

the world. The FHWA is not aware of any vehicle on the market that can claim to incorporate 100 percent domestic content. For instance, the Chevy Volt, comprises only 40 percent United States and Canada content according to the window sticker (<http://www.cheersandgears.com/uploads/1298005091/>

[med\\_gallery\\_51\\_113\\_449569.png](http://www.cheersandgears.com/uploads/1298005091/med_gallery_51_113_449569.png)). There is no indication of how much of this 40 percent United States/Canadian content is United States-made content. Thus, the FHWA does not believe that application of a domestic content standard should be applied to the purchase of vehicles.

However, the FHWA believes that the vehicles should be assembled in the United States. Whenever a person discusses the manufacture of vehicles, the discussion typically refers to where the final assembly takes place. While the manufacture of steel and iron products that are typically used in highway construction (such as pipe, rebar, struts, and beams) generally refers to the various processes that go into actually making the entire product, the manufacture of vehicles typically refers to where the vehicle is assembled. Thus, given the inherent differences in the type of products that are typically used in highway construction and vehicles, we feel that simply waiving the Buy America requirement, which is based on the domestic content of the product, without any regard to where the vehicle is assembled would diminish the purpose of the Buy America requirement. Moreover, in today's economic environment with National unemployment rate over 9 percent, the Buy America requirement is especially significant in that it will ensure that Federal Highway Trust Fund (HTF) dollars are used to support and create jobs in the United States.

Therefore, while the FHWA has not located a vehicle that meets a 100 percent domestic iron and steel content requirement, the FHWA does not find that a complete waiver based on nonavailability pursuant to 23 U.S.C. 313(b)(2) is appropriate. However, the FHWA also recognizes that at least a partial waiver is necessary in order to permit San Francisco County to proceed with its project. In order to enable San Francisco County to proceed with this project, the FHWA believes that a partial waiver that allows the County to purchase vehicles so long as the final assembly of the vehicle as the end product occurs in the United States is appropriate. This approach is similar to the standard in the provisions implementing the Buy American Act in the Federal Acquisition Regulations

where "commercially available off-the-shelf" (COTS) items may be used if such items are manufactured in the United States. The general Buy American Act standard requiring the product to exceed 50 percent domestic content is waived for COTS items. This approach will also give effect to the FHWA's Buy America requirement by ensuring that HTF dollars are used to support American jobs in a reasonable and meaningful way.

In conclusion, and in light of the above, pursuant to 23 U.S.C. 313(b)(1), the FHWA finds that it is in the public interest to grant a partial waiver from the Buy America requirement at 23 U.S.C. 313(a) to purchase 12 all-battery electric vehicles, 12 plug-in hybrid vehicles, and 5 neighborhood electric vehicles. Under this partial waiver, the general 100 percent domestic content requirement that applies to Federal-aid highway projects shall not apply to the purchase of such vehicles. However, the final assembly of any vehicles purchased with HTF funds must occur in the United States.

In accordance with the provisions of section 117 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy of Users Technical Corrections Act of 2008 (Pub. L. 110-244, 122 Stat. 1572), the FHWA is providing this notice of its finding that a partial waiver of Buy America requirements is appropriate. The FHWA invites public comment on this finding for an additional 15 days following the effective date of the finding. Comments may be submitted to the FHWA's Web site via the link provided to the automated batter switching mechanism waiver page noted above.

**Authority:** 23 U.S.C. 313; Pub. L. 110-161, 23 CFR 635.410.

Issued on: November 10, 2011.

**Victor M. Mendez,**  
Administrator.

[FR Doc. 2011-29968 Filed 11-18-11; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Multistate Corridor Operations and Management Program

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

**ACTION:** Notice; correction.

**SUMMARY:** This document modifies an existing FHWA notice and request for application, originally published on October 21, 2011, at 76 FR 65561. The original notice invited eligible entities

to apply for participation in the FHWA Multistate Corridor Operations and Management Program as authorized in 23 U.S.C. 511. This notice and correction clarifies the "How to Apply" process for that notice and request for applications, clarifies the application evaluation criteria for that notice and request for applications, and extends the deadline for submission of proposals for that notice and request for applications. Applications should still be submitted through <http://www.grants.gov>.

**DATES:** This action is effective November 21, 2011.

**FOR FURTHER INFORMATION CONTACT:** For questions about the program discussed herein, contact Mr. Robert Arnold, Director, FHWA Office of Transportation Management, (202) 366-1285, or via email at [Robert.Arnold@dot.gov](mailto:Robert.Arnold@dot.gov), or Ms. Kate Hartman, Program Manager, RITA Truck and Program Assessment, (202) 366-2742, or via email at [Kate.Hartman@dot.gov](mailto:Kate.Hartman@dot.gov). For legal questions, please contact Mr. Adam Sleeter, Attorney Advisor, FHWA Office of the Chief Counsel, (202) 366-8839, or via email at [Adam.Sleeter@dot.gov](mailto:Adam.Sleeter@dot.gov). Business hours for the FHWA are from 8 a.m. to 4:30 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** On October 21, 2011, at 76 FR 65561, the FHWA issued a notice requesting applications from eligible entities interested in participating in the FHWA Multistate Corridor Operations and Management Program as authorized in 23 U.S.C. 511. This notice clarifies two sections of the notice and extends the deadline for filing an application.

(1) Section 8 of the "How to Apply" section of the notice incorrectly describes the awards as "contracts." This request for applications may result in award of grants, not contracts. Through this correction, FHWA is removing the word "contracts" from the notice. Section 8 of the "How to Apply" section should now read: "Party or parties to the award—A description of the entity that will be entering into the agreement with FHWA, and a description of how that entity will process or manage the program funds."

