

Federal Highway Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** In conformance with 23 U.S.C. 144(r), the FHWA has produced a report that summarizes the types of construction materials used in new bridge construction and bridge rehabilitation projects. Data on Federal-aid and non-Federal-aid highway bridges are included in the report for completeness. The December 2006 National Bridge Inventory (NBI) dataset was used to identify the material types for bridges that were new or replaced within the defined time period. The FHWA's Financial Management Information System (FMIS) and the 2006 NBI were used to identify the material types for bridges that were rehabilitated within the defined time period. Currently preventative maintenance projects are included in the rehabilitation totals.

The report, which is available at <http://www.fhwa.dot.gov/bridge/britab.htm>, consists of the following tables:

- Construction Materials for New and Replaced Bridges, a summary report which includes Federal-aid highways and non-Federal-aid highways built in 2004 and 2005.

- Construction Materials for Rehabilitated Bridges, a summary report which includes Federal-aid and non-Federal-aid highways rehabilitated in 2004 and 2005.

- Construction Materials for Combined New, Replaced and Rehabilitated Bridges, a summary report which combines the first two tables cited above.

- Federal-aid Highways: Construction Materials for New and Replaced Bridges 2004, a detailed State-by-State report with counts and areas for Federal-aid bridges built or replaced in 2004.

- Non-Federal-aid Highways: Construction Materials for New and Replaced Bridges 2004, a detailed State-by-State report with counts and areas for non-Federal-aid bridges built or replaced in 2004.

- Federal-aid Highways: Construction Materials for Rehabilitated Bridges 2004, a detailed State-by-State report with counts and areas for rehabilitated Federal-aid bridges in 2004.

- Non-Federal-aid Highways: Construction Materials for Rehabilitated Bridges 2004, a detailed State-by-State report with counts and areas for rehabilitated non-Federal-aid bridges in 2004.

- Federal-aid Highways: Construction Materials for New and Replaced Bridges

2005, a detailed State-by-State report with counts and areas for Federal-aid bridges built or replaced in 2005.

- Non-Federal-Aid Highways: Construction Materials for New and Replaced Bridges 2005, a detailed State-by-State report with counts and areas for non-Federal-aid bridges built or replaced in 2005.

- Federal-aid Highways: Construction Materials for Rehabilitated Bridges 2005, a detailed State-by-State report with counts and areas for rehabilitated Federal-aid bridges 2005.

- Non-Federal-aid Highways: Construction Materials for Rehabilitated Bridges 2005, a detailed State-by-State report with counts and areas for rehabilitated non-Federal-aid bridges types in 2005.

- Federal-aid Highways: Construction Materials for New, Replaced and Rehabilitated Bridges 2004, which combines the 2004 reports on new, replaced and rehabilitated Federal-aid bridges.

- Non-Federal-aid Highways: Construction Materials for New, Replaced and Rehabilitated Bridges 2004, which combines the 2004 reports on new, replaced and rehabilitated non-Federal-aid bridges.

- Federal-aid Highways: Construction Materials for New, Replaced and Rehabilitated Bridges 2005, which combines the 2005 reports on new, replaced and rehabilitated Federal-aid bridges.

- Non-Federal-aid Highways: Construction Materials for New Replaced and Rehabilitated Bridges 2005, which combines the 2005 reports on new, replaced and rehabilitated non-Federal-aid bridges.

The tables provide data for 2 years: 2004 and 2005. The 2004 data is considered complete for new and rehabilitated bridges, with a minimal likelihood of upward changes in the totals. The 2005 data is considered partially complete for new bridges and complete for rehabilitated bridges, because many new bridges built in 2005 will not appear in the NBI until they are placed into service the following year. Therefore, next year's report will include 2005's data on new bridge construction, because the data will be complete.

Each table displays simple counts of bridges and total bridge deck area. Total bridge deck area is measured in square meters, by multiplying the bridge length by the deck width out-to-out. The data is categorized by the following material types, which are identified in the NBI: Steel, concrete, pre-stressed concrete and other. The category "Other" includes wood, timber, masonry,

aluminum, wrought iron, cast iron and other. Material type is the predominate type for the main span(s).

