

the early 1990s but GM believes the DRL marking requirement no longer holds the same significance because of the increased prevalence of DRLs being installed in vehicles as standard equipment.

GM says that it has not received any complaints, reports, or claims as a result of the subject noncompliance. GM also states that it has not found any reports from consumers complaining that their vehicles did not pass a state inspection or that drivers have been cited by local law enforcement because the ‘DRL’ marking was not present.

Furthermore, GM says that the MY 2018–2020 Chevrolet Tahoe and Suburban motor vehicles without the DRL marking are also offered for sale in Canada, where the DRL marking is not a requirement. GM says that because the DRL marking is not required by the Canadian Motor Vehicle Safety Standards, this supports their belief that “the marking requirement is an artifact of the piecemeal approach to vehicle lighting regulation in the United States that existed decades ago and has no bearing on motor vehicle safety or the performance of the headlamp system.”

GM believes that NHTSA’s analysis of certain petitions for inconsequential noncompliance support granting the subject petition. According to GM, for inconsequential petitions submitted by OSRAM SYLVANIA Products, Inc.,<sup>2</sup> and General Motors, LLC,<sup>3</sup> NHTSA has previously granted these where, like in this petition, the only compliance related issue is that the light source does not meet the associated marking requirement. Specifically, GM noted that the key point in the analysis of both those petitions was that NHTSA determined that inadvertently installing a lamp by following the marking on the light source would not create an enhanced safety risk because the two light sources were interchangeable. Furthermore, GM claims that since the DRL is a non-replaceable lamp within the headlamp assembly, the whole headlamp assembly will need to be replaced. Thus, the “DRL” marking does not and was never intended to communicate any information related to its replacement and does not provide any information to the consumer on the compatible types of replacement light sources. GM cites a petition submitted

by Volkswagen Group of America, Inc.,<sup>4</sup> to be similar to the subject petition where GM says NHTSA found that because consumers and other entities would identify replacement lamps through other means and would in no way rely upon the missing voltage marking, the noncompliance posed little if any risk to motor vehicle safety.

In a denial of a petition submitted by Great Dane, LLC,<sup>5</sup> GM says NHTSA reasoned that the absence of a certification label reduces the safety effectiveness of certain items of motor vehicle equipment, the same considerations do not apply to the subject noncompliance. GM claims that in contrast to the Grant Dane petition, the “DRL” marking serves a fundamentally different purpose in that consumers do not inspect the headlamp lens for the presence of the mark and the mark does not communicate any details about the performance. GM goes on to refer to a petition NHTSA granted that was submitted by Porsche Cars North America, Inc.,<sup>6</sup> where tires did not include the “DOT” certification mark. In this case, GM states NHTSA determined that the noncompliance was inconsequential because the affected tires complied with the relevant FMVSSs and contained a vehicle certification label.

GM concludes by stating its belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety and its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that GM no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers

of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after GM notified them that the subject noncompliance existed.

(Authority: 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8)

**Otto G. Matheke III,**  
*Director, Office of Vehicle Safety Compliance.*

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. DOT–OST–2022–0102]

#### Use of Inland Ports for Storage and Transfer of Cargo Containers

**ACTION:** Notice of request for information.

**SUMMARY:** This notice requests comments and information from representatives from across the supply chain, as well as the general public, pertaining to the feasibility of, and strategies for, identifying Federal and non-Federal sites for storage and transfer of cargo containers, to assist the Department of Transportation in preparing the report required by Section 24 of the Ocean Shipping Reform Act (OSRA), which was signed into law on June 16, 2022.

**DATES:** Comments must be received on or before October 26, 2022. DOT will consider comments filed after this date to the extent practicable.

**ADDRESSES:** You may submit comments identified by Docket Number DOT–OST–2022–0102 by any of the following methods:

- *Electronic Submission:* Go to <http://www.regulations.gov>. Search by using the docket number (provided above). Follow the instructions for submitting comments on the electronic docket site.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor (W12–140), Washington, DC 20590–0001.

- *Hand Delivery:* W12–140 of the Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

*Instructions:* All submissions must include the agency name and docket numbers.

**Note:** All comments received, including any personal information, will be posted

<sup>2</sup> OSRAM SYLVANIA Products, Inc., Grant of Petition for Decision of Inconsequential Noncompliance, 78 FR 22943 (April 17, 2003).

<sup>3</sup> General Motors, LLC, Grant of Petition for Decision of Inconsequential Noncompliance, 82 FR 5644 (January 18, 2017).

<sup>4</sup> Volkswagen Group of America, Inc., Grant of Petition for Decision of Inconsequential Noncompliance, 82 FR 26733 (June 8, 2017).

<sup>5</sup> Great Dane, LLC, Denial of Petition for Decision of Inconsequential Noncompliance, 87 FR 23018 (April 18, 2022).

<sup>6</sup> Porsche Cars North America, Inc.; Grant of Petition for Decision of Inconsequential Noncompliance, 86 FR 184 (January 4, 2021).

without change to the docket and is accessible via <http://www.regulations.gov>. Input submitted online via [www.regulations.gov](http://www.regulations.gov) is not immediately posted to the site. It may take several business days before your submission is posted.

**FOR FURTHER INFORMATION CONTACT:** [osra\\_inlandports@dot.gov](mailto:osra_inlandports@dot.gov) or Brandon White at 202-366-4829.

