

comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope. FMCSA will consider all comments and material received during the comment period.

## II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)) with the reasons for denying or granting the application and, if granted, the name of the person or class of persons receiving the exemption and the regulatory provision from which the exemption is granted. The notice must specify the effective period and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

## III. Applicant's Request

The state of Hawaii seeks an exemption from the requirements in 49 CFR 383.113(c) that an applicant for a commercial driver's license (CDL) must demonstrate safe on-road driving skills, including the ability to choose a safe gap for changing lanes, passing other vehicles, crossing or entering traffic, and the ability to signal appropriately when changing direction in traffic (49 CFR 383.113(c)(2) and (4)). The state of Hawaii maintains that the islands of Lanai and Molokai do not have at least two miles of a straight section of urban business street and at least two miles of an expressway or highway section with multiple lanes going in each direction to allow the ability to legally change lanes. The state of Hawaii proposes to establish a new CDL restriction "R", limiting the CDL's validity to the islands of Lanai and Molokai only. These restricted CDLs would also have the "K"

(intrastate) restriction and would be applied to drivers who take an abbreviated CDL skills test.

A copy of the State of Hawaii's application for exemption, along with supplemental information provided by HDOT, is available for review in the docket for this notice.

## IV. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on the state of Hawaii's application for an exemption from the CDL regulations in 49 CFR 383.113(c). 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.

Larry W. Minor,

*Associate Administrator for Policy.*

[FR Doc. 2023-18361 Filed 8-24-23; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2023-0002-N-14]

#### 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) summarized 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 24, 2023.

**ADDRESSES:** Written comments and recommendations for the proposed ICR should be submitted on [regulations.gov](https://www.regulations.gov) to the docket, Docket No. FRA-2023-2002. All comments received will be posted without change to the docket, including any personal information provided. Please refer to the assigned OMB control number (2130-0602) in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice, made available to the public, and include them in its information collection submission to OMB for approval.

**FOR FURTHER INFORMATION CONTACT:** Ms. Arlette Mussington, Information Collection Clearance Officer, at email: [arlette.mussington@dot.gov](mailto:arlette.mussington@dot.gov) or telephone: (571) 609-1285 or Ms. Joanne Swafford, Information Collection Clearance Officer, at email: [joanne.swafford@dot.gov](mailto:joanne.swafford@dot.gov) or telephone: (757) 897-9908.

**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, 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:* Critical Incident Stress Plans.  
*OMB Control Number:* 2130-0602.

*Abstract:* Under 49 CFR part 272, Class I, intercity passenger, and commuter railroads are required to develop, and submit to FRA for approval, a critical incident stress plan (CISP) that provides for appropriate support services to be offered to their employees who are affected by a critical incident as defined in 49 CFR 272.9. FRA uses the information collected to

ensure the minimum standards of part 272 are met.

In this 60-day notice, FRA adjusted the respondent universe from 41 railroads to 40 railroads to reflect the current number of Class I, intercity passenger, and commuter railroads required to comply with part 272 requirements. FRA adjusted the total estimated annual burden in the PRA table from 467 hours to 246 hours. Specifically, under § 272.103(e), FRA adjusted the burden from 24 hours to 12 hours because FRA anticipates that the annual submissions of modified and existing CISP plans will decrease from 4 plans to 2 plans. Additionally, under

§ 272.103(f), FRA adjusted the burden from 416 hours to 208 hours because FRA anticipates that railroads will increasingly provide their employees with electronic copies of the CISPs rather than hard copies.

*Type of Request:* Extension without change (with changes in estimates) of a currently approved collection.

*Affected Public:* Businesses/Rail Labor Unions.

*Form(s):* N/A.

*Respondent Universe:* 40 railroads.

*Frequency of Submission:* On occasion.

*Reporting Burden:*

CFR section	Respondent universe	Total annual responses (A)	Average time per response (B)	Total annual burden hours (C = A * B)	Total cost equivalent in U.S. dollar (D = C * wage rates) <sup>1</sup>
272.103(a)—Railroad submission of critical incident stress plan (CISP) to FRA for approval.	1 new railroad	1 plan .....	12 hours .....	12.00	\$1,031.16
—(b) Railroad CISP copy to 5 labor organizations .....	1 new railroad	5 plan copies .....	5 minutes .....	0.42	\$36.09
—(c)(1) Rail labor organization comment to FRA on CISP submission.	5 employee labor organizations.	5 comments .....	2 hours .....	10.00	859.30
—(c)(2) Rail labor affirmative statement to FRA that comment copy has been served on railroad.	5 employee labor organizations.	5 certifications .....	5 minutes .....	0.42	36.09
—(e) Railroad submission of updated/modified existing CISP to FRA for approval.	40 railroads .....	2 updated/modified plans.	6 hours .....	12.00	1,031.16
—(f) Copy to RR employees of updated/modified CISP.	40 railroads .....	2,500 copies .....	5 minutes .....	208.33	17,901.80
—(g) Railroads make copies of CISP available to FRA inspector upon request.	40 railroads .....	25 plan copies .....	5 minutes .....	2.08	178.73
272.105—Requirement to file CISP electronically .....	40 railroads .....	3 CISP electronic submissions.	8 minutes .....	0.40	34.37
<b>Total</b> <sup>2</sup> .....	40 railroads; 5 employee labor organizations.	2,546 responses .....	N/A .....	246	21,109

*Total Estimated Annual Responses:* 2,546.

*Total Estimated Annual Burden:* 246.

*Total Estimated Annual Burden Hour Dollar Cost Equivalent:* \$21,109.

FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information that does not display a currently valid OMB control number.

*Authority:* 44 U.S.C. 3501–3520.

**Christopher S. Van Nostrand,**

*Acting Deputy Chief Counsel.*

[FR Doc. 2023–18330 Filed 8–24–23; 8:45 am]

**BILLING CODE 4910-06-P**

<sup>1</sup> The dollar equivalent cost is derived from the 2022 Surface Transportation Board Full Year Wage A&B data series using employee group 200 (Professional & Administrative) hourly wage rate of \$49.10. The total burden wage rate (straight time plus 75%) used in the table is \$85.93 (\$49.10 × 1.75 = \$85.93).

<sup>2</sup> Totals may not add due to rounding.

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

[Docket No. NHTSA–2021–0044; Notice 1]

**Ricon Corporation and Navistar, Inc., Receipt of Petitions for Decision of Inconsequential Noncompliance**

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

**ACTION:** Receipt of petitions.

**SUMMARY:** Ricon Corporation (Ricon) has determined that certain Ricon S-Series and K-Series platform lifts do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 403, *Platform Lift Systems for Motor Vehicles*. Based on Ricon’s determination, Navistar, Inc., on behalf of IC Bus, LLC (Navistar), who installed the S-Series and K-Series platform lifts in their school and commercial buses, determined that model year (MY) 2013–

2022 IC buses do not comply with FMVSS No. 404, *Platform Lift Installation in Motor Vehicles*. Ricon and Navistar, collectively referred to as the “the petitioners,” filed the appropriate noncompliance reports and subsequently petitioned NHTSA for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces the receipt of the petitioner’s petitions.

**DATES:** Send comments on or before September 25, 2023.

**ADDRESSES:** Interested persons are invited to submit written data, views, and arguments on the petitions. 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.