request, the military’s training and
licensing programs could be accepted as
SDLA programs; i.e., military licenses
could be treated as equivalent to a CDL.

The Advocates pointed out that the
current skills test exemption in § 383.77
requires applicants to provide evidence
that they were regularly employed
within the last 90 days in a military
position requiring the operation of a
CMV. Advocates expressed concern that
the Missouri DOR application did not
include a similar experience
requirement for ex-military personnel
seeking a knowledge test exemption.
Such a requirement should be included
if the Agency grants the application to
ensure that the knowledge obtained in
the military has not diminished over an
extended period of time. However,
Advocates argue that making this
exemption available to all 50 States and
the District of Columbia is a permanent
and material revision of Federal
regulations that must be done through
formal rulemaking allowing for review
and comment by the public, including
SDLAs.

V. FMCSA Response

FMCSA disagrees with the North Dakota Department of Transportation comments that this exemption should not be granted until there are assurances that military training in lieu of the State
knowledge tests meets the requirements in 49 CFR 383.111. The training
provided by these specialized military programs includes many hours of
classroom training (typically based on FMCSA’s own regulations, including all of the elements of § 383.111), practical
skills training, and on-the-road training, followed by actual driving in support of the
military mission. There is no reason to believe that military training is
deficient compared to the requirements of § 383.111. FMCSA further disagrees
with the Minnesota Department of
Motor Vehicle Safety’s suggestion that
in lieu of granting this exemption request, the military’s licensing and
training program should be accepted as an
SDLA program. Such an action
would first require extensive legal
analysis and would be very complex in
any case.

The limited exemption approved today allows the States to waive the
CDL knowledge test but does not require them to do so. The Agency expects few
SDLAs to participate due to a lack of
demand in their geographical areas and
the administrative burden involved.
However, because FMCSA cannot
predict which State SDLAs may want to
use this program, the Agency must make it available to all States. SDLAs
that choose to participate will be able to
establish their own administrative
procedures to implement the
exemption, e.g., for acceptable
documentation showing that the
applicant has received the required
military heavy-vehicle operation
training, and has been employed in the
past year in a position requiring such
duties.

Although Missouri used the term
“veterans” in its application, to add clarity and be consistent with similar
programs, we have expanded the
eligibility to include “current or former
members of the military services
(including Reserve and National Guard
units), who have been regularly
employed within the last year in a
military position that requires operation of large trucks, and have received formal
military training for that duty.” This is
consistent with comments filed by
Advocates.

VI. FMCSA Decision

FMCSA has evaluated Missouri DOR’s
application and the public comments
and decided to grant the exemption.
FMCSA agrees with the reasons for the
request made by the Missouri DOR. The
two primary reasons were that the
training provided by these specialized
military programs includes many hours of
classroom training, practical skills
training, and on-the-road training that
are essential for safe driving. In
addition, the hours of training in these
programs is in excess of the training
proposed in FMCSA’s own entry-level
driver training rule (81 FR 11944, March
7, 2016), and is comparable to the skills
needed to pass the AAMVA CDL test
model. FMCSA has concluded that the
exemption would likely achieve a level
of safety that is equivalent to or greater
than the level that would be achieved
absent such exemption, in accordance with § 381.305(a).

VII. Terms and Conditions

The following are the Terms and
Conditions of this exemption:
(1) SDLAs may, at their discretion,
issue CLP/CDLs to qualifying applicants
as described below, without these
applicants being required to complete
the knowledge test required by 49 CFR
383.71(a)(2)(ii).
(2) “Qualifying applicants” must:
(a) Be current or former members of
the military services (including Reserve
and National Guard units),
(b) Have been regularly employed
within the year prior to application
in a military position that requires
operation of large trucks, and
(c) Have received formal military
training for that duty.
(3) Participating SDLAs may establish
their own requirements and
administrative procedures for verifying
the eligibility of applicants.

Issued on: October 20, 2016.
T.F. Scott Darling, III,
Administrator.
[FR Doc. 2016–25965 Filed 10–26–16; 8:45 am]
BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety
Administration

[Docket No. FMCSA–2016–0325]

Motor Carrier Safety Assistance
Program Multiyear Plans

AGENCY: Federal Motor Carrier Safety
Administration (FMCSA), DOT.

ACTION: Notice: Request for comments.

