

9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.  
Telephone: 1-800-647-5527.

- Fax: 202-493-2251.

**Instructions:** All submissions must include the agency name and docket number for this proposed collection of information. 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 heading below.

**Privacy Act:** Anyone is able to search the electronic form of all comments received into any of our dockets 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 (65 FR 19477-78) or you may visit <http://DocketInfo.dot.gov>.

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

**FOR FURTHER INFORMATION CONTACT:**

Complete copies of this request for collection of information may be obtained at no charge from Dennis Flemons, NHTSA 1200 New Jersey Avenue, SE., Room W53-448 NVS-412, Washington, DC 20590. Mr. Flemons telephone number is (202) 366-5389. Please identify the relevant collection of information by referring to its OMB Control Number.

**SUPPLEMENTARY INFORMATION:** Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5CFR 1320.8(d)), an agency must ask for public comment on the following:

i. Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

ii. The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

iii. How to enhance the quality, utility, and clarity of the information to be collected;

iv. How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

In compliance with these requirements, NHTSA asks for public comments on the following proposed collections of information:

**Title:** Fatality Analysis Reporting System (FARS).

**OMB Control Number:** 2127-0006.

**Form Number:** HS214, HS 214A, HS214B, HS 214C.

**Affected Public:** State, Local, or Tribal Government.

**Abstract:** Under both the Highway Safety Act of 1966 and the National Traffic and Motor Vehicle Safety Act of 1966, the National Highway Traffic Safety Administration (NHTSA) has the responsibility to collect accident data that support the establishment and enforcement of motor vehicle regulations and highway safety programs. These regulations and programs are developed to reduce the severity of injury and the property damage associated with motor vehicle accidents. The Fatal Accident Reporting System (FARS) is a major system that acquires national fatality information directly from existing State files and documents. Since FARS is an on-going data acquisition system, reviews are conducted yearly to determine whether the data acquired are responsive to the total user population needs. The total user population includes Federal and State agencies and the private sector.

Changes in the forms usually involve clarification adjustments to aid the user population in conducting more precise analyses, to remove ambiguity for the respondents and to differentiate data by data collection year. These changes are annual and do not affect the reporting burden of the respondent (State employees utilize existing State highway safety related files).

Other changes may involve removing outdated data elements introducing new data elements or redesigning data elements to capture higher quality data and to respond more to the needs of the user population. These changes are less frequent and affect burden very gradually. Advances in technology and systems design are incorporated to minimize the burden on the respondents.

**Estimated Annual Burden:** 82,407 hours.

**Number of Respondents:** 53.

**Comments are invited on:** Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

**Marilena Amoni,**

*Associate Administrator, National Center for Statistics and Analysis.*

[FR Doc. E9-6040 Filed 3-19-09; 8:45 am]

**BILLING CODE 4910-59-P**

**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

[STB Finance Docket No. 35227]

**Middletown and New Jersey Railroad, LLC—Acquisition and Operation Exemption—Middletown & New Jersey Railway Co., Inc.**

Middletown and New Jersey Railroad, LLC (Middletown), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate 6.5 miles of rail line owned by Middletown & New Jersey Railway Co., Inc., between milepost 0.0 at Middletown, NY, and milepost 6.5 at Slate Hill, NY.

This transaction is related to a concurrently filed verified notice of exemption in STB Finance Docket No. 35228, *Regional Rail, LLC.—Continuance in Control Exemption—Middletown and New Jersey Railroad, LLC.*, wherein Regional Rail, LLC seeks to continue in control of Middletown, upon Middletown becoming a Class III rail carrier.

The transaction is expected to be consummated on or shortly after April 5, 2009 (the effective date of the exemption).

Middletown certifies that its projected annual revenues as a result of the transaction will not result in its becoming a Class II or Class I rail carrier and further certifies that its projected annual revenue will not exceed \$5 million.

