

endorsement to determine what improvements to the knowledge test, the examination of driving skills, and the application of such requirements are necessary to ensure the safe operation of commercial motor vehicles designed or used to transport passengers. FMCSA requests public comments on whether improvements to the knowledge and skills tests, beyond those in the 2005 CDL Test system that will become effective next year, are necessary. The Agency will consider all comments received in preparing its report to Congress.

Issued on: September 8, 2014.

**T.F. Scott Darling, III,**  
*Acting Administrator.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Limitation on Claims Against Proposed Public Transportation Projects

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice.

**SUMMARY:** This notice announces final environmental actions taken by the Federal Transit Administration (FTA) for projects in San Francisco, CA; Mukilteo, WA; and Santa Clara County, CA. The purpose of this notice is to announce publicly the environmental decisions by FTA on the subject projects and to activate the limitation on any claims that may challenge these final environmental actions.

**DATES:** By this notice, FTA is advising the public of final agency actions subject to Section 139(l) of Title 23, United States Code (U.S.C.). A claim seeking judicial review of FTA actions announced herein for the listed public transportation projects will be barred unless the claim is filed on or before February 13, 2015.

**FOR FURTHER INFORMATION CONTACT:** Nancy-Ellen Zusman, Assistant Chief Counsel, Office of Chief Counsel, (312) 353-2577 or Terence Plaskon, Environmental Protection Specialist, Office of Human and Natural Environment, (202) 366-0442. FTA is located at 1200 New Jersey Avenue SE., Washington, DC 20590. Office hours are from 9:00 a.m. to 5:30 p.m., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FTA has taken final agency actions by issuing certain approvals for the public transportation

projects listed below. The actions on the projects, as well as the laws under which such actions were taken, are described in the documentation issued in connection with the project to comply with the National Environmental Policy Act (NEPA) and in other documents in the FTA administrative record for the projects. Interested parties may contact either the project sponsor or the relevant FTA Regional Office for more information on the project. Contact information for FTA's Regional Offices may be found at <http://www.fta.dot.gov>.

This notice applies to all FTA decisions on the listed projects as of the issuance date of this notice and all laws under which such actions were taken, including, but not limited to, NEPA [42 U.S.C. 4321-4375], Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303], Section 106 of the National Historic Preservation Act [16 U.S.C. 470f], and the Clean Air Act [42 U.S.C. 7401-7671q]. This notice does not, however, alter or extend the limitation period for challenges of project decisions subject to previous notices published in the **Federal Register**. The projects and actions that are the subject of this notice are:

1. *Project name and location:* Downtown San Francisco Ferry Terminal Expansion Project, San Francisco, CA. *Project sponsor:* San Francisco Bay Area Water Emergency Transportation Authority (WETA). *Project description:* The project is the expansion and improvement of the Ferry Terminal at the San Francisco Ferry Building to accommodate the existing and future planned water transit service outlined in WETA's Implementation and Operations Plan for the San Francisco Bay Area. The project includes demolition, removal, repair, and replacement of existing facilities, as well as construction of three new gates, overwater berthing facilities, and supportive landside improvements (such as boarding areas, passenger waiting and queuing areas, and circulation improvements). *Final agency actions:* Section 4(f) *de minimis* impact determination; Section 106 finding of no adverse effect; project-level air quality conformity; and a Record of Decision (ROD), dated August 22, 2014. *Supporting documentation:* Final Environmental Impact Statement/Environmental Impact Report, dated August 22, 2014.

2. *Project name and location:* Mukilteo Multimodal Project, Mukilteo, WA. *Project sponsor:* Washington State Department of Transportation (WSDOT). *Project description:* The project is designed to improve the operations and

facilities serving the mainland terminus of the Mukilteo-Clinton ferry route. The project will construct in-water and upland facilities for ferry terminal operations, provide a six-bay transit center, and improve connections to Sound Transit's Sounder commuter rail at Mukilteo Station. The project will also remove the existing ferry slip and all of its marine structures, including the Port of Everett-owned public fishing pier and day moorage. The project will reconstruct the fishing pier and day moorage near the new multimodal facility. *Final agency actions:* Section 4(f) determination; a Section 106 Memorandum of Agreement; project-level air quality conformity; and a Record of Decision (ROD), dated August 22, 2014. *Supporting documentation:* Final Environmental Impact Statement, dated June 2013.

3. *Project name and location:* Vasona Corridor Light Rail Transit Extension Project, Santa Clara County, CA. *Project sponsor:* Santa Clara Valley Transportation Authority (SCVTA). *Project description:* The FTA issued a Record of Decision (ROD) for the Vasona Corridor Light Rail Transit (LRT) project in June 2000. Construction between downtown San Jose and Winchester Station in Campbell began in 2001. Passenger service started in 2005. The southernmost portion of the project between the Winchester Station and the Vasona Junction Station in Los Gatos was not constructed due to insufficient funding. The Vasona Corridor LRT Extension Project would complete the line as originally planned by extending the existing line 11.6 miles from the existing Winchester Station to a new Vasona Junction Station. The extension includes constructing a double set of LRT tracks; lengthening the six existing station platforms along the Vasona Corridor to accommodate longer train sets; increasing parking capacity and improving pedestrian access at Winchester Station; constructing a new Hacienda Station with an optional park-and-ride lot; a new Vasona Junction Station with a park-and-ride lot, as well as end-of-the-line facilities. This notice only applies to the discrete actions taken by the FTA at this time. Nothing in this notice affects the FTA's previous decisions, or notice thereof, for this project. *Final agency actions:* No use determination of Section 4(f) resources; Section 106 finding of no adverse effect; project-level air quality conformity; and Amended Record of Decision, dated August 22, 2014. *Supporting documentation:* Supplemental Environmental Assessment, dated January 2014.

