DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[Docket No. FTA–2022–0018]

National Transit Database Reporting Changes and Clarifications

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

ACTION: Notice; Request for comments.

SUMMARY: This notice provides information on proposed changes and clarifications to the National Transit Database (NTD) reporting requirements. Some of the proposed NTD changes would take effect beginning in NTD report year (RY) 2023 or 2024, which corresponds to an agency’s fiscal year, while others would take effect in calendar year (CY) 2023.

DATES: Comments are due by September 6, 2022. The Federal Transit Administration (FTA) will consider late comments to the extent practicable.

ADDRESSES: You may file comments identified by docket number FTA–2022–0018 by any of the following methods:

• Federal eRulemaking Portal: Go to https://www.regulations.gov and follow the online instructions for submitting comments.
• Mail: Send comments to 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 Ave. SE, between 9:00 a.m. and 5:00 p.m. ET, Monday through Friday, except Federal holidays.
• Fax: Fax comments to Docket Management Facility, U.S. Department of Transportation, at (202) 493–2251.

Instructions: You must include the agency name (Federal Transit Administration) and Docket Number (FTA–2022–0018) for this notice, at the beginning of your comments. If sent by mail, submit two copies of your comments.

Electronic Access and Filing: This document and all comments received may be viewed online through the Federal eRulemaking portal at http://www.regulations.gov or at the street address listed above. Electronic submission, retrieval help, and guidelines are available on the Federal eRulemaking portal website. The website is available 24 hours each day, 365 days a year. Please follow the instructions. An electronic copy of this document may also be downloaded from the Office of the Federal Register’s home page at https://www.federalregister.gov.

Privacy Act: Except as provided below, all comments received into the docket will be made public in their entirety. The comments will be searchable by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.) You should not include information in your comment that you do not want to be made public. You may review DOT’s complete Privacy Act Statement in the Federal Register published on April 11, 2000 (65 FR 19477–78) or at https://www.transportation.gov/privacy.

FOR FURTHER INFORMATION CONTACT:

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A. Background and Overview

The National Transit Database (NTD) was established by Congress to be the Nation’s primary source for information and statistics on the transit systems of the United States. Recipients and beneficiaries of Federal Transit Administration (FTA) grants under either the Urbanized Area Formula Program (49 U.S.C. 5307) or Rural Area Formula Program (49 U.S.C. 5311) are required by law to report to the NTD. FTA grantees that own, operate, or manage public transportation capital assets are required to provide more limited reports to the NTD regarding Transit Asset Management.

Pursuant to 49 U.S.C. 5334(k), FTA is seeking public comment on five proposed NTD reporting changes and clarifications. These proposals are based on changes to Federal transportation law made by the Bipartisan Infrastructure Law, enacted as the Infrastructure Investment and Jobs Act (Pub. L. 117–58) and based on input from the transit industry. These proposed changes are not related to safety and security (S&S) reporting, as FTA is proposing S&S changes in a separate Federal Register notice. The information below describes anticipated reporting impacts from each proposed change or clarification, as well as the proposed effective date of each change. FTA seeks comments on the proposed changes and clarifications described below. All impacts or changes described below are proposed and subject to finalization in a future notice.

B. New Sample-Based Monthly Data (WE–20)

During the recent COVID–19 pandemic, FTA found that it did not have timely data on transit ridership or transit service levels that was sufficient to inform decision-makers at the Federal, State, and local levels during a rapidly changing crisis situation. To better understand changes in the transit industry on a timely basis, FTA proposes to collect additional data from a sample set of modal reports from across the universe of full, reduced, tribal, and rural reporters on a new WE–20 Form. The goal of the sample is to obtain a representative nationwide snapshot of transit ridership and transit service levels. The sampling methodology would use a stratified random sampling based on region, mode, and other factors. FTA would then make sampling adjustments as needed based on unavailable modes, reporters without weekly data access, or other factors. Sampling may not be purely random to ensure the accuracy of the nationwide estimate of ridership and service levels. Therefore, NTD reporters with the largest service levels nationally or regionally may be more likely to be selected multiple times to ensure the accuracy of the nationwide estimate.

