

incentivize students to retest, instead of giving up because they could not complete the testing protocol in a precise order. We believe this could be a valuable step in reducing the driver shortage and welcoming new qualified drivers into the commercial driving industry.”

#### V. FMCSA Safety Analysis and Decision

FMCSA reviewed the FLHSMV application and the public comments and denies the exemption request. The Agency believes that conducting the elements of the CDL skills test in the required order (*i.e.*, pre-trip inspection, vehicle control skills test, on-road skills test) is the best practice for the safety of the CDL applicant, the examiner, and any motorists who must share the public roadway with the CDL applicant during the on-road portion of the CDL skills test. The current regulations provide flexibility for retesting, depending on when the failure in the three-part CDL skills test happens. If the CDL applicant fails step 1, the pre-trip inspection, the test ends, and the candidate must come back to take the entire test. If the candidate passes step 1, the pre-trip inspection, but fails step 2, the basic vehicle control portion, the test ends, and the candidate must come back to repeat step 2, the basic vehicle control, and take step 3, the on-the-road portion. Finally, if the candidate passes steps 1 and 2, but fails step 3, the on-the-road portion, the candidate must return to repeat step 3.

The sequence of the skills test ensures that an applicant has demonstrated sufficient knowledge and skills to safely attempt the next step in the testing process. The current regulations also provide flexibility, in that generally, applicants are not required to retake portions of the test which have been successfully completed. Moreover, with the implementation of the Federal Entry-Level Driver Training (ELDT) requirements, the Agency believes SDLAs should see a reduction in the percentage of applicants who fail portions of the CDL skills test.

For the above reasons, FLHSMV's exemption application is denied.

**Sue Lawless,**

*Acting Deputy Administrator.*

[FR Doc. 2024-08335 Filed 4-17-24; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Federal-State Partnership for Intercity Passenger Rail Program; Northeast Corridor Project Inventory

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

**ACTION:** Notice of availability of the Northeast Corridor Project Inventory.

**SUMMARY:** FRA is publishing the 2024 Northeast Corridor (NEC) Project Inventory (2024 NEC Project Inventory), which is a requirement of the Federal-State Partnership for Intercity Passenger Rail Program for projects on the Northeast Corridor (FSP-NEC). FRA was required to publish the NEC Project Inventory not later than one year after the enactment of the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law (BIL), and every two years thereafter.

**DATES:** Applicable April 18, 2024.

**ADDRESSES:** The NEC Project Inventory can be found at: <https://railroads.dot.gov/elibrary/nec-inventory>.

**FOR FURTHER INFORMATION CONTACT:** For additional information, please contact Bryan Rodda, Chief, Amtrak and Northeast Corridor Capital Planning Division at email: [Bryan.Rodda@dot.gov](mailto:Bryan.Rodda@dot.gov) or telephone: (202) 493-0443, or Lauren Magnotto, Transportation Industry Analyst, Amtrak and Northeast Corridor Capital Planning Division at email: [Lauren.Magnotto@dot.gov](mailto:Lauren.Magnotto@dot.gov) or telephone: (202) 853-4859.

**SUPPLEMENTARY INFORMATION:** The FSP was reauthorized and revised in the BIL, title II, U.S.C. 22106 and 22307, Public Law 117-58 (2021); codified at 49 U.S.C. 24911. Under the FSP, the Secretary of Transportation (Secretary) is directed to develop and implement a program for issuing grants, on a competitive basis, to fund projects that reduce the state of good repair backlog, improve performance, or expand or establish new intercity passenger rail service, including privately operated intercity passenger rail service if an eligible applicant is involved. The FSP also requires the Secretary to, among other things, develop and publish an NEC Project Inventory to: (1) create a predictable project pipeline that will assist Amtrak, States, and the public with long-term capital planning, and (2) use the NEC Project Inventory when selecting projects located on the NEC for FSP funds. 49 U.S.C. 24911.

In compliance with the above, FRA is publishing the 2024 NEC Project Inventory, which will be available on

April 18, 2024, at: <https://railroads.dot.gov/elibrary/nec-inventory>. The 2024 NEC Project Inventory supersedes the prior November 2022 publication. Subsequently, FRA will publish an FSP Notice of Funding Opportunity (NOFO) soliciting applications for NEC Projects listed on the 2024 NEC Project Inventory. FRA will then evaluate applications and select projects consistent with the NOFO.

Issued in Washington, DC.

**Paul Nissenbaum,**

*Associate Administrator and Chief Development Officer, Office of Railroad Development.*

[FR Doc. 2024-08326 Filed 4-17-24; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2021-0065; Notice 1]

#### Goodyear Tire & Rubber Company, Formerly Cooper Tire & Rubber Company, Receipt of Petition for Decision of Inconsequential Noncompliance

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

**ACTION:** Receipt of petition.

**SUMMARY:** Goodyear Tire & Rubber Company (Goodyear), who acquired Cooper Tire & Rubber Company (Cooper Tire), has determined that certain Cooper Discoverer SRX replacement passenger car tires do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Radial Tires for Light Vehicles*. Cooper Tire filed a noncompliance report dated August 19, 2021, and amended it on August 24, 2021. Additionally, Goodyear petitioned NHTSA on August 20, 2021, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces receipt of Goodyear's petition.

