

arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

#### Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-NYSE-2010-10 on the subject line.

#### Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NYSE-2010-10. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Section, 100 F Street, NE., Washington, DC 20549-1090. Copies of the filing will also be available for inspection and copying at the NYSE's principal office and on its Internet Web site at [www.nyse.com](http://www.nyse.com). All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSE-2010-10 and should be submitted on or before March 23, 2010.

#### IV. Commission's Findings and Order Granting Accelerated Approval of Proposed Rule Change

After careful consideration, the Commission finds that the Exchange's proposal to retroactively apply the proposed rule change to February 8, 2010 is consistent with the requirements

of the Section 6 of the Act<sup>15</sup> and the rules and regulations thereunder applicable to a national securities exchange.<sup>16</sup> In particular, the Commission believes that the proposed rule change is consistent with Section 6(b)(5) in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.<sup>17</sup> Approving the proposed rule change, and making such approval retroactive to February 8, 2010, would ensure that the proposed rule changes are operative and effective at the same time as FINRA's rule changes, that there are no regulatory gaps between the FINRA and NYSE Rules and that, as applicable, the NYSE Rules maintain their status as Common Rules under the 17d-2 Agreement

The Exchange has requested that the Commission find good cause for approving the proposed rule change prior to the thirtieth day after publication of the notice thereof in the **Federal Register**. The Commission believes that good cause exists for accelerated approval of the proposed rule change because it raises no novel issues and is consistent with the FINRA rule filings previously approved by or filed with the Commission on which it is based.<sup>18</sup> Except as has been specifically noted and subject to a number of technical changes necessary to apply the Rules to the Exchange, the proposed rule changes will conform certain NYSE Rules and Rule Interpretations to FINRA's amendments to corresponding FINRA Incorporated NYSE Rules and Rule Interpretations and FINRA's adoption of consolidated FINRA Rules 4110, 4120, 4130, 4140 and 4521 in furtherance of the consolidation of the member firm regulation functions of NYSE and FINRA. Accordingly, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,<sup>19</sup> for approving the proposed rule change prior to the

<sup>15</sup> 15 U.S.C. 78f.

<sup>16</sup> In approving this proposed rule change, the Commission has considered its impact on efficiency, competition, and capital formation. See 78c(f).

<sup>17</sup> See 15 U.S.C. 78f(b)(5).

<sup>18</sup> See Securities Exchange Act Release No. 61408 (January 22, 2010), 75 FR 4596 (January 28, 2010). See also SR-FINRA-2010-008, filed on February 4, 2010.

<sup>19</sup> See 15 U.S.C. 78s(b)(2).

thirtieth day after publication of the notice thereof in the **Federal Register**.

#### V. Conclusion

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>20</sup> that the proposed rule change, (SR-NYSE-2010-10), is hereby approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>21</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. 2010-4228 Filed 3-1-10; 8:45 am]

**BILLING CODE 8011-01-P**

---

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Reports, Forms, and Record Keeping Requirements; Agency Information Collection Activity Under OMB Review

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and the expected burden. The **Federal Register** Notice with a 60-day comment period was published on March 20, 2009 (74 FR 11992-11993).

**DATES:** Comments must be submitted on or before April 1, 2010.

**ADDRESSES:** Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

**FOR FURTHER INFORMATION CONTACT:** Randolph Atkins, Ph.D., Office of Behavioral Safety Research, National Highway Traffic Safety Administration, NHTI-131, Room W46-500, 1200 New Jersey Ave., SE., Washington, DC 20590. Dr. Atkins' phone number is 202-366-5597 and his e-mail address is [randolph.atkins@dot.gov](mailto:randolph.atkins@dot.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* National Survey of Speeding Attitudes and Behavior: 2010.

*Type of Request:* New information collection requirement.

<sup>20</sup> See *id.*

<sup>21</sup> 17 CFR 200.30-3(a)(12).

*Abstract:* Data from previous studies by the National Highway Traffic Safety Administration (NHTSA) has shown that 31 percent of all fatal crashes are directly traceable to excessive speed. In 2008, 11,674 people died in excessive speed-related crashes. The cost of these crashes is approximately 40 billion dollars per year. Surveys of drivers' attitudes toward speeding have demonstrated a strong correlation between drivers' attitudes towards speeding and other driving behaviors and actual traffic outcomes. Models based on self-reported measures of intentions and attitudes are used to predict traffic behaviors and design interventions to reduce speeding and other hazardous traffic actions. Some of these models stress the importance of attitude, habits and the interaction of habit with intention.