SUMMARY: The Fixing America’s Surface
Transportation (FAST) Act requires the
Secretary to prescribe procedures for a
State to submit multi-year plans for
the Motor Carrier Safety Assistance
Program (MCSAP) grants. FMCSA seeks
information to improve development
and implementation of multi-year
plans.

DATES: Responses to these questions
must be received on or before November
28, 2016.

ADDRESSES: You may submit comments
bearing the Federal Docket Management
System (FDMS) Docket ID FMCSA–
2016–0325 using any of the following
methods:
• Federal eRulemaking Portal: Go to
www.regulations.gov. Follow the on-line
instructions for submitting comments.
• Mail: Docket Management Facility;
U.S. Department of Transportation, 1200
New Jersey Avenue SE., West Building
Ground Floor, Room W12–140,
Washington, DC 20590–0001.
• Hand Delivery or Courier: West
Building Ground Floor, Room W12–140,
1200 New Jersey Avenue SE.,
Washington, DC, between 9 a.m. and 5
p.m., ET, Monday through Friday,
except Federal Holidays.
• Fax: 1–202–493–2251.

Each submission must include the
Agency name and the docket number for
this notice. Note that DOT posts all
comments received without change to
www.regulations.gov, including any
personal information included in a
comment. Please see the Privacy Act
heading below.

Docket: For access to the docket to
read background documents or
comments, go to www.regulations.gov
at any time or visit Room W12–140 on the
ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. The on-line FDMS is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at www.dot.gov/privacy.

FOR FURTHER INFORMATION CONTACT: Mr. Thomas Liberatore, Chief, State Programs Division, FMCSA, (202) 366–3030 or by email at Thomas.Liberatore@dot.gov. Office hours are from 8:00 a.m. to 5:00 p.m., E.T., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

FMCSA encourages you to participate by submitting comments and related materials.

Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2016–0325), indicate the specific section of this document to which each comment applies, and material received during the comment period and may change this notice based on your comments.

Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to http://www.regulations.gov and insert the docket number, “FMCSA–2016–0325” in the “Keyword” box and click “Search.” Next, click “Open Docket Folder” button and choose the document listed to review. If you do not have access to the Internet, you may view the docket online by visiting the Docket Management Facility in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

Background

As prescribed in the FAST Act, the goal of the MCSAP is to ensure that there is a partnership to establish programs to improve motor carrier, commercial motor vehicle (CMV), and driver safety to support a safe and efficient surface transportation system. MCSAP makes targeted investments to promote CMV safety, including the transportation of passengers and hazardous materials. FMCSA encourages the States and Territories to invest in activities likely to maximize reductions in the number and severity of CMV crashes and fatalities resulting from such crashes. This is accomplished by adopting and enforcing effective motor carrier, CMV, and driver safety regulations and practices consistent with Federal requirements, assessing and improving statewide performance by setting program goals, and meeting performance standards, measures, and benchmarks.

Since Fiscal Year (FY) 1983, the Federal Highway Administration (FHWA), FMCSA’s predecessor agency, or FMCSA have awarded MCSAP funds annually to the States after submission of a satisfactory Commercial Vehicle Safety Plan (CVSP). Pursuant to FMCSA regulation, CVSPs are due to the Agency on August 1 of the fiscal year preceding the requested funds. Often safety initiatives can only be properly evaluated after lengthy implementation periods. The removal of the annual CVSP requirement is intended to provide States/Territories with additional flexibility to continue these initiatives for a longer period, such that funding can be appropriate requested and CMV crash reduction benefits can be documented. In addition, the use of multiple-year plans will reduce the States’/Territories’ administrative burdens associated with submitting the plan each year. With implementation of multi-year plans, an annual, full submission of the CVSP will no longer be required. Only annual data and budget updates might be needed, depending on changes in the States’/Territories’ operations and/or annual MCSAP funding allocation.

It is noted that the period of performance for MCSAP grants did not change under the FAST Act, so MCSAP funding will continue to be available to the State/Territory for the fiscal year of award and for the next fiscal year. FMCSA codified the FAST Act changes to remove the annual requirements for the plan in the final rule titled, “Amendments to Implement Grants Provisions of the Fixing America’s Surface Transportation Act.” This rule was published in the Federal Register on October 14, 2016 [81 FR 71002].

Additionally, the FAST Act requires that FMCSA publish each approved State/Territory multiple-year plan, and each annual update thereto, on a publically accessible Internet Web site of the Department of Transportation not later than 30 days after the date the Secretary approves the plan or update. 49 U.S.C. 311029(c)(3).

