

Issued on: April 19, 2006.

Dennis Decker,

Division Administrator, Columbus, Ohio.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2006-24195]

Notice of Request for Comments on Extension of Currently Approved Information Collections: OMB Control Numbers 2126-0032 and 2126-0033 (Financial and Operating Statistics for Motor Carriers of Property)

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 FMCSA announces its intent to submit two currently-approved Information Collection Requests (ICRs) described to the Office of Management and Budget (OMB) for review and approval. The ICRs describes two information collection activities and their expected costs and burdens. The **Federal Register** notice allowing for a 60-day comment period on the ICRs was published on January 18, 2006 (71 FR 2985). The agency received five comments in support of the continuation of these ICRs.

DATES: Please send your comments by May 30, 2006. OMB must receive your comments by this date in order to act quickly on the ICR.

ADDRESSES: Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street, NW., Washington, DC 20503, Attention: DOT/FMCSA Desk Officer.

FOR FURTHER INFORMATION CONTACT: Ms. Toni Proctor, phone: (202) 366-2998; Fax: (202) 366-3518; email: toni.proctor@fmcsa.dot.gov; Federal Motor Carrier Safety Administration, U.S. Department of Transportation, Office of Research and Analysis, 400 Seventh Street SW., Suite 8214, Washington, DC 20590. Office hours are from 8 a.m. to 4 p.m., Monday through Friday, except Federal Holidays.

SUPPLEMENTARY INFORMATION:

(1) *Title:* Annual Report of Class I and Class II Motor Carriers of Property (Including Household Goods and Dual Property Motor Carriers) (formerly OMB Control Number 2139-0004). This

information collection (IC) was transferred from the former Bureau of Transportation Statistics (BTS) to FMCSA on September 29, 2004 (69 FR 51009).

FMCSA IC: OMB Control No: 2126-0032.

Form No.: Form M.

Type of Review: Extension of a currently-approved information collection.

Respondents: Class I and Class II Motor Carriers of Property.

Number of Respondents: 3,000 (per year).

Estimated Time Per Response: 9 hours.

Expiration Date: April 30, 2006.

Frequency: Annually.

Total Annual Burden: 27,000 hours [3,000 respondents × 9 hours per response = 27,000].

(2) *Title:* Quarterly Financial Report of Class I Motor Carriers of Property and Household Goods (formerly OMB Control Number 2139-0002). This information collection was transferred from BTS to FMCSA on September 29, 2004 (69 FR 51009).

FMCSA IC: OMB Control No: 2126-0033.

Form No.: Form QFR.

Type of Review: Extension of a currently approved information collection.

Respondents: Class I Motor Carriers of Property.

Number of Respondents: 1,000 (per quarter).

Estimated Time Per Response: 1.8 hours (27 minutes per quarter).

Expiration Date: April 30, 2006.

Frequency: Quarterly.

Total Annual Burden: 1,800 hours [1,000 respondents × 1.8 hours per response = 1,800].

Background

The Annual Report of Class I and Class II Motor Carriers of Property and Household Goods (Form M) and Quarterly Financial Report of Class I Motor Carriers of Property (Including Household Goods and Dual Property Motor Carriers) (Form QFR) are mandated reporting requirements applicable for for-hire motor carriers. Motor carriers (including interstate and intrastate)¹ subject to the Federal Motor

¹ For purposes of the Financial and Operating Statistics (F&OS) program, carriers are classified into the following three groups; (1) Class I carriers are those having annual carrier operating revenues (including interstate and intrastate) of \$10 million or more after applying the revenue deflator formula in Note A of part 1420; (2) Class II carriers are those having annual carrier operating revenues (including interstate and intrastate) of at least \$3 million but less than \$10 million after applying the revenue deflator formula in Note A of part 1420; and (3)

Carrier Safety Regulations (FMCSRs) are classified on the basis of their gross carrier operating revenues. Under the financial and operating statistics program, FMCSA collects balance sheet and income statement data, along with information on safety needs, tonnage, mileage, employees, transportation equipment and other related data. FMCSA may also ask carriers to respond to surveys concerning their operations. The data and information collected will be made publicly available and used by FMCSA to determine a motor carrier's compliance with the F&OS program requirements set forth in subchapter B of 49 CFR part 1420.

The regulations were formerly administered by the Interstate Commerce Commission and later transferred to the U.S. Department of Transportation on January 1, 1996, by section 103 of the Interstate Commerce Commission Termination Act of 1995 (ICCTA) (Pub. L. 104-88, 109 Stat. 803, December 29, 1995), now codified at 49 U.S.C. 14123. The Secretary of Transportation (Secretary) transferred the authority to administer the F&OS program to the Bureau of Transportation Statistics on September 30, 1998 (63FR 52192). Pursuant to this authority, the BTS, now part of the Research and Innovative Technology Administration (RITA), became the DOT modal administration responsible for implementing the F&OS program and requirements in 49 CFR part 1420. On September 29, 2004, the Secretary transferred the responsibility for the F&OS program from BTS to FMCSA (69 FR 51009). FMCSA plans to publish a final rule in the future to transfer and re-designate the F&OS program reporting requirements at 49 CFR part 1420 from BTS (now RITA) to FMCSA.

We particularly request comments on:

- (1) Whether the collection of information is necessary for FMCSA to meet its goal of reducing truck crashes and its usefulness to this goal;
- (2) the accuracy of the estimate of the burden of the information collection;
- (3) ways to enhance the quality, utility and clarity of the information collected; and
- (4) ways to minimize the burden of the collection of information on respondents, including using automated collection techniques or other forms of information technology. The agency will summarize and/or include your comments in the request for OMB's clearance of these information collections.