**DATES:** Send comments on or before May 20, 2024.

**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 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).

**FOR FURTHER INFORMATION CONTACT:** Jayton Lindley, General Engineer, NHTSA, Office of Vehicle Safety

Compliance, (325) 655-0547, [jayton.lindley@dot.gov](mailto:jayton.lindley@dot.gov).

**SUPPLEMENTARY INFORMATION:**

*I. Overview:* Goodyear has determined that certain Cooper Discoverer SRX passenger car tires do not fully comply with the requirements of paragraph S5.5.1(b) of FMVSS No. 139, *New Pneumatic Radial Tires for Light Vehicles* (49 CFR 571.139). Cooper Tire filed a noncompliance report dated August 19, 2021, and amended it on August 24, 2021, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. Goodyear additionally petitioned NHTSA on August 20, 2021, 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 Goodyear'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. Tires Involved:* Approximately 730 Cooper Discoverer SRX, size 255/55R20 110H XL, replacement passenger car tires, manufactured between March 28, 2021, and April 24, 2021, are potentially involved.

*III. Noncompliance:* Goodyear explains that the noncompliance is that the Tire Information Number (TIN) on the subject tires exceeds the number of characters allowed and therefore, does not fully comply with part 574.5(g)(3), as required by S5.5.1 of FMVSS No. 139. Specifically, the 4-symbol curing press ID (C13R) was transposed with the 4-symbol numeric date code resulting in a TIN that appears to contain 15 characters, thus containing three more characters than permitted in 49 CFR 574.5 for TINs that utilize the two-symbol plant code.

*IV. Rule Requirements:* Section 49 CFR 574.5(a) and paragraph S5.5.1(b) of FMVSS No. 139 include the requirements relevant to this petition.

- For tires manufactured on or after September 1, 2009, each tire must be labeled with the tire identification number required by 49 CFR part 574 on the intended outboard sidewall of the tire.

- Except for retreaded tires, if a tire does not have an intended outboard sidewall, the tire must be labeled with the tire identification number required by 49 CFR part 574 on one sidewall and with either the tire identification

number or a partial tire identification number, containing all characters in the tire identification number except for the date code and, at the discretion of the manufacturer, any optional code, on the other sidewall.

*V. Summary of Goodyear's Petition:*

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

In support of its petition, Goodyear submits the following reasoning:

According to Goodyear, the subject tires "meet or exceed" the applicable FMVSS performance requirements and the noncompliance does not affect "the performance of the tires or the safe operation of the vehicles on which they are installed."

Additionally, in the event of a field action, the noncompliant TIN marking could be included in the notification letter sent to the consumer.

Goodyear cites the following previously granted inconsequentiality petitions which it says pertain to noncompliances that are similar to the subject noncompliance:

- Bridgestone Firestone North America Tire, LLC, Grant of Petition for Decision of Inconsequential Noncompliance; 71 FR 4396 (January 26, 2006).

- Cooper Tire & Rubber Company; Grant of Application for Decision of Inconsequential Noncompliance; 63 FR 29060, (May 27, 1998).

Goodyear concludes 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.

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 tires that Goodyear no longer controlled at the time it determined that the noncompliance existed. However,

any decision on this petition does not relieve equipment distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant tires under their control after Goodyear 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. 2024-08275 Filed 4-17-24; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2021-0073; Notice 1]

#### Continental Tire the Americas, 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:** Continental Tire the Americas, LLC (“CTA”), has determined that certain Continental VanContact A/S tires do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Radial Tires for Light Vehicles*. CTA filed an original noncompliance report dated September 10, 2021, and subsequently petitioned NHTSA on September 30, 2021, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces receipt of CTA’s petition.

**DATES:** Send comments on or before May 20, 2024.

**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 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](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).

**FOR FURTHER INFORMATION CONTACT:** Jayton Lindley, General Engineer, NHTSA, Office of Vehicle Safety Compliance, (325) 655-0547.

**SUPPLEMENTARY INFORMATION:**

#### I. Overview

CTA has determined that certain Continental VanContact A/S tires do not fully comply with the requirements of paragraph S5.5(b) of FMVSS No. 139, *New Pneumatic Radial Tires for Light*

*Vehicles* (49 CFR 571.139). CTA filed a noncompliance report dated September 10, 2021, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. CTA subsequently petitioned NHTSA on September 30, 2021, 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 CTA’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. Tires Involved

Approximately 419 Continental VanContact A/S tires, size LT 245/70R17 119/116 Q, manufactured between May 31, 2020, and May 22, 2021, are potentially involved.

#### III. Noncompliance

CTA explains that the noncompliance is that the tire size designation on both sidewalls of the subject tires, is missing the tire size prefix “LT” and, therefore, does not fully comply with paragraph S5.5(b) of FMVSS No. 139. Specifically, the tire size on the subject tires’ sidewalls read “245/70R17 119/116 Q,” however, they should read “LT 245/70R17 119/116 Q.”

#### IV. Rule Requirements

Paragraph S5.5(b) of FMVSS No. 139 includes the requirements relevant to this petition. Each tire must be marked on each sidewall with the tire size designation as listed in the documents and publications specified in S4.1.1 of the standard.

#### V. Summary of CTA’s Petition

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

In support of its petition, CTA submits the following reasoning:

CTA says that other than the missing tire size designation marking on both sidewalls, the subject tires contain all other required markings and meet the performance requirements of FMVSS No. 139.