

to interstate commerce that conflicts with or is inconsistent with this exemption with respect to a firm or person operating under the exemption. States may, but are not required to, adopt the same exemption with respect to operations in intrastate commerce.

#### D. Termination

The exemption will be valid for five years unless rescinded earlier by FMCSA. The exemption will be rescinded if: (1) motor carriers and/or commercial motor vehicles fail to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objects of 49 U.S.C. 31136(e) and 31315.

Interested parties possessing information that would demonstrate that companies operating under this exemption are not achieving the requisite statutory level of safety should immediately notify FMCSA. Such information may be reported via email to [MCPSV@dot.gov](mailto:MCPSV@dot.gov). The Agency will evaluate any such information and, if safety is being compromised or if the continuation of the exemption is not consistent with 49 U.S.C. 31136(e) and 31315(b), will take immediate steps to revoke the exemption.

#### VI. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on Ford's application for renewal of its exemption from the requirement in 49 CFR 393.83 relating to the exhaust system location requirements for model year 2015 and later Ford-manufactured Transit-based CMVs. The exemption renewal is for 5 years.

All comments received before the close of business on the comment closing date indicated at the beginning of this notice will be considered and will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

**Robin Hutcheson,**

*Deputy Administrator.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2022-0085]

#### Agency Information Collection Activities; Renewal of an Approved Information Collection: Acknowledgement of Use of COVID-19 Emergency Declaration Relief

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

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for review and approval. This notice invites comment on the information collection titled "Acknowledgement of Use of COVID-19 Emergency Declaration Relief," which is currently approved on an emergency basis and allows FMCSA to collect information from motor carriers engaged in providing direct assistance in response to certain emergency declarations issued by the Agency to provide regulatory relief for such carriers in continued support of the Nation's coronavirus disease 2019 (COVID-19) recovery efforts. OMB approved this collection on an emergency basis and subsequently extended that emergency approval. The extension of the emergency approval expires on August 31, 2022. No comments were received in response to the 60-day **Federal Register** notice.

**DATES:** Comments on this notice must be received on or before September 19, 2022.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** William Bannister, Office of Analysis, Research and Technology, DOT, FMCSA, West Building 6th Floor, 1200 New Jersey Avenue SE, Washington, DC 20590-0001; 202-385-2388; [William.Bannister@dot.gov](mailto:William.Bannister@dot.gov).

**SUPPLEMENTARY INFORMATION:**

*Title:* Acknowledgement of use of COVID-19 Emergency Declaration Relief.

*OMB Control Number:* 2126-0074.

*Type of Request:* Renewal of an approved emergency collection.

*Respondents:* Motor carriers and drivers that operate under the terms of the extended COVID-19 Emergency Declaration No. 2020-002.

*Estimated Number of Respondents:* 477 per month.

*Estimated Time per Response:* 15 minutes per response.

*Expiration Date:* August 31, 2022.

*Frequency of Response:* Monthly.

*Estimated Total Annual Burden:* 1,431 hours.

#### Background

FMCSA issued Emergency Declaration No. 2020-002 in response to the March 13, 2020, declaration of a national emergency under 42 U.S.C. 519(b) related to the danger COVID-19 presents to public health and welfare. FMCSA modified Emergency Declaration 2020-002 to expand and remove categories of supplies, equipment, and persons covered by the Emergency Declaration to respond to changing needs for emergency relief. The modified Emergency Declaration was subsequently extended on June 15, 2020, August 15, 2020, December 1, 2020, August 31, 2021, and November 29, 2021, in accordance with 49 CFR 390.25, because the Presidentially declared emergency remained in place and because a continued exemption was needed to support direct emergency assistance for some supply chains.

In accordance with the expanded, modified Emergency Declaration No. 2020-002, motor carriers and drivers providing direct assistance in support of relief efforts related to the COVID-19 public health emergency are granted emergency relief from certain portions of 49 CFR parts 390 through 399 of the Federal Motor Carrier Safety Regulations, except as restricted in the Emergency Declaration. Direct assistance means transportation and other relief services provided by a motor carrier or its driver(s) incident to the immediate restoration of essential services (such as medical care) or essential supplies related to COVID-19 during the emergency. The notice extending the declaration provides a list of relief services and essential supplies.

