

which the comment applies, and provide a reason for suggestions or recommendations. 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 the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to [www.regulations.gov](http://www.regulations.gov) and put the docket number ("FMCSA-2022-0139") in the "Keyword" box, and click "Search." When the new screen appears, click on the "Comment Now!" button and type your comment into the text box in the following screen. Choose whether you 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 certain Federal Motor Carrier Safety Regulations. 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 also 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 decision of the Agency must be published 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 also specify the effective period (up to 5 years) and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

## III. Applicant's Request

Ronnie Brown III requests a five-year exemption from the Federal hours of service (HOS) regulations including the following sections: § 395.3(a)(1), (10 consecutive hour off-duty time requirement); § 395.3(a)(3)(i), (11-hour driving limit); § 395.3(a)(2), (14-hour "driving window"), § 395.3(b)(1) and (2); (respectively, 60 hour in 7 day and 70 hour in 8-day limits) and the electronic logging device (ELD) regulations in 49 CFR part 395 subpart B. Mr. Brown has been operating commercial motor vehicles for over 15 years. The requested exemption is solely for the applicant, who states that the HOS regulations present "safety concerns" and are a "one size fits all set of rules." He further adds that the ELD and HOS regulations are a "control mechanism by the government" and a violation of his "constitutional right to free movement." He states he "can safely drive . . . no matter the amount of sleep [he] get[s] or the length of drive time."

A copy of Ronnie Brown III's application for exemption is included 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 Ronnie Brown III's application for an exemption from various provisions in the Federal HOS and ELD regulations in 49 CFR part 395. 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 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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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2022-0064]

### Request for Information for the Interstate Rail Compacts Program

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

**ACTION:** Request for information (RFI).

**SUMMARY:** On November 5, 2021, President Biden signed into law the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law (BIL). The BIL provides historic appropriations for the railroad transportation grant programs administered by FRA and authorizes new programs to enhance rail safety and to repair, restore, improve, and expand the nation's rail network. A new program established under the BIL is the Interstate Rail Compacts Grant Program (the Program), which provides financial assistance to existing interstate rail compacts (IRCs) to strengthen their capability to advance intercity passenger rail service within their regions. The BIL requires the Secretary of Transportation to establish the Program; this responsibility is delegated to FRA. In this RFI, FRA seeks comments on the Program.

**DATES:** Written comments on this RFI must be received on or before September 19, 2022. FRA will consider comments filed after this date to the extent practicable.

**ADDRESSES:** Comments should refer to docket number FRA-2022-0064 and be submitted at <https://www.regulations.gov>. Search by using the docket number and follow the instructions for submitting comments.

**Instructions:** All submissions must include the agency name and docket number (FRA-2022-0064) for this RFI.

**Note:** All comments received, including any personal information, will be posted without change to the docket and will be accessible to the public at <https://www.regulations.gov>. You should not include information in your comment that you do not want to be made public. Input submitted online via <https://www.regulations.gov> is not immediately posted to the site. It may take several business days before your submission is posted.

**FOR FURTHER INFORMATION CONTACT:** For further information related to this RFI, please contact Wynne Davis, Supervisory Transportation Analyst, Program Development and Strategy Division, by email: [Wynne.Davis@dot.gov](mailto:Wynne.Davis@dot.gov) or by telephone: 202-493-6122.

**SUPPLEMENTARY INFORMATION:****Background**

The Program allows FRA to provide financial assistance to existing IRCs, which are established in law by member States passing identical or near identical legislation, to develop and advance intercity passenger rail service. The Program can fund the technical and administrative functions of IRCs in addition to supporting coordination and promotion activities for rail services within a region.

IRCs have a history of promoting intercity passenger rail projects within their regions and encouraging policies that foster the efficient development of intercity passenger rail projects. IRCs have also served as a means of regional coordination of rail projects sponsored by the departments of transportation in their member States. Furthermore, as investment in intercity passenger rail from State and Federal governments over the past decade has created increasingly robust rail networks, a greater need has emerged for increased cooperation across state lines to coordinate intercity passenger rail services and project delivery. Certain regions have also expressed a desire for strong leadership to represent regional needs. IRCs present an opportunity to fulfill these needs. The Program is designed to support IRCs by providing financial assistance to facilitate their administrative and technical functions and encourage IRCs to build greater organizational capacity.

**Information Requested**

FRA is seeking input on how the Program can best support existing IRCs so they are able to take a more central role in advancing the development of intercity passenger rail service. Additionally, although only established IRCs are eligible for financial assistance under the Program, FRA is considering whether offering other types of assistance outside of the Program, such as technical support, to States interested in developing IRCs would be beneficial. Therefore, in addition to questions about the Program, FRA is seeking comments about how it may be able to assist States in those endeavors.

FRA requests that responses to the RFI be organized by the topics outlined below, including references, as applicable, to the numbered questions. Respondents are encouraged to address in their responses any topic they believe to be relevant to the Program and not limited to addressing only those topics and questions outlined below.

