

**FOR FURTHER INFORMATION CONTACT:** For information concerning the listening sessions or the live webcasts, please contact Ms. Shannon L. Watson, Senior Policy Advisor, FMCSA, at *Shannon.Watson@dot.gov* or (202) 385-2395. If you need sign language assistance to participate, contact Ms. Watson by Wednesday, March 19, and Tuesday, April 1, 2014, respectively, to allow us to arrange for such services. FMCSA cannot guarantee that interpreter services requested on short notice will be provided.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On July 6, 2012, the President signed MAP-21 into law. The new law included certain requirements concerning the registration of motor carriers [property, passenger, and household goods (HHG)], freight forwarders, and brokers. Section 32101 of MAP-21 includes requirements for a written proficiency examination to assess motor carrier registration applicants' knowledge of applicable safety regulations, standards, and orders of the Federal government. Section 32916 includes requirements that applicants for freight forwarder and broker registration authority employ, as an officer, an individual with 3 years of relevant experience who "provides the Secretary with satisfactory evidence of the individuals' knowledge of related rules, regulations, and industry practices."

In consideration of the MAP-21 requirements, the Agency believes that conducting this series of public listening sessions will provide all interested parties the opportunity to share their views on the subject prior to the initiation of a rulemaking. The Agency requests information concerning: Potential test topics (e.g., regulations and industry best practices); the relationship between the knowledge testing requirement and the Agency's August 23, 2013, Unified Registration System (URS) final rule (78 FR 52608);<sup>1</sup> and test development and delivery.

FMCSA asks listening session participants to consider the following

<sup>1</sup> The final rule amends FMCSA's regulations to require interstate motor carriers, freight forwarders, brokers, intermodal equipment providers, hazardous materials safety permit applicants, and cargo tank facilities under the Agency's jurisdiction to submit required registration and biennial update information to the Agency via a new electronic online URS. The final rule also establishes fees for the registration system, discloses the cumulative information to be collected in the URS, and provides a centralized cross-reference to existing safety and commercial regulations necessary for compliance with the registration requirements.

questions in preparing to make comments at the listening session:

- Should the exam be limited to the applicable FMCSA regulations or include both the regulations and industry best practices?
- If the exam covers industry best practices, what specific best practices should be included on the exam?
- What industry best practices manuals/publications are available for new entrants to study prior to taking a proficiency exam?
- Are private-sector training courses available to teach new entrants industry best practices?
- Should FMCSA limit the exam to company officers or employees responsible for safety and compliance, or should the Agency allow safety consultants to complete the exam on behalf of the new entrant?
- Should the test results be linked to specific individuals identified on the registration application with a requirement that the new entrant entity have a "certified" individual who passed the exam in a position responsible for safety and compliance? And should the new entrant be required to update their registration information whenever these individuals are replaced or reassigned during the new entrant monitoring/oversight period?
- MAP-21 requires freight forwarders and brokers to renew their registration authority every 5 years. Should the new entrant testing rule require a new test (i.e., recertification test) to accompany the freight forwarder or broker renewal application?
- Should the FMCSA develop and deliver the test directly to the new entrant applicants, or should the Agency rely on a private sector entity to handle the testing, with the results being transmitted directly to FMCSA?
- Do private sector companies or organizations currently conduct testing concerning industry best practices?
- Should the testing be conducted at testing centers, or should FMCSA allow on-line testing?

**II. Meeting Participation and Information FMCSA Seeks From the Public**

The listening session is open to the public. Speakers should try to limit their remarks to 5 minutes. No preregistration is required. Attendees may submit material to the FMCSA staff at the session for inclusion in the public docket referenced at the beginning of this notice.

**III. Webcasting of the Listening Session**

FMCSA will webcast the listening session on the Internet. Information on

how to participate via the Internet will be posted on the FMCSA Web site at *www.fmcsa.dot.gov* in advance of the listening session. FMCSA will docket the transcripts of the webcast, and a separate transcription of the listening session will be prepared by an official court reporter.

Dated: February 27, 2014.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Transit Administration**

**Low or No Emission Vehicle Deployment Program**

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

**ACTION:** Notice: Extension of application deadline and webinar.

**SUMMARY:** Pursuant to the Moving Ahead for Progress in the 21st Century Act (MAP-21), the Federal Transit Administration (FTA) published a Notice for Request for Proposals (RFP) for the deployment of low or no emission transit buses on January 9, 2014. Due to heightened public interest in the RFP and the volume of technical questions received, FTA is extending the application submission deadline announced in the RFP to April 10, 2014, and will be conducting an online webinar in which questions and answers can be shared among interested parties.

**DATES:** This Notice extends the submittal date for proposals to April 10, 2014.

**FOR FURTHER INFORMATION CONTACT:** Sean Ricketson, FTA Office of Research, Demonstration, and Innovation, 202-366-6678 or *sean.ricketson@dot.gov*.

**SUPPLEMENTARY INFORMATION:** On July 6, 2012, President Obama signed into law the "Moving Ahead for Progress in the 21st Century Act" (MAP-21) (Pub. L. 112-141), of which section 20011 amended 49 U.S.C. 5312 by adding paragraph (d)(5), which authorized FTA to make grants to finance eligible projects under the "Low or No Emission Vehicle Deployment Program" (LoNo Program).

