

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. DOT-OST-2020-XXXX]

Non-Traditional and Emerging Transportation Technology (NETT) Council

AGENCY: Office of the Secretary (OST), Department of Transportation (DOT)

ACTION: Request for Comment.

SUMMARY: The Office of the Secretary of Transportation (OST) invites public comment on the document, *Hyperloop Standards Desk Review (Desk Review)*. The *Desk Review* serves as a starting point for policymakers to better understand areas where relevant standards currently exist, areas where existing regulations or technical standards could be adapted or modified to address hyperloop-specific considerations, and areas where new voluntary technical standards or regulations may be needed. The findings of this document, along with public comments, will inform the Department's future efforts in standards development for hyperloop systems. The *Desk Review* document is available at www.transportation.gov/nettcouncil.

DATES: Comments are requested by [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]. See the SUPPLEMENTARY INFORMATION section on "Public Participation," below, for more information about written comments.

WRITTEN COMMENTS: Comments should refer to the docket number above and be submitted by one of the following methods:

- Federal Rulemaking Portal: <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Mail: Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue S.E., West Building Ground Floor, Room W12-140, Washington, D.C. 20590-0001.
- Hand Delivery: 1200 New Jersey Avenue S.E., West Building Ground Floor, Room W12-140, Washington, D.C., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal Holidays.

Instructions: For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Participation heading of the SUPPLEMENTARY INFORMATION section of this document. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

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 associations, 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>.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or to the street address listed above. Follow the online instructions for accessing the dockets.

FOR FURTHER INFORMATION CONTACT: For further information, please email NETTCouncil@dot.gov or contact 202-366-0442. Office hours are from 8 a.m. to 5 p.m., EST, Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION

The *Hyperloop Standards Desk Review* assesses the status of hyperloop standards activities, develops a foundation for future hyperloop standardization efforts, and identifies stakeholder perspectives on the applicability of existing standards to domestic testing and deployment. This document is intended to serve as a starting point to inform policymakers about areas where relevant standards currently exist, areas where existing regulations or technical standards could be adapted or modified to address hyperloop-specific considerations, and areas where new voluntary technical standards or regulations may be needed.

The Department is seeking public comments on the *Desk Review* and the next steps for the NETT Council. The Department will consider all relevant comments to inform the future work and direction of the Council. The desk review document is available at www.transportation.gov/nettcouncil.

The questions below are meant to guide commenters; however, commenters are invited to provide their views on issues surrounding hyperloop standards and other general comments related to this topic. To the extent possible, please provide technical information, regulatory citations, data, or other evidence to support your comments.

1. Please provide your views on issues surrounding hyperloop standards and other general comments related to this topic.

2. Are there other standards, standards making organizations, and ongoing work that was not included in the white paper that the Department should be aware of?
3. What U.S. laws, regulations, and standards from other industries have stakeholders referenced or used to develop and ensure safe design, construction, and operational safety of hyperloop systems?
4. What international laws or regulations have stakeholders referenced or used to ensure the safe design, construction, and operational safety of hyperloop systems?
5. Using specific examples or use cases, please discuss your views on international standards harmonization and interoperability.

Public Participation

How do I prepare and submit comments?

Your comments must be written in English. To ensure that your comments are filed correctly in the docket, please include the docket number of this document in your comments.

Please submit one copy (two copies if submitting by mail or hand delivery) of your comments, including the attachments, to the docket following the instructions given above under ADDRESSES. Please note, if you are submitting comments electronically as a PDF (Adobe) file, we ask that the documents submitted be scanned using an Optical Character Recognition (OCR) process, thus allowing the Department to search and copy certain portions of your submissions.

How do I submit confidential business information?

Any submissions containing Confidential Information must be delivered to OST in the following manner:

- Submitted in a sealed envelope marked “confidential treatment requested”;
- Document(s) or information that the submitter would like withheld should be marked “PROPIN”; Accompanied by an index listing the document(s) or information that the submitter would like the Department to withhold. The index should include information such as numbers used to identify the relevant document(s) or information, document title and description, and relevant page numbers and/or section numbers within a document; and
- Submitted with a statement explaining the submitter's grounds for objecting to disclosure of the information to the public.

OST will treat such marked submissions as confidential under the FOIA, and will not include it in the public docket. OST also requests that submitters of Confidential Information include a non-confidential version (either redacted or summarized) of those confidential submissions in the public docket. In the event that the submitter cannot provide a non-confidential version of its submission, OST requests that the submitter post a notice in the docket stating that it has provided OST with Confidential Information. Should a submitter fail to docket either a non-confidential version of its submission or to post a notice that Confidential Information has been provided, we will note the receipt of the submission on the docket, with the submitter's organization or name (to the degree permitted by law) and the date of submission.

Will the agency consider late comments?

OST will consider all comments received before the close of business on the comment closing date indicated above under DATES. To the extent possible, the Department will also consider comments received after that date.

How can I read the comments submitted by other people?

You may see the comments on the Internet, identified by the docket number at the heading of this notice, at <http://www.regulations.gov>.

Issued in Washington, D.C. on January 18, 2021 under authority delegated at 49 CFR 1.25a.

Thomas Finch Fulton,

Deputy Assistant Secretary for Transportation Policy