Class III carriers are those having annual carrier operating revenues (including interstate and intrastate) of less than \$3 million after applying the revenue deflator formula in Note A of part 1420.

Issued on April 20, 2006.

Warren E. Hoemann,

Acting Administrator.

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DEPARTMENT OF TRANSPORTATION

Research and Innovative Technology Administration

[Docket No.: RITA-2006-24566]

Notice of Request for Approval To Collect New Information: Confidential Close Call Reporting System

AGENCY: Bureau of Transportation Statistics (BTS), Research and Innovative Technology Administration (RITA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the requirements of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, this notice announces that the Bureau of Transportation Statistics (BTS) intends to request the Office of Management and Budget (OMB) to approve a new information collection effort in railroad yards. This data collection effort is in support of a five-year research study aiming at improving rail safety by analyzing information on close calls and other unsafe occurrences in the rail industry. The study is conducted by the Office of Human Factors in the Federal Railroad Administration and is designed to identify safety issues and propose corrective actions based on voluntary reports of close calls submitted to BTS. This collection is necessary because data on close calls are not normally reported to the railroad carriers or the Federal Railroad Administration.

DATES: Comments must be received by June 26, 2006.

ADDRESSES: You can mail or hand-deliver comments to the U.S. Department of Transportation (DOT), Dockets Management System (DMS). You may submit your comments by mail or in person to the Docket Clerk, Docket No. RITA-2006-24566, U.S. Department of Transportation, 400 Seventh Street, SW., Room PL-401, Washington, DC 20590-0001. Comments should identify the docket number; paper comments should be submitted in duplicate. The DMS is open for examination and copying, at the above address, from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays. If you wish to receive confirmation of receipt of your written comments, please include a self-addressed, stamped postcard with the

following statement: "Comments on Docket RITA-2006-24566." The Docket Clerk will date stamp the postcard prior to returning it to you via the U.S. mail. Please note that due to delays in the delivery of U.S. mail to Federal offices in Washington, DC, we recommend that persons consider an alternative method (the Internet, fax, or professional delivery service) to submit comments to the docket and ensure their timely receipt at U.S. DOT. You may fax your comments to the DMS at (202) 493-2251.

If you wish to file comments using the Internet, you may use the DOT DMS Web site at <http://dms.dot.gov>. Please follow the online instructions for submitting an electronic comment. You can also review comments on-line at the DMS Web site at <http://dms.dot.gov>.

Please note that anyone is able to electronically search all comments received into our docket management system 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 may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; pages 19477-78) or you may review the Privacy Act Statement at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: Demetra V. Collia, RTS 31, Room 3430, Bureau of Transportation Statistics, Research and Innovative Technology Administration, 400 Seventh Street, SW., Washington, DC 20590; (202) 366-1610; Fax No. (202) 493-0568; e-mail: demetra.collia@dot.gov. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

Data Confidentiality Provisions: The confidentiality of Close Calls data is protected under the BTS confidentiality statute (49 U.S.C. 111(k) and the Confidential Information Protection and Statistical Efficiency Act (CIPSEA) of 2002 (Pub. L. 107-347, Title V). In accordance with these confidentiality statutes, only statistical and non-identifying data will be made publicly available through reports. Further, BTS will not release to FRA or any other public or private entity any information that might reveal the identity of individuals or organizations mentioned in close call reports.

SUPPLEMENTARY INFORMATION:

I. The Data Collection

The Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35; as amended) and 5 CFR part 1320 require each Federal agency to obtain OMB approval to initiate an information collection

activity. BTS is seeking OMB approval for the following BTS information collection activity:

Title: Confidential Close Call Reporting System.

OMB Control Number: 2139-NEW.

Type of Review: Approval of data collection.

Respondents: Employees of selected (pilot) railroad sites.

Number of Respondents: 350 (per annum).

Estimated Time per Response: 0.50 hours.

Frequency: Intermittent for 5 years. (Reports are submitted when there is a qualifying event, *i.e.*, a close call occurs within a pilot site. The frequency of such event is estimated to be approximately one per day.)

Total Annual Burden: 175.00 hours.

II. Background

Collecting data on the nation's transportation system is an important component of BTS's responsibility to the transportation community and is authorized in BTS statutory authority (49 U.S.C. 111(c)(1) and (2) and 49 U.S.C. 111(c)(5)(j)). BTS and FRA share a common interest in promoting rail safety based on better data. To that end, FRA's Office of Research and Development is sponsoring the Confidential Close Call Reporting System (C³RS) Demonstration Project to investigate the effectiveness of such system in improving rail safety.

A close call represents a situation in which an ongoing sequence of events was stopped from developing further, preventing the occurrence of potentially serious safety-related consequences. This might include the following: (1) Events that happen frequently, but have low safety consequences; (2) events that happen infrequently but have the potential for high consequences (e.g., a train in dark territory proceeds beyond its authority); (3) events that are below the FRA reporting threshold (e.g., an event that causes a minor injury); and (4) events that are reportable to FRA but have the potential for a far greater accident than the one reported (e.g., a slow speed collision with minor damage to the equipment and no injuries.)

Employees involved in a close call will be asked to fill out a questionnaire which will be made available on the Web and at their work site and mail it to BTS. The close call questionnaire will request the respondent to provide information such as: (1) Name and contact information; (2) time and location of the incident; (3) a short description of the event; (4) contributing factors to the close call; and (5) any other information that might be useful