

ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., ET Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

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 the applicant's safety analysis. 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(a)). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

III. Applicant's Request

International has applied for a 5-year exemption from 49 CFR 383.23 for three drivers: Johan Astrom, Kristoffer Lindve, and Martin Uppman, who work for an entity called Scania. Scania and International are subsidiaries of a parent company called TRATON SE and are partnering in developing International's technology advancements. Under 49 CFR 383.23, drivers are required to have a CDL issued by a State when operating CMVs in interstate or intrastate commerce. International requests the exemption because these three drivers are not residents of a U.S. State, and therefore cannot meet the residency requirement for a CDL. They are eligible for non-domiciled CDLs only. These drivers hold valid Swedish commercial licenses.

The requested exemption would allow these three drivers to operate International's vehicles in interstate commerce to support International's development of its advanced

transmission control system. As critical technical members of the development team, the drivers will need to participate in "real world" vehicle tests on U.S. roads prior to going to market. If granted, the drivers will participate in test driving events from International's Lisle, Illinois and Denver, Colorado facilities.

Applicant's Equivalent Level of Safety

International believes that granting the exemption would have no impact on safety on U.S. roadways. Per the applicant, the drivers will drive for no more than 8 hours per day for 2 consecutive days. Driving will take place on 2-lane State highways and interstate highways. Drivers will drive no more than 300 miles per day, and in all cases the drivers will be accompanied by a holder of a CDL issued by a State who is familiar with the routes to be traveled.

International explains in its exemption request that the requirements for a Swedish commercial license ensure that the drivers would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation.

A copy of International's application for exemption for these drivers is available 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 International's application for an exemption from 49 CFR 383.23. 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. 2025–00440 Filed 1–10–25; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[FRA–2025–0017]

Notice of Proposed Waiver of Buy America Requirements for Tier 0, Tier 1, and Non-Tiered Locomotives

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

ACTION: Notice; request for comments.

SUMMARY: The Federal Railroad Administration (FRA) is seeking comments on whether to grant a general applicability public interest waiver of its Buy America requirements for the purchase of used locomotives that would serve as the underframe or chassis to convert them to all-electric, renewable diesel, battery-powered, or other renewable-energy locomotives. Such projects would remove highly polluting locomotives from the national rail network and replace them with more efficient locomotives that will reduce overall emissions, address environmental burdens on communities, and create domestic jobs. Purchases of these locomotives under FRA-funded projects are subject to FRA's Buy America requirements. However, given the age of these used locomotives, it is difficult and may not be possible to verify whether they are fully compliant with FRA's Buy America requirements. In this general applicability waiver, FRA does not propose to waive the applicable Build America, Buy America Act (BABA) requirements. This proposed waiver would not apply to any other manufactured products, steel, iron, or construction materials.

DATES: Comments must be received by January 28, 2025.

ADDRESSES: Please submit all comments electronically to the federal rulemaking Portal. Go to <https://www.regulations.gov> and follow the instructions for submitting comments.

Instructions: All submissions must refer to the Federal Railroad Administration and the docket number in this notice (FRA–2025–0017). Note that all submissions received, including any personal information provided, will be posted without change and will be available to the public at <https://www.regulations.gov>. You may review the U.S. Department of Transportation's (DOT) complete Privacy Act Statement in the **Federal Register** published April 11, 2000 (65 FR 19477), or at <https://www.transportation.gov/privacy>.

FOR FURTHER INFORMATION CONTACT: For questions about this notice, please

contact Shreyas Bhatnagar, Regional Supervisor, Office of Regional Outreach & Project Delivery—South Central Region, Office of Railroad Development, FRA; telephone: (202) 617-0212; email: Shreyas.Bhatnagar@dot.gov. For legal questions, please contact Faris Mohammed, Attorney-Advisor, Office of the Chief Counsel, FRA; telephone: (202) 763-3230; email: Faris.Mohammed@dot.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Stakeholders have expressed concerns to FRA regarding the applicability of FRA's Buy America requirements on used locomotives that are purchased for an FRA-funded project and rehabilitated or remanufactured to meet higher emission standards. The U.S.

Environmental Protection Agency (EPA) sets emissions standards for line haul and switch locomotives under different tiers, each of which corresponds to when the locomotive engine was originally manufactured, as follows:

- Tier 0 includes locomotive engines from 1973–1992 (line haul) and 1973–2001 (switch),
- Tier 1 includes locomotive engines from 1993–2004 (line haul) and 2002–2004 (switch),
- Tier 2 includes locomotive engines from 2005–2011 (line haul) and 2005–2010 (switch),
- Tier 3 includes locomotive engines from 2012–2014 (line haul) and 2011–2014 (switch), and
- Tier 4 includes locomotive engines from 2015 or later (line haul and switch).

