

By the Board, Board Members Fuchs, Hedlund, Oberman, Primus, and Schultz.  
**Kenyatta Clay,**  
*Clearance Clerk.*

[FR Doc. 2023–19173 Filed 9–5–23; 8:45 am]

**BILLING CODE 4915–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

[Docket No. FHWA–2023–0026]

#### Agency Information Collection Activities: Request for Comments for a New Information Collection

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** The FHWA invites public comments about our intention to request the Office of Management and Budget's (OMB) approval for an information collection, which is summarized below under **SUPPLEMENTARY INFORMATION**. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

**DATES:** Please submit comments by November 6, 2023.

**ADDRESSES:** You may submit comments identified by DOT Docket ID Number 0026 by any of the following methods:

*Website:* For access to the docket to read background documents or comments received go to the Federal eRulemaking Portal: Go to <http://www.regulations.gov>.

Follow the online instructions for submitting comments.

*Fax:* 1–202–493–2251.

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

*Hand Delivery or Courier:* U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Spencer Stevens 202–366–6221, Office of Planning, Environment and Realty Federal Highway Administration, Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590.

#### **SUPPLEMENTARY INFORMATION:**

*Title:* Planning and Research Program Administration.

*Background:* Planning and Research Program Administration is covered

under 23 CFR part 420. 23 CFR part 420 regulation includes administrative requirements and procedures for PL funds (23 U.S.C. 104(b)(5)) provided for Metropolitan Planning Organizations (MPOs) to carry out metropolitan planning, and SPR funds (provided under the provisions of 23 U.S.C. 505) for State Departments of Transportation (State DOTs) to implement statewide transportation planning and research, development and technology (RD&T) work activities. Also, at a State DOT's option, other Title 23 funds as identified in the definition of FHWA planning and research funds in 23 U.S.C. 505 and 23 CFR 420.103 may be used to perform planning activities. Different from this request, the information collection requirement for work performed by MPOs is a joint Federal Highway Administration/Federal Transit Administration requirement, and is covered under OMB Control Number 2132–0529.

In accordance with government-wide grant management procedures, a grant application must be submitted for these funds. In addition, recipients must submit periodic progress and financial reports. The content and frequency of submission of progress and financial reports specified in 23 CFR part 420 is as specified in 2 CFR 200 grant management regulations. With the implementation of 2 CFR 200, the focus will be more on using data to determine the grant's achievement outcomes and less on accountability compliance. FHWA and the State DOTs are called upon to identify clear performance goals, indicators and milestones for the grants.

This information collection supports the DOT's Strategic Objective of "Organizational Excellence" by providing an ongoing mechanism to review applications and approve Federal grants to States for their transportation planning and research, development and technology work programs.

*Respondents:* Each State, the District of Columbia and the Commonwealth of Puerto Rico are required to provide information. The annual number of burden hours (professional and clerical staff) per respondent for preparation of work programs and progress and financial reports is estimated to be 720 (18 weeks × 40 hours per week). The total annual burden for all respondents is estimated to be 37,440 burden hours (720 burden hours per respondent times 52 respondents).

*Frequency:* This annual burden consists of staff time of each respondent for preparation of the work programs, and progress and financial reports. For

those respondents that elect to use biennial work programs, the burden for preparation of work programs would be significantly less for the second year.

*Estimated Average Burden per Response:*

*Professional staff time for preparation of work programs:* 400 hours/ respondent.

*Professional staff time for preparation of progress and financial reports:* 120 hours/respondent.

*Clerical staff time:* 200 hours/ respondent.

*Estimated Total Annual Burden Hours:* 720 hours/respondent × 52 respondents = 37,400 hours.

*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 FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

*Authority:* The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Issued on: August 31, 2023.

**Jazmyne Lewis,**

*Information Collection Officer.*

[FR Doc. 2023–19151 Filed 9–5–23; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA–2010–0060]

#### Norfolk Southern Railway's Request To Operate During a Temporary Outage of Its Positive Train Control System; Withdrawal of Filing and Notice

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

**ACTION:** Notice; withdrawal.

**SUMMARY:** On September 1, 2023, the Federal Railroad Administration (FRA) published a notice in the **Federal Register** announcing the availability of the Norfolk Southern Railway's (NS) request for amendment (RFA), dated August 28, 2023, to its FRA-certified positive train control (PTC) system. This

document withdraws that notice, FR Doc. 2023–18996. On August 30, 2023, NS withdrew its RFA.

**DATES:** As of September 6, 2023, FR Doc. 2023–18996, published on September 1, 2023, is withdrawn.

**FOR FURTHER INFORMATION CONTACT:** For further information, please contact Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816–516–7168, email: [Gabe.Neal@dot.gov](mailto:Gabe.Neal@dot.gov).

**SUPPLEMENTARY INFORMATION:** FR Doc. 2023–18996, published on September 1, 2023, is withdrawn by this notice.

Issued in Washington, DC.

**Carolyn R. Hayward-Williams,**

Director, Office of Railroad Systems and Technology.

