

person with a disability to operate, or ride as a passenger in, the motor vehicle and intends to avail itself of the exemption provided in 49 CFR 595.7 shall submit the information required under paragraph (a) not later than 30 days after it first modifies a motor vehicle to enable a person with a disability to operate, or ride as a passenger in, the motor vehicle. Each motor vehicle repair business who has submitted required information shall keep its entry current, accurate and compete by submitting revised information not later than 30 days after the relevant changes in the business occur.”

This requirement is a one-time submission unless changes are made to the business as described in paragraph (b). NHTSA estimates that there are currently 471 businesses making modifications to motor vehicles to accommodate persons with disabilities. Of those 471, we estimate 85 percent will need to use the exemptions provided by 49 CFR 595.7 (400 businesses). The initial registration of modifiers wishing to use the exemptions occurred in 2001. Now, we assume that five percent of the 400 businesses currently modifying vehicles will need to change their information or new registrants will elect to use the exemptions. We estimate registrations from 20 businesses each year of: 20 businesses  $\times$  10 minutes/business = 3.33 hours.

We estimate the material cost associated with each submission to be 54 cents per responding business, or \$10.80 nationwide annually.

Burden means the total time, effort, or financial resources expended by a person to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; and transmit or otherwise disclose the information.

We seek comment on:

1. Is our estimate of 471 businesses engaged in vehicle modification to accommodate people with disabilities correct?
2. Are we correct in assuming that a maximum of 85 percent of those 471 businesses, or 400 businesses, will need

to use the exemptions provided by 49 CFR 595.7?

3. Are our estimates of the burden hours and material cost of compliance with 49 CFR 595.6 reasonable?

Modifiers who avail themselves of the exemptions in 49 CFR 595.7 are required to keep a record, for each applicable vehicle, listing which standards, or portions thereof, no longer comply with the Federal motor vehicle safety standards and to provide a copy to the owner of the vehicle modified (see 49 CFR 595.7(b) and (e) as published in the final rule).

We estimate that:

1. There are approximately 2,700 vehicles modified for persons with disabilities per year by 471 businesses,
2. If 85 percent of the 471 businesses use the exemptions provided by 49 CFR 595.7, those 400 businesses will modify 2,300 vehicles annually, and
3. The burden for producing the record required by 49 CFR 595.7 in accordance with paragraph (e) for those vehicles will be 767 hours per year nationwide.

In the final rule we anticipated that the least costly way for a repair business to comply with this portion of the new rule would be to annotate the vehicle modification invoice as to the exemption, if any, involved with each item on the invoice. The cost of preparing the invoice is not a portion of our burden calculation, as that preparation would be done in the normal course of business. The time needed to annotate the invoice, we estimate, is 20 minutes. Therefore, the burden hours for a full year are calculated as: 2,300 vehicles  $\times$  20 minutes/vehicle = 766.7 hours.

This burden includes the calculation required by 49 CFR 595.7(e)5, but not the gathering of the information required for the calculation. That information would be gathered in the normal course of the vehicle modification. The only extra burden required by the rule is the calculation of the reduction in loading carrying capacity and conveying this information to the vehicle owner. Again we are assuming that annotation on the invoice is the least burdensome way to accomplish this customer notification.

There will be no additional material cost associated with compliance with this requirement since no additional materials need be used above those used to prepare the invoice in the normal course of business. We are assuming it is normal and customary in the course of vehicle modification business to prepare an invoice, to provide a copy of the invoice to the vehicle owner, and to keep a copy of the invoice for five years

after the vehicle is delivered to the owner in finished form.

We seek comment on whether our assumptions about the following are reasonable:

1. The document required by 49 CFR 595.7(b) and specified in paragraph (e) will need to be prepared for approximately 2,300 vehicles modified nationwide per year,

2. Annotation of each vehicle modification invoice as to which exemptions were used will take an average of 20 minutes, and

3. It is normal in the course of vehicle modification business to prepare an invoice, to provide a copy of the invoice to the vehicle owner, and to keep a copy of the invoice for five years after the vehicle is delivered to the owner in finished form.

*Affected Public:* Business or other for profit.

*Estimated Annual Burden:* 770 hours, and \$10.80.

*Estimated Number of Respondents:* 400.

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.

Issued on: September 22, 2010.

**Nathaniel M. Beuse,**  
*Office of Crash Avoidance Standards,*  
*Director.*

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**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Availability of Answers to Frequently Asked Questions Regarding Buy America & FRA's High-Speed Intercity Passenger Rail Program

**AGENCY:** Federal Railroad Administration (FRA), United States Department of Transportation (DOT).

**ACTION:** Notice of Availability.

**SUMMARY:** FRA announces the availability of Answers to Frequently Asked Questions regarding Buy America and FRA's High Speed Intercity

Passenger Rail Program. The Answers to Frequently Asked Questions can be found on FRA's Web site at <http://www.fra.dot.gov/Pages/11.shtml>.

**DATES:** Written comments on FRA's Buy America Answers to Frequently Asked Questions may be provided to the FRA on or before October 18, 2010.

