

are submitting your comment as an individual or on behalf of a third party and then submit. 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. FMCSA will consider all comments and material received during the comment period.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)) with the reasons for denying or granting the application and, if granted, the name of the person or class of persons receiving the exemption and the regulatory provision from which the exemption is granted. The notice must specify the effective period and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

III. Applicant's Request

Waymo and Aurora seek an exemption from the regulations that require specific placement of warning devices around a stopped CMV. Waymo and Aurora believe it is possible to achieve the safety purpose of the warning device in an alternative way by using forward- and rearward-facing amber flashing lights mounted on the cab at a height above the upper edge of the sideview mirrors. Waymo and Aurora each separately tested variants of such devices and have concluded that the use of the cab-mounted warning devices was equally or more effective in enabling road users to recognize and react to the potential hazard presented by the stopped CMV.

Waymo and Aurora therefore request an exemption from the warning device

placement requirements of 49 CFR 392.22(b), the utilization of a warning device that does not meet the steady-burning lamp requirement of 49 CFR 393.25(e), and the utilization of a warning device for stopped vehicles that is not currently identified in 49 CFR 393.95(f).

The exemption sought would allow all motor carriers operating ADS-equipped CMVs without a human on board (or with a human on board), when stopped upon the traveled portion or the shoulder of a highway for any cause other than necessary traffic stops, to use a warning system consisting of forward- and rearward-facing cab mounted flashing amber lamps mounted at a height above the upper edge of the sideview mirrors instead of the currently required warning devices placed around the CMV, as described in 49 CFR 392.22(b).

A copy of Waymo/Aurora's application for exemption and supporting documentation is available for review in the docket for this notice.

IV. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on the application. All comments received before the close of business on the comment closing date indicated at the beginning of this notice will be considered and will be available for examination in the docket at the location listed under the Addresses section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Larry W. Minor,

Associate Administrator for Policy.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA-2022-0098]

Brightline Trains Florida, LLC's Positive Train Control Safety Plan and Request for Positive Train Control System Certification

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

ACTION: Notice of availability and request for comments.

SUMMARY: This document provides the public with notice that, on February 28, 2023, Brightline Trains Florida, LLC (BLF) submitted its Positive Train Control Safety Plan (PTCSP), Version 1.0, dated January 30, 2023, to FRA's Secure Information Repository. BLF asks FRA to approve its PTCSP and certify BLF's Interoperable Electronic Train Management System (I-ETMS) as a mixed PTC system.

DATES: FRA will consider comments received by May 8, 2023 before taking final action on the PTCSP. FRA may consider comments received after that date to the extent practicable and without delaying implementation of a PTC system.

ADDRESSES:

Comments: Comments may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and the applicable docket number. The relevant PTC docket number for this railroad is Docket No. FRA-2022-0098. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information.

FOR FURTHER INFORMATION CONTACT:

Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816-516-7168, email: Gabe.Neal@dot.gov.

SUPPLEMENTARY INFORMATION: In its PTCSP, BLF asserts that the I-ETMS PTC system is a mixed PTC system as defined in title 49 Code of Federal Regulations (CFR) 236.1015(e)(4). The PTCSP describes BLF's I-ETMS and the associated I-ETMS safety processes, safety analyses, and test, validation, and verification processes used during the development of I-ETMS. The PTCSP also contains I-ETMS's operational and support requirements and procedures.

BLF's PTCSP is available for review online at <https://www.regulations.gov>

docket/FRA-2022-0098. Interested parties are invited to comment on the PTCSP by submitting written comments or data. During its review of the PTCSP, FRA will consider any comments or data submitted. See 49 CFR 236.1011(e). However, FRA may elect not to respond to any particular comment, and under 49 CFR 236.1009(d)(3), FRA maintains the authority to approve or disapprove the PTCSP at its sole discretion.

Privacy Act Notice

In accordance with 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to <https://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See <https://www.regulations.gov/privacy-notice> for the privacy notice of regulations.gov. To facilitate comment tracking, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. If you wish to provide comments containing proprietary or confidential information, please contact FRA for alternate submission instructions.

Issued in Washington, DC.

Carolyn R. Hayward-Williams,

Director, Office of Railroad Systems and Technology.

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DEPARTMENT OF TRANSPORTATION

Office of the Assistant Secretary for Research and Technology

[Docket No. DOT-OST-2023-0011]

Notice of Request for Clearance of a New Information Collection: Electric Vehicle Inventory and Use Survey (eVIUS)

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

ACTION: Notice and request for comments.