(Authority: 23 U.S.C. 144(r); Sec. 1114(f), Pub. L. 109-59, 119 Stat. 1144.)

Issued on: August 23, 2007.

**J. Richard Capka,**

*Federal Highway Administrator.*

[FR Doc. E7-17629 Filed 9-5-07; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2007-29048]

#### Random Alcohol and Controlled Substance Testing: Bordentown Driver Training School, L.L.C., Doing Business as Smith & Solomon Driver Training; Application for Exemption

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

**ACTION:** Notice of application for exemption; request for comments.

**SUMMARY:** The FMCSA announces that it has received an application from Bordentown Driver Training, L.L.C., doing business as Smith & Solomon Driver Training (Smith & Solomon), seeking an exemption from the random controlled substances and alcohol testing regulations for student drivers enrolled in its commercial motor vehicle driver training program. Under the exemption, Smith & Solomon's student drivers would not be required to undergo random controlled substances and alcohol testing while enrolled in its 4-week driver-training program. The FMCSA requests public comment on Smith & Solomon's application for exemption.

**DATES:** Comments must be received on or before October 9, 2007.

**ADDRESSES:** You may submit comments identified by DOT DMS Docket No. FMCSA-2007-29048 using any of the following methods:

- **Web Site:** Go to <http://dmses.dot.gov/submit>. Follow the instructions for submitting comments on the DOT electronic docket site.

- **Fax:** 1-202-493-2251.

- **Mail:** Docket Management Facility; U.S. Department of Transportation, Room W12-140, 1200 New Jersey Ave., SE., Washington, DC 20590.

- **Hand Delivery:** Room W12-140, Ground Floor of West Building, U.S. Department of Transportation, 1200 New Jersey Ave., SE., Washington, DC 20590, between 9 a.m. and 5 p.m.,

Monday through Friday, except Federal holidays.

*Docket:* For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or Room W12-140, Ground Floor of West Building, U.S. Department of Transportation, 1200 New Jersey Ave., SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The DMS is available 24 hours each day, 365 days each year. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas Yager, Chief, FMCSA Driver and Carrier Operations Division, Office of Bus and Truck Standards and Operations; Telephone: 202-366-4235. E-mail: [MCPSD@dot.gov](mailto:MCPSD@dot.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 4007 of the Transportation Equity Act for the 21st Century (Pub. L. 105-178, 112 Stat. 107, June 9, 1998) amended 49 U.S.C. 31315 and 31136(e) to provide authority to grant exemptions from the motor carrier safety regulations. On August 20, 2004, FMCSA published a final rule (69 FR 51589) on section 4007. Under the regulations, FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The FMCSA must provide the public with an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted, and it must provide an opportunity for public comment on the request.

The FMCSA reviews the safety analyses and the public comments and determines whether granting the exemption would achieve a level of safety equivalent to or greater than the level that would be achieved absent the exemption (49 CFR 381.305). The FMCSA's decision must be published in the **Federal Register** (49 CFR 381.315(b)). If FMCSA denies the request, it must state the reason for doing so. If FMCSA grants the exemption, the notice must specify the person or class of persons receiving the exemption and the regulatory provision or provisions from which exemption is being granted. The notice must also specify the effective period of the exemption (up to 2 years) and explain the terms and conditions of the

exemption. The exemption may be renewed (49 CFR 381.300(b)).

**Request for Exemption**

Smith & Solomon is requesting a 2-year exemption from 49 CFR 382.305, "Random testing," which provides in part that:

(a) Every employer shall comply with the requirements of this section. Every driver shall submit to random alcohol and controlled substance testing as required in this section \* \* \*

Smith & Solomon is a corporate entity providing commercial driver training in classrooms and "behind the wheel" to students who enroll in its 4-week program. A copy of the course curriculum and requirements for the Smith & Solomon driver training program is included in the docket for this notice. Smith & Solomon employs administrative and office staff and certified and licensed driver instructor personnel to conduct the functions of its commercial driver-training school. Driver-instructors and any other person assigned to operate a commercial motor vehicle (CMV) are subject to, and comply with, all alcohol and controlled substance testing required by the Federal Motor Carrier Safety Regulations. Students are subject to pre-enrollment, reasonable suspicion, and post-accident alcohol and controlled substance testing. According to Smith & Solomon's application, student drivers undergo controlled substance testing before enrollment, and no student is permitted in a CMV until Smith & Solomon's Director of Safety receives a negative alcohol and controlled substance test. Also, student drivers are not allowed to operate CMVs if Smith & Solomon's instructors have reasonable suspicion of alcohol or controlled substance use.

