

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Notice To Rescind a Notice of Intent for an Environmental Impact Statement for the State Route 95 Realignment Study: Interstate 40 to State Route 68, Mohave County, Arizona**

**AGENCY:** Federal Highway Administration (FHWA), Department of Transportation.

**ACTION:** Notice to rescind a Notice of Intent for an Environmental Impact Statement.

**SUMMARY:** A Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) was published in the **Federal Register** on June 1, 2007. A revised NOI was published on December 23, 2013 to advise that the review process was being changed to a tiered process in which a Tier 1 EIS would be prepared to evaluate potential corridors for a future project-specific alignment. The FHWA is issuing this notice to advise the public that FHWA and the Arizona Department of Transportation (ADOT) will no longer prepare a Tier 1 EIS for the proposed realignment of State Route (SR) 95 from Interstate 40 (I-40) to SR 68 in Mohave County, Arizona because funding to complete improvements in the foreseeable future is not available.

**FOR FURTHER INFORMATION CONTACT:**

Alan Hansen, Team Leader, Planning, Environment, Air Quality, and Realty, Federal Highway Administration, 4000 North Central Avenue, Suite 1500, Phoenix, AZ 85012-3500, Telephone: (602) 382-8964, Email: [alan.hansen@dot.gov](mailto:alan.hansen@dot.gov).

Ammon Heier, Area Engineer, Federal Highway Administration, 4000 North Central Avenue, Suite 1500, Phoenix, AZ 85012-3500, Telephone: (602) 382-8983, Email: [ammon.heier@dot.gov](mailto:ammon.heier@dot.gov).

The FHWA Arizona Division Office's normal business hours are 8 a.m. to 5 p.m. (Mountain Standard Time).

**SUPPLEMENTARY INFORMATION:** On June 1, 2007, the FHWA, in cooperation with ADOT, issued an NOI titled: Environmental Impact Statement: Mohave County, AZ" (**Federal Register** Vol. 72, No. 105). The intent of the project was to realign SR 95 beginning approximately two miles south of I-40 and extending north to SR 68 for a distance of approximately 42 miles. The reconstruction of SR 95 was considered necessary to provide for an access-controlled highway to facilitate regional traffic flow and reduce traffic congestion. The project was issued a Federal Aid Number STP-095-D (AMS)

and an ADOT project number 095 MO 200 H6801 03L.

A No-Build Alternative and at least two different alignments for potential relocation and development of the highway as a limited access facility located east of the existing SR 95 highway were under consideration. The No-Build Alternative served as the baseline for the analysis conducted under the National Environmental Policy Act.

On December 23, 2013, FHWA revised the NOI to announce that FHWA and the project sponsor, ADOT, intended to use a tiered process (as provided for in 40 Code of Federal Regulations 1508.28 and in accordance with FHWA guidance) in the completion of the environmental study to facilitate project decision-making. A Tier 1 EIS was initiated to focus on the evaluation of corridors rather than alignments because sufficient funding to implement, operate, and maintain the proposed project had not yet been committed in the fiscally-constrained State Transportation Improvement Program.

The State's limited resources combined with the fact that no improvements can be budgeted in the foreseeable future does not justify continuing to study improvements to a corridor that cannot be implemented when the study is eventually completed. As such, the preparation of the EIS for the realignment of SR 95: I-40 to SR 68 is being terminated. Any future transportation improvements or realignment of SR 95 will be determined and prioritized through ADOT's Long-Range Transportation Plan and 5-Year Transportation Facilities Construction Program, and any future actions will progress under a separate environmental review process, in accordance with all applicable laws and regulations.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: September 2, 2015.

**Karla S. Petty,**

*Arizona Division Administrator, Federal Highway Administration, Phoenix, AZ.*

[FR Doc. 2015-22871 Filed 9-9-15; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-2012-0032]

**Commercial Driver's License Standards: Application for Exemption; Daimler Trucks North America (Daimler)**

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

**ACTION:** Notice of application for exemption; request for comments.

**SUMMARY:** FMCSA announces that Daimler Trucks North America (Daimler) has requested an exemption for one commercial motor vehicle (CMV) driver, Michael Seitter, from the Federal requirement to hold a commercial driver's license (CDL) issued by one of the States. This project engineer holds a valid German CDL and wants to test-drive Daimler vehicles on U.S. roads to better understand product requirements for these systems in "real world" environments, and verify results. Daimler believes the requirements for a German CDL ensure that holders of the license will likely achieve a level of safety equal to or greater than that of drivers who hold a U.S. State-issued CDL.