SUMMARY: In accordance with the requirements of the Paperwork Reduction Act of 1995, this notice announces the intention of the BTS to request the Office of Management and Budget's (OMB's) approval for a new information collection related to the nation's Battery Electric Vehicles (BEVs). The information collected will

be used to produce national statistics on the characteristics and uses of BEVs. A summary report of survey findings will also be published by BTS on the BTS web page: www.bts.gov.

DATES: Comments must be submitted on or before Friday, May 5, 2023.

ADDRESSES: You may submit comments identified by DOT Docket ID Number DOT-OST-2023-0011 to the U.S. Department of Transportation (DOT), Dockets Management System (DMS). You may submit your comments by mail or in person to the Docket Clerk, Docket No., U.S. Department of Transportation, 1200 New Jersey Ave. SE, West Building Room W12-140, Washington, DC 20590. Comments should identify the docket number as indicated above. Paper comments should be submitted in duplicate. The DMS is open for examination and copying, at the above address, from 9 a.m. to 5 p.m., Monday through Friday, except federal holidays. If you wish to receive confirmation of receipt of your written comments, please include a self-addressed, stamped postcard with the following statement: "Comments on Docket DOT-OST-2023-0011." The Docket Clerk will date stamp the postcard prior to returning it to you via the U.S. mail. Please note that due to delays in the delivery of U.S. mail to Federal offices in Washington, DC, we recommend that persons consider an alternative method (the internet, fax, or professional delivery service) to submit comments to the docket and ensure their timely receipt at U.S. DOT. You may fax your comments to the DMS at (202) 493-2251. Comments can also be viewed and/or submitted via the Federal Rulemaking Portal: <http://www.regulations.gov>.

Please note that anyone is able to electronically search all comments received into our docket management system 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 (Volume 65, Number 70; pages 19475-19570) or you may review the Privacy Act Statement at <http://www.gpoaccess.gov/foi/>.

FOR FURTHER INFORMATION CONTACT: Ryan Grube, (202) 734-1569, eVIUS Program Manager, BTS, OST-R, Department of Transportation, 1200 New Jersey Ave. SE, Room E32-317, Washington, DC 20590. Office hours are from 8:00 a.m. to 5:30 p.m., E.T., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title: Electric Vehicle Inventory and Use Survey (eVIUS).

Background: The BTS, with its partners, the Federal Highway Administration (FHWA) and the U.S. Department of Energy (DOE), is planning to conduct the first Electric Vehicle Inventory and Use Survey (eVIUS).

Every 5 years from 1962 to 2002, as a part of the Economic Census, the U.S. Census Bureau conducted the Truck Inventory and Use Survey (TIUS), which was renamed the Vehicle Inventory and Use Survey (VIUS) in 1997. The survey was conducted to better understand the characterizes and use of trucks on our nation's roads. Since its inception, the survey has been used to guide investments in the nation's infrastructure, conduct size and weight studies, track changes in vehicle technologies, and more. In 2022, the BTS, in partnership with the US Census Bureau, FHWA, and DOE, conducted the 2021 VIUS, the first VIUS in almost two decades. The survey scope was inclusive of all Class 1-8 trucks.

As the pace of electric vehicles increases on the nation's roadways, to aid public planning for future transportation systems and infrastructure investments, BTS is planning to conduct an electric vehicle specific VIUS to better understand the characteristics and uses of battery electric vehicles, with an expanded scope of vehicle types to include passenger cars and buses. The data collection will be administered to a national sample of battery electric vehicle owners. The sample will be stratified on the vehicle registration state and the class size of the vehicle. The survey will request the respondents to provide information such as: Vehicle Miles Traveled (VMT) over the past 12 months, the average VMT in a typical trip, the type of vehicle owner (personal, commercial, lessee), the number of other vehicles owned in the household, charging behaviors, and type of use. The survey will be limited to 10 questions and the data collection period will be limited to 12-weeks to ensure timely results.

Respondents: The target population for the survey will be all registered battery electric vehicle owners in the U.S. The respondents will be sampled proportionally by registration state and Gross Vehicle Weight Rating (GVWR) class size.

Estimated Average Burden per Response: The burden per respondent is estimated to be an average of 10 minutes. This average is based on an