For the sampled modes, FTA proposes to collect four data points once each month:

• Weekday 5-day unlinked passenger trip (UPT) total for the reference week;
• Weekday 5-day vehicle revenue miles (VRM) total for the reference week;
• Weekend 2-day unlinked passenger trip (UPT) total for either the weekend preceding or following the reference week; and
• Weekend 2-day vehicle revenue miles (VRM) total for either the weekend preceding or following the reference week.

Under this proposal, these data will be due three business days after the last day of the reference week. In general, FTA is proposing to designate the second full week of the month as the “reference week,” unless the reference week contains a Federal holiday. FTA will inform reporters for the selected modes of the precise dates of the reference week at least three months in advance and will list the precise dates of the reference week on the form. For example, the reference week for July 2023 would cover July 10–16, and data for that week would be due three business days later—by the end of the day on July 19. FTA will also give three months advance notice about whether FTA will continue to report UPT and VRM data for the weekend preceding or the weekend following the reference week.

FTA proposes to require a sampled subset of approximately 400 NTD reporters to report these data for at least one mode. FTA proposes that sampled reporters remain constant for a period of three consecutive calendar years after the effective date of the reporting requirement. The reporting requirement effective date is proposed to be prior to one mode. FTA proposes that sampled reporters remain constant for a period of three consecutive calendar years after the effective date of the reporting requirement. The reporting requirement effective date is proposed to be the following the reference week, in cases where an NTD reporter reports fixed route mode only reporters. This requirement would also apply only to reporters that operate a rural reporters, but not capital asset-only reporters. This requirement would not apply to capital asset-only reporters.

First, FTA is proposing that in RY 2023, applicable NTD reporters will be required to establish and submit a web-hosted GTFS dataset for their fixed route service. The dataset may have multiple links, such as one per mode. All links must be persistent (i.e., static), machine readable, and not password-protected. FTA expects this to be a one-time requirement. Once an agency publishes the data, it can be maintained in that format for the persistent web link for subsequent reporting years.

Second, beginning in RY 2024, FTA is proposing that applicable NTD reporters certify annually via the D–10 certification form that their previously submitted web links are up to date. All fixed route service changes must be reflected in the previous weblink with the GTFS dataset. Specifically, if there are changes to fixed routes, the reporter must update the GTFS dataset at the previously submitted web link. FTA does not expect this to be a large administrative burden because fixed route service changes are infrequent.

FTA is proposing that if a reporter cannot publish a GTFS dataset, they must email their NTD analyst and explain why hosting a web link is not possible. FTA is proposing that reporters that are unable to host a web link to a GTFS dataset must submit their geographic service area coverage data via alternative means, e.g., email. FTA expects the majority of agencies will be able to web-host GTFS datasets via web links that are persistent, machine-readable, and not password protected.

FTA is proposing that this new requirement apply to full reporters, reduced reporters, tribal reporters, and rural reporters, but not capital asset-only reporters. This requirement would apply only to reporters that operate a fixed route mode. FTA is proposing that in cases where an NTD reporter reports on behalf of multiple reporters (such as a State for multiple rural reporters), the expected to submit at least one unique link or compressed file per unique NTD reporting ID (NTDID). If the
NTDID has multiple GTFS links for multiple modes, the reporter may submit these multiple links.

**GTFS Data Requirements**

GTFS ensures data consistency by establishing minimum requirements. Specifically, GTFS requires that an overarching compressed file contain, at a minimum, seven underlying text files: (a) Agency; (b) Stops; (c) Routes; (d) Trips; (e) Stop Times; (f) Calendar or Calendar Dates.txt; and (g) Feed Info.txt. An eighth file, Shapes.txt, is an optional file, but it is recommended to make the files more useful for geospatial mapping purposes. Additionally, within each file, some fields are noted as “optional.” Optional fields are recommended in the file(s) mentioned above since they improve the usefulness of the datasets for data users.

Detailed information about the fields required for each of these files is published here: https://gtfs.org/reference/static#field-definitions.

