

before, during, and after their probationary periods.

- How will FMCSA decide whether the SDAP should be extended, expanded, or discontinued in the final data analysis?

Response: FMCSA is restricted by the limitations in the IJA as well as the limitations in 49 CFR part 381. Therefore, the SDAP will not be extended or expanded at any point. The study may be discontinued at FMCSA's discretion at any point.

- What quantitative safety metrics, if any, will be part of the final analysis? If crashes and fatalities occur during the program, will those be made public?

Response: FMCSA will conduct analysis on all data collected, to include crashes, inspections, and safety events. All analysis will be peer reviewed and contained in a final report. Crashes and fatalities occurring during the program will be contained in the analysis but identifying information on drivers will not be made public to ensure the research is conducted in an ethical manner that protects the privacy of participating individuals.

- Will FMCSA continue gathering data from apprentices once they begin operating CMVs in interstate commerce unaccompanied by an experienced driver?

Response: FMCSA will continue gathering data from apprentices until they turn 21 years old and no longer require an exemption to operate in interstate commerce.

Title: Safe Driver Apprenticeship Pilot Program.

OMB Control Number: 2126-0075.

Type of Request: Renewal of an information collection previously approved under emergency authority.

Respondents: Motor carriers; drivers.

Estimated Number of Respondents: 14,830 total (1,600 motor carriers and 13,230 CMV drivers); 5,410 annually (1,000 carriers and 4,410 CMV drivers).

Estimated Time per Response: Application (motor carrier, apprentice driver, and experienced driver): 20 Minutes; safety benchmark certifications: 15 Minutes; monthly driving and safety data: 60 Minutes; miscellaneous data submission: 90 Minutes.

Expiration Date: July 31, 2022.

Frequency of Response: Application (motor carrier, apprentice driver, and experienced driver): Once; safety benchmark certifications: Twice for each apprentice driver; monthly driving and safety data: Monthly; miscellaneous data submissions: Monthly.

Estimated Total Annual Burden: 169,344 hours total, or 56,448 hours

annually (motor carriers: 164,934 hours total, or 54,978 hours annually, which includes a one-time application, two safety benchmark certifications for each participating apprentice, and monthly driving and safety data on all participating apprentices as well as miscellaneous data submissions; drivers: 13,797 hours total, or 4,599 hours annually which includes a one-time application for experienced and apprentice drivers).

Definitions: N/A.

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. The Agency will summarize or include your comments in the request for OMB's clearance of this ICR.

Issued under the authority of 49 CFR 1.87.

Thomas P. Keane,

Associate Administrator, Office of Research and Registration.

[FR Doc. 2022-08229 Filed 4-15-22; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2021-0016]

Agency Information Collection Activities; Notice and Request for Comment; Countermeasures That Work

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

ACTION: Notice and request for public comment on a reinstatement with modification of a previously approved collection of information.

SUMMARY: The National Highway Traffic Safety Administration (NHTSA) invites public comments about our intention to request approval from the Office of Management and Budget (OMB) for a reinstatement with modification of a previously approved collection of information. Before a Federal agency can collect certain information from the public, it must receive approval from OMB. Under procedures established by

the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatements of previously approved collections. This document describes an Information Collection Request (ICR) for which NHTSA intends to seek OMB approval to conduct a survey that will inform the development of the 12th edition of *Countermeasures That Work* and structured interviews to populate and update the 2nd edition of *Countermeasures At Work*.

DATES: Comments must be received on or before June 17, 2022.

ADDRESSES: You may submit comments identified by DOT Docket ID Number NHTSA-2021-0016 using any of the following methods:

- *Electronic submissions:* Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Docket Management Facility, M-30, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Hand Delivery:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366-9322 before coming.

- *Fax:* 1-202-493-2251.

Instructions: Each submission must include the Agency name and the Docket number for this Notice. Note that all comments received will be posted without change to <http://www.regulations.gov> including any personal information provided. Please see the Privacy Act heading below.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <https://www.transportation.gov/privacy>.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or the street address listed above. Follow the online instructions for accessing the dockets via internet.

FOR FURTHER INFORMATION CONTACT: For additional information or access to background documents, contact Kristie Johnson, Ph.D., Office of Behavioral Safety Research (NPD-310), National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE, W46-498, Washington, DC 20590. Dr. Johnson's phone number is 202-366-2755, and her email address is kristie.johnson@dot.gov.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501 *et seq.*), before an agency submits a proposed collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulations (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following: (i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (ii) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (iii) how to enhance the quality, utility, and clarity of the information to be collected; and (iv) how to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. In compliance with these requirements, NHTSA asks for public comment on the following proposed collection of information:

Title: Countermeasures That Work.

