

Issued in Washington, DC.

**James Hatt,**

*Space Policy Division Manager, Office of Commercial Space Transportation.*

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

[Docket No. FHWA 2022-0024]

#### Agency Information Collection

#### Activities: Notice of Request for New Information Collection

**AGENCY:** Federal Highway Administration (FHWA), DOT.

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

**SUMMARY:** The FHWA invites public comments about our intention to request the Office of Management and Budget's (OMB) approval to submit one information collection, which is summarized below under

**SUPPLEMENTARY INFORMATION.** We published a **Federal Register** Notice with a 60-day public comment period on this information collection on June 17, 2022. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

**DATES:** Please submit comments by October 26, 2022.

**ADDRESSES:** You may submit comments within 30 days to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503, Attention DOT Desk Officer. You are asked to comment on any aspect of this information collection. All comments should include the Docket number FHWA-2022-0024.

#### SUPPLEMENTARY INFORMATION:

*Title:* Transportation Pooled Fund Excellence Award.

*OMB Control Number:* (if applicable).

*Summary:*

*Respondents:* Any participant in the Transportation Pooled Fund (TPF) program can submit a nomination of a TPF study for the TPF Excellence Award, including staff from the 50 States, the District of Columbia, and Puerto Rico.

*Background:* FHWA is partnering with the American Association of State Highway and Transportation Officials (AASHTO) Research Advisory Committee (RAC) to further promote research, innovation, and excellence through a new TPF Program Excellence Award.

For more than 45 years, the FHWA's TPF Program has enabled public and

private entities to collaboratively conduct cutting-edge transportation research. Through the TPF Program, participants are able to pool funds and expertise to develop innovative solutions at a lower cost while extending the reach and impact of their research.

The TPF Excellence Award will recognize outstanding TPF studies that have made significant advancements in national research efforts in the areas of safety, economic growth, equity, and/or transformative climate solutions. The future award will highlight the importance of meaningful collaboration and partnership in transportation research. Administered through a partnership between FHWA and the AASHTO RAC, the biennial TPF Excellence Award will recognize one FHWA-led TPF study and one State department of transportation (DOT)-led study. Nominations would be received between February 1 and May 1 every 2 yr. Nomination forms would be sent to FHWA Division Offices and State DOTs to solicit nominees.

*Award:* Any participant in the TPF program can nominate a TPF study that is completed and has posted a final report by June 30 of the year submitted. The nominator is responsible for completing the nomination form that summarizes the outstanding accomplishments of the entry. FHWA will use the collected information to evaluate, showcase, and enhance the public's knowledge of research and innovation conducted through these TPF projects. Nominations will be reviewed by an independent panel of judges from various backgrounds. The awards will be given every 2 yr. The winners will be presented awards at the completion of the process.

*Frequency:* The information will be collected biennially.

*Estimated Average Burden per Response:* 5 h per respondent per application.

*Estimated Total Annual Burden*

*Hours:* It is expected that the respondents will complete approximately 20 applications for an estimated total of 100 annual burden hours.

*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 FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing

the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

#### FOR FURTHER INFORMATION CONTACT:

Patricia Sergeson, 202-493-3166, Department of Transportation, Federal Highway Administration, Office of Corporate Research, Technology and Innovation Management, Turner-Fairbank Highway Research Center, 6300 Georgetown Pike, McLean, VA 22101. Office hours are from 8 a.m. to 5:30 p.m., Monday through Friday, except Federal holidays.

*Public Comments Invited:* You are asked to comment on any aspect of these information collections, including: (1) Whether the proposed collections are necessary for the FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burdens could be minimized, including use of electronic technology, without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of these information collections.

*Authority:* The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Issued On: September 21, 2022.

**Michael Howell,**

*Information Collection Officer.*

[FR Doc. 2022-20772 Filed 9-23-22; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2022-0041; Notice 1]

#### General Motors, LLC, Receipt of Petition for Decision of Inconsequential Noncompliance

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

**ACTION:** Receipt of petition.

**SUMMARY:** General Motors, LLC (GM), has determined that certain model year (MY) 2018-2020 Chevrolet Suburban and Tahoe motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 108, *Lamps, Reflective Devices, and Associated Equipment*. GM filed an original noncompliance report dated March 31, 2022. GM subsequently

petitioned NHTSA on April 22, 2022, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces receipt of GM's petition.

