

To submit your comment online, go to <https://www.regulations.gov/docket/FMCSA-2023-0178/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.

Comments received after the comment closing date will be included in the docket and will be considered to the extent practicable.

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, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy.

Background

The Secretary of Transportation is responsible for implementing regulations which establish minimum levels of financial responsibility for: (1) for-hire motor carriers of property to cover public liability, property damage, and environmental restoration, and (2) for-hire motor carriers of passengers to cover public liability and property damage. The Endorsement for Motor Carrier Policies of Insurance for Public Liability (Forms MCS-90/90B) and the Motor Carrier Public Liability Surety Bond (Forms MCS-82/82B) contain the minimum amount of information necessary to document that a motor carrier of property or passengers has obtained, and has in effect, the minimum levels of financial responsibility as set forth in applicable regulations (49 CFR 387.9 (motor carriers of property) and 49 CFR 387.33T (motor carriers of passengers)). FMCSA and the public can verify that a motor carrier of property or passengers has obtained, and has in effect, the required minimum levels of financial responsibility by reviewing the information enclosed within these documents.

Title: Financial Responsibility for Motor Carrier of Passengers and Motor Carriers of Property.

OMB Control Number: 2126-0008.

Type of Request: Renewal of a currently approved ICR.

Respondents: Insurance underwriters for insurance companies and financial specialists for surety companies of motor carriers of property (Forms MCS-

90 and MCS-82) and passengers (Forms MCS-90B and MCS-82B), and motor carrier compliance officers employed by motor carriers to store and maintain insurance and/or surety bond documentation in motor carrier vehicles.

Estimated Number of Respondents: 413,948.

Estimated Time per Response: FMCSA estimates that it takes 2 minutes to complete the Endorsement for Motor Carrier Policies of Insurance for Public Liability (Forms MCS-90 for property carriers and MCS-90B for passenger carriers) or the Motor Carrier Public Liability Surety Bond (Forms MCS-82 for property carriers and MCS-82B for passenger carriers); 1 minute to store/maintain documents at the motor carrier's principal place of business (49 CFR 387.7(d); 49 CFR 387.31(d)); and 1 minute per vehicle to place the respective document on board the vehicle as required for non-U.S.-domiciled carriers (49 CFR 387.7(f); 49 CFR 387.31(f)).

Expiration Date: May 31, 2024.

Frequency of Response: Upon creation, change, or replacement of an insurance policy or surety bond. Approximately one time per year.

Estimated Total Annual Burden: 12,249.

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 ICR.

Issued under the authority of 49 CFR 1.87.

Thomas P. Keane,

Associate Administrator, Office of Research and Registration.

[FR Doc. 2023-21766 Filed 10-2-23; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Positive Train Control Regulations About Emergency Rerouting

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: The purpose of this notice is to inform the public about FRA's regulations permitting railroads to temporarily reroute a train equipped with a positive train control (PTC) system onto a track not equipped with a PTC system, in the event an emergency prevents usage of the regularly used track. This notice contains information about the process a railroad must follow to notify FRA and/or obtain FRA's approval, depending on the duration of the rerouting.

FOR FURTHER INFORMATION CONTACT: For technical questions, please contact Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816-516-7168, email: Gabe.Neal@dot.gov. For legal questions, please contact Stephanie Anderson, Attorney Adviser, telephone: 202-834-0609, email: Stephanie.Anderson@dot.gov.

SUPPLEMENTARY INFORMATION: By law, PTC systems must govern operations on PTC-mandated main lines, which currently encompass approximately 58,000 route miles, and include Class I railroads' main lines over which poison- or toxic-by-inhalation hazardous materials are transported and any railroads' main lines over which intercity or commuter rail passenger transportation is regularly provided.¹

FRA's PTC regulations recognize, however, that certain emergencies—including events such as a derailment, flood, fire, tornado, hurricane, earthquake, or other similar circumstance outside of the railroad's control—may occur and prevent usage of the regularly used track. Specifically, 49 CFR 236.1005(g)(1) enables railroads to temporarily reroute PTC-equipped trains onto track not equipped with a PTC system, in the event an emergency prevents usage of the regularly used track.

Pursuant to 49 CFR 236.1005(g)(1)(ii) and 236.1005(i), a railroad must provide written or telephonic notification to FRA of the following information within one business day of the beginning of the emergency rerouting:

- (1) The dates that such temporary rerouting will occur;
- (2) The number and types of trains that will be rerouted;

¹ Title 49 United States Code (U.S.C.) 20157; title 49 Code of Federal Regulations (CFR) 236.1005(b), 236.1006(a). This requirement does not apply, however, to a railroad's controlling locomotives that are subject to either a temporary or permanent exception under 49 U.S.C. 20157(j)-(k) or 49 CFR 236.1006(b).

(3) The location of the affected tracks; and

(4) A description of the necessity for the temporary rerouting.

FRA's PTC regulations specify that a railroad may reroute traffic only until the emergency condition ceases to exist and for no more than 14 consecutive calendar days, unless otherwise extended by approval from FRA's Associate Administrator for Railroad Safety (Associate Administrator).

In 2023, multiple railroads have requested FRA's approval to continue the emergency rerouting beyond 14 consecutive calendar days. FRA reminds railroads to submit their extension requests as soon as possible, well before the initial 14-day period of emergency rerouting lapses, to ensure FRA has sufficient time to evaluate the railroad's request and issue its decision to the railroad.

During all phases of emergency rerouting, including during the initial 14 consecutive calendar days and beyond, a railroad must comply with the rerouting conditions under 49 CFR 236.1005(j), as § 236.1005(g)(1)(iii) requires. For example, § 236.1005(j) specifies that an unequipped train must be "operated in accordance with § 236.1029" (including the applicable speed restrictions) if the train is rerouted to a PTC-equipped track. If any train is rerouted to a track not equipped with a PTC system, the train must be "operated in accordance with the operating rules applicable to the line on which the train is rerouted." 49 CFR 236.1005(j).

FRA remains available to provide technical assistance to railroads about the emergency rerouting provisions in FRA's regulations, at 49 CFR 236.1005(g)(1), (i), and (j) and summarized above. FRA appreciates railroads' commitment to operating their FRA-certified, interoperable PTC systems on PTC-mandated main lines, as generally required by law, outside the special, limited circumstances outlined in FRA's regulations.

Issued in Washington, DC.

Carolyn R. Hayward-Williams,

Director, Office of Railroad Systems and Technology.

[FR Doc. 2023-21855 Filed 10-2-23; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2023-0190]

Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: Sand Seaker 9 (Motor); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before November 2, 2023.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2023-0190 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Search MARAD-2023-0190 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2023-0190, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, or to submit

comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-461, Washington, DC 20590. Telephone: (202) 366-0903. Email patricia.hagerty@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel Sand Seaker 9 is:

Intended Commercial Use of Vessel: "Luxury Charter Day trips."
Geographic Region Including Base of Operations: "Florida (Base of Operations: Sarasota, FL)."
Vessel Length and Type: 35' 1" Catamaran.

The complete application is available for review identified in the DOT docket as MARAD 2023-0190 at <https://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel's coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter's interest in the application, and address the eligibility criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2023-0190 or visit the Docket Management Facility (see **ADDRESSES** for