

**ADDRESSES:** The meeting will be held at RTCA, Inc., 1150 18th Street NW., Suite 910, Washington, DC 20036, Tel: (202) 330-0655.

**FOR FURTHER INFORMATION CONTACT:** The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC 20036, or by telephone at (202) 833-9339, fax at (202) 833-9434, or Web site at <http://www.rtca.org> or Trin Mitra, TOC Secretary, RTCA, Inc., [tmitra@rtca.org](mailto:tmitra@rtca.org), (202) 330-0655.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., App.), notice is hereby given for a meeting of RTCA Tactical Operations Committee. The agenda will include the following:

**Thursday, March 3, 2016**

1. Opening of Meeting/Introduction of TOC Members—Co Chairs Dale Wright and Bryan Quigley
2. Official Statement of Designated Federal Official—Elizabeth Ray
3. Approval of November 12, 2015 Meeting Summary
4. FAA Update—Elizabeth Ray
5. FAA Response to Previous TOC Recommendations: Caribbean Operations and Class B Airspace
6. Recommendations from the Airport Construction Task Group.
7. Recommendations from the National Procedure Assessment Task Group
8. Introduction to new PBN Route Structure Task
9. Discussion on potential task on Graphical TFRs
10. Update on the NextGen Advisory Committee (NAC)
11. FAA briefing on One Engine Inoperative (OEI) procedures
12. Anticipated Issues for TOC consideration and action at the next meeting
13. Other Business
14. Adjourn

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Plenary information will be provided upon request. Persons who wish to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on February 4, 2016.

**Latasha Robinson,**

*Management & Program Analyst, NextGen, Enterprise Support Services Division, Federal Aviation Administration.*

[FR Doc. 2016-02550 Filed 2-8-16; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2015-0481]

#### Motor Carriers of Passengers That Serve Primarily Urban Areas With High Passenger Loads

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

**ACTION:** Notice of information and request for comments.

**SUMMARY:** This request for comments is related to the implementation of a specific provision in section 32707 of the Moving Ahead for Progress in the 21st Century Act (MAP-21) that requires an annual safety fitness assessment of certain motor carriers of passengers that serve primarily urban areas with high passenger loads. FMCSA requests comments about an appropriate definition of a “curbside bus operator” that will be subject to this annual safety fitness assessment and will be consistent with Congressional intent.

**DATES:** You must submit comments by April 11, 2016.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA-2015-0481 using any of the following methods:

- *Federal eRulemaking Portal:* Go to [www.regulations.gov](http://www.regulations.gov). Follow the on-line instructions for submitting comments.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.
- *Hand Delivery or Courier:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal Holidays.
- *Fax:* 1-202-493-2251.

Each submission must include the Agency name and the docket number for this notice. Note that DOT posts all comments received without change to [www.regulations.gov](http://www.regulations.gov), including any personal information included in a

comment. Please see the Privacy Act heading below.

**Docket:** For access to the docket to read background documents or comments, go to [www.regulations.gov](http://www.regulations.gov) at any time or visit Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. The on-line Federal document management system is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

**Privacy Act:** All comments received were posted without change to <http://www.regulations.gov>. In accordance with 5 U.S.C. 553(c), DOT previously solicited comments from the public to better inform its rulemaking process. DOT posted these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

**FOR FURTHER INFORMATION CONTACT:** Ms. Loretta Bitner, (202) 385-2428, [loretta.bitner@dot.gov](mailto:loretta.bitner@dot.gov). FMCSA office hours are from 9 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you have questions on viewing or submitting material to the docket, contact Docket Operations, telephone (202) 366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Background

Motorcoach safety received increased public attention after several serious crashes during 2011, some of which involved “curbside” bus operators, passenger carrier operations often characterized by high passenger loads with service between urban areas. As a result, the National Transportation Safety Board (NTSB) conducted an investigation of motorcoach safety with an emphasis on curbside operations. One objective of the investigation was to describe the characteristics of the curbside business model among interstate motorcoach carriers. The NTSB examined a population of 4,172 active interstate motorcoach carriers operating in the United States and identified 71 of them as scheduled motorcoach carriers providing curbside service.

In its “Executive Report on Curbside Motorcoach Safety” that was published on October 12, 2011, the NTSB stated

the following in describing curbside bus operators:

The term “curbside operations” refers to a business model (that is, the means by which motorcoach service is provided) rather than a type of motorcoach carrier. In fact, no formal definition of curbside carriers exists, and federal and state oversight authorities have no unique categorization or tracking mechanism for these carriers. For the purpose of this report, curbside motorcoach operations are those in which interstate motorcoach carriers conduct scheduled trips from one city to another city or a destination and originate or terminate at a location other than a traditional bus terminal; most of these operations discharge passengers at one or more curbside locations.

Although curbside motorcoach carriers apply a similar business model, they vary greatly in other characteristics. Some carriers operate large fleets of motorcoaches throughout the United States, whereas others have a fleet of only a few buses that operate in local regions.