**DATES:** Send comments on or before October 26, 2022.

**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 may 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](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 dockets. 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).

**FOR FURTHER INFORMATION CONTACT:**

Leroy Angeles, General Engineer, NHTSA, Office of Vehicle Safety Compliance, (202) 366-5304.

**SUPPLEMENTARY INFORMATION:**

*I. Overview:* GM determined that certain MY 2018–2020 Chevrolet Suburban and Tahoe motor vehicles do not fully comply with paragraph S6.5.2 of FMVSS No. 108, *Lamps, Reflective Devices, and Associated Equipment*. (49 CFR 571.108).

GM filed an original noncompliance report dated March 31, 2022, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. GM petitioned NHTSA on April 22, 2022, 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 GM's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or another exercise of judgment concerning the merits of the petition.

*II. Vehicles Involved:* Approximately 329,344 MY 2018–2020 Chevrolet Suburban and Tahoe motor vehicles manufactured between May 22, 2017, and April 8, 2020, are potentially involved:

*III. Noncompliance:* GM explains that the headlamp lens equipped in the subject vehicles does not fully comply with the marking requirements as stated in paragraph S6.5.2 of FMVSS No. 108. Specifically, the headlamp lens' in the subject vehicles are not marked "DRL" to indicate that there is a daytime running lamp (DRL) function in the headlamp assembly that is not optically combined with a headlamp function.

*IV. Rule Requirements:* Paragraph S6.5.2 of FMVSS No. 108 includes the requirements relevant to this petition. FMVSS No 108, 6.5.2 requires each

original equipment and replacement lamp used as a DRL, unless optically combined with a headlamp, to be permanently marked "DRL" on its lens in letters not less than 3 mm high.

*V. Summary of GM's Petition:* The following views and arguments presented in this section, "V. Summary of GM's Petition," are the views and arguments provided by GM. They have not been evaluated by the Agency and do not reflect the views of the Agency. GM describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

GM explains that the missing DRL marking on the headlamp lens is the result of a supplier error that occurred in the course of the change of the design of the DRL. GM says that the DRLs meet all of the performance requirements given in FMVSS No. 108 and other than the missing DRL marking, the subject headlamp assemblies comply with all marking requirements as stated in FMVSS No. 108.

GM details the history and purpose of the DRL marking to support its belief that the subject noncompliance does not affect vehicle safety. GM says that before the DRL marking requirement was added to FMVSS No. 108, the laws on vehicle lighting varied between states and that while no state laws directly prohibited the use of DRLs some of those laws did have the incidental effect of prohibiting the use of DRLs. In 1993, NHTSA published the final rule updating FMVSS No. 108<sup>1</sup> to allow DRLs to be installed as optional lighting equipment. GM says that NHTSA added the "DRL" marking provision as an accommodation to states because NHTSA recognized that any update to DRL performance requirements would preempt the laws of those states which had effectively precluded the use of DRLs. GM states that the DRL marking requirement allowed the local authorities to distinguish between illegal vehicle lamps and lighting combinations and legal lamps that had been certified as meeting the DRL performance requirements. Therefore, GM believes that the DRL marking requirement was never intended to have any effect on the operation or function of the DRLs; and, accordingly, the absence of the marking does not have an impact on motor vehicle safety.

GM acknowledges that local authorities needed to distinguish between permitted and illegal vehicle headlighting was a relevant concern in

<sup>1</sup> See Federal Motor Vehicle Safety Standards Lamps, Reflective Devices, and Associated Equipment, 58 FR 3500 (January 11, 1993).

the early 1990s but GM believes the DRL marking requirement no longer holds the same significance because of the increased prevalence of DRLs being installed in vehicles as standard equipment.

GM says that it has not received any complaints, reports, or claims as a result of the subject noncompliance. GM also states that it has not found any reports from consumers complaining that their vehicles did not pass a state inspection or that drivers have been cited by local law enforcement because the ‘DRL’ marking was not present.

