

Form: OCE-46.

Frequency of Response: On occasion.

Estimated Total Annual Burden: 813 hours [3,250 annual Form OCE-46 filers × 15 minutes/60 minutes per filing = 812.5 hours, rounded to 813 hours].

Background: Title 49 of the United States Code (U.S.C.) authorizes the Secretary of Transportation (Secretary) to promulgate regulations governing the registration of for-hire motor carriers of regulated commodities (49 U.S.C. 13902), surface transportation freight forwarders (49 U.S.C. 13903), and property brokers (49 U.S.C. 13904). The FMCSA carries out this registration program under authority delegated by the Secretary. Under 49 U.S.C. 13905, each registration is effective from the date specified and remains in effect for such period as the Secretary determines appropriate by regulation. Section 13905(c) of title 49, U.S.C., grants the Secretary the authority to amend or revoke a registration at the registrant's request. On complaint, or on the Secretary's own initiative, the Secretary may also suspend, amend, or revoke any part of the registration of a motor carrier, broker, or freight forwarder for willful failure to comply with the regulations, an order of the Secretary, or a condition of its registration.

Form OCE-46 is used by transportation entities to voluntarily apply for revocation of their registration authority in whole or in part. FMCSA uses the form to seek information concerning the registrant's docket number, name and address, and the reasons for the revocation request.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for the FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information.

Issued on: August 31, 2007.

Michael S. Griffith,

Acting Associate Administrator for Research and Information Technology.

[FR Doc. E7-17812 Filed 9-10-07; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2007-27389]

Agency Information Collection Activities; Notice of Request for Comments on a New Information Collection: FMCSA COMPASS Portal Customer Satisfaction Assessment

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

ACTION: Notice; request for information; Correction.

SUMMARY: The FMCSA published a notice in the **Federal Register** on April 19, 2007, requesting comments on the renewal of a currently approved information collection. The subject line in the notice contained an incorrect type of information collection request for which comments were received.

FOR FURTHER INFORMATION CONTACT: Mr. Bill Coleman, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590, telephone: (202) 366-4440; fax: (202) 493-0679; e-mail: bill.coleman@dot.gov. Office hours are from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

Correction

In the information collection document under Docket No. FMCSA-2007-27389, in the April 19, 2007, **Federal Register** [72 FR 19753], correct the **SUBJECT** section, text to read:

Notice of Request for Comments on a New Information Collection: * * *

Issued on: August 31, 2007.

Michael S. Griffith,

Acting Associate Administrator for Research and Information Technology.

[FR Doc. E7-17813 Filed 9-10-07; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Agency Information Collection Activities; Notice and Request for Comments

AGENCY: Federal Railroad Administration, DOT.

ACTION: Notice and Request for Comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et. seq.), this notice announces that the Information Collection Requirements (ICRs)

abstracted below have been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICRs describes the nature of the information collection and their expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collection of information was published on July 5, 2007 (72 FR 36750).

DATES: Comments must be submitted on or before October 11, 2007.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 25, Washington, DC 20590 (telephone: (202) 493-6292), or Ms. Gina Christodoulou, Office of Support Systems Staff, RAD-43, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6139). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR Part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On July 5, 2007, FRA published a 60-day notice in the **Federal Register** soliciting comment on ICRs that the agency was seeking OMB approval. 72 FR 36750. FRA received one comment in response to this notice.

The letter came from Mr. John P. Tolman, Vice President and National Legislative Director of the Brotherhood of Locomotive Engineers and Trainmen (BLET). BLET, a Division of the Rail Conference of the International Brotherhood of Teamsters, is the duly designated and recognized collective bargaining representative for the craft or class of Locomotive Engineer employed on all Class I railroads. BLET also represents operating and other employees on numerous Class II and Class III railroads. In his comments, Mr. Tolman noted the following:

* * * the proposed information collection activity would have a significant impact on our members. For the reasons set forth below, BLET strongly supports and urges OMB to approve the request.