Smith & Solomon seeks an exemption from the requirements of the random controlled substances and alcohol testing program (49 CFR 382.305) for its student drivers because all student drivers undergo controlled substance testing before enrollment. Additionally, Smith & Solomon advises that student enrollments only last for a period of 4 to 6 weeks, and the student drivers are subject to reasonable-suspicion and post-accident alcohol and controlled substance testing. Smith & Solomon adds that during the length of their enrollment, students only spend an average of 30 hours behind the wheel of a CMV starting in the third week of the enrollment period, always with a Smith & Solomon certified and licensed employee driver-instructor, and the remainder of time is spent by the

student in the classroom and in the practice yard.

Smith & Solomon advises that its student driver enrollment varies every 4 weeks, and students do not always stay enrolled throughout the 4-week course. As an example, Smith & Solomon states that during the period January 2007 through May 2007, 112 students were selected for random alcohol and controlled substance testing, but only 90 students were tested because 22 were no longer enrolled in the student driver program. During the course of a calendar year, approximately 185 students, or 7 percent of students enrolled in a program, do not complete the course and therefore cannot be tested. Smith & Solomon advises that random alcohol and controlled substance testing of driver-students enrolled in driver training program results in substantial cost to the company.

Smith & Solomon requests that the exemption should be granted because:

(A) Administering a random controlled substances and alcohol testing program to a student population that changes every 4 weeks makes regulatory compliance very difficult and financially burdensome to achieve, without any additional benefit to the public safety; and

(B) Its program of requiring pre-enrollment, reasonable suspicion and post-accident alcohol and controlled substance testing to students who only train behind the wheel of a commercial motor vehicle, always with certified and licensed employee driver instructors, for approximately 30 hours during the enrollment period, adequately protects the public safety.

**Request for Comments**

In accordance with 49 U.S.C. 31315 and 31136(e), FMCSA requests public comment on Smith & Solomon's application for exemption from 49 CFR 382.305. The FMCSA will consider all comments received by close of business on October 9, 2007. Comments will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. The FMCSA will file comments received after the comment closing date in the public docket and will consider them to the extent practicable. In addition to late comments, FMCSA will also continue to file in the public docket relevant information that becomes available after the comment closing date. Interested persons should monitor the public docket for new material.

Issued on: August 29, 2007.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

[FR Doc. E7-17550 Filed 9-5-07; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket No: FTA-2007-29075]

#### National Transit Database: Rural Reporting Manual

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of Availability of National Transit Database Rural Reporting Manual.

**SUMMARY:** This notice provides interested parties with the opportunity to comment on the Federal Transit Administration's (FTA) National Transit Database (NTD) Rural Reporting Manual (Rural Manual). Pursuant to 49 U.S.C. 5335, FTA requires recipients of grants under 49 U.S.C. 5311 (Other Than Urbanized Area Formula Grants) to provide an annual report to the Secretary of Transportation via the NTD reporting system according to a uniform system of accounts (USOA). 49 U.S.C. 5311 provides additional specifications for annual reporting from recipients of Section 5311 grants. The Rural Manual provides complete details as to FTA's implementation of these annual requirements through reporting to the Rural NTD Module. In accordance with 49 U.S.C. 5334, and in an ongoing effort to be responsive to the needs of NTD reporters, the Rural Manual is available in the DOT docket for public comment.

**DATES:** Comments must be received on or before October 9, 2007. FTA will consider late filed comments to the extent practicable.

**ADDRESSES:** You may submit comments at the following Web site: <http://dms.dot.gov>. Follow the instructions there for submitting comments to the DOT electronic docket.

*Fax:* 202-493-2251.

