

under 23 U.S.C. 104(e), which normally occurs on October 1.

(b) Each State whose funds are reserved under § 1275.6 will be afforded 30 days from the date of issuance of the notice of apportionments described in paragraph (a) of this section to submit documentation showing why it is in compliance (which may include a "general practice" certification under § 1275.5). Documentation must be submitted to the appropriate NHTSA Regional Administrator. If such documentation is provided, a reservation will remain in place on the State's affected funds while the agencies consider the information. If the agencies affirm the noncompliance determination, the State will be notified of the decision and the affected funds will be processed in accordance with the requests regarding the derivation and distribution of funds provided by the State as required by §§ 1275.6(b) and 1275.7(a).

#### **§ 1275.9 State' responsibilities regarding compliance.**

(a) States are responsible for ensuring compliance with 23 U.S.C. 164 and this part.

(b) A State that has been determined to be in compliance with the requirements of 23 U.S.C. 164 and this part must promptly notify the appropriate NHTSA Regional Administrator in writing of any change or change in enforcement of the State's repeat intoxicated driver law, identifying the specific change(s).

Dated: September 27, 2016, under authority delegated in 49 CFR 1.95.

**Mark R. Rosekind,**

*Administrator, National Highway Traffic Safety Administration.*

Dated: September 27, 2016, under authority delegated in 49 CFR 1.85.

**Gregory G. Nadeau,**

*Administrator, Federal Highway Administration.*

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## **DEPARTMENT OF HOMELAND SECURITY**

### **Coast Guard**

#### **33 CFR Part 117**

[Docket No. USCG-2016-0891]

#### **Drawbridge Operation Regulation; Newtown Creek, Brooklyn and Queens, NY**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the Pulaski Bridge across the Newtown Creek, mile 0.6, between Brooklyn and Queens, New York. This deviation is necessary to allow the bridge owner to perform span locks adjustment at the bridge.

**DATES:** This deviation is effective from 12:01 a.m. on October 3, 2016 to 5 a.m. on October 14, 2016.

**ADDRESSES:** The docket for this deviation, [USCG-2016-0891] is available at <http://www.regulations.gov>. Type the docket number in the "SEARCH" box and click "SEARCH". Click on Open Docket Folder on the line associated with this deviation.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Judy Leung-Yee, Project Officer, First Coast Guard District, telephone (212) 514-4330, email [judy.k.leung-yee@uscg.mil](mailto:judy.k.leung-yee@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Pulaski Bridge, mile 0.6, across the Newtown Creek, has a vertical clearance in the closed position of 39 feet at mean high water and 43 feet at mean low water. The existing bridge operating regulations are found at 33 CFR 117.801(g)(1).

The waterway is transited by commercial barge traffic of various sizes.

The bridge owner, New York City DOT, requested a temporary deviation from the normal operating schedule to perform span locks adjustment at the bridge.

Under this temporary deviation, the Pulaski Bridge shall remain in the closed position from October 3, 2016 to October 14, 2016 between 12:01 a.m. and 5 a.m.

Vessels able to pass under the bridge in the closed position may do so at anytime. The bridge will not be able to open for emergencies and there is no immediate alternate route for vessels to pass.

The Coast Guard will inform the users of the waterways through our Local Notice and Broadcast to Mariners of the change in operating schedule for the bridge so that vessel operations can arrange their transits to minimize any impact caused by the temporary deviation. The Coast Guard notified known companies of the commercial oil and barge vessels in the area and they have no objections to the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular

operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: September 27, 2016.

**C.J. Bisignano,**

*Supervisory Bridge Management Specialist, First Coast Guard District.*

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## **DEPARTMENT OF HOMELAND SECURITY**

### **Coast Guard**

#### **33 CFR Part 165**

[Docket No. USCG-2016-0893]

#### **Eighth Coast Guard District Annual Safety Zones; Pittsburgh Steelers Fireworks; Allegheny River Mile 0.0-0.25, Ohio River 0.0-0.1, Monongahela River 0.0-0.1**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a safety zone for the Pittsburgh Steelers Fireworks on the Allegheny River, from mile 0.0 to 0.25, Ohio River mile 0.0-0.1 and Monongahela River 0.0-0.1, to protect vessels transiting the area and event spectators from the hazards associated with the Pittsburgh Steelers barge-based fireworks display. During the enforcement period, entry into, transiting, or anchoring in the safety zone is prohibited to all vessels not registered with the sponsor as participants or official patrol vessels, unless specifically authorized by the Captain of the Port (COTP) Pittsburgh or a designated representative.

**DATES:** The regulations in 33 CFR 165.801 Table 1, Sector Ohio Valley, No. 67 is effective from 7 p.m. until 9 p.m., on October 2, 2016.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notice of enforcement, call or email MST1 Jennifer Haggins, Marine Safety Unit Pittsburgh, U.S. Coast Guard; telephone 412-221-0807, email [Jennifer.L.Haggins@uscg.mil](mailto:Jennifer.L.Haggins@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the Safety Zone for the annual Pittsburgh Pirates Fireworks listed in 33 CFR 165.801 Table 1, Sector Ohio Valley, No. 67 from 7 p.m. to 9 p.m. on October 2, 2016. Entry into the safety zone is prohibited unless authorized by the COTP or a designated representative. Persons or vessels