

FOR FURTHER INFORMATION CONTACT: Ms. Glenda Davis, phone (202) 366-5209; FAX (202) 366-7298; or e-mail glenda.davis@fmcsa.dot.gov; Federal Motor Carrier Safety Administration, DOT, 400 Seventh Street, SW., Washington, DC 20590. For additional information and copies of the information collection instrument and instructions, contact Ms. Lorena F. Truett, National Transportation Research Center, 2360 Cherahala Boulevard, Room I-32, Knoxville, TN 37932; phone (865) 946-1306; FAX (865) 946-1314; or e-mail: TruettLF@ornl.gov. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

SUPPLEMENTARY INFORMATION:

Title: Commercial Driver's License Policies and Practices Among the 51 Jurisdictions.

OMB Control No: 2126-XXXX.

Background: In 1986, the Commercial Motor Vehicle Safety Act (CMVSA) (Public Law 99-570, Title XII, 100 Stat. 3207-170 (October 27, 1986)) was passed in an effort to improve highway safety as it related to commercial motor vehicle drivers. The CDL program was created as a result of that Act. The Motor Carrier Safety Improvement Act (MCSIA) of 1999 (Public Law 106-159, 113 Stat. 1748 (December 9, 1999)) further strengthened the CDL Program through more vehicle and driver inspections and carrier compliance reviews, stronger enforcement, expedited completion of rules, and effective CDL testing, record keeping, and sanctions. The goal of both the CMVSA and MCSIA was to improve highway safety by ensuring that drivers of commercial vehicles were qualified to operate those vehicles and to remove unsafe and unqualified drivers from the highways.

The Federal Motor Carrier Safety Administration (FMCSA), within the U.S. Department of Transportation (DOT), conducts Compliance Reviews (CRs) of the 50 States and the District of Columbia in Washington, DC, to ensure that the States are complying with the Federal Motor Carrier Safety Regulations (FMCSRs). Additional objectives of the State CRs include the following: identifying technical, operational, and administrative deficiencies in State CDL programs; establishing a mechanism for identifying and correcting serious program deficiencies; and identifying opportunities for CDL fraud.

FMCSA conducted CRs on every State. Based on the results of the State CRs, some States had fewer compliance

issues than others. It appears, however, that each State was in non-compliance to some degree at the time the CR was conducted in the State. It is necessary for FMCSA to understand why the States are in non-compliance. While there is anecdotal evidence that the fault may lie with the various processes within the States, or a failure by FMCSA to provide adequate guidance, or even with the Federal regulations, there has been no systematic effort to determine the cause of State non-compliance with the CDL requirements. For FMCSA to find a solution which brings the States into compliance with the CDL Federal regulations and increases commercial-vehicle safety, FMCSA must obtain input from the States.

The primary means for obtaining information from the State officials will be via a password-protected Web site. In the introduction ("welcome screen") to the questionnaire, the respondent will be provided alternatives for taking the survey via a paper copy or over the phone with an FMCSA contractor. If the respondent indicates a preference for the paper copy or phone survey, arrangements will be made for administering the survey in the desired format. In addition, any respondents who prefer to be interviewed via a phone call will also be provided an e-mail address so they may submit additional comments if desired.

Respondents: Each of the 51 jurisdictions (50 States plus the District of Columbia) will be contacted.

Frequency: Once.

Estimated Average Burden per Response: 1 hour per response.

Estimated Total Annual Burden Hours: 51 hours (51 jurisdictions x 1 hour per response).

Public Comments Invited

You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FMCSA's performance; (2) the accuracy of the estimated burden; (3) ways for the FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Authority: The Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended; Pub. L. 99-570, Title XII, 100 Stat. 3207-170 (October 27, 1986); Pub. L. 106-159, 113 Stat. 1748 (December 9, 1999); and 49 CFR § 1.73.

Issued on: October 21, 2005.

Annette M. Sandberg,
Administrator.

[FR Doc. 05-21397 Filed 10-25-05; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34728]

Marquette Rail, LLC—Lease and Operation Exemption—CSX Transportation, Inc.

Marquette Rail, LLC (MQT), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease, from CSX Transportation, Inc. (CSXT), and operate approximately 129.03 miles of rail line extending between: (a) Milepost CGE 3.6 at the Grand Rapids, MI station and milepost CGE 73.71 at the Baldwin, MI station; (b) milepost CB 106.91 at the Baldwin station and milepost CB 136.5 at the Ludington, MI station; (c) milepost CBA 87.0 at the Walhalla, MI station and milepost CBA 113.7 at the Manistee, MI station; and (d) milepost CBA 113.7 at the Manistee station and the end of track at Filer City, MI (the Filer City Spur, approximately 2.63 miles in length).

MQT certifies that its projected revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier. However, because its projected annual revenues may exceed \$5 million, MQT also certifies that it has complied with the posting and service requirements of 49 CFR 1150.32(e).¹ The transaction was scheduled to be consummated on or after October 14, 2005.