OMB Control Number: 2127-0727.

Form Numbers: NHTSA Form 1343, NHTSA Form 1344.

Type of Information Collection

Request: Reinstatement with modification of a previously approved information collection.

Type of Review Requested: Regular.

Requested Expiration Date of

Approval: 3 years from date of approval.

Summary of the Collection of Information

NHTSA is seeking approval to (1) collect user feedback on the

*Countermeasures That Work*¹ and *Countermeasures At Work* (1st edition) to be published later in early 2022) guides, and (2) collect program information from program administrators to develop countermeasure case studies for *Countermeasures At Work*.

End-User Feedback Survey

NHTSA proposes to conduct a web-based feedback survey of up to 120 users of *Countermeasures That Work* and/or *Countermeasures At Work* representing State Highway Safety Offices (SHSOs) and/or local jurisdictions, the Governors Highway Safety Association (GHSA), State Coordinators from across the United States, and other important stakeholders with the intent to reach regular users of the documents to help improve the documents. Survey topics will include how the guides are used, weaknesses/drawbacks to the current guides, perceived usefulness of the ratings, and other suggestions for improvement.

While previous feedback surveys were conducted via phone, the proposed survey would be administered using an online platform to reduce participant burden, improve data capture, and reduce coding needs. Participation by respondents would be voluntary. There are no record-keeping costs to the respondents. Responses will not be publicly reported, but NHTSA will internally use the aggregated information to revise and improve the *Countermeasures That Work* and *Countermeasures At Work* guides. Specifically, feedback will be used to determine which aspects of the guides should be improved and if there are features or topics that the guides do not currently have that they would like to have included.

Structured Interviews

NHTSA also proposes to conduct up to 60 structured in-person or phone interviews with representatives from jurisdictions that currently administer effective countermeasures. The respondents for the interviews will be selected based on their job position, knowledge of domain, management of effective countermeasure implementations as noted in the literature, and recommendation from NHTSA or GHSA subject matter experts

¹ Venkatraman, V., Richard, C.M., Magee, K., & Johnson, K. (2021, July). *Countermeasures that work: A highway safety countermeasure guide for State Highway Safety Offices, 10th edition* (Report No. DOT HS 813 097). National Highway Traffic Safety Administration. www.nhtsa.gov/sites/nhtsa.gov/files/2021-09/15100_Countermeasures10th_080621_v5_tag.pdf.

with the intent to reach program administrators of effective countermeasures with the goal of populating and enriching countermeasure descriptions. The findings of interviews conducted for *Countermeasures At Work* will be reported separately for each individual locality so that the reader can get an idea about the size and type of the featured locality and issues specific to that locality. The *Countermeasures At Work* guide will include general contact information about the locality (*i.e.*, State DOT or SHSO office) or the contact information of key individuals (if permission is granted by the interview participant), so that readers of the document can follow-up, if desired, with the locality to obtain more information about the countermeasure.

The *Countermeasures That Work* and *Countermeasures At Work* reports will be shared with SHSOs, local governments, and those who develop traffic safety programs that aim to change behaviors with the goal of reducing crashes and the resulting injuries and fatalities.

Description of the Need for the Information and Proposed Use of the Information

NHTSA was established by the Highway Safety Act of 1970 and its mission is to reduce deaths, injuries, and economic losses resulting from motor vehicle crashes on the Nation's highways. To further this mission, NHTSA is authorized to conduct research for the development of traffic safety programs. Title 23, United States Code, Section 403 authorizes the Secretary of Transportation (NHTSA by delegation) to use funds appropriated to conduct research and development activities, including demonstration projects and the collection and analysis of highway and motor vehicle safety data and related information, with respect to (a) all aspects of highway and traffic safety systems and conditions relating to vehicle, highway, driver, passenger, motorcyclist, bicyclist, and pedestrian characteristics; accident causation and investigations; and (b) human behavioral factors and their effect on highway and traffic safety.

In 2019, 36,096 people were killed in motor vehicle traffic crashes on U.S. roadways.² While the number of people killed has increased slightly since the U.S. hit its lowest number of fatalities

² National Center for Statistics and Analysis. (2020, December). *Overview of motor vehicle crashes in 2019* (Traffic Safety Facts Research Note. Report No. DOT HS 813 060). National Highway Traffic Safety Administration. <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813060>.

in 2014, over the past 40 years there has been a general downward trend. Effective behavioral safety countermeasures such as those described in *Countermeasures That Work* and detailed in the upcoming *Countermeasures At Work* have contributed to these reductions. This project addresses the issue of providing information to traffic safety professionals about countermeasures that have been demonstrated to be effective in addressing certain traffic safety problems.

