

[16 U.S.C. 470(aa)–11]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)–11]; Archeological and Historic Preservation Act [16 U.S.C. 469–469(c)]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001–3013].

—*Social and Economic*: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d) (1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209]; The Uniform Relocation Assistance Act and Real Property Acquisition Policies Act of 1970, as amended.

—*Hazardous Materials*: Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601–9675; Superfund Amendments and Reauthorization Act of 1986 (SARA); Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901–6992 (k).

—*Executive Orders*: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1)

Issued on: April 1, 2009.

**Cindy Vigue,**

*Director, State Programs, Federal Highway Administration, Sacramento, California.*

[FR Doc. E9–7935 Filed 4–7–09; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

[FHWA Docket No. FHWA–2005–23112]

#### Motorcyclist Advisory Council to the Federal Highway Administration

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of meeting of advisory committee.

**SUMMARY:** This document announces the sixth meeting of the Motorcyclist Advisory Council to the Federal Highway Administration (MAC–FHWA). The purpose of this meeting is to advise the Secretary of Transportation, through the Administrator of the Federal Highway Administration, on infrastructure issues of concern to motorcyclists, including (1) barrier design; (2) road design, construction, and maintenance practices; and (3) the architecture and implementation of intelligent transportation system technologies, pursuant to section 1914 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU).

**DATES:** The sixth meeting of the MAC–FHWA is scheduled for May 7, 2009, from 9 a.m. until 5 p.m.

**ADDRESSES:** The sixth MAC–FHWA meeting will be held at the Crystal City Marriott, 1999 Jefferson Davis Highway, Arlington, VA 22202.

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael Griffith, the Designated Federal Official, Office of Safety, 202–366–2288, ([mike.griffith@dot.gov](mailto:mike.griffith@dot.gov)), or Dr. Morris Oliver, Office of Safety, 202–366–2288, ([morris.oliver@dot.gov](mailto:morris.oliver@dot.gov)), Federal Highway Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 10, 2005, the President signed into law the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU) (Pub. L. 109–59, 119 Stat. 1144). Section 1914 of SAFETEA–LU mandates the establishment of the Motorcyclist Advisory Council as follows: “The Secretary, acting through the Administrator of the Federal Highway Administration, in consultation with the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, shall appoint a Motorcyclist Advisory Council to coordinate with and advise the Administrator on infrastructure issues of concern to motorcyclists, including—

(1) Barrier design;  
 (2) Road design, construction, and maintenance practices; and  
 (3) The architecture and implementation of intelligent transportation system technologies.”

In addition, section 1914 specifies the membership of the council: “The Council shall consist of not more than 10 members of the motorcycling

community with professional expertise in national motorcyclist safety advocacy, including—

(1) At least—

- (A) One member recommended by a national motorcyclist association;
- (B) One member recommended by a national motorcycle rider’s foundation;
- (C) One representative of the National Association of State Motorcycle Safety Administrators;
- (D) Two members of State motorcyclists’ organizations;
- (E) One member recommended by a national organization that represents the builders of highway infrastructure;
- (F) One member recommended by a national association that represents the traffic safety systems industry; and
- (G) One member of a national safety organization; and

(2) At least one, and not more than two, motorcyclists who are traffic system design engineers or State transportation department officials.”

To carry out this requirement, the FHWA published a notice of intent to form an advisory committee in the **Federal Register** on December 23, 2005 (70 FR 76353). This notice, consistent with the requirements of the Federal Advisory Committee Act (FACA), announced the establishment of the Council and invited comments and nominations for membership. The FHWA announced the ten members selected to the Council in the **Federal Register** on October 5, 2006 (71 FR 58903). An electronic copy of this document and the previous **Federal Register** notices associated with the MAC–FHWA can be downloaded through the Federal eRulemaking Portal at: <http://www.regulations.gov> and the Office of the Federal Register’s home page at: [http://www.archives.gov/federal\\_register](http://www.archives.gov/federal_register).

The FHWA anticipates that the MAC–FHWA will meet at least once a year, with meetings held in the Washington, DC metropolitan area and the FHWA will publish notices in the **Federal Register** to announce the times, dates, and locations of these meetings. Meetings of the Council are open to the public, and time will be provided in each meeting’s schedule for comments by members of the public. Attendance will necessarily be limited by the size of the meeting room. Members of the public may present oral or written comments at the meeting or may present written materials by providing copies to Ms. Fran Bents, Westat, 1650 Research Boulevard, Rockville, MD 20850–3195, (240) 314–7557, ten (10) days prior to the meeting.

