

for inconsequentiality by GM was granted by NHTSA. In this instance, certain models could have unintended CHMSL illumination briefly if the hazard warning lamp switch is depressed to its limit of travel. NHTSA stated: "The intended use of a hazard warning lamp and the momentary activation of a CHMSL do not provide a conflicting message. The illumination of the CHMSL is intended to signify that the vehicles brakes are being applied and that the vehicle might be decelerating. Hazard warning lamps are intended as a more general message to nearby drivers that extra attention should be given to the vehicle. A brief illumination of the CHMSL while activating the hazard warning lamps would not confuse the intended general message, nor would the brief illumination in the absence of the other brake lamps cause confusion that the brakes were unintentionally applied."

6. DTNA believes that the same situation exists in the present case, with temporary illumination of the brake lamps during ATC activation. The temporary brake light illumination serves to emphasize the message to following drivers that adverse or unusual road conditions may exist and they should pay close attention.

7. In Docket No. NHTSA-2014-0125 (published on Feb 02, 2018) a Petition for inconsequentiality by GM was granted by NHTSA. In this instance, under certain conditions the parking lamps on the subject vehicles fail to meet the requirement that parking lamps must be activated when headlamps are activated in a steady burning state. NHTSA stated: ". . . The Agency agrees with GM that in this case this situation would have a low probability of occurrence and, if it should occur, it would neither be long lasting nor likely to occur during a period when parking lamps are generally in use. Importantly, when the noncompliance does occur, other lamps remain functional. The combination of all of the factors, specific to this case, abate the risk to safety."

DTNA concluded by expressing the belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

DTNA's complete petition and all supporting documents are available by logging onto the Federal Docket Management System (FDMS) website at: <https://www.regulations.gov> and following the online search instructions

to locate the docket number listed in the title of this notice.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that DTNA no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after DTNA notified them that the subject noncompliance existed.

Authority: 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8.

Otto G. Matheke III,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2019-08124 Filed 4-22-19; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2018-0100; Notice No. 2019-02]

Hazardous Materials: Emergency Waiver No. 12

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice of emergency waiver order.

SUMMARY: PHMSA is issuing an emergency waiver order to railroad carriers waiving certain expedited movement requirements when conducting operations within the Nebraska Severe Winter Storm, Straight-line Winds, And Flooding disaster area. Given the continuing impacts caused by the Nebraska Severe Winter Storm, Straight-line Winds, And Flooding disaster, PHMSA's Administrator has determined that regulatory relief is in the public interest and necessary to ensure the safe transportation in commerce of hazardous materials while railroad carriers conduct operations within the disaster area. This Waiver

Order is effective immediately and shall remain in effect for 30 days from the date of issuance.

FOR FURTHER INFORMATION CONTACT:

Adam Horsley, Deputy Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, telephone: (202) 366-4400.

SUPPLEMENTARY INFORMATION:

In accordance with the provisions of 49 U.S.C. 5103(c), the Administrator for the Pipeline and Hazardous Materials Safety Administration (PHMSA), hereby declares that an emergency exists that warrants issuance of a Waiver of 49 CFR 174.14 for operations within the Nebraska Severe Winter Storm, Straight-line Winds, And Flooding disaster area. The Waiver is granted to railroad carriers when conducting operations within the Nebraska Severe Winter Storm, Straight-line Winds, And Flooding disaster area.

On March 21, 2019, the President issued an Emergency Declaration for Nebraska Severe Winter Storm, Straight-line Winds, And Flooding (DR-4420). This Waiver Order covers all areas identified in the declaration, as amended. Pursuant to 49 U.S.C. 5103(c), PHMSA has authority delegated by the Secretary (49 CFR 1.97(b)(3)) to waive compliance with any part of the HMR provided that the grant of the waiver is: (1) In the public interest; (2) not inconsistent with the safety of transporting hazardous materials; and (3) necessary to facilitate the safe movement of hazardous materials into, from, and within an area of a major disaster or emergency that has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*).

Given the continuing impacts caused by the Nebraska Severe Winter Storm, Straight-line Winds, And Flooding disaster, PHMSA's Administrator has determined that regulatory relief is in the public interest and necessary to ensure the safe transportation in commerce of hazardous materials while railroad carriers conduct operations within the Nebraska Severe Winter Storm, Straight-line Winds, And Flooding disaster area. By execution of this Waiver Order, railroad carriers are excepted from the requirements of 49 CFR 174.14 when conducting operations within the Nebraska Severe Winter Storm, Straight-line Winds, And Flooding disaster area.

This Waiver Order is effective immediately and shall remain in effect for 30 days from the date of issuance.

Issued in Washington, DC, on March 22, 2019.

Drue Pearce,

Deputy Administrator, Pipeline and Hazardous Materials Safety Administration.

[FR Doc. 2019-08117 Filed 4-22-19; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary of Transportation

Notice of Funding Opportunity for the Department of Transportation's National Infrastructure Investments Under the Consolidated Appropriations Act, 2019

AGENCY: Office of the Secretary of Transportation, DOT.