**Development Assistance**

For transit systems that currently operate fixed route modes, but lack existing web-hosted GTFS datasets, FTA will provide technical assistance. Existing available technical assistance includes:

- Free technical assistance instructions through the National Rural Transit Assistance Program (RTAP) website: https://www.nationalrtap.org/Technology-Tools/GTFS-Builder; and
- Bureau of Transportation Statistics, National Transit Map Frequently Asked Questions: https://www.bts.gov/national-transit-map/frequently-asked-questions. Reporters may also consider partnering with a local college or university for technical assistance in establishing a GTFS feed. Additionally, FTA is proposing that NTD reporters can request a one-year waiver of this requirement with documentation that they are seeking technical assistance for establishing GTFS data, such as a plan with dates and milestones demonstrating how the reporter will comply with the GTFS requirement.

**Compliance**

FTA is proposing to monitor compliance in two ways. First, FTA proposes to periodically check that web links are viable and current, reflecting fixed route service stops, routes, and schedules. Second, on an annual basis, FTA proposes to ask reporters to confirm the accuracy of their GTFS feeds as part of their annual kick-off task. The kick-off is the NTD’s system task which confirms information to create the relevant reporting forms for the new fiscal year.

**Phasing**

FTA expects reporting burdens to vary depending on existing agency data processes. NTD reporters are likely in three different phases of offering GTFS data feeds. First, some NTD reporters already submit GTFS data feeds voluntarily to the NTD. Second, some reporters have GTFS feeds but have not submitted these feeds to the NTD. Third, some reporters do not yet have GTFS feeds.

FTA anticipates the greatest challenges will be for those reporters who do not have GTFS feeds yet, or States who currently report data on their behalf (e.g., States for rural reporters). FTA has identified some technical assistance resources to assist in the development of GTFS feeds (listed above). FTA proposes that reporters will not have to submit new GTFS data or required updates to the NTD until FY 2023. FTA welcomes comments requesting technical assistance or describing specific barriers or issues related to developing or submitting GTFS data.

Upon publication, all GTFS data submitted to the NTD will enter the public domain.

**D. Collecting Geospatial Data for Demand Response Modes**

FTA proposes that beginning in FY 2023 certain demand response modes must report geospatial data to the NTD. FTA will begin collecting these data to implement the new requirement that FTA collect geographic service area coverage data. FTA is proposing that this new requirement apply to full, reduced, tribal, and rural reporters, but not capital asset-only reporters. FTA is proposing to collect geospatial data for non-fixed routes using a new NTD form. FTA is proposing to collect these data annually through the questions shown below:

1. Do you serve residents in another State besides your State?
2. Select the Counties that you serve, either in whole or in part, where you pick up residents for a new trip origin.
3. Select Census ‘Places’ served in these counties; indicate whether these Places (e.g., Township) are served, and whether these Places are partially or wholly served.
4. Is your demand response service intended to meet the Americans with Disabilities Act (ADA) complementary paratransit requirements for a fixed route system?

**E. Emergency Contact Information**

At present, the NTD requires that each organization submit organizational contact information on the P–10 form. FTA proposes that beginning in FY 2023, FTA will also collect the organization’s emergency contact information on the P–10 form. This emergency contact does not have to be the same person as someone with an existing NTD system role. FTA proposes to use this emergency contact information to facilitate communication between FTA and the reporter during emergencies. Maintaining a current emergency point of contact (POC) will allow FTA to quickly send updated relevant information to the right contact and ensure communication before, during, and after the emergency event. FTA proposes that the emergency contact be someone affiliated with emergency preparedness or response functions. This includes an emergency liaison officer, a facility or building emergency response team member, or a person with similar job functions. This person must be the individual at an agency that is the FTA POC in the event of an emergency. The agency will be asked to certify the accuracy of this information on their annual kick-off task.

**F. Vehicle Fuel Type**

The Bipartisan Infrastructure Law provides historic investments towards
converting the Nation’s transit fleet to zero-emission and low-emission vehicles. Currently, FTA collects vehicle fuel type only from full and reduced reporters on the A–30 form. Tribal, rural, and capital asset-only reporters do not report fuel type on the A–30 form. In order to track implementation of zero-emission and low-emission vehicles funded by the Bipartisan Infrastructure Law, FTA is proposing to add a question to the A–30 form for tribal, rural, and capital asset-only reporters about fuel type. FTA proposes to apply this change beginning in FY 2023.