Locomotives produced before 1973 are classified as non-tiered.

Tier 0 and Tier 1 locomotives have been in operation in the United States for decades, and many of them are still operating on the national rail network. Locomotive manufacturers may purchase these old non-tiered, Tier 0, and Tier 1 locomotives, remove the diesel engine, and replace the engine with an alternative power source, such as an electric motor and battery, which can result in a more efficient, higher-tier locomotive.

The Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law, created historic federal investment opportunities in domestic infrastructure, clean energy manufacturing, and electric vehicles and batteries that have grown clean energy jobs across the country. Although rail transportation is generally considered a more efficient mode of transportation, older locomotives are

less efficient than newer, higher-tiered locomotives.

In addition, locomotive emissions from rail yards contribute to poor air quality and other environmental effects for nearby communities. Reducing locomotive emissions in rail yards can help alleviate environmental burdens, including exhaust and noise, and improve the quality of life for these communities.

In the IIJA, Congress amended FRA's Consolidated Rail Infrastructure and Safety Improvements (CRISI) Grant Program to authorize FRA to fund projects for rehabilitating, remanufacturing, procuring, or overhauling locomotives, provided that such activities result in a significant reduction of emissions. 49 U.S.C. 22907(c)(16). FRA has defined significant reduction of emissions to mean rehabilitating, remanufacturing, procuring, or overhauling; (1) a Non-Tiered, Tier 0, or Tier 1 locomotive to at least the Tier 2 level; (2) a Tier 2 or Tier 3 locomotive to at least a Tier 4 level; or (3) any locomotive to an all-electric, renewable diesel, battery-powered, or other renewable energy locomotive.¹

As such, FRA-funded projects may include the purchase of an older Tier 0, Tier 1, or non-tiered locomotive currently in service for the purpose of rehabilitating or remanufacturing the locomotive, converting it to a higher tier by replacing the diesel engine with an alternative power source. FRA's Buy America requirements apply to FRA's CRISI Grant Program. Therefore, these requirements would apply to the purchase of older locomotives as part of projects to convert them to a higher emissions tier. Although it is possible that Tier 0, Tier 1, and non-tiered locomotives that have been in operation in the United States for decades may be compliant with FRA's Buy America requirements, due to their age it is difficult for grant recipients to verify that all of the components used in the locomotive were produced in the United States. Although a grant recipient may be able to confirm that the locomotive was assembled in the United States, documentation verifying the country of origin of the locomotive's components is typically unavailable due to the passage of time.

FRA proposes to issue this general applicability waiver of its Buy America requirements for FRA-funded projects that involve the purchase of these used

locomotives for the purpose of rehabilitating, remanufacturing, or overhauling the used locomotive to deliver a locomotive with significantly reduced emissions. FRA is not proposing to waive its Buy America requirements for any other manufactured products, steel, iron, or construction materials used in FRA-funded projects, nor does this waiver apply to the purchase of any new items necessary for the project, such as the battery system and its components. This general applicability waiver will facilitate the delivery of innovative locomotive projects that seek to develop and deploy alternative power sources to produce more efficient locomotives, reduce locomotive emissions throughout the country, address environmental burdens on communities, and create domestic jobs.

This notice summarizes FRA's Buy America requirements and FRA's proposed waiver. FRA also seeks comments as to whether it should consider issuing a waiver for any other products required to manufacture locomotive batteries or locomotive charging stations and equipment due to the domestic nonavailability of such products. Should it obtain such information, FRA will consider proposing additional nonavailability waivers as appropriate.

II. FRA's Buy America Requirements and Policy

Projects that receive funding under the CRISI Grant Program are subject to FRA's Buy America requirements. This means that FRA can fund a project “only if the steel, iron, and manufactured goods used in the project are produced in the United States” (49 U.S.C. 22905(a)). In addition, FRA-funded projects must also comply with the relevant provisions of BABA, specifically the requirement that all construction materials used in the project must also be produced in the United States (Pub. L. 117-58, sec. 70914(a)).