NHTSA proposes to conduct a 2010 National Survey of Speeding Attitudes and Behavior by telephone among a sample of 6,000 adults (age 16 and older). NHTSA's information needs require a telephone survey of a national probability sample of drivers in the United States that will provide insight into why drivers speed and which methods of enforcement would discourage them from speeding. The questionnaire will contain items on the extent to which drivers speed, demographic and typological descriptions of speeders, locations and times when speeding is most frequent, attitudes and perceptions about speeding, reasons and motivations for speeding, knowledge of measures to deter speeding, attitudes towards measures to deter speeding, and correlates of speeding behavior. In conducting the proposed survey, the interviewers would use computer-assisted telephone interviewing to reduce interview length and minimize recording errors. A Spanish-language translation and bilingual interviewers would be used to minimize language barriers to participation. The proposed survey is the third in the series, which began in 1997. The 2010 survey will repeat many questions from previous surveys in order to monitor changes over time, and will also include new questions on emerging speed-related technologies.

*Affected Public:* Randomly selected members of the general public age 16 and older, including those in landline telephone households as well as those who primarily or exclusive use a cellular phone. Participation by all respondents would be voluntary and anonymous.

*Estimated Total Annual Burden:* 2,005 hours (15 pretest interviews

averaging 20 minutes per interview, followed by 6,000 interviews administered to the final survey sample averaging 20 minutes per interview).

#### Comments Are Invited 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 information collection;

(iii) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(iv) 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.

A comment to OMB is most effective if OMB receives it within 30 days of publication.

**Authority:** 44 U.S.C. Section 3506(c)(2)(A).

**Jeff Michael,**

*Associate Administrator, Research and Program Development.*

[FR Doc. 2010-4194 Filed 3-1-10; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Notice and Request for Comments

**ACTION:** Notice and request for comments.

**SUMMARY:** The Surface Transportation Board (Board), as part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.* (PRA), gives notice that the Board has requested from the Office of Management and Budget (OMB) an extension of approval for the two currently approved collections described below.

The Board is seeking comments regarding one or both of these collections concerning (1) whether the collection is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility; (2) the accuracy of the Board's burden estimates; (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 the respondents, including the use of automated collection techniques or other forms of information technology when appropriate. Submitted comments

will be addressed in a subsequent notice and will also be submitted to OMB as part of the Board's request for approval.

**DATES:** *Deadline:* Persons wishing to comment on one or both of these information collections should submit comments by April 1, 2010.

**ADDRESSES:** Written comments should be identified as "Paperwork Reduction Act Comments, Surface Transportation Board, and should refer to the title of the specific collection(s) commented upon. These comments should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Chandana Achanta, Surface Transportation Board Desk Officer, by fax at (202) 395-6974; by mail at Room 10235, 725 17th Street, N.W., Washington, DC 20503; or by e-mail at [OIRA\\_SUBMISSION@OMB.EOP.GOV](mailto:OIRA_SUBMISSION@OMB.EOP.GOV).

#### FOR FURTHER INFORMATION CONTACT:

Cynthia T. Brown, (202) 245-0350. For a copy of the regulations pertaining to the information collection(s), contact Cynthia T. Brown at (202) 245-0350 or [brown@stb.dot.gov](mailto:brown@stb.dot.gov).

*Subjects:* In this notice the Board is requesting that comments be sent to OMB on the following information collections:

#### Collection Number One

*Title:* Maps Required in Abandonment Exemption Proceedings.

*OMB Control Number:* 2140-0008.

*Form Number:* None.

*Type of Review:* Extension without change.

*Respondents:* Railroads initiating abandonment exemption proceedings.

*Number of Respondents:* 80.

*Estimated Time per Response:* 1 hour, based on average time reported in informal survey of respondents conducted in 2009.

*Frequency of Response:* 1.

*Total Annual Burden Hours:* 80.

*Total Annualized Non-Hourly Cost:*

None have been identified.

*Needs and Uses:* Under 49 CFR

1152.50(d)(2) and 1152.60(b), the Board requires in each abandonment exemption proceeding a detailed map of the rail line, depicting the line's relation to other rail lines, roads, water routes, and population centers. The Board uses this information to determine the scope and the impact of the proposed abandonment. In addition, this information is posted on the Board's Web site and serves as a form of notice to current and/or potential shippers, and to persons who might want to make an offer of financial assistance under 49 U.S.C. 10904; acquire the line as a trail under the National Trails System Act,