[FR Doc. 2023–19186 Filed 9–5–23; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2021–0038; Notice 2]

#### Porsche Cars North America, Inc., Grant of Petition for Decision of Inconsequential Noncompliance

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

**ACTION:** Grant of petition.

**SUMMARY:** Porsche Cars North America, Inc., (“Porsche”), has determined that certain model year (MY) 2017–2021 Porsche Panamera, MY 2019–2021 Porsche Cayenne, and MY 2020–2021 Porsche Taycan motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 135, *Light Vehicle Brake Systems*. Porsche filed an original noncompliance report dated March 10, 2021. Subsequently, Porsche petitioned NHTSA on April 1, 2021, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces the grant of Porsche’s petition.

**FOR FURTHER INFORMATION CONTACT:** Vince Williams, General Engineer, NHTSA, Office of Vehicle Safety Compliance, (202) 366–2319, [vince.williams@dot.gov](mailto:vince.williams@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Overview

Porsche has determined that certain MY 2017–2021 Porsche Panamera, MY 2019–2021 Porsche Cayenne, and MY 2020–2021 Porsche Taycan motor vehicles do not fully comply with the

requirements of paragraphs S5.5.5(a) and S5.5.5(d)(5) of FMVSS No. 135, *Light Vehicle Brake Systems* (49 CFR 571.135). Porsche filed a noncompliance report dated March 10, 2021, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. Porsche subsequently petitioned NHTSA on April 1, 2021, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this 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 Porsche’s petition was published with a 30-day public comment period, on August 16, 2021, in the **Federal Register** (86 FR 45817). No comments were received. 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–2021–0038.”

##### II. Vehicles Involved

Approximately 80,666 of the following MY 2017–2021 Porsche motor vehicles manufactured between October 23, 2016, and February 9, 2021, are potentially involved:

- MY 2017–2021 Panamera 4
- MY 2017–2021 Panamera
- MY 2017–2021 Panamera 4 S
- MY 2017–2020 Panamera Turbo
- MY 2017–2020 Panamera 4 S Executive
- MY 2017–2020 Panamera Turbo Executive
- MY 2018–2021 Panamera 4 Hybrid
- MY 2018–2020 Panamera Turbo S Hybrid
- MY 2018–2021 Panamera 4 Executive
- MY 2018–2020 Panamera 4 Hybrid Executive
- MY 2018–2020 Panamera Turbo S Hybrid Executive
- MY 2018–2020 Panamera 4 Sport Turismo
- MY 2018–2020 Panamera 4 S Sport Turismo
- MY 2018–2020 Panamera 4 Hybrid Sport Turismo
- MY 2018–2020 Panamera Turbo Sport Turismo
- MY 2018–2020 Panamera Turbo S Hybrid Sport Turismo
- MY 2019–2021 Panamera GTS
- MY 2020 Panamera GTS Sport Turismo
- MY 2019–2021 Cayenne
- MY 2019–2021 Cayenne S
- MY 2019–2021 Cayenne Hybrid

- MY 2019–2021 Cayenne Turbo
- MY 2020 Panamera 10 Year Special Model
- MY 2020 Panamera 4 10 Year Special Model
- MY 2020–2021 Taycan 4S
- MY 2020 Taycan Top S
- MY 2020 Taycan Top
- MY 2020 Panamera 4 Hybrid 10 Year Special Model
- MY 2020 Cayenne Turbo S Hybrid
- MY 2020–2021 Cayenne Coupe
- MY 2020–2021 Cayenne S Coupe
- MY 2020–2021 Cayenne Hybrid Coupe
- MY 2020–2021 Cayenne Turbo Coupe
- MY 2020 Cayenne Turbo S Hybrid Coupe
- MY 2021 Taycan
- MY 2021 Taycan Turbo S
- MY 2021 Taycan Turbo
- MY 2021 Panamera Turbo S
- MY 2021 Panamera 4S Hybrid
- MY 2021 Cayenne GTS
- MY 2021 Cayenne GTS Coupe

##### III. Noncompliance

Porsche explains that the noncompliance is that the subject vehicles are equipped with brake wear indicators that do not meet the minimum lettering height requirements, as specified in paragraph S5.5.5(d)(5) of FMVSS No. 135. Specifically, the lettering height for the brake wear indicators ranges in height from 1.7 mm to 2.2 mm, when the required minimum height is 3.2 mm.

##### IV. Rule Requirements

Paragraphs S5.5.5(a) and S5.5.5(d)(5) of FMVSS No. 135 include the requirements relevant to this petition. Each visual indicator shall display a word or words in accordance with the requirements of FMVSS No. 101 (49 CFR 571.101) and FMVSS No. 135, which shall be legible to the driver under all daytime and nighttime conditions when activated. Unless otherwise specified, the words shall have letters not less than 3.2 mm ( $\frac{1}{8}$  inch) high and the letters and background shall be of contrasting colors, one of which is red. Words or symbols in addition to those required by FMVSS No. 101 and FMVSS No. 135 may be provided for purposes of clarity. If a separate indicator is provided to indicate brake lining wear-out as specified in S5.5.1(d), the words “Brake Wear” shall be used.

##### V. Summary of Porsche’s Petition

The following views and arguments presented in this section, “V. Summary of Porsche’s Petition,” are the views and arguments provided by Porsche and do not reflect the views of the Agency.