

document provides the public notice that on June 26, 2020, Virgin Trains USA—Florida, LLC (VTUS) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 270, System Safety Program. FRA assigned the petition Docket Number FRA–2020–0054.

VTUS requests relief from certain deadlines required under 49 CFR part 270 considering the company's temporary suspension of revenue passenger rail operations. Specifically, VTUS requests relief from the March 4, 2021, system safety program (SSP) plan filing requirement in § 270.201(a)(1). VTUS states that due to the COVID–19 public health emergency, VTUS suspended all passenger rail operations on March 26, 2020. A timeline for service restoration is currently unknown, but is not anticipated to precede the March 4, 2021, filing deadline for SSP. VTUS proposes to comply with part 270 as applicable to passenger railroads not currently in operation, and submit its SSP plan not less than 90 days before recommencing passenger operations.

Additionally, VTUS requests relief from the July 2, 2020, deadline in § 270.107(a)(3) for holding a preliminary meeting with directly affected employees. Due to the suspension of passenger rail operations on March 26, 2020, and that there are currently no directly affected employees to consult with, VTUS states that the July 2, 2020, deadline is not practicable. VTUS seeks to postpone such preliminary meeting until 120 days before recommencing passenger operations, allowing the company 30 days to incorporate comments from such meeting into its railroad consultation statement described in § 270.107(b).

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Ave. SE, W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested parties desire an opportunity for oral comment and a public hearing, they should notify FRA,

in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Website:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Ave. SE, W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Ave. SE, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by August 31, 2020 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts 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 <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy> for the privacy notice of [www.regulations.gov](http://www.regulations.gov).

Issued in Washington, DC.

**John Karl Alexy**,  
Associate Administrator for Railroad Safety,  
Chief Safety Officer.

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA–2020–0028]

#### Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on March 17, 2020, CSX petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal

railroad safety regulations contained at 49 CFR part 225, Railroad Accidents/Incidents: Reports Classification, and Investigations. FRA assigned the petition Docket Number FRA–2020–0028.

Specifically, CSX requests a waiver from 49 CFR 225.25(h), which requires, in part, that monthly listings of employee reportable injuries, occupational illnesses, and fatalities be “posted in a conspicuous location” at each establishment where a railroad reasonably expects its employees to report during a 12-month period, and that employees “have the opportunity to observe the posted list.” CSX requests that in lieu of a paper copy of the listing, to make the required information available via a web portal that allows employees access to information from computer terminals and employees’ personal electronic devices. CSX states that any employee who prefers a paper listing would have the option to request a hard copy of the listing from his or her supervisor.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Ave. SE, W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested parties desire an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Website:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Ave. SE, W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Ave. SE, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by August 31, 2020 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts 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 <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacyNotice> for the privacy notice of [www.regulations.gov](http://www.regulations.gov).

Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety,  
Chief Safety Officer.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2018-0107 Notice 1]

#### Weldon, Receipt of Petition for Decision of Inconsequential Noncompliance

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Receipt of petition.

**SUMMARY:** Weldon, a Division of Akron Brass Company, has determined that certain LED backup lamps do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 108, *Lamps, Reflective Devices, and Associated Equipment*. Weldon filed a noncompliance report dated November 7, 2018, and subsequently petitioned NHTSA on November 30, 2018, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces receipt of Weldon's petition.

**DATES:** Send comments on or before August 14, 2020.

**ADDRESSES:** Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and

notice number cited in the title of this notice and be submitted by any of the following methods:

- **Mail:** Send comments by mail addressed to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- **Hand Delivery:** Deliver comments by hand to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except for Federal holidays.
- **Electronically:** Submit comments electronically by logging onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov>. Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493-2251.

Comments must be written in the English language and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the internet at <https://www.regulations.gov> by following the online instructions for accessing the docket. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a

**Federal Register** notice published on April 11, 2000, (65 FR 19477-78).

#### SUPPLEMENTARY INFORMATION:

##### I. Overview

Weldon has determined that certain LED backup lamps do not fully comply with paragraph S14.4.1 of FMVSS No. 108, *Lamps, Reflective Devices, and Associated Equipment* (49 CFR 571.108). Weldon filed a noncompliance report dated November 7, 2018, pursuant to 49 CFR part 556, *Defect and Noncompliance Responsibility and Reports*, and subsequently petitioned NHTSA on November 30, 2018, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance*.

This notice of receipt of Weldon's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any Agency decision or other exercise of judgment concerning the merits of the petition.

##### II. Equipment Involved

Approximately 6,315 LED backup lamps manufactured between June 6, 2018, and June 25, 2018, are potentially involved.

##### III. Noncompliance

Weldon explains that the noncompliance is that the subject LED backup lamps do not meet the requirements for color as required by paragraph S14.4.1 of FMVSS No. 108. Specifically, the subject LED backup lamps, when tested in accordance with the Tristimulus Method, fell slightly outside the required boundaries for white light.

##### IV. Rule Requirements

Paragraph S14.4.1 of FMVSS No. 108 includes the requirements relevant to this petition. The color of a sample device must comply when tested by either the Visual Method or the Tristimulus Method.

##### V. Summary of Weldon's Petition

The following views and arguments presented in this section, V. Summary of Weldon's Petition, are the views and arguments provided by Weldon. They have not been evaluated by the Agency and do not reflect the views of the Agency. Weldon described the subject noncompliance and stated their belief that the noncompliance is