Pursuant to the Consolidated Appropriations Act, 2008, Public Law No. 110-161, § 193, 121 Stat. 1844 (2007), nothing in this decision authorizes the following activities at any

solid waste rail transfer facility: collecting, storing or transferring solid waste outside of its original shipping container; or separating or processing solid waste (including baling, crushing, compacting and shredding). The term "solid waste" is defined in section 1004 of the Solid Waste Disposal Act, 42 U.S.C. 6903.

If the verified 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 effectiveness of the exemption. Petitions for stay must be filed no later than March 27, 2009 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35227, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Karl Morell, 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: March 12, 2009.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Kulunie L. Cannon,**  
Clearance Clerk.

[FR Doc. E9-5783 Filed 3-19-09; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35228]

#### Regional Rail, LLC—Continuance in Control Exemption—Middletown and New Jersey Railroad, LLC

Regional Rail, LLC (Regional), a noncarrier, has filed a verified notice of exemption to continue in control of Middletown and New Jersey Railroad, LLC (Middletown), upon Middletown's becoming a Class III rail carrier.<sup>1</sup>

This transaction is related to a concurrently filed verified notice of exemption in STB Finance Docket No. 35227, *Middletown and New Jersey Railroad, LLC—Acquisition and Operation Exemption—Middletown & New Jersey Railway Co., Inc.* In that proceeding, Middletown seeks an exemption under 49 CFR 1150.31 to acquire and operate 6.5 miles of rail line

in New York owned by Middletown & New Jersey Railway Co., Inc.

The parties intend to consummate the transaction on or shortly after April 5, 2009, the effective date of the exemption.

Regional is a Delaware limited liability company that currently controls East Penn Railroad, LLC, a Class III rail carrier that operates rail lines in Pennsylvania and Delaware. Regional states that the purpose of the proposed transaction is to reduce overhead expenses and coordinate billing, maintenance, mechanical, and personnel policies and practices of its rail carrier subsidiaries, thereby improving the overall efficiency of rail service provided by the two railroads.

Regional represents that: (1) The rail line to be acquired by Middletown does not connect with any other railroad in its corporate family; (2) the transaction is not part of a series of anticipated transactions that would connect the rail line with any other railroad in its corporate family; and (3) the transaction does not involve a Class I rail carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

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 only 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 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 effectiveness of the exemption. Stay petitions must be filed no later than March 27, 2009 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35228, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Karl Morell, 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: March 12, 2009.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Kulunie L. Cannon,**  
Clearance Clerk.

[FR Doc. E9-5781 Filed 3-19-09; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Art Advisory Panel—Notice of Availability of Report of 2008 Closed Meetings

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Notice.

**SUMMARY:** Pursuant to 5 U.S.C. app. I section 10(d), of the Federal Advisory Committee Act, and 5 U.S.C. section 552b, the Government in the Sunshine Act, a report summarizing the closed meeting activities of the Art Advisory Panel during 2008 has been prepared. A copy of this report has been filed with the Assistant Secretary of the Treasury for Management.

**DATES:** *Effective Date:* This notice is effective March 20, 2009.

**ADDRESSES:** The report is available for public inspection and requests for copies should be addressed to: Internal Revenue Service, Freedom of Information Reading Room, Room 1621, 1111 Constitution Avenue, NW., Washington, DC 20224, telephone number (202) 622-5164 (not a toll free number). The report is also available at <http://www.irs.gov>.

**FOR FURTHER INFORMATION CONTACT:** Karen Carolan, AP:ART, Internal Revenue Service/Appeals, 1099 14th Street, NW., Washington, DC 20005, telephone (202) 435-5609 (not a toll free telephone number).

**SUPPLEMENTARY INFORMATION:** The Commissioner of Internal Revenue has determined that this document is not a major rule as defined in Executive Order 12291 and that a regulatory impact analysis, therefore, is not required. Neither does this document constitute a rule subject to the Regulatory Flexibility Act (5 U.S.C. Chapter 6).

**Douglas H. Shulman,**

Commissioner of Internal Revenue.

[FR Doc. E9-6062 Filed 3-19-09; 8:45 am]

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<sup>1</sup> Regional owns 100% of the issued and outstanding shares of Middletown.