Prior to September 1, 2021, neither the Emergency Declaration nor the regulations covering Emergency Declarations (found in §§ 390.23 and 390.25) required that motor carriers or drivers operating under the Emergency Declaration report their operation to

FMCSA. FMCSA determined that the unprecedented period when the expanded, modified Emergency Declaration No. 2020-002 was in place required that FMCSA seek information on the number of motor carriers and drivers relying upon the emergency declaration in order to evaluate the need for additional extensions.

The extension issued on August 31, 2021, included a requirement for motor carriers to report, on a monthly basis, their reliance on the emergency declaration during operations. FMCSA established a website where motor carriers and drivers filled out fields for their USDOT number, the number of commercial motor vehicle trips that relied upon the emergency declaration in the preceding month (using a drop-down menu), the commodities being transported (using a drop-down menu), and a follow up for those listing more than one commodity to indicate which was transported the most (using a drop-down menu). The November 29, 2021, extension continued the reporting requirement. OMB approved the reporting requirement on an emergency basis on August 30, 2021, and subsequently extended that emergency approval on February 14, 2022. That approval expires on August 31, 2022.

FMCSA refined the burden estimates to reflect the average number of monthly submissions received from September 2021 to February 2022. The carrier is reporting for the previous month, therefore October 2021 submitted reports consist of data for the month of September, and March 2022 submitted reports consist of data for the month of February.

This resulted in a decrease in the number of reports estimated to be submitted each month, as the emergency ICR request used the total number of motor vehicles as a stand-in and acknowledged that number was likely to be an overestimate.

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information.

Issued under the authority of 49 CFR 1.87.

**Thomas P. Keane,**

*Associate Administrator, Office of Research and Registration.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2021-0006-N-8]

#### Proposed Agency Information Collection Activities; Comment Request

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA seeks approval of the Information Collection Request (ICR) abstracted below. Before submitting this ICR to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities identified in the ICR.

**DATES:** Interested persons are invited to submit comments on or before October 17, 2022.

**ADDRESSES:** Written comments and recommendations for the proposed ICR should be submitted on *regulations.gov* to the docket, Docket No. FRA-2021-0006. All comments received will be posted without change to the docket, including any personal information provided. Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

**FOR FURTHER INFORMATION CONTACT:** Ms. Hodan Wells, Information Collection Clearance Officer, at email: *Hodan.Wells@dot.gov* or telephone: (202) 868-9412.

**SUPPLEMENTARY INFORMATION:** The PRA, 44 U.S.C. 3501-3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days' notice to the public to allow comment on information collection activities before seeking OMB approval of the activities. See 44 U.S.C. 3506, 3507; 5 CFR 1320.8 through 1320.12. Specifically, FRA invites interested parties to comment on the following ICR regarding: (1) whether the

information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (2) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways for FRA to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology. See 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1).

FRA believes that soliciting public comment may reduce the administrative and paperwork burdens associated with the collection of information that Federal regulations mandate. In summary, FRA reasons that comments received will advance three objectives: (1) reduce reporting burdens; (2) organize information collection requirements in a "user-friendly" format to improve the use of such information; and (3) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

The summary below describes the ICR that FRA will submit for OMB clearance as the PRA requires:

*Title:* Railroad Operating Rules.

*OMB Control Number:* 2130-0035.

*Abstract:* On July 24, 2019, FRA published in the **Federal Register** a notice of proposed rulemaking (NPRM) proposing inward- and outward-facing image recording devices be required on all lead passenger train locomotives as required by the Fixing America's Surface Transportation Act (FAST Act).<sup>1</sup>

Specifically, FRA proposed requiring passenger railroads to notate under the REMARKS section of Form F 6180-49A<sup>2</sup> (Locomotive Inspection and Repair Record) on each lead locomotive in commuter or intercity rail passenger service: (1) the presence of any image or audio recording system; and (2) the date when a locomotive image recording device has been removed from service. For convenience to the railroad industry and to avoid confusion as to the application of locomotives recording device requirements, FRA would create a new form for use by passenger railroads, Form F 6180-49AP (Passenger Locomotive Inspection and Repair Record), to record this information.

<sup>1</sup> 84 FR 35712.

<sup>2</sup> Covered under OMB Control Number 2130-0004.