Nuria I. Fernandez, Administrator. [FR Doc. 2022–14502 Filed 7–6–22; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2022–0057]

Czinger Vehicles—Receipt of Petition for Temporary Exemption

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

ACTION: Notice of receipt of petition for temporary exemption; request for public comment.

SUMMARY: Czinger Vehicles (Czinger) has petitioned NHTSA for a temporary exemption from windshield requirements in Federal motor vehicle safety standard (FMVSS) No. 205, Glazing materials. Czinger is a low volume start-up manufacturer and seeks the exemption on the basis that compliance with the standard would cause substantial economic hardship. NHTSA is publishing this document in accordance with statutory and administrative provisions and requests comment on the merits of Czinger’s exemption petition. NHTSA has made no judgement at this time on the merits of the petition.

DATES: Comments must be received on or before August 8, 2022.

FOR FURTHER INFORMATION CONTACT:

Comments: NHTSA invites you to submit comments on the petition described herein and the questions posed below. You may submit comments identified by docket number in the heading of this notice by any of the following methods:
• Fax: 202–493–2251.
• Hand Delivery: 1200 New Jersey Avenue, SE, West Building Ground Floor, Room W12–140, Washington, DC, 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.
• Federal eRulemaking Portal: Go to http://www.regulations.gov. Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number. Note that all comments received will be posted without change to http://www.regulations.gov, including any personal information provided. Please see the Privacy Act discussion below. NHTSA will consider all comments received before the close of business on the comment closing date indicated above. To the extent possible, NHTSA will also consider comments filed after the closing date.

Docket: For access to the docket to read background documents or comments received, go to http://www.regulations.gov at any time or to 1200 New Jersey Avenue, SE, West Building Ground Floor, Room W12–140, Washington, DC 20590, 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.

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, to www.regulations.gov, as described in the system of records notice, DOT/ALL–14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Confidential Business Information: If you wish to submit any information under a claim of confidentiality, see the detailed instructions given under the Public Participation heading of the Supplementary Information section of this document.

SUPPLEMENTARY INFORMATION:

I. Statutory and Regulatory Requirements

NHTSA is responsible for promulgating and enforcing FMVSS designed to improve motor vehicle safety. Generally, a manufacturer may not manufacture for sale, sell, offer for sale, or introduce or deliver for introduction into interstate commerce a vehicle that does not comply with all applicable FMVSS.1 There are limited exceptions to this general prohibition.2 One path permits manufacturers to petition NHTSA for an exemption for noncompliant vehicles under specified set of statutory bases.3

The National Traffic and Motor Vehicle Safety Act (Safety Act), codified at 49 U.S.C. Chapter 301, authorizes the Secretary of Transportation to exempt, on a temporary basis and under specified circumstances, and on terms the Secretary considers appropriate, motor vehicles from a FMVSS or bumper standard. This authority is set forth at 49 U.S.C. 30113. The Secretary has delegated the authority for implementing this section to NHTSA.4

The Safety Act authorizes NHTSA (by delegation) to grant, in whole or in part, a temporary exemption to a vehicle manufacturer if certain specified findings are made.5 The agency must find that the exemption is consistent with the public interest and the objectives of the Safety Act.6 In addition, exemptions under §30113 must meet one of the following bases:
(i) Compliance with the standard[s] [from which exemption is sought] would cause substantial economic hardship to a manufacturer that has tried to comply with the standard[s] in good faith;
(ii) the exemption would make easier the development or field evaluation of a new motor vehicle safety feature providing a safety level at least equal to the safety level of the standard;
(iii) the exemption would make the development or field evaluation of a low-emission motor vehicle easier and would not unreasonably lower the safety level of that vehicle; or
(iv) compliance with the standard would prevent the manufacturer from

1 49 U.S.C. 30112(a)(1).
4 49 CFR 1.94.
5 49 U.S.C. 30113(b)(3).