FTA published a Notice for Requests for Proposals (RFP) on January 9, 2014 (79 FR 1668), establishing an application deadline of March 10, 2014. Due to heightened public interest in the RFP and the volume of technical

questions received, FTA will be conducting an online webinar in which questions and answers can be shared among interested parties and is extending the application submission deadline announced in the initial RFP to April 10, 2014. The date and time of the webinar will be posted in FTA's Calendar of Events (<http://www.fta.dot.gov/newsroom/calendar.html>). Technical instructions on submitting an application were published in the January RFP and remain the same.

As stated in the RFP, the Consolidated and Further Continuing Appropriations Act, 2013 (Pub. L. 113-6) made available \$24.9 million in FY 2013 (after sequestration) to carry out the LoNo Program, of which \$21.6 million is available for buses and \$3.3 million is available for supporting facilities and related equipment. If additional funding is appropriated for this program in FY 2014, FTA may, at its discretion, apply those funds to scale up selected projects that could not be fully funded with available FY2013 funds, or to fund additional meritorious proposals that could not be selected due to a lack of available FY 2013 funds.

**Authority:** Pub. L. 112-141, Section 20011; 49 U.S.C. 5312(d)(5) (as amended); 49 CFR 1.91.

Issued in Washington, DC, this 5th day of March 2014.

**Therese McMillan,**  
*Deputy Administrator.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket No. FTA-2013-0022]

#### State Safety Oversight Formula Grant Program

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Establishment of the State Safety Oversight (SSO) Formula Grant Program Formula; Apportionment of Fiscal Years 2013 and 2014 SSO Formula Grant Program Funding.

**SUMMARY:** The Federal Transit Administration (FTA) is apportioning fiscal years (FY) 2013 and 2014 funds for the new State Safety Oversight (SSO) Formula Grant Program in accordance with the Moving Ahead for Progress in the 21st Century Act (MAP-21). This notice apportions the available funding for FYs 2013 and 2014 and provides instructions and guidance for this new

formula grant program, for which funding is available to eligible States to develop or carry out SSO Programs (SSOPs) that monitor and improve the safety of rail fixed guideway public transportation systems (RFGPTS or rail transit systems) in their jurisdictions that are not regulated by the Federal Railroad Administration (FRA). This notice also establishes the formula for this new grant program and responds to the comments received pursuant to the May 13, 2013 **Federal Register** notice (78 FR 28014) on the illustrative apportionment for SSO grant funding.

**FOR FURTHER INFORMATION CONTACT:** For application-specific information and other assistance in preparing a grant application, please contact the appropriate FTA Regional Office found at <http://www.fta.dot.gov>. For program-specific questions about certification or eligible grant activities as outlined in this notice, please contact Maria Wright, Office of Safety and Oversight, 1200 New Jersey Ave. SE., Washington, DC 20590, (202) 366-5922, or [Maria1.Wright@dot.gov](mailto:Maria1.Wright@dot.gov). For legal questions, please contact Mary J. Lee, Office of Chief Counsel, 1200 New Jersey Ave. SE., Washington, DC 20590, (202) 366-9085, or [Mary.J.Lee@dot.gov](mailto:Mary.J.Lee@dot.gov).

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##### A. Overview

Section 5336(h)(4) of 49 U.S.C. stipulates that FTA must apportion 0.5 percent of amounts made available to provide financial assistance for urbanized areas under 49 U.S.C. 5307 to eligible States for the SSO Formula Grant Program. For FY 2013, \$21,945,771 is available for eligible States to develop or carry out SSOP activities described in 49 U.S.C. 5329(e). For FY 2014, \$22,293,250 is available under the SSO Formula Grant Program. These amounts are being apportioned according to the established formula in this notice. The final apportionment amounts are set forth in Table 13 on FTA's Web site: <http://www.fta.dot.gov/grants/15105.html>.

##### B. Definitions for Use In This Notice

**Applicant:** The Governor-designated State entity that applies for the SSO Formula Grant Program funds and later becomes the grant recipient that carries out the grant funding responsibilities on behalf of the State.

**Eligible State:** A State that has: (1) A rail transit system, as defined below, within the jurisdiction of the State, that is not subject to regulation by the FRA, or (2) a rail transit system in the engineering or construction phase of development that will not be subject to regulation by the FRA.

**Engineering or Construction phase of development:** a project phase that involves completing significant design work, refining project scope and cost estimates, preparing construction documents, and securing local funding commitments.

At a minimum, for a project in engineering or construction to be included in the SSO Formula Grant Program, the project must: (1) Have completed the National Environmental Policy Act (NEPA) of 1969 if it will be a federally funded project as demonstrated by a determination that the project is categorically excluded from review under NEPA, issuance of a Finding of No Significant Impact, or issuance of a Record of Decision; and (2) have demonstrated local financial commitment. FTA will monitor projects used in the SSO Formula Grant Program and reserves the right to change its initial eligibility determination if there are significant changes to the level of financial commitment to a project or the project is not making adequate progress.

**National Transit Database (NTD) Reporter:** a rail transit system that reported service data or capital expenditure data to the NTD in the most recent Reporting Year.

**Out-of-Service rail transit system:** A previously-operational system that has discontinued rail transit operations for more than one year, as indicated by having reported zero service data in the NTD for the most recent Report Year.

**Public Transportation:** Section 5302(14)(A) of the U.S.C. provides that public transportation means "regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income. . . ." Section 5302(14)(B) of 49 U.S.C. establishes seven types of service that are excluded from the definition of Public Transportation. Accordingly, FTA will exclude any non-public transportation systems listed in 49 U.S.C. 5302(14)(B) that a State may have reported in its