**ADDRESSES:** Please submit your comments by one of the following means, identifying your submissions by docket number FRA-2010-0147. All electronic submissions must be made to the U.S. Government electronic site at <http://www.regulations.gov>. Commenters should follow the instructions below for mailed and hand-delivered comments.

(1) *Web Site:* <http://www.regulations.gov>. Follow the instructions for submitting comments on the U.S. Government electronic docket site;

(2) *Fax:* (202) 493-2251;

(3) *Mail:* U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Docket Operations, M-30, Room W12-140, Washington, DC, 20590-0001; or

(4) *Hand Delivery:* Room W12-140 on the first floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC, 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Instructions:** All submissions must make reference to the "Federal Railroad Administration" and include docket number FRA-2010-0147. Due to security procedures in effect since October 2001, mail received through the U.S. Postal Service may be subject to delays. Parties making submissions responsive to this notice should consider using an express mail firm to ensure the prompt filing of any submissions not filed electronically or by hand. Note that all submissions received, including any personal information therein, will be posted without change or alteration to <http://www.regulations.gov>. For more information, you may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477), or visit <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** For questions about this notice, please contact Ms. Linda Martin, Attorney-Advisor, FRA Office of Chief Counsel, (202) 493-6062 or via e-mail at [Linda.Martin@dot.gov](mailto:Linda.Martin@dot.gov).

**SUPPLEMENTARY INFORMATION:** The Passenger Rail Investment and Improvement Act of 2008 (PRIIA) (Division B of Pub. L. 111-432)

authorized the appropriation of funds to establish several new passenger rail grant programs, including capital investment grants to support intercity passenger rail service (§ 301), high-speed corridor development (§ 501), and congestion grants (§ 302). FRA consolidated these and other closely related programs into the High-Speed Intercity Passenger Rail (HSIPR) program, as detailed in FRA's High-Speed Intercity Passenger Rail (HSIPR) Interim Guidance (74 FR 29900 (June 23, 2009)) and as further detailed in a second set of HSIPR interim program guidance governing the distribution of fiscal year 2010 funding (75 FR 38344 and 38365 (July 1, 2010)). Spending authorized under PRIIA is subject to the Buy America provision of 49 U.S.C. 24405(a).

In 2009, President Obama, together with Vice President Biden and Secretary of Transportation LaHood, articulated a new "Vision for High-Speed Rail in America" (available on FRA's Web site). The HSIPR program is a component of that vision, as is the American Recovery and Reinvestment Act of 2009 (ARRA), which appropriated funds for PRIIA-authorized grant programs. The vision includes a goal to bolster American passenger rail expertise and resources. The Buy America requirements reinforce this goal, and aid in encouraging a domestic market in the rail sector. PRIIA authorized FRA to operate the grant programs under guidance, prior to the issuance of final regulations. FRA is beginning the process of implementing regulations to govern the application of the Buy America statute to all PRIIA-authorized spending as part of the HSIPR program. As required, the proposed regulation will be published in the **Federal Register** for public comment under RIN 2130-AC23 and docket number FRA-2010-0147. In the interim, to aid grantees who must immediately apply Section 24405(a) to funds granted them by FRA, FRA is providing Answers to Frequently Asked Questions describing its procedures for applying the Buy America provision in the HSIPR program on its Web site at <http://www.fra.dot.gov/Pages/11.shtml>.

Issued in Washington, DC, on *September 22, 2010*.

**Mark E. Yachmetz,**

*Associate Administrator for Railroad Policy and Development, Federal Railroad Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Early Scoping for the Alternatives Analysis of the North Corridor Transit Project in Metropolitan Seattle

**AGENCY:** Federal Transit Administration, DOT.

**ACTION:** Early Scoping Notice.

**SUMMARY:** The Federal Transit Administration (FTA) and the Central Puget Sound Regional Transit Authority (Sound Transit) issue this early scoping notice to advise other agencies and the public that they intend to explore alternatives for improving transit service between Northgate in Seattle and Lynnwood, in King and Snohomish counties, Washington. The early scoping is being conducted within the context of the Council on Environmental Quality's regulations for complying with the National Environmental Policy Act (NEPA) and is part of a planning Alternatives Analysis (AA) required by Title 49 United States Code (U.S.C.) 5309 to analyze the potential for a fixed guideway alternative to be implemented as an FTA-assisted major capital transit investment. The AA process results in the selection or confirmation of a locally preferred alternative which is the proposed action. The early scoping notice is intended to invite public comments on the scope of the AA study, including the transportation problems to be addressed, a range of alternatives, the transportation and community impacts and benefits to be considered, the capital and operating costs, the financial plans and other factors that the public and agencies believe should be considered in analyzing alternatives. If preparation of an environmental impact statement (EIS) is warranted following completion of the planning AA, a notice of intent to prepare an EIS will be published. This early scoping process is intended to support the future NEPA scoping process. Public meetings and the range of alternatives currently identified to address the project's purpose are described below.

**DATES:** Three public scoping meetings and one agency scoping meeting to accept comments will be held on the following dates and locations:

#### Public Meetings

*North Seattle:* October 7, 2010. Ingraham High School, 1819 N. 135th St., Seattle, 98133.

*Lynnwood:* October 12, 2010. Lynnwood Convention Center, 3711 196th St., SW., Lynnwood, 98036.