DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA – 2013–0353]

Article 19–A of the State of New York’s Vehicle and Traffic Law

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of petition for determination of preemption; request for comments.

SUMMARY: FMCSA requests comments on petitions submitted by the American Bus Association (ABA) and Motor Coach Canada (MCC) seeking a determination that Article 19–A of the State of New York’s Vehicle and Traffic Law governing drivers of passenger-carrying interstate motor vehicles is preempted by Federal law. FMCSA requests comments on whether Article 19–A has safety benefits, how it is being enforced against interstate passenger carriers and its effect, if any, on interstate commerce.

DATES: Comments are due on or before November 12, 2013.

ADDRESSES: You may submit comments identified by the Federal Docket Management System Number in the heading of this document by any of the following methods. To allow effective public participation before the comment deadlines, however, the Agency encourages use of the Web site that is listed first. It will provide the most efficient and timely method of receiving and processing your comments. Do not submit the same comments by more than one method.


Hand Delivery: Ground floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

Instructions: All submissions must include the Agency name and docket number for this action. Note that all comments received will be posted without change to http://www.regulations.gov, including any personal information provided. Refer to the Privacy Act heading on http://www.regulations.gov for further information.

Public Participation: The regulations.gov system is generally available 24 hours each day, 365 days each year. You can find electronic submission and retrieval help and guidelines under the “help” section of the Web site. For notification that FMCSA received the comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments line. Copies or abstracts of all documents referenced in this notice are in this docket. For access to the docket to read background documents or comments received, go to http://www.regulations.gov at any time or to Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday through Friday, except Federal holidays. All comments received before the close of business on the comment closing date indicated above will be considered and will be available for examination in the docket at the above address. FMCSA will continue to file in the public docket relevant information that becomes available after the comment closing date. Interested persons should monitor the public docket for new material.

FOR FURTHER INFORMATION CONTACT: Genevieve D. Sapir, Office of the Chief Counsel, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC, 20590, (202) 366–7056. If you have questions on viewing or submitting material to the docket, call U.S. DOT Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Background

Provisions of Article 19–A of the State of New York’s Vehicle and Traffic Law and its implementing regulations (15 CRR–NY ch. 6) establish a wide range of