The public health approach to traffic safety which establishes injuries and fatalities as preventable has resulted in a mix of countermeasures, and the choices among them are driven by research on their effectiveness. Generally, this approach includes some combination of countermeasures aimed at improving safety in terms of improved vehicles, education, improved roads, enhanced road user perception, and behavior and better enforcement of traffic safety laws.

In 2005, the Governors Highway Safety Association and the National Highway Traffic Safety Administration developed a guide, *Countermeasures That Work*, for the State Highway Safety Offices that provides a basic reference to assist in selecting effective, evidence-based countermeasures to address traffic safety problem areas. Given that SHSO's and other State practitioners responsible for implementing these countermeasures use *Countermeasures That Work* as an aid to make decisions, it is important to solicit their opinions about the document and its content. Specifically, it is important to know which aspects of the guide should be improved and if there are features or topics that the guide does not currently have that they would like to have included. The *Countermeasures At Work* guide expands on the most effective countermeasures contained in the *Countermeasures That Work* guide by providing real world examples and details on localities where specific countermeasures were put into place. The descriptions of the effective countermeasures include details about locality size, implementation issues, cost, stakeholders involved, challenges, evaluation, and outcomes to help officials determine which countermeasures may be effective in their own jurisdictions.

Per Section 1300.11 of the Uniform Procedures for State Highway Safety Grant Programs, each fiscal year, as part of the highway safety planning process for a State's Highway Safety Plan, a list of information and data sources consulted must be included in the plan.

Countermeasures That Work is commonly referenced as a consulted source.

The data from this proposed information collection will provide NHTSA with information that will guide updates to the *Countermeasures That Work* and *Countermeasures At Work* documents. Data collected from the survey and structured interviews will be used primarily to (1) update the content, format, and structure of information provided in *Countermeasures That Work* and *Countermeasures At Work*, and (2) identify the localities/implementation of countermeasures that should be presented as case studies in *Countermeasures At Work*.

Frequency of Collection: This study is part a biennial update of effective countermeasures. Each of the surveys will be collected one time during the three-year period for which NHTSA is requesting approval. The last survey of stakeholders was in 2020.

Affected Public: Participants will be U.S. adults (18 years old and older) who are members of State Highway Safety Offices (SHSOs) and/or local jurisdictions, the Governors Highway Safety Association (GHSA), State Coordinators from across the United States, or other important stakeholders. Businesses are ineligible for the survey and would not be interviewed.

Estimated Number of Respondents: 180.

Participation in the end user feedback survey will be voluntary with up to 120 participants surveyed from SHSOs and/or local jurisdictions, GHSA, State Coordinators from across the United States, and other important stakeholders. In addition, up to 60 participants will be interviewed about effective countermeasure programs based on their job position, knowledge of domain, management of effective countermeasure implementations as noted in the literature, and recommendation from NHTSA regional specialists or GHSA Office subject matter experts.

Estimated Total Annual Burden Hours: 129.

End User Feedback Survey

NHTSA estimates the total burden of this information collection by estimating the burden to those who NHTSA contacts who do not respond and those who are contacted and participate. The estimated time to contact 120 potential participants for the end user feedback survey is one minute per person to read the invitation email. For recruited participants, it is estimated that the survey will take thirty

minutes to complete. For recruited participants, participation is estimated to take thirty-one minutes which includes time to read the email invitation (survey introduction) and complete the survey. While up to three email invites (or waves) are included in this estimate, potential respondents would be comprised of a sample hand-selected by the research team thus potentially reducing the number of subsequent contacts as well as the number of non-responders.

Structured Interviews

NHTSA estimates the total burden of this information collection by estimating the burden to those who NHTSA contacts who do not respond and those who are contacted and participate. The estimated time to contact 60 potential traffic safety representative participants for the structured countermeasure program interviews is two minutes per person to read the invitation email. For recruited participants, participation is estimated to take ninety-two minutes per person. The ninety-two minutes estimate includes time to read the email invitation (interview introduction), schedule an interview time, and complete the interview. Again, while up to four email invites are included in this estimate, potential respondents would be comprised of a sample hand-selected by the research team thus potentially reducing the number of subsequent contacts as well as the number of non-responders.