MAP-21 was signed into law on July 6, 2012. Section 32707, codified at 49 U.S.C. 31144(i)(4)(B), addresses improved oversight of motorcoach service providers. A “motorcoach” is defined in section 32707(b) of MAP-21 as an “over-the-road bus;” one with an elevated passenger deck over a baggage compartment. A motorcoach does not include a bus used in public transportation provided by a State or local government, or a school bus. The statute requires an annual assessment of the safety fitness of certain motor carriers of passengers that serve primarily urban areas with high passenger loads.

#### Implementation of Statutory Provision

Section 31144(i)(4) requires that the Secretary:

- Reassess the safety fitness rating of each motor carrier of passengers at no less than once every 3 years; and
- Annually assess the safety fitness of certain motor carriers of passengers that serve primarily urban areas with high passenger loads.

The language indicates Congress’ intent to have two levels of oversight for motor carrier of passengers, a safety fitness rating every 3 years for each passenger carrier and, a safety fitness assessment annually for passenger carriers that serve primarily urban areas with high passenger loads. To effectively implement 49 U.S.C. 31144(i)(4)(B), FMCSA must define which passenger carriers will be subject to the annual safety fitness assessment requirement. While Congress directed that carriers of passengers that serve primarily urban areas with high passenger loads be subject to this requirement, FMCSA does not collect

urban area service or passenger volume information from motor carriers of passengers that are subject to the Agency’s safety oversight.

FMCSA believes Congress intends for the Agency to have increased safety oversight of the bus operators that generally provide low-cost, regularly scheduled passenger transportation service between major cities with curbside boarding and/or disembarking. Although some carriers purport to have a bus terminal/facility/station, the location used for passengers is a waiting area only outside of an office building and the passenger pickups and drop-offs occur at the curbside or in a parking lot.

#### Request for Comments

Because FMCSA does not include in its regulations or regulatory guidance a definition of the term “curbside bus operator,” the Agency believes it is imperative that one be adopted in order to effectively implement 49 U.S.C. 31144(i)(4)(B). Therefore, the Agency proposes the following definition for identifying motor carriers of passengers that must undergo an annual assessment:

“Curbside Bus Operator” means a motor carrier of passengers that serves primarily urban areas with high passenger loads, and uses 25% or more of its motorcoaches for operations with passenger pickups and drop-offs occurring at the curbside or in a parking lot.

FMCSA would use this definition in identifying, tracking, and conducting the annual safety fitness assessments of every identified curbside bus operators. This definition would not have any impact on the enforcement of the applicable safety regulations. It would only be used to identify those carriers that Congress intends the Agency conduct annual safety assessments.

FMCSA is considering the use of the following questions during the motor carrier registration process to identify curbside bus operators that transport high passenger loads:

Does your company operate 25% or more of its motorcoaches between cities providing for-hire passenger transportation that originates or terminates at locations other than terminals, such as street corners or outside a retail business?

Is your company required to obtain a permit from a local government to pick up or drop off at locations other than terminals, such as street corners or outside a retail business?

The operation of a motorcoach to transport passengers is the FMCSA’s interpretation of a high passenger load with implementation of 49 U.S.C. 31144(i)(4)(B). Motorcoaches are large capacity passenger vehicles that are

frequently operated by curbside bus operators.

FMCSA requests public comments whether the proposed definition and questions are appropriate for identifying curbside operators for implementation of the statutorily mandated annual safety fitness assessments.

In addition to motor carriers of passengers that identify themselves as curbside bus operators through the motor carrier registration process, FMCSA will direct its enforcement personnel to designate passenger carriers as a curbside bus operators in the Agency’s database when there is evidence that the carriers are conducting curbside bus operations, but fail to report it to the Agency or began curbside bus operations subsequent to registration. With this in mind, FMCSA is seeking input to the following questions.

1. Should FMCSA identify all motor carriers of passengers that have both curbside operations and operations that originate/terminate at a traditional bus terminal as curbside bus operators requiring an annual safety assessment?

2. Should a motor carrier of passengers that uses 25% or more of its motorcoaches for curbside operations be identified by FMCSA as a curbside bus operator requiring an annual safety assessment?

3. Should FMCSA base the percentage of curbside operations on the number of motorcoaches used in that type of service? If not, then what measure should be used?

4. Should FMCSA include passenger carrier operations that pick up passengers at the curbside in vehicles smaller than motorcoaches with the intent of transferring the passengers to a larger passenger vehicle such as a motorcoach as curbside bus operators requiring an annual safety assessment?

5. Should a motor carrier of passengers applicant be required to self-identify as a curbside operator during registration with FMCSA?

6. Should a motor carrier of passengers previously registered with FMCSA be required to self-identify as a curbside operator when updating its registration information as required by 49 CFR 390.201?

7. Should FMCSA base the definition of an urban area on population, incorporated land area, defined commercial zones, urbanized area as defined by the U. S. Census Bureau, or some other criteria?