(2) The "Evaluation Criteria" section of the original notice does not explicitly state that only State departments of transportation are eligible to apply for this program. Through this correction notice, Section 5 of the "Evaluation Criteria" is clarified to explain to potential applicants that State departments of transportation are the only eligible applicants for this program. Section 5 of the "Evaluation

Criteria” should now read: “Organizational structure and commitments—depth, clarity, and potential effectiveness of the organization’s structure; evidence of commitments by key partners to participate. Only State departments of transportation are eligible to apply. Non-State departments of transportation may partner with State entities to submit an application.”

(3) The deadline to submit an application for this program is extended to January 3, 2012.

**Authority:** 23 U.S.C. 511; Section 5211 of SAFETEA-LU (Pub. L. 109–59; 119 Stat. 1144).

Issued on: November 9, 2011.

**Victor M. Mendez,**  
Administrator.

[FR Doc. 2011–29972 Filed 11–18–11; 8:45 am]

**BILLING CODE 4910–22–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket Nos. FMCSA–2006–26367 and FMCSA–2011–0131]

#### Public Meeting of Motor Carrier Safety Advisory Committee and Joint Public Meeting With Medical Review Board

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice.

**SUMMARY:** FMCSA announces that MCSAC will hold a meeting on Monday–Thursday, December 5–8, 2011, which will include a joint meeting on Wednesday, December 7, 2011, with the MRB. All four days of the meeting will be open to the public for their duration.

**DATES: Time and Dates:** The MCSAC meeting will be held on Monday–Tuesday, December 5–6, 2011, from 8:30 a.m. to 5 p.m., Eastern Time (E.T.), and on Thursday, December 8, 2011, from 8:30 a.m. to 12 p.m., E.T. On Tuesday, December 6, 2011, the Cross-Border Trucking Pilot Program subcommittee will meet from 3:15 p.m. to 4:30 p.m., E.T. Additionally, the joint MCSAC–MRB meeting will be held on Wednesday, December 7, 2011, from 8:30 a.m. to 5 p.m., E.T. The meetings will be held at the Hilton Alexandria Old Town, 1767 King Street, Alexandria, VA 22314 in the Washington and Jefferson Rooms on the 2nd floor. The Hilton Alexandria Old Town is located across the street from the King Street Metro station.

**Matters To Be considered:** The MCSAC will consider the report of its EOBR Implementation Subcommittee established in response to Task 11–04. The MCSAC will also return to Task 11–02 regarding roadside violation severity weightings in the Carrier Safety Measurement System in FMCSA’s CSA program and will meet to be updated on data regarding the cross border trucking pilot program with Mexico.

Additionally, during their joint meeting, the MCSAC and MRB will consider expert presentations on obstructive sleep apnea and its relationship to the population of CMV drivers. Finally, the MCSAC will meet to be updated on recently completed, FMCSA-sponsored research on motorcoach HOS and to begin the process of setting up a subcommittee to consider ideas and concepts on motorcoach HOS for recommendation to the MCSAC and for its consideration and submission to the FMCSA Administrator. Copies of all MCSAC Task Statements and an agenda for the entire 4-day meeting are available at <http://mcsac.fmcsa.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Shannon L. Watson, Senior Advisor to the Associate Administrator for Policy, Federal Motor Carrier Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590, (202) 385–2395, [mcsac@dot.gov](mailto:mcsac@dot.gov).  
**Services for Individuals with Disabilities:**

For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact Elizabeth Turner at (617) 494–2068, [elizabeth.turner@dot.gov](mailto:elizabeth.turner@dot.gov), by Wednesday, November 30, 2011.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

###### MCSAC

Section 4144 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU, Pub. L. 109–59, 119 Stat. 1144, August 10, 2005) required the Secretary of Transportation to establish the MCSAC. The MCSAC provides advice and recommendations to the FMCSA Administrator on motor carrier safety programs and regulations, and operates in accordance with the Federal Advisory Committee Act (FACA, 5 U.S.C. App 2).

###### MRB

Section 4116 of the SAFETEA-LU requires the Secretary of Transportation, with the advice of the MRB, to “establish, review, and revise medical

standards for operators of CMVs that will ensure that the physical condition of operators of CMVs is adequate to enable them to operate the vehicles safely.” On November 2, 2010, the Secretary of Transportation announced the five medical experts who serve on the MRB. FMCSA is planning revisions to the physical qualification regulations of CMV drivers, and the MRB will provide the necessary science-based guidance to establish realistic and responsible medical standards. The MRB operates in accordance with FACA.

##### *Sleep Apnea and Other Sleep Disorders*

The MCSAC and the MRB will discuss ideas and concepts the Agency should consider for regulatory guidance or future rulemaking on obstructive sleep apnea.

##### *EOBR Implementation Task*

The MCSAC EOBR Implementation Subcommittee will report back to the full committee on its work on Task 11–04, examining technical issues relating to the electronic transfer of hours-of-service information from trucks to law enforcement personnel at the roadside.

##### *Roadside Violation Severity Weightings Task*

The MCSAC will continue its deliberations on Task 11–02, concerning violation severity weightings under the CSA program.

##### *Cross Border Trucking Pilot Program Task*

The MCSAC Subcommittee will receive an update on the opening of the Southern Border to long-haul Mexican trucks.

##### *Hours-of-Service for Passenger-Carrying Drivers of CMVs*

The MCSAC will begin consideration of Task 11–06, to begin the process of setting up a subcommittee to consider ideas and concepts on motorcoach HOS.

## II. Meeting Participation

Oral comments from the public will be heard during the last hour of the meetings on Monday–Wednesday, and during the last 15 minutes of the meeting on Thursday. Members of the public may submit written comments on the topics to be considered during the meeting by Wednesday, November 30, 2011, to Federal Docket Management System (FDMS) Docket Number FMCSA–2006–26367 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the