Total Burden Hours for the End User Feedback Survey and the Structured Interviews

The total estimated burden for contacting 120 traffic safety representatives for the end user feedback survey, if 75% of solicited participants respond, is approximately 50 hours, rounded up ((assuming 90 completed surveys out of 120 contacted potential participants: 45 hours for completed surveys (90 survey participants \times 30 minutes to complete the survey) + ~4.5 hours for reading invitations ((Wave 1–120 contacts \times 1 minute) + (Wave 2–90 contacts \times 1 minute) + (Wave 3–60 contacts \times 1 minute))). The total estimated burden for contacting 60 traffic safety representatives for the program case study structured interviews, if 75% of solicited participants respond, is approximately 79 hours, rounded up each wave ((assuming 48 completed interviews out of 60 contacted potential participants: 72 hours (48 completed interviews \times 90 minutes for each interview) + ~5.6 hours ((Wave 1–60

contacts × 2 minutes) + (Wave 2–48 contacts × 2 minutes) + (Wave 3–36 contacts × 2 minutes) + (Wave 4–24

contacts × 2 minutes))). Overall, the total estimated burden for the feedback surveys and program case study

interviews is 129 hours. This information is presented in the tables below.

TABLE 1—ESTIMATED TOTAL BURDEN FOR END USER FEEDBACK SURVEY

Wave	Number of contacts	Participant type	Estimated time burden per participant (in minutes)	Frequency of burden	Number of participants	Burden hours *	Burden hours per wave *	Average annual total burden
Wave 1 (Initial Email Invitation—NHTSA Form 1343R).	120	Contacted potential participant (read email).	1	1	120	2	17	
		Recruited participant (completed survey).	30	1	30	15		
Wave 2 (Reminder Email #1—NHTSA Form 1343R).	90	Contacted potential participant (read email).	1	1	90	2	17	
		Recruited participant (completed survey).	30	1	30	15		
Wave 3 (Reminder Email #2—NHTSA Form 1343R).	60	Contacted potential participant (read email).	1	1	60	1	16	
		Recruited participant (completed survey).	30	1	30	15		
Total							50	16.67

* Rounded up to the nearest hour.

TABLE 2—ESTIMATED TOTAL BURDEN FOR STRUCTURED INTERVIEWS

Wave	Number of contacts	Participant type	Estimated time burden per participant (in minutes)	Frequency of burden	Number of participants	Burden hours *	Burden hours per wave *	Average annual total burden
Wave 1 (Initial Email Invitation—NHTSA Form 1344R).	60	Contacted potential participant (read email).	2	1	60	2	20	
		Recruited participant (completed interview).	90	1	12	18		
Wave 2 (Reminder Email #1—NHTSA Form 1344R).	48	Contacted potential participant (read email).	2	1	48	2	20	
		Recruited participant (completed interview).	90	1	12	18		
Wave 3 (Reminder Email #2—NHTSA Form 1344R).	36	Contacted potential participant (read email).	2	1	36	2	20	
		Recruited participant (completed interview).	90	1	12	18		
Wave 4 (Reminder Email #3—NHTSA Form 1344R).	24	Contacted potential participant (read email).	2	1	24	1	19	
		Recruited participant (completed interview).	90	1	12	18		
Total							79	26.33

* Rounded up to the nearest hour.

TABLE 3—OVERALL ESTIMATED TOTAL BURDEN

Information collection component	Frequency	Number of respondents per assessment	Burden hours per collection	Average annual total (hours)
End User Feedback Survey	1	120	50	16.67
Structured Interviews	1	60	79	26.33
Total		180	129	43

Estimated Total Annual Burden Cost: Participation in this study is voluntary, and there are no costs to respondents beyond the time spent completing the end user feedback survey or structured interviews.

Public Comments Invited: You are asked to comment on any aspects of this information collection, including (i) whether the proposed collection of information is necessary for the proper performance of the functions of the

Department, including whether the information will have practical utility; (ii) the accuracy of the Department’s estimate of the burden of the proposed information collection; (iii) ways to enhance the quality, utility and clarity

of the information to be collected; and (iv) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; 49 CFR 1.49; and DOT Order 1351.29.

Nanda Narayanan Srinivasan,
Associate Administrator, Research and Program Development.

[FR Doc. 2022-08151 Filed 4-15-22; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2020-0033; Notice 2]

Mack Trucks Inc., Grant of Petition for Decision of Inconsequential Noncompliance

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

ACTION: Grant of petition.