Questions

To assist FMCSA in developing the information technology system, form, and procedures for submission of a multiple-year plan, FMCSA requests information primarily from the MCSAP agencies responsible for developing and submitting the plan in response to the following questions:

1. How many years should a multi-year plan cover (i.e., 2 years, 3 years, 5 years, etc.)? Please explain and provide a rationale for the specific length of time between full plans.

2. Should the length (e.g., 2 years, 3 years, etc.) of a multi-year plan be fixed for all States/Territories or should States/Territories be able to vary the length? Please explain.

3. How many years long is the State’s Strategic Highway Safety Plan (SHSP)? Should the CVSP be aligned with length of the SHSP? Please explain.

4. Can your State/Territory provide complete and accurate data to support a performance-based, multi-year plan? If so, how many years?
5. What data elements, certifications, and documents required under 49 CFR part 350 should be revised from or added to the current CVSP format to capture multiple years (e.g., State certification, etc.)? Please explain how they should be revised.

6. Would your State/Territory be confident submitting a multi-year plan knowing that FMCSA’s program authorizations (i.e., U.S. Congressional legislation that continues one or more programs) are expiring in the next year? Two Years? If so or if not, please explain.

7. Should a State/Territory be required to submit a full application on Grants.gov only once for a multi-year plan or annually? Please explain.

8. Should FMCSA institute the multi-year CVSP at one time for all States/Territories, or is a phased-in approach, with a proportionate number of States submitting such plans over the time period of the multi-year plan (e.g., half of States over a two-year plan, a third of States for a three-year plan, etc.), be a more advantageous implementation method? Please explain.

9. Are there other factors, concerns and/or elements that FMCSA should consider in the implementation of multi-year plans? Please provide specifics regarding these additional considerations.

10. In moving to a multi-year CVSP with annual updates, in order to enhance usability of the electronic CVSP (eCVSP) application, what additional features should FMCSA add? Please be specific in providing recommendations for additional features.

11. FMCSA is considering requiring certain CVSP data fields to be validated or updated annually. Examples of such data fields include prior-year activity objectives, current-year activity goals, current-year spending plans, etc. What additional data fields do you believe should be updated annually and why?

12. Should the annual update be a mechanism within the eCVSP tool’s multi-year CVSP or a completely separate module with the eCVSP tool? Please explain.

13. What data elements and documents should be revised from, or added to, the current CVSP format to capture the annual update? Please explain how they should be revised.

14. Should the FMCSA require States/Territories to provide detailed spending plans or only require grantees to estimate their costs utilizing the SF–424A budget worksheet for the multi-year plan and annual update in the eCVSP tool? Please explain how your preference would enhance the CVSP planning process.

After consideration of the information received in response to this notice, FMCSA will prescribe the procedures required by the FAST Act through a future Federal Register notice.

Issued on: October 20, 2016.

T.F. Scott Darling, III,
Administrator.

[FR Doc. 2016–25980 Filed 10–26–16; 8:45 am]
BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2016–0098]

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System

In accordance with part 235 of Title 49 Code of Federal Regulations and 49 U.S.C. 20502(a), this document provides the public notice that by a document dated October 3, 2016, CSX Transportation (CSX) petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of a signal system. FRA assigned the petition Docket Number FRA–2016–0098.

Applicant: CSX Transportation, Mr. Jody Cox, Chief Engineer, Communications & Signals, 500 Water Street, Speed Code J–350, Jacksonville, FL 32202

CSX proposes to retire CSX rules for Control Point (CP) 511, Traffic Control (TC) 510, and Yard Limit (YL–S) 508 on all tracks and operate under Rule 502, Other Than Main Track, between Milepost (MP) CA–664.9 and RH West MP BB–4.7, on the Cincinnati Terminal Subdivision, Louisville Division, Cincinnati, OH.

All existing power switches would remain in place, controlled by the yard master, and all existing signals would be retired and replaced with switch position indicators. In support of its request, CSX indicates the signal system, CSX rules TC–510 and YL–S 508, is no longer needed for present-day operation.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov and in person at the U.S. Department of Transportation’s (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- Web site: http://www.regulations.gov. Follow the online instructions for submitting comments.
- Hand Delivery: 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by December 12, 2016 will be considered by FRA before final action is taken.

Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at www.dot.gov/privacy. See also https://www.regulations.gov/privacyNotice for the privacy notice of regulations.gov.

Robert C. Lauby,
Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2016–25975 Filed 10–26–16; 8:45 am]
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