**DATES:** Comments must be received on or before October 13, 2015.

**ADDRESSES:** You may submit comments identified by Federal Docket Management System Number FMCSA-2012-0032 by any of the following methods:

- *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). Follow the online instructions for submitting comments.
- *Fax:* 1-202-493-2251.
- *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., between 9 a.m. and 5 p.m. E.T., Monday through Friday, except Federal holidays.

*Instructions:* All submissions must include the Agency name and docket number. For detailed instructions on submitting comments and additional information on the exemption process, see the *Public Participation* heading below. Note that all comments received will be posted without change to [www.regulations.gov](http://www.regulations.gov), including any personal information provided. Please see the *Privacy Act* heading below.

*Docket:* For access to the docket to read background documents or

comments received, go to [www.regulations.gov](http://www.regulations.gov) at any time and in the box labeled "SEARCH for" enter FMCSA-2012-0032 and click on the tab labeled "SEARCH."

**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](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

**Public Participation:** The Federal eRulemaking Portal is available 24 hours each day, 365 days each year. You can get electronic submission and retrieval help and guidelines under the "help" section of the Federal eRulemaking Portal Web site. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments online.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Pearl Robinson, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; Telephone: 202-366-4325. Email: [MCPSD@dot.gov](mailto:MCPSD@dot.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from the Federal Motor Carrier Safety Regulations. 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 also provide an opportunity for public comment on the request.

The Agency reviews the safety analyses and the public comments, 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 decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)) with the reason for granting or denying the exemption, and, if granted, the specific person or class of persons receiving the exemption, and the regulatory provision or provisions from which exemption is granted. The notice must specify the effective period of the exemption (up to 2 years), and explain the terms and conditions of the

exemption. The exemption may be renewed (49 CFR 381.300(b)).

Since 2012, FMCSA has granted five Daimler drivers similar exemptions [May 25, 2012 (77 FR 31422); July 22, 2014 (79 FR 42626); August 29, 2014 (79 FR 516910); March 27, 2015 (80 FR 16511)]. Each of these drivers held a valid German commercial license but lacked the U.S. residency required to obtain a CDL. FMCSA has concluded that the process for obtaining a German commercial license is comparable to or as effective as the U.S. CDL requirements and ensures that these drivers will likely achieve a level of safety equivalent to or greater than the level that would be obtained in the absence of the exemption.

**Request for Exemption**

Daimler has applied for an exemption for one of its engineers from 49 CFR 383.23, which prescribes licensing requirements for drivers operating CMVs in interstate or intrastate commerce. This driver, Michael Seitter, holds a valid German CDL but is unable to obtain a CDL in any of the U.S. States due to residency requirements. A copy of the application is in Docket No. FMCSA-2012-0032.

The exemption would allow Mr. Seitter to operate CMVs in interstate or intrastate commerce to support Daimler field tests designed to meet future vehicle safety and environmental requirements and to develop improved safety and emission technologies. According to Daimler, Mr. Seitter will typically drive for no more than 6 hours per day for 2 consecutive days, and 10 percent of the test driving will be on two-lane State highways, while 90 percent will be on interstate highways. The driving will consist of no more than 200 miles per day, for a total of 400 miles during a two-day period on a quarterly basis. He will in all cases be accompanied by a holder of a U.S. CDL who is familiar with the routes to be traveled. Daimler requests that the exemption cover a two-year period.

FMCSA has previously determined that the process for obtaining a German commercial license is comparable to the Federal requirements of 49 CFR part 383 and adequately assesses a driver's ability to operate CMVs in the United States.

**Request for Comments**

In accordance with 49 U.S.C. 31315(b)(4) and 31136(e), FMCSA requests public comment on Daimler's application for an exemption from the CDL requirements of 49 CFR 383.23. The Agency will consider all comments received by close of business on October

13, 2015. Comments will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice.

Issued on: September 2, 2015.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2015-22811 Filed 9-9-15; 8:45 am]

**BILLING CODE 4910-EX-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

**[Docket Number FRA-2015-0083]**

**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 (CFR) and 49 U.S.C. 20502(a), this document provides the public notice that by a document dated July 7, 2015, Norfolk Southern Corporation (NS) petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of a signal system. FRA assigned the petition Docket Number FRA-2015-0083.

**Applicant:** Norfolk Southern Corporation, Mr. B. L. Sykes, Chief Engineer, C&S Engineering, 1200 Peachtree Street NE., Atlanta, GA 30309.

NS seeks approval of the discontinuance of Control Point (CP) Raitt on the Buchanan Branch, Milepost (MP) D-16.3, at Weller, VA. All existing signals will be removed and the existing power-operated switch will be converted to a hand-operated switch. Current operating rules in the area will not change.

The reason given for the proposed discontinuance is that it is no longer needed for current railroad operations.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://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. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

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