SUMMARY: Mack Trucks Inc. (Mack Trucks) has determined that certain model year (MY) 2016–2020 Mack heavy duty motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 101, *Controls and Displays*. Mack Trucks filed a noncompliance report dated October 9, 2019, and later amended the report on May 29, 2020. Mack Trucks subsequently petitioned NHTSA for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety on November 2, 2019, and later amended this petition on May 29, 2020, and July 9, 2020. This notice announces the grant of Mack Trucks' petition as amended.

FOR FURTHER INFORMATION CONTACT: Neil Dold, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), (202) 366-7352, Neil.Dold@dot.gov.

SUPPLEMENTARY INFORMATION:

I. Overview

Mack Trucks determined that certain MY 2016–2020 Mack heavy duty motor vehicles do not fully comply with the requirements of paragraph S5.2.1 of FMVSS No. 101, *Controls and Displays* (49 CFR 571.101). Mack Trucks filed a noncompliance report dated October 9, 2019, and later amended the report on May 29, 2020, pursuant to 49 CFR part 573, *Defect and Noncompliance*

Responsibility and Reports. Mack Trucks subsequently petitioned NHTSA on November 2, 2019, and later amended the petition on May 29, 2020, and July 9, 2020, 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*.

Notice of receipt of Mack Trucks' petition was published with a 30-day public comment period, on September 18, 2020 in the **Federal Register** (85 FR 58423). One comment was received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Then follow the online search instructions to locate docket number "NHTSA-2020-0033."

II. Vehicles Involved

Approximately 47,742 MY 2019–2020 Anthem, Pinnacle, and Granite model vehicles and MY 2016–2020 LR model vehicles manufactured between July 12, 2015, and October 3, 2019, are potentially involved.

III. Noncompliance

Mack Trucks explains that the noncompliance is that the subject vehicles are equipped with certain controls that are not properly labeled with the appropriate symbols or words as required by paragraph S5.2.1, Table 1 of FMVSS No. 101. Specifically, in the Anthem, Pinnacle, Granite, and LR vehicles there is no identifier for the heating and air conditioning fan control and the incorrect identifier was used for the position side marker control. In the LR vehicles the master lighting switch control is not identified with the required symbol.

IV. Rule Requirements

Paragraph S5.2.1 of FMVSS No. 101 includes the requirements relevant to this petition. Except for the Low Tire Pressure Telltale, each control, telltale, and indicator that is listed in column 1 of Table 1 or Table 2 must be identified by the symbol specified for it in column 2 or the word or abbreviation specified for it in column 3 of Table 1 or Table 2.

V. Summary of Mack Trucks' Petition

The following views and arguments presented in this section, "V. Summary of Mack Trucks' Petition," are the views and arguments provided by Mack Trucks and do not reflect the views of

the Agency. Mack Trucks describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, Mack Trucks offers the following reasoning:

1. For the heating and air conditioning fan control, the requirement specified that the control must be labeled with the fan symbol or the word "fan." The required symbol or the word "fan" is not on the control. The rotary control has numbers 0 to 4 and is located on the HVAC panel; therefore, it is obvious to the driver that the control is for the fan speed. The owner's manual shows the control and informs that the control is the fan speed. Operation of the vehicles requires a Commercial Driver's License (CDL); therefore, the driver will be a licensed professional driver.

2. For the position side marker, end-outline marker, or identification or clearance lamps control, the control must be labeled with the required symbol or the words "Marker Lamps" or "MK Lps." The control uses a different symbol to identify the marker. The rotary control has a symbol that indicates that the position is for the parking lights. The position in the sequence makes it discernible to the driver. The owner's manual shows the control and informs that the pictured symbol is for the marker lamps. Operation of the vehicle requires a CDL; therefore, the driver will be a licensed professional.

3. For the Master Lighting Control, the control must be labeled with the identified symbol or the word "lights." The control is not identified with the symbol or the word. The control is a three-position toggle switch and includes the low beam headlight symbol and the parking light symbol and, therefore, is discernible to the driver. The owner's manual includes information on the control and its purpose. Operation of the vehicles requires a CDL; therefore, the driver will be a licensed professional driver.

4. Mack Trucks views these noncompliances as inconsequential to the safe operation of the vehicle. Mack Trucks states that there are no customer complaints, field reports, warranty claims, or accidents associated with these noncompliances.

5. Class 7 & 8 vehicles require that the driver have CDL to operate the vehicle.

Mack Trucks concludes by again contending that the subject noncompliance is inconsequential as it relates to motor vehicle safety and that its petition 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.

Mack Trucks' complete petition and all supporting documents are available by logging onto the Federal Docket Management System (FDMS) website at: <https://www.regulations.gov> and by following the online search instructions to locate the docket number as listed in the title of this notice.