8. Should a motor carrier of passengers with 25% or more of its motorcoach operation taking place in primarily urban areas be identified by

FMCSA as a curbside bus operator requiring an annual safety assessment?

9. Is there any additional criteria we should consider to identify which motor carrier of passenger should be defined as a curbside bus operator requiring an annual safety assessment?

Issued under the authority delegated in 49 CFR 1.87 on: January 29, 2016.

**T.F. Scott Darling, III,**  
Acting Administrator.

[FR Doc. 2016-02510 Filed 2-8-16; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2015-0238]

#### Parts and Accessories Necessary for Safe Operation; TowMate, LLC Application for an Exemption

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

**ACTION:** Notice of final disposition.

**SUMMARY:** The Federal Motor Carrier Safety Administration (FMCSA) announces its decision to grant TowMate, LLC's (TowMate) application for a limited two-year exemption to allow motor carriers to operate rechargeable wireless temporary stop, turn, and tail lighting systems during temporary towing operations. Under the Federal Motor Carrier Safety Regulations (FMCSRs), all required lamps, with the exception of battery-powered lamps used on projecting loads, must be powered by the electrical system of the motor vehicle. The Agency has determined that use of rechargeable wireless temporary stop, turn, and tail lighting systems during temporary towing operations would not have an adverse impact on safety, and use of these systems under the terms and conditions of the exemption would achieve a level of safety equivalent to or greater than the level of safety provided by the regulation. This decision is consistent with an August 2005 amendment to the FMCSRs to allow battery powered lamps on the rear of projecting loads.

**DATES:** This exemption is effective February 9, 2016 and ending February 9, 2018.

**FOR FURTHER INFORMATION CONTACT:** Mr. Luke Loy, Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety, MC-PSV, (202) 366-0676, Federal Motor Carrier Safety Administration, 1200 New Jersey

Avenue SE., Washington, DC 20590-0001.

**Docket:** For access to the docket to read background documents or comments submitted to notice requesting public comments on the exemption application, go to [www.regulations.gov](http://www.regulations.gov) at any time or visit Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. The on-line Federal document management system is available 24 hours each day, 365 days each year. The docket number is listed at the beginning of this notice.

#### SUPPLEMENTARY INFORMATION:

##### Background

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain parts of the Federal Motor Carrier Safety Regulations. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted, and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)) with the reasons for denying or granting the application and, if granted, the name of the person or class of persons receiving the exemption, and the regulatory provision from which the exemption is granted. The notice must also specify the effective period and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

##### TowMate's Application for Exemption

TowMate applied for an exemption from 49 CFR 393.23 to allow motor carriers to operate rechargeable wireless temporary stop, turn, and tail lighting systems during temporary towing operations. A copy of the application is included in the docket referenced at the beginning of this notice.

Section 393.23, "Power Supply for Lamps," provides that "All required lamps must be powered by the electrical system of the motor vehicle with the exception of battery powered lamps used on projecting loads."

The application stated:

TowMate is making this request because the use of conventional hard wired temporary stop, turn, and tail lights has many drawbacks that wireless tow lights solve. These include broken connections, frayed wires, burnt out incandescent bulbs, and the potential to be snagged or pulled from the tow light receptacle due to improper running of wires, and road hazards, along with the safety hazard of increasing the amount of time spent on the roadside or the scene of an accident by stringing wired lighting systems between vehicles and securing the wires. With the advent of LED technology coupled with advancements in battery technologies, wireless tow lights are more reliable and better equipped for the rigors of daily temporary use.

Temporary wireless stop, turn, tail lighting systems can operate for 10+ hours of continuous use on a full charge, and in-cab wire-less monitoring systems give the driver constant information on the functioning of the system, displaying state of charge of the battery inside the unit, displaying the functioning of the system during operation, and warning the driver if the unit is no longer functioning. In this sense, wireless tow lights provide a level of safety and redundancy that is not currently required on wired temporary lighting systems. In an emergency situation with a drained battery, power can be directly connected to the temporary wireless stop, turn, and tail lighting system from a standard 4 pin or 7 pin electrical connection.

Without the proposed temporary exemption, tow and haul away operators will be forced to continue to use cumbersome wired temporary towing light systems, placing an unnecessary burden on their daily operations. The current temporary lighting requirements for stop, tail, and turn lamps require that the lamps receive their power from a direct wired connection to the towing vehicle with no ascertainable benefit from doing such. Wireless tow lights afford benefits that wired systems are unable to, such as redundancies like monitoring the status of the unit in real time, thus assuring their proper operation at all times.

##### Comments

On August 6, 2015, FMCSA published notice of the TowMate application and requested public comment (80 FR 47031). The Agency received thirteen comments, all in support of TowMate's application.

The Towing and Recovery Association of America, Inc., and the Wisconsin Towing Association commented that hard-wired temporary stop, tail and turn signal lighting systems take additional time to install on the side of the road or highway as compared to wireless systems, leaving tow operators vulnerable and at greater risk of being struck and injured by passing motorists. These commenters stated that use of rechargeable wireless temporary stop, turn, and tail lighting