**Program Eligible Activities**

Under the Program, financial assistance is available to established IRCs for—

- Cost of Administration;
- Systems Planning, including the impact on freight operations and ridership;<sup>1</sup>
- Promotion of Intercity Passenger Rail Operations;
- Preparation of applications for competitive Federal grant programs; and
- Operations Coordination.

1. What administrative costs need funding?
2. How would IRCs use funding for systems planning studies?
3. What promotional activities for intercity passenger rail operations require funding?
4. What preparation activities for Federal grant programs require funding?
5. What operations coordination activities require funding?
6. Of the eligible activities listed above, are there activities that are particularly important or helpful to support an IRC's work?
7. What deliverables should FRA require for tasks associated with these activities?
8. How should FRA measure performance for these activities?

**Sequencing of Eligible Activities**

FRA anticipates that established IRCs at various stages of development may focus on different activities based on issues relevant to the compact, and their capacities. Longer-established, more active compacts may have a greater need to focus on operations coordination while newly-developed compacts may focus more on securing administrative and technical staff and establishing the basic parameters of the compact, such as a mission statement and bylaws. The eligible activities allow for range of endeavors to provide support to IRCs at different stages of development.

Providing a framework to sequence the eligible activities could assist IRCs in identifying key actions to support the development of intercity passenger rail within their region. For example, encouraging the development of a regional rail planning study as a first deliverable could be helpful, because regional rail plans can act as a roadmap to determine how and when corridors services should be implemented. A

<sup>1</sup> Systems planning is a high-level planning process that occurs prior to project specific planning studies and identifies potential solutions to transportation challenges. Regional rail plans are an example of a systems planning study and identify a network of corridors that may have the potential to support intercity passenger rail service within a region.

regional rail plan can still provide this benefit in instances where State departments of transportation have advanced more detailed corridor planning studies, because the analysis completed in a regional rail plan can describe network benefits of operating a region of connected corridors. Some eligible activities, such as the cost of administration, would not be tied to a sequencing framework as these costs are required to support the interstate rail compact throughout the lifecycle of the grant.

9. Would providing a framework for the sequencing of eligible activities be helpful? If so, what should the sequencing framework look like?

10. What are the potential drawbacks of establishing a sequencing framework for eligible activities?

11. What are the potential benefits of establishing a sequencing framework for eligible activities?

**IRC Development and Dormant IRCs**

As mentioned above, FRA is considering assisting States interested in establishing an IRC to better coordinate developing intercity passenger rail service within a region. Although FRA is unable to offer financial assistance to establish an IRC, FRA is considering providing other types of assistance, such as technical assistance, for this purpose.

Additionally, FRA recognizes that restarting the activities of a dormant IRC is a significant undertaking and the authorized activities of the IRC may no longer reflect present day needs and priorities. FRA is considering how it may assist in these endeavors as well.

Feedback from stakeholders and the public on the below questions will assist FRA in this regard.

12. In what instances should States consider establishing an IRC?

13. What are the specific issues States are seeking to resolve through the establishment of an IRC?

14. What States should consider establishing an IRC?

15. What issues or challenges make it difficult to establish an interstate compact or IRC?

16. How can FRA most effectively facilitate establishing a new IRC?

17. How can FRA best facilitate coordination of project development among States to achieve better service and performance than project development conducted by individual States?

18. In what instances should States consider resuming activities under a dormant IRC?

19. In what instances should States consider legislative action to expand the

authorized activities an interstate compact can undertake?

20. What type of assistance from FRA would be helpful in restarting the work of a dormant IRC?

Issued in Washington, DC.

**Paul Nissenbaum,**

*Associate Administrator, Office of Railroad Policy and Development.*

[FR Doc. 2022-17888 Filed 8-18-22; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2022-0184]

#### **Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: LADY LILA (Motor); Invitation for Public Comments**

**AGENCY:** Maritime Administration, Department of Transportation.

**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 September 19, 2022.

**ADDRESSES:** You may submit comments identified by DOT Docket Number MARAD-2022-0184 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2022-0184 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-2022-0184, 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](http://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:**

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email [James.Mead@dot.gov](mailto:James.Mead@dot.gov).

**SUPPLEMENTARY INFORMATION:** As described in the application, the intended service of the vessel LADY LILA is:

—*Intended Commercial Use of Vessel:* “Time charters.”

—*Geographic Region Including Base of Operations:* “Florida, New Jersey, Connecticut, Rhode Island, New York.” (Base of Operations: Brooklyn, NY)

—*Vessel Length and Type:* 39.3' Motor

The complete application is available for review identified in the DOT docket as MARAD 2022-0184 at <http://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-2022-0184 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

##### *Will my comments be made available to the public?*

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

##### *May I submit comments confidentially?*

If you wish to submit comments under a claim of confidentiality, you should submit the information you claim to be confidential commercial information by email to [SmallVessels@dot.gov](mailto:SmallVessels@dot.gov). Include in the email subject heading “Contains Confidential Commercial Information” or “Contains CCI” and state in your submission, with specificity, the basis for any such confidential claim highlighting or denoting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

In the event MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

#### **Privacy Act**

Anyone can search the electronic form of all comments received into any of our 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.). For information on DOT's compliance with the Privacy Act, please visit <https://www.transportation.gov/privacy>.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)