Issued on: September 10, 2014.

**Lucy Garliauskas,**

*Associate Administrator Planning and Environment.*

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**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2014-0090]

#### Notice of Buy America Waiver

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

**ACTION:** Notice of Buy America waivers.

**SUMMARY:** This Notice provides NHTSA's finding with respect to five requests from the Michigan Office of Highway Safety Planning (OHSP) to waive the requirements of Buy America. NHTSA finds that a non-availability waiver of the Buy America requirements is appropriate for the purchase of a portable data projector and a wireless remote control presenter, digital video discs (DVDs) and twenty high-visibility motorcyclist vests using Federal highway safety grant funds because there are no suitable products produced in the United States. In addition, NHTSA finds that a cost waiver is appropriate for OHSP to purchase twenty foreign-made training motorcycles using Federal grant funds because the cost of domestically produced products is twenty-five percent more than the cost of the foreign-made products. However, NHTSA finds that a non-availability waiver of the Buy America requirements is inappropriate for the lease of a copy/printer/fax machine.

**DATES:** The effective date of this waiver is October 16, 2014. Written comments regarding this notice may be submitted to NHTSA and must be received on or before: October 1, 2014.

**ADDRESSES:** Written comments may be submitted using any one of the following methods:

- **Mail:** Docket Management Facility, M-30, U.S. Department of Transportation, West Building, Ground Floor, Rm. W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- **Fax:** Written comments may be faxed to (202) 493-2251.

- **Internet:** To submit comments electronically, go to the Federal regulations Web site at <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- **Hand Delivery:** West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal holidays.

**Instructions:** All comments submitted in relation to this waiver must include the agency name and docket number. Please note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. You may also call the Docket at 202-366-9324.

**FOR FURTHER INFORMATION CONTACT:** For program issues, contact Barbara Sauers, Office of Regional Operations and Program Delivery, NHTSA (phone: 202-366-0144). For legal issues, contact Andrew DiMarsico, Office of Chief Counsel, NHTSA (phone: 202-366-5263). You may send mail to these officials at National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** This Notice provides NHTSA's finding that a waiver of the Buy America requirements, 23 U.S.C. 313, is appropriate for the Michigan Office of Highway Safety Planning (OHSP) to purchase a portable data projector, a wireless remote control presenter, DVDs, high-visibility motorcycle vests and twenty training motorcycles using grant funds authorized under 23 U.S.C. 402 (section 402) and 23 U.S.C. 405(g) (section 405) for training motorcycles. This Notice also provides NHTSA's finding that a Buy America waiver is inappropriate for the purchase of a copy/printer/fax machine.

Section 402 funds are available for use by State Highway Safety Programs to reduce traffic accidents and deaths, injuries and property damage. 23 U.S.C. 402(a). Section 405(g) funds are available for use by State Highway Safety Programs to implement effective programs to reduce the number of single and multi-vehicle crashes involving motorcyclists that, among other things, includes supporting resources and training of motorcyclists. Buy America provides that NHTSA "shall not obligate any funds authorized to be appropriated to carry out the Surface Transportation Assistance Act of 1982 (96 Stat. 2097) or [Title 23] and administered by the Department of Transportation, unless steel, iron, and manufactured products used in such project are produced in the United States." 23 U.S.C. 313. However, NHTSA may waive those requirements if (1) their application would be inconsistent with the public interest; (2) such materials and products are not produced in the United States in

sufficient and reasonably available quantities and of a satisfactory quality; or (3) the inclusion of domestic material will increase the cost of the overall project contract by more than 25 percent. 23 U.S.C. 313(b). In this instance, NHTSA has determined that non-availability waivers are appropriate for the purchase of a portable data projector, a wireless remote control presenter, DVDs and twenty high-visibility motorcycle vests because there are no sufficient products produced domestically that meet the needs identified by OHSP. The agency also finds that a cost waiver is appropriate for the twenty training motorcycles because domestically produced motorcycles would increase the cost by more than 25 percent. A waiver is not appropriate for the lease of a copy/printer/fax machine since OHSP did not show that no multi-function printers are made domestically or provide cost information to show that purchasing domestically produced multi-function printers would increase the cost by more than 25 percent.

OHSP seeks waivers (1) to purchase an Epson EX series projector and a Kensington wireless remote control presenter for use in its traffic crash report trainings and presentations; (2) to lease a Ricoh MP 5001 Aficio copy/printer/fax machine for use by its staff; (3) to purchase 5,000 DVDs for distribution of media messages related to highway safety; (4) to purchase twenty high-visibility motorcyclist vests from a combination of manufacturers: Fly Racing, Icon and Joe Rocket; and (5) to purchase twenty 2015 Suzuki TU250X motorcycles. We first address the office products and then address the motorcycles.

OHSP aims to use the office products in its highway safety programs throughout the state of Michigan and the high-visibility motorcycle vests for motorcycle training. However, OHSP is unable to identify any portable data projectors, wireless remote control presenters, DVDs or high-visibility motorcyclist vests that meet the Buy America requirements. The Michigan State Police's Criminal Justice Information Center evaluated the location of manufacturing for the projectors and remote control presenters. Despite this assessment, Michigan was unable to find any American made products. Michigan also researched the manufacturers of blank DVDs and determined that there are no domestic DVD manufacturers and at least three manufacturers produce DVDs overseas: CMC (Taiwan and China), MBI (India) and Ritek (Taiwan). OHSP's investigation of domestic motorcyclist