited to submit comments regarding this proposal.

ADDRESSES: To ensure that you don't duplicate your docket submissions, please submit them by only one of the following means:

- Federal eRulemaking Portal:** Go to <https://www.regulations.gov> and follow the online instructions for submitting comments. (You may access comments received for this notice at <http://www.regulations.gov> by searching docket DOT-OST-2014-0031.)

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

- Hand Delivery:** West Building Ground Floor, Room W12-140, 1200 New Jersey Ave. SE, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of DOT's 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 in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

FOR FURTHER INFORMATION CONTACT: Cecelia Robinson, Office of Airline Information, RTS-42, OST-R, BTS,

1200 New Jersey Avenue SE, Washington, DC 20590-0001, telephone number (202) 893-0515 (voice), fax number (202) 366-3383 or email cecelia.robinson@dot.gov.

SUPPLEMENTARY INFORMATION: DOT collects information regarding flight performance and mishandled baggage, wheelchairs, and scooters from the largest U.S. air carriers under 14 CFR part 234. The air carriers required to provide this information to DOT consist of the U.S. air carriers that accounted for at least half of one percent of domestic scheduled-passenger revenues (Reporting Carriers) as most recently determined by the DOT's Office of Airline Information. An air carrier that is not a Reporting Carrier may voluntarily submit the flight performance and mishandled baggage, wheelchairs, and scooters information to the Department pursuant to 14 CFR 234.7.

Specifically, Reporting Carriers must submit Part 234 On-time Performance reports to DOT with information on domestic flight operations and performance as described in 14 CFR 234.4.¹ In addition, under 14 CFR 234.6, Reporting Carriers must submit Part 234 Mishandled Baggage reports to DOT that include the following information for covered domestic flights: (1) the number of bags mishandled in its custody, (2) the number of bags enplaned into the aircraft cargo compartment, (3) the number of mishandled wheelchairs and scooters mishandled in its custody, and (4) the number of wheelchairs and scooters enplaned into the aircraft cargo compartment.² Each Reporting Carrier is required to report the flight performance and mishandled baggage, wheelchair, and scooter information to DOT on a monthly basis for the covered flights it operates and for any covered flights held out under the Reporting Carrier's code (as the only U.S. carrier code) and operated by a codeshare partner of the Reporting Carrier.

DOT uses the information reported by airlines to provide airline performance information and statistics on the BTS

¹ The format and instructions for reporting this information are in Technical Reporting Directive #27—On-Time Performance, effective January 1, 2018, available at: <https://cms7.bts.dot.gov/sites/bts.dot.gov/files/docs/explore-topics-and-geography/topics/airlines-and-airports/207741/technical-directive-no-27-time-2018.pdf>.

² The format and instructions for reporting mishandled baggage and wheelchair and scooter information to DOT are in Technical Reporting Directive #30A—Mishandled Baggage and Wheelchairs and Scooters (Amended), effective January 1, 2019, available at: <https://www.bts.dot.gov/sites/bts.dot.gov/files/docs/explore-topics-and-geography/topics/airlines-and-airports/224606/technicaldirective30abaggage2019amended.pdf>.