

published in the **Federal Register** (49 CFR 381.315(b)) with the reason for the grant or denial and, if granted, the specific person or class of persons receiving the exemption, and the regulatory provision or provisions from which exemption is granted. The notice must specify the effective period of the exemption (up to 5 years) and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

### III. Background

#### *Current Regulation(s) Requirements*

Under 49 CFR 383.23, no person shall operate a commercial motor vehicle (CMV) unless such person has taken and passed the knowledge and driving skills tests for a commercial learner's permit or CDL that meet the Federal standards in subparts F, G, and H of part 383 for the CMV that person operates or expects to operate.

#### *Applicant's Request*

Navistar has applied for an exemption for Anders Björkman from 49 CFR 383.23, which prescribes licensing requirements for drivers operating CMVs in interstate or intrastate commerce. Mr. Björkman is a citizen of Sweden and therefore cannot apply for a CDL in any of the U.S. States due to his lack of residency in this country.

The exemption would allow Mr. Björkman to operate CMVs in interstate or intrastate commerce as part of Navistar field tests designed to meet future vehicle safety and to promote the development of new and advanced emissions reduction systems and fuel efficiency improvements. According to Navistar, Mr. Björkman will typically drive for no more than 8 hours per day for 2 consecutive days, and that 50 percent of the test driving will be on two-lane State highways, while 50 percent will be on interstate highways. The driving will consist of no more than 300 miles per day, and in all cases Mr. Björkman will be accompanied by a holder of a U.S. CDL who is familiar with the routes to be traveled.

### IV. Equivalent Level of Safety

Mr. Björkman holds a valid Swedish commercial license, and as explained by Navistar in its exemption request, the requirements for that license ensure that, operating under the exemption, he would likely achieve a level of safety equivalent to, or greater than the level that would be achieved by the current regulation. Furthermore, Mr. Björkman is familiar with the operations of CMVs worldwide and, a U.S. CDL holder who is familiar with the FMCSA regulations

as well as the specific routes to be driven will always accompany Mr. Björkman when he is driving a CMV.

### V. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on Navistar's application for an exemption from the CDL requirements in 49 CFR 383.23. 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.

A copy of Navistar's application for exemption is available in the docket for this notice.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[FTA Docket No. FTA 2022-0002]

### National Transit Database Census Reporting Clarifications

**AGENCY:** Federal Transit Administration, United States Department of Transportation (DOT).

**ACTION:** Final notice; response to comments.

**SUMMARY:** This notice responds to comments received and finalizes on changes to the Federal Transit Administration's (FTA) National Transit Database (NTD) reporting requirements published in the **Federal Register** on January 19, 2022.

**DATES:** FTA will implement the reporting changes in Report Year 2021.

**FOR FURTHER INFORMATION CONTACT:** Thomas Coleman, National Transit Database Program Manager, FTA Office of Budget and Policy, [thomas.coleman@dot.gov](mailto:thomas.coleman@dot.gov).

**SUPPLEMENTARY INFORMATION:** The National Transit Database (NTD) is the Federal Transit Administration's (FTA's) primary database for statistics

on the transit industry. Pursuant to 49 U.S.C. 5334(k), FTA published a notice in the **Federal Register** on January 19, 2022, (87 FR 2980) seeking public comment on changes to the NTD reporting requirements as they relate to Urbanized Areas. The comment period closed on February 18, 2022.

FTA received one comment. The commenter asked whether the reporting changes will apply to transit systems that have a Fiscal Year of July through June.

**FTA Response:** The reporting changes affect all transit systems that submit basic information (B-10) and Federal Funding Allocation (FFA-10) forms. The changes will apply to such transit systems in Report Year 2021, regardless of their individual Fiscal Year end dates.

In this notice, FTA adopts the proposed policy without change. Accordingly, transit systems must submit the B-10 and FFA-10 forms using 2010 Census data by the normal NTD annual report deadline. If the Census Bureau releases new Urbanized Area definitions prior to October 1, 2022, then transit operators must submit new B-10 and FFA-10 forms using 2020 Census data as an addendum to the annual report. Collecting this addendum based on 2020 Census data is necessary to allow FTA to meet the Urbanized Area definition found in 49 U.S.C. 5302(24) and produce apportionment data files that support the apportionment of formula funds. If the Census Bureau releases new Urbanized Area definitions on or after October 1, 2022, then FTA will not require the form addendum and will instead integrate the new urbanized area definitions into the 2022 reporting process.

To minimize the reporting burden, transit operators will not have to fill in the addendum from scratch. The addendum will pull in as much data as possible from the initial FFA-10 and B-10 forms completed using 2010 Census UZA definitions, based on unchanged or minimally changed UZA boundaries.

**Nuria I. Fernandez,**

*Administrator.*

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