The agenda topics for the meetings will include a discussion of the

following issues: (1) Barrier design; (2) road design, construction, and maintenance practices; and (3) the architecture and implementation of intelligent transportation system technologies.

#### Conclusion

The sixth meeting of the Motorcyclist Advisory Council to the Federal Highway Administration will be held on May 7, 2009, at the Crystal City Marriott, 1999 Jefferson Davis Highway, Arlington, VA 22202 from 9 a.m. until 5 p.m.

**Authority:** Section 1914 of Public Law 109–59; Public Law 92–463, 5 U.S.C., App. II § 1.

Issued on: April 1, 2009.

**Jeffery F. Paniati,**

*Federal Highway Acting Deputy Administrator.*

[FR Doc. E9–7886 Filed 4–7–09; 8:45 am]

BILLING CODE 4910–22–P

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2008–0321]

#### Agency Information Collection Activities; Revision of Two Currently Approved Information Collection Requests: 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, this notice announces FMCSA's plan to submit to the Office of Management and Budget (OMB) its request to revise two currently approved information collection requests (ICRs) as follows: (1) OMB Control Number 2126–0032 entitled, “*Annual Report of Class I and Class II Motor Carriers of Property (formerly OMB 2139–0004)*,” and (2) OMB Control Number 2126–0033 entitled, “*Quarterly Report of Class I Motor Carriers of Property (formerly OMB 2139–0002)*.” These ICRs are necessary to ensure that motor carriers comply with FMCSA's financial and operating statistics requirements at chapter III of title 49 CFR part 369 entitled, “*Reports of Motor Carriers*.” The agency invites public comment on this information collection request.

**DATES:** We must receive your comments on or June 8, 2009.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket Number FMCSA–2008–0321 using any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- **Mail:** Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- **Hand Delivery:** West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington DC, 20590–0001, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal Holidays.
- **Fax:** 1–202–493–2251.

Each submission must include the Agency name and the docket number for this Notice. Note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below.

**Docket:** For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The FDMS is available 24 hours each day, 365 days each year. If you want acknowledgement that we received your comments, please include a self-addressed, stamped envelope or post card or print the acknowledgement page that appears after submitting them on-line.

**Privacy Act:** Anyone may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** on April 11, 2000 (65 FR 19476). This information is also available at <http://docketsinfo.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Vivian Oliver, Office of Research and Information Technology, Department of Transportation, Federal Motor Carrier Safety Administration, West Building 6th Floor, 1200 New Jersey Avenue, SE., Washington, DC 20590–0001. Telephone: 202–366–2974; e-mail [Vivian.Oliver@dot.gov](mailto:Vivian.Oliver@dot.gov).

#### SUPPLEMENTARY INFORMATION:

**Background:** The Annual Report of Class I and Class II Motor Carriers of Property (Form M) and the Quarterly Report of Class I Motor Carriers of Property (Form QFR) are mandated reporting requirements for all for-hire motor carriers. See 49 U.S.C. 14123; and implementing FMCSA regulations at 49 CFR part 369. The Secretary of Transportation (Secretary) has exercised his discretion under section 14123 to also require Class I property carriers (including dual-property carriers), Class I household goods carriers and Class I passenger carriers to file quarterly reports. Motor carriers (including interstate and intrastate) subject to the Federal Motor Carrier Safety Regulations are classified on the basis of their gross carrier operating revenues.<sup>1</sup>

Under the F&OS program, FMCSA collects from Class I and Class II property carriers 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 would be made publicly available and used by FMCSA to determine a motor carrier's compliance with the F&OS program requirements prescribed at chapter III of title of 49 CFR part 369.

The regulations were formerly administered by the Interstate Commerce Commission and later transferred to the Secretary on January 1, 1996, by section 103 of the ICC Termination Act of 1995 (Pub. L. 104–88, 109 Stat. 803 (Dec. 29, 1995)), now codified at 49 U.S.C. 14123. On September 30, 1998, the Secretary delegated and transferred the authority to administer the F&OS program to the former Bureau of Transportation Statistics (BTS), now part of the Research and Innovative Technology Administration (RITA), to former chapter XI, subchapter B of 49 CFR part 1420 (63 FR 52192).

On September 29, 2004, the Secretary transferred the responsibility for the F&OS program from BTS to FMCSA in the belief that the program was more

<sup>1</sup> For purposes of the 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 as set forth in Note A of 49 CFR 369.2; (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 as set forth in 49 CFR 369.2; and (3) 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 as set forth in Note A of 49 CFR 369.2.