Furthermore, GM says that the MY 2018–2020 Chevrolet Tahoe and Suburban motor vehicles without the DRL marking are also offered for sale in Canada, where the DRL marking is not a requirement. GM says that because the DRL marking is not required by the Canadian Motor Vehicle Safety Standards, this supports their belief that “the marking requirement is an artifact of the piecemeal approach to vehicle lighting regulation in the United States that existed decades ago and has no bearing on motor vehicle safety or the performance of the headlamp system.”

GM believes that NHTSA’s analysis of certain petitions for inconsequential noncompliance support granting the subject petition. According to GM, for inconsequential petitions submitted by OSRAM SYLVANIA Products, Inc.,<sup>2</sup> and General Motors, LLC,<sup>3</sup> NHTSA has previously granted these where, like in this petition, the only compliance related issue is that the light source does not meet the associated marking requirement. Specifically, GM noted that the key point in the analysis of both those petitions was that NHTSA determined that inadvertently installing a lamp by following the marking on the light source would not create an enhanced safety risk because the two light sources were interchangeable. Furthermore, GM claims that since the DRL is a non-replaceable lamp within the headlamp assembly, the whole headlamp assembly will need to be replaced. Thus, the “DRL” marking does not and was never intended to communicate any information related to its replacement and does not provide any information to the consumer on the compatible types of replacement light sources. GM cites a petition submitted

by Volkswagen Group of America, Inc.,<sup>4</sup> to be similar to the subject petition where GM says NHTSA found that because consumers and other entities would identify replacement lamps through other means and would in no way rely upon the missing voltage marking, the noncompliance posed little if any risk to motor vehicle safety.

In a denial of a petition submitted by Great Dane, LLC,<sup>5</sup> GM says NHTSA reasoned that the absence of a certification label reduces the safety effectiveness of certain items of motor vehicle equipment, the same considerations do not apply to the subject noncompliance. GM claims that in contrast to the Grant Dane petition, the “DRL” marking serves a fundamentally different purpose in that consumers do not inspect the headlamp lens for the presence of the mark and the mark does not communicate any details about the performance. GM goes on to refer to a petition NHTSA granted that was submitted by Porsche Cars North America, Inc.,<sup>6</sup> where tires did not include the “DOT” certification mark. In this case, GM states NHTSA determined that the noncompliance was inconsequential because the affected tires complied with the relevant FMVSSs and contained a vehicle certification label.

GM concludes by stating its belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety and 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.

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 GM 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 GM 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. 2022–20749 Filed 9–23–22; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. DOT–OST–2022–0102]

### Use of Inland Ports for Storage and Transfer of Cargo Containers

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

**SUMMARY:** This notice requests comments and information from representatives from across the supply chain, as well as the general public, pertaining to the feasibility of, and strategies for, identifying Federal and non-Federal sites for storage and transfer of cargo containers, to assist the Department of Transportation in preparing the report required by Section 24 of the Ocean Shipping Reform Act (OSRA), which was signed into law on June 16, 2022.

**DATES:** Comments must be received on or before October 26, 2022. DOT will consider comments filed after this date to the extent practicable.

**ADDRESSES:** You may submit comments identified by Docket Number DOT–OST–2022–0102 by any of the following methods:

- **Electronic Submission:** Go to <http://www.regulations.gov>. Search by using the docket number (provided above). Follow the instructions for submitting comments on the electronic docket site.

- **Mail:** Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor (W12–140), Washington, DC 20590–0001.

- **Hand Delivery:** W12–140 of the Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

**Instructions:** All submissions must include the agency name and docket numbers.

**Note:** All comments received, including any personal information, will be posted

<sup>2</sup> OSRAM SYLVANIA Products, Inc., Grant of Petition for Decision of Inconsequential Noncompliance, 78 FR 22943 (April 17, 2003).

<sup>3</sup> General Motors, LLC, Grant of Petition for Decision of Inconsequential Noncompliance, 82 FR 5644 (January 18, 2017).

<sup>4</sup> Volkswagen Group of America, Inc., Grant of Petition for Decision of Inconsequential Noncompliance, 82 FR 26733 (June 8, 2017).

<sup>5</sup> Great Dane, LLC, Denial of Petition for Decision of Inconsequential Noncompliance, 87 FR 23018 (April 18, 2022).

<sup>6</sup> Porsche Cars North America, Inc., Grant of Petition for Decision of Inconsequential Noncompliance, 86 FR 184 (January 4, 2021).