FRA strictly enforces compliance with Buy America to ensure that FRA-funded projects use materials produced in the United States. FRA expects grantees to work with suppliers to conduct thorough market research and adequately consider, where appropriate, using qualifying alternate items, products, or materials. Compliance with FRA's Buy America requirement supports domestic industry and well-paying jobs.

¹ See Notice of Funding Opportunity for the FY 2023–2024 Consolidated Rail Infrastructure and Safety Improvements Grant Program, 89 FR 22206 (March 29, 2024).

III. FRA's Authority To Waive Buy America Requirements

FRA can waive its Buy America requirements in limited circumstances. FRA will grant a waiver that is consistent with the statutory criteria.

FRA may waive its Buy America requirements if FRA determines that applying the Buy America requirements would be inconsistent with the public interest; the steel, iron, and goods produced in the United States are not produced in a sufficient and reasonably available amount or are not of satisfactory quality; rolling stock or power train equipment cannot be bought and delivered in the United States within a reasonable time; or including domestic material would increase the cost of the overall project by more than 25 percent (49 U.S.C. 22905(a)(2); *see also* Pub. L. 117–58, sec. 70914(b); prescribing similar statutory conditions for waivers).

FRA may issue a general applicability waiver when doing so is necessary to advance the agency's mission and goals. This waiver would apply generally across FRA's grant programs.² In addition, a waiver in the public interest is appropriate when the agency determines that other important policy goals cannot be achieved consistent with FRA's Buy America requirements and the Buy America requirements established by BABA, and the proposed waiver does not meet the requirements for a non-availability or unreasonable cost waiver.³

If FRA determines a waiver is appropriate, FRA will provide notice and seek comment from the public.

IV. Proposed Waiver

FRA has determined that applying its Buy America requirements to the purchase of Tier 0, Tier 1, and non-tiered locomotives for the purpose of rehabilitating or remanufacturing the locomotive to significantly reduce emissions would be inconsistent with the public interest as it would be overly burdensome or, in some instances, not possible to verify whether the used locomotive is fully compliant with FRA's Buy America requirements. To advance rail projects that deploy more efficient locomotives, reduce emissions, address environmental burdens on communities, and create domestic jobs, FRA proposes to waive its Buy America requirements for the purchase of used Tier 0, Tier 1, and non-tiered

locomotives, provided that the used locomotive:

- has been in continuous service in the United States from the date of manufacture;
- was not purchased outside the United States;
- was manufactured prior to 2004 (line haul or switch); and
- will be used in an FRA-funded project that will result in a significant reduction in emissions.

The proposed waiver does not apply to any other manufactured products, steel, or iron used in the FRA-funded project, nor does it apply to the purchase of any new items necessary for the project, such as the battery system and its components. FRA is not proposing to waive any applicable BABA requirements, and the proposed waiver does not apply to any construction materials.

The proposed waiver would be effective for five years from the date the final waiver is issued and would apply to awards obligated within that period.

V. Request for Comment

FRA will consider comments received during the 15-day public comment period. FRA may consider comments received after this period to the extent practicable. Consistent with 49 U.S.C. 22905(a)(4), following the public comment period, if FRA determines it is necessary to waive its Buy America requirements, FRA will publish its decision in the **Federal Register** and provide an opportunity for public comment on such finding for a reasonable period not to exceed 15 days. After such a period, FRA's decision will be effective.

FRA also seeks input from the public as to whether it should consider issuing a separate waiver for any other products required to manufacture locomotive batteries or locomotive charging stations and equipment due to their nonavailability in the domestic market.

Issued in Washington, DC.

Amitabha Bose,
Administrator.

[FR Doc. 2025–00443 Filed 1–10–25; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2024–0051]

Agency Information Collection Activities; Notice and Request for Comment; Assessing the Fit and Comfort of Motorcycle Safety Gear

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

ACTION: Notice and request for public comment on a request for approval of a new 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 new information collection. 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 reinstatement of previously approved collections. This document describes a new collection of information for which NHTSA intends to seek OMB approval to gather information on the personal protective equipment (PPE) motorcyclists wear including helmets and riding jackets, pants, boots, and gloves, how well the PPE fits, and how comfortable riders find it to be.

DATES: Comments must be received on or before March 14, 2025.

ADDRESSES: You may submit comments identified by Docket No. NHTSA–2024–0051 using any of the following methods:

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

- *Fax:* 1–202–493–2251.

- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building 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.

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 <https://>

² See Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure, M–24–02, at p. 13 (Oct. 25, 2023).

³ *Id.*, at p. 11.