**SUPPLEMENTARY INFORMATION:**

**Background**

On June 16, 2022, President Biden signed into law S. 3580, the Ocean Shipping Reform Act of 2022 (OSRA). Section 24 of OSRA, titled "USE OF UNITED STATES INLAND PORTS FOR STORAGE AND TRANSFER OF CARGO CONTAINERS", required that the U.S. Department of Transportation's Assistant Secretary for Transportation Policy, in consultation with the Administrator of the Maritime Administration and the Chairperson of the Federal Maritime Commission, convene a meeting of representatives of entities described in subsection (b) to discuss the feasibility of, and strategies for, identifying Federal and non-Federal land, including inland ports, for the purposes of storage and transfer of cargo containers due to port congestion. The required meeting was conducted September 26, 2022.

This notice requests comments and information from representatives across the supply chain, and any other interested parties, pertaining to the feasibility of, and strategies for, identifying Federal and non-Federal sites for storage and transfer of cargo containers, to assist the Department of Transportation in preparing the report required by OSRA. In developing this report, the Secretary will consult with the heads of appropriate agencies and will be assisted by the relevant operating administrations of the Department of Transportation.

**Written Comments**

The Department seeks information from supply chain stakeholders and any other interested parties on the feasibility of, and strategies for, identifying Federal and non-Federal sites for storage and transfer of cargo containers, including, but not limited to, the following topics:

1. As far as solutions to address congestion are concerned, how much utility do you see in identifying additional space for the storage and transfer of intermodal containers? What, if anything, would you prioritize above additional storage and transfer space in order to maintain fluidity?

2. Would you consider the use of additional storage and transfer spaces

for congestion mitigation, such as inland ports, feasible for your industry and geographic areas of operation?

3. Recognizing the distribution value chain involves multiple stakeholders, what other entities would most benefit from additional inland ports?

4. What roles do you envision the private and public sector, including the Federal government, offering to create the most effective strategy to implement congestion mitigation through greater development and utilization of inland ports?

Dated: September 15, 2022.

**Christopher Coes,**

*Assistant Secretary for Transportation Policy.*

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**DEPARTMENT OF THE TREASURY**

**Community Development Financial Institutions Fund; Notice of Information Collection and Request for Public Comment**

**ACTION:** Notice and request for public comment.

**SUMMARY:** The U.S. Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the public and other Federal agencies to take this opportunity to comment on proposed information collections, as required by the Paperwork Reduction Act of 1995. Currently, the Community Development Financial Institutions Fund (CDFI Fund), the Department of the Treasury, is soliciting comments concerning the Performance Progress Report and Financial Statement Audit Report Form. The Performance Progress Report and Financial Statement Audit Report Form are online forms submitted through the CDFI Fund's Awards Management Information System (AMIS).

**DATES:** Written comments must be received on or before November 25, 2022 to be assured of consideration.

**ADDRESSES:** Submit your comments via email to Heather Hunt, Program Manager for the Office of Compliance Monitoring and Evaluation (OCME), CDFI Fund at [CCME@cdfi.treas.gov](mailto:CCME@cdfi.treas.gov).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Heather Hunt, OCME Program Manager, CDFI Fund, U.S. Department of the Treasury, 1500 Pennsylvania Avenue NW, Washington, DC 20220, (202) 653-0241 (not a toll-free number). Other information regarding the CDFI Fund and its programs may be obtained on the CDFI

Fund website at <https://www.cdfifund.gov>.

**SUPPLEMENTARY INFORMATION:**

**Title:** Performance Progress Report and Financial Statement Audit Report Form.

**OMB Number:** 1559-0032.

**Abstract:** Recipients of the Community Development Financial Institutions Program (CDFI Program), the CDFI Rapid Response Program (CDFI RRP), the Native American CDFI Assistance Program (NACA Program), and the Small Dollar Loan Program (SDL Program) submit the Performance Progress Report via the CDFI Fund's AMIS once a year, three (3) months after their Period of Performance end date or fiscal year end. Recipients and Allocatees of the CDFI Program, CDFI RRP, NACA Program, CMF, NMTC Program, and SDL Program also submit the Financial Statement Audit Report via the CDFI Fund's AMIS once a year, six (6) months after their Period of Performance end date or fiscal year end. Recipients respond to the questions below by providing numerical figures, "yes" or "no" answers, or narrative responses, as appropriate. These reports are used to determine Recipient compliance with their Assistance Agreement. There are no significant content changes to the forms, however minor, non-substantive modifications were made to the Performance Progress Report to include changes resulting from the implementation of new programs and modifications to existing Assistance Agreements.

**Current Actions:** Extension without change of currently approved collection.

**Type of Review:** Regular.

**Affected Public:** Businesses or other for-profit institutions, non-profit entities, and State, local and Tribal entities participating in the CDFI Fund programs.

**Estimated Number of Respondents:** 1,902.

**Frequency of Responses:** Annually.

**Estimated Total Number of Annual Responses:** 1,902.

**Estimated Annual Time per Respondent:** 45 min.

**Estimated Total Annual Burden Hours:** 1,426.5 hours.

**Requests for Comments:** Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record and may be published on the CDFI Fund website at <http://www.cdfifund.gov>. Comments are invited on: (a) whether the collection of information is necessary for the proper performance of