If the verified notice contains false or misleading information, the exemption

¹ MQT states that at the time the labor notice was given, MQT planned to purchase the track and other rail improvements and to lease the underlying right-of-way. However, MQT will instead be leasing on a long-term basis both the track and other rail improvements and the underlying right-of-way. In addition, the labor notice also indicated that the milepost at Baldwin in segment (b) was CB 107.0. MQT has been advised by CSXT that, while milepost CB 107.0 is used to signify Baldwin for operating purposes, the actual milepost is CB 106.91. Therefore, MQT and CSXT have amended all of their agreements to reflect the milepost for Baldwin as CB 106.91. Also, in the labor notice, the milepost at Baldwin in segment (a) was incorrectly listed as CGE 73.4 instead of CGE 73.71. Finally, the total mileage is accordingly approximately 129.03 not 128.63 as stated in the labor notice. However, under the revised lease arrangements and milepost changes, no additional CSXT employees will be affected, MQT will still be responsible for all operations and maintenance and the change will not affect the number of positions that MQT anticipates will be available.

is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34728, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Eric M. Hocky, Gollatz, Griffin & Ewing, P.C., Four Penn Center, Suite 200, 1600 John F. Kennedy Blvd., Philadelphia, PA 19103-2808.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: October 21, 2005.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 05-21410 Filed 10-25-05; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34760]

Arkansas Southern Railroad, Inc.— Lease Exemption—The Kansas City Southern Railway Company

Arkansas Southern Railroad, Inc. (ARSR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from The Kansas City Southern Railway Company and operate approximately 61 miles of rail lines located in Arkansas and Oklahoma. The rail lines extend from: (1) Milepost 4.0, near Heavener, OK, to milepost 33.0, at the end of the track at Waldron, AR; and (2) milepost 32.0, at Ashdown, AR, to milepost 0.0, at the end of the track near Nashville, AR, not including the 601 track switch at Ashdown, AR.

This transaction is related to STB Finance Docket No. 34761, *Watco Companies, Inc.—Continuance in Control Exemption—Arkansas Southern Railroad, Inc.*, wherein Watco Companies, Inc., has filed a notice of exemption to continue in control of ARSR upon its becoming a Class III rail carrier.

ARSR certifies that its projected revenues as a result of the transaction will not result in ARSR's becoming a Class II or Class I rail carrier. ARSR also certifies that its projected annual revenues will not exceed \$5 million.

The transaction was expected to be consummated on or shortly after October 9, 2005.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34760, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Karl Morell, Of Counsel, Ball Janik, LLP, 1455 F Street, NW., Suite 225, Washington, DC 20005.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: October 21, 2005.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 05-21402 Filed 10-25-05; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34761]

Watco Companies, Inc.—Continuance in Control Exemption—Arkansas Southern Railroad, Inc.

Watco Companies, Inc. (Watco), has filed a verified notice of exemption to continue in control of Arkansas Southern Railroad, Inc. (ARSR), upon ARSR's becoming a Class III rail carrier.¹

The transaction was expected to be consummated on or shortly after October 9, 2005.

This transaction is related to a concurrently filed verified notice of exemption in STB Finance Docket No. 34760, *Arkansas Southern Railroad, Inc.—Lease Exemption—The Kansas City Southern Railway Company*. In that proceeding, ARSR seeks to acquire by lease from The Kansas City Southern Railway Company and operate approximately 61 miles of rail lines in Arkansas and Oklahoma extending from: (1) Milepost 4.0, near Heavener, OK, to milepost 33.0, at the end of the track at Waldron, AR; and (2) milepost 32.0, at Ashdown, AR, to milepost 0.0, at the end of the track near Nashville, AR, not including the 601 track switch at Ashdown, AR.

¹ Watco owns 100% of the issued and outstanding stock of ARSR.

Watco, a Kansas corporation, is a noncarrier that currently controls 14 Class III rail carriers: South Kansas and Oklahoma Railroad Company (SKO), Palouse River & Coulee City Railroad, Inc. (PRCC), Timber Rock Railroad, Inc. (TIBR), Stillwater Central Railroad, Inc. (SLWC), Eastern Idaho Railroad, Inc. (EIRR), Kansas & Oklahoma Railroad, Inc. (K&O), Pennsylvania Southwestern Railroad, Inc. (PSWR), Great Northwest Railroad, Inc. (GNR), Kaw River Railroad, Inc. (KRR), Mission Mountain Railroad, Inc. (MMT), Appalachian & Ohio Railroad, Inc. (AO), Mississippi Southern Railroad, Inc. (MSRR), Yellowstone Valley Railroad, Inc. (YVRR), and Louisiana Southern Railroad, Inc. (LSRR).²

Applicant states that (1) The rail lines operated by SKO, PRCC, TIBR, SLWC, EIRR, K&O, PSWR, GNR, KRR, MMT, AO, MSRR, YVRR, and LSRR do not connect with the rail lines being leased by ARSR; (2) the continuance in control is not part of a series of anticipated transactions that would connect the rail lines being leased by ARSR with any railroad in the Watco corporate family; and (3) neither ARSR nor any of the carriers controlled by Watco are Class I rail carriers. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2). The purpose of the transaction is to reduce overhead expenses, coordinate billing, maintenance, mechanical and personnel policies and practices of applicant's rail carrier subsidiaries, thereby improving the overall efficiency of rail service provided by the 15 railroads.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve on Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the

² SKO's lines are located in Missouri, Kansas, and Oklahoma; PRCC's lines are located in Washington, Oregon, and Idaho; TIBR's lines are located in Texas and Louisiana; SLWC's lines are located in Oklahoma; EIRR's lines are located in Idaho; K&O's lines are located in Kansas and Colorado; PSWR's line is located in Pennsylvania; GNR's lines are located in Idaho and Washington; KRR's lines are located in Kansas and Missouri; MMT's lines are located in Montana; AO's lines are located in West Virginia; MSRR's line is located in Mississippi; YVRR's lines are located in Montana; and LSRR's lines are located in Louisiana.