*Mail:* Docket Management System; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

*Hand Delivery:* To the Docket Management System; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

**Instructions:** When submitting comments electronically to the Department's Docket Management System (DMS) Web site located at <http://dms.dot.gov>, you must use docket number FTA-2007-29075. This will ensure that your comment is placed in the correct docket. If you submit comments by mail, you should submit two copies and include the above docket number. Note that all comments received will be posted, without change, to <http://dms.dot.gov> including any personal identifying information. This means that if your comment includes any personal identifying information, such information will be made available to users of DMS. You may review the Department's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477), or you may visit <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** For program issues, John D. Giorgis, Office of Budget and Policy, (202) 366-5430 (telephone); (202) 366-7989 (fax); or [john.giorgis@dot.gov](mailto:john.giorgis@dot.gov) (e-mail). For legal issues, Richard Wong, Office of the Chief Counsel, (202) 366-0675 (telephone); (202) 366-3809 (fax); or [richard.wong@dot.gov](mailto:richard.wong@dot.gov) (e-mail).

**SUPPLEMENTARY INFORMATION:** The National Transit Database (NTD) is the Federal Transit Administration's (FTA's) primary database for statistics on the transit industry. Recipients of grants under 49 U.S.C. 5307 (Urbanized Area Formula Grants) or under 49 U.S.C. 5311 (Other Than Urbanized Area Formula Grants) are required by statute to submit data to the NTD. These data are used to "help meet the needs of \* \* \* the public for information on which to base public transportation service planning \* \* \*" (49 U.S.C. 5335). The statute further specifies that recipients of grants under 49 U.S.C. 5311 are required to submit an annual report "containing information on capital investment, operations, and service provided with funds received. \* \* \* including,

- (A) total annual revenue;
- (B) sources of revenue;
- (C) total annual operating costs;
- (D) total annual capital costs;
- (E) fleet size and type, and related facilities;
- (F) revenue vehicle miles; and
- (G) ridership." (49 U.S.C. 5311)

The National Transit Database Rural Reporting Manual (Rural Manual) provides complete details as to FTA's implementation of these annual requirements for recipients of grants under 49 U.S.C. 5311 through reporting to the Rural NTD Module.

Currently, over 650 transit agencies in urbanized areas already report to the NTD through an Internet-based reporting system. Pursuant to 49 U.S.C. 5335, FTA is expanding NTD reporting to include recipients of grants under 49 U.S.C. 5311 (Other Than Urbanized Area Formula Grants.) Recipients of these grants include the 50 States, Puerto Rico, American Samoa, Guam, and the Northern Marianas. (By statute, the Virgin Islands are considered to be an urbanized area for purposes of FTA grant-making.) Additionally, a number of Indian Tribes are also direct recipients of grants under 49 U.S.C. 5311. In addition to fulfilling a statutory requirement, this data will be used in the annual National Transit Summaries and Trends report, the biennial Conditions and Performance Report to Congress, and in meeting FTA's obligations under the Government Performance and Results Act.

This notice provides interested parties with the opportunity to comment on FTA's Rural Manual. The Rural Manual is available in the DOT Docket FTA-2007-29075 and may also be reviewed on the NTD Web site, <http://www.ntdprogram.gov>.

Issued in Washington, DC, this 29th day of August 2007.

**James S. Simpson,**  
*Administrator.*

[FR Doc. E7-17549 Filed 9-5-07; 8:45 am]

**BILLING CODE 4910-57-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket No: FTA-2007-28960]

#### National Transit Database: Amendments to Urbanized Area Annual Reporting Manual

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of Availability of Proposed Amendments to the 2007 National Transit Database Urbanized Area Annual Reporting Manual.

**SUMMARY:** This notice provides interested parties with the opportunity to comment on changes to the Federal Transit Administration's (FTA) 2007 National Transit Database (NTD) Urbanized Area Annual Reporting Manual (Annual Manual). Pursuant to 49 U.S.C. 5335, FTA requires recipients of FTA Urbanized Area Formula Grants to provide an annual report to the Secretary of Transportation via the NTD reporting system according to a uniform system of accounts (USOA). In an ongoing effort to improve the NTD