ACTION: Notice of funding opportunity.

SUMMARY: The Consolidated Appropriations Act, 2019 ("FY 2019 Appropriations Act") appropriated \$900 million to be awarded by the Department of Transportation ("DOT") for National Infrastructure Investments. This appropriation stems from the program funded and implemented pursuant to the American Recovery and Reinvestment Act of 2009 (the "Recovery Act") and is known as the Better Utilizing Investments to Leverage Development, or "BUILD Transportation grants," program. Funds for the FY 2019 BUILD Transportation grants program are to be awarded on a competitive basis for surface transportation infrastructure projects that will have a significant local or regional impact. The purpose of this notice is to solicit applications for BUILD Transportation grants.

DATES: Applications must be submitted by 8:00 p.m. E.D.T. on July 15, 2019.

ADDRESSES: Applications must be submitted through *Grants.gov*.

FOR FURTHER INFORMATION CONTACT: For further information concerning this notice, please contact the BUILD Transportation grants program staff via email at *BUILDgrants@dot.gov*, or call Howard Hill at 202-366-0301. A TDD is available for individuals who are deaf or hard of hearing at 202-366-3993. In addition, DOT will regularly post answers to questions and requests for clarifications as well as information about webinars for further guidance on DOT's website at *www.transportation.gov/BUILDgrants*.

SUPPLEMENTARY INFORMATION: The FY 2019 BUILD Transportation grant program will make awards to surface transportation infrastructure projects that will have a significant impact throughout the country. Each section of

this notice contains information and instructions relevant to the application process for these BUILD Transportation grants, and all applicants should read this notice in its entirety so that they have the information they need to submit eligible and competitive applications. For this round of BUILD Transportation grants, the maximum grant award is \$25 million, and no more than \$90 million can be awarded to a single State, as specified in the FY 2019 Appropriations Act. Per statute, the FY 2019 selection criteria are the same as under the FY 2017 TIGER program, although the description for each criterion has been updated. For FY 2019 BUILD Transportation grants, the definitions of urban and rural areas differ from previous rounds. Additionally, not more than 50 percent of funds will be awarded to projects located in urban and rural areas, respectively.

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A. Program Description

The Consolidated Appropriations Act, 2019 (Pub. L. 116-6, February 15, 2019) ("FY 2019 Appropriations Act") appropriated \$900 million to be awarded by the Department of Transportation ("DOT") for National Infrastructure Investments. Since this program was created, \$7.1 billion has been awarded for capital investments in surface transportation infrastructure over ten rounds of competitive grants. Throughout the program, these discretionary grant awards have supported projects that have a significant local or regional impact.

Like the FY 2017 TIGER program, the FY 2019 BUILD program will also give special consideration to projects which emphasize improved access to reliable, safe, and affordable transportation for communities in rural areas, such as projects that improve infrastructure condition, address public health and safety, promote regional connectivity or facilitate economic growth or competitiveness. Such projects may concurrently invest in broadband to better facilitate productivity, including through the U.S. Department of Agriculture's ReConnect Loan and Grant program, and help rural citizens access opportunities, or promote energy

independence to help deliver significant local or regional economic benefit.

B. Federal Award Information

1. Amount Available

The FY 2019 Appropriations Act appropriated \$900 million to be awarded by DOT for the BUILD Transportation grants program. The FY 2019 BUILD Transportation grants are for capital investments in surface transportation infrastructure and are to be awarded on a competitive basis for projects that will have a significant local or regional impact. Additionally, the Act allows for up to \$15 million (of the \$900 million) to be awarded for the planning, preparation or design of eligible projects. DOT is referring to any such awards as BUILD Transportation planning grants. The FY 2019 Appropriations Act also allows DOT to retain up to \$27 million of the \$900 million for award, oversight and administration of grants and credit assistance made under the program. If this solicitation does not result in the award and obligation of all available funds, DOT may publish additional solicitations.

The FY 2019 Appropriations Act allows up to 20 percent of available funds (or \$180 million) to be used by the Department to pay the subsidy and administrative costs of a project receiving credit assistance under the Transportation Infrastructure Finance and Innovation Act of 1998 ("TIFIA") or Railroad Rehabilitation and Improvement Financing (RRIF) programs, if that use of the FY 2019 BUILD funds would further the purposes of the BUILD Transportation grants program.

2. Award Size

The FY 2019 Appropriations Act specifies that BUILD Transportation grants may not be less than \$5 million and not greater than \$25 million, except that for projects located in rural areas (as defined in Section C.3.ii.) the award size is \$1 million. There is no minimum award size, regardless of location, for BUILD Transportation planning grants.

3. Restrictions on Funding

Pursuant to the FY 2019 Appropriations Act, no more than 10 percent of the funds made available for BUILD Transportation grants (or \$90 million) may be awarded to projects in a single State. The Act also directs that not more than 50 percent of the funds provided for BUILD Transportation grants (or \$450 million) shall be used for projects located in rural areas with population equal to or less than