Recognizing the potential safety benefit of C³RS—as evidenced by successes in similar programs in the aviation and health care industries—the BLET was a founding member of the C³RS National Planning Committee, and is a member of the successor C³RS National Steering Committee. We have

participated in C³RS activities at all levels in the industry, and have supported implementation of C³RS in several areas. See, e.g., 71 FR 56217–56219.

The breath of voluntary acceptance of the C³RS process throughout the railroad industry will depend upon the extent of demonstrable evidence that the process improves railroad safety. Accordingly, a thorough and independent evaluation of C³RS is an essential element of the process. The evaluation, as proposed, is both necessary for FRA to properly execute its functions, and properly structured so as to achieve its stated purpose. We wholeheartedly urge OMB to approve the request, and look forward to participating in this element of the C³RS process.

Before OMB decides whether to approve this proposed collection of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30 day notice is published. 44 U.S.C. 3507 (b)-(c); 5 CFR 1320.12(d); see also 60 FR 44978, 44983, Aug. 29, 1995. OMB believes that the 30 day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect. 5 CFR 1320.12(c); see also 60 FR 44983, Aug. 29, 1995.

The summary below describes the nature of the information collection requirements (ICRs) and the expected burden, and are being submitted for clearance by OMB as required by the PRA.

Title: Confidential Close Call Reporting System Evaluation-Related Interview Data Collection.

OMB Control Number: 2130–NEW.

Type of Request: New collection.

Affected Public: Rail employees and key non-railroad stakeholders.

Abstract: In the U.S. railroad industry, injury rates have been declining over the last 25 years. Indeed, the industry incident rate fell from a high of 12.1 incidents per 100 workers per year in 1978 to 3.66 in 1996. As the number of incidents has decreased, the mix of causes has also changed toward a higher proportion of incidents that can be attributed to human and organizational factors. This combination of trends—decrease in overall rates but increasing proportion of human factors-related incidents—has left safety managers with a need to shift tactics in reducing injuries to even lower rates than they are now.

In recognition of the need for new approaches to improving safety, FRA has instituted the Confidential Close Call Reporting System (C³RS). The operating assumption behind C³RS is that by assuring confidentiality, employees will report events which, if dealt with, will decrease the likelihood of accidents. C³RS, therefore, has both a confidential reporting component, and a problem analysis/solution component. C³RS is expected to affect safety in two ways. First, it will lead to problem solving concerning specific safety conditions. Second, it will engender an organizational culture and climate that supports greater awareness of safety and a greater cooperative willingness to improve safety.

If C³RS works as intended, it could have an important impact on improving safety and safety culture in the railroad industry. While C³RS has been developed and implemented with the participation of FRA, railroad labor, and railroad management, there are legitimate questions about whether it is being implemented in the most beneficial way, and whether it will have its intended effect. Further, even if C³RS is successful, it will be necessary to know if it is successful enough to implement on a wide scale. To address these important questions, FRA is implementing a formative evaluation to guide program development, a summative evaluation to assess impact, and a sustainability evaluation to determine how C³RS can continue after the test period is over. The evaluation is needed to provide FRA with guidance as to how it can improve the program, and how it might be scaled up throughout the railroad industry.

Program evaluation is an inherently data driven activity. Its basic tenet is that as change is implemented, data can be collected to track the course and consequences of the change. Because of the setting in which C³RS is being implemented, that data must come from the railroad employees (labor and management) who may be affected. Critical data include beliefs about safety and issues related to safety, and opinions/observations about the operation of C³RS.

The proposed study is a five-year demonstration project to improve rail safety, and is designed to identify safety issues and propose corrective action based on voluntary reports of close calls submitted to the Bureau of Transportation Statistics. Because of the innovative nature of this program, FRA is implementing an evaluation to determine whether the program is succeeding, how it can be improved and, if successful, what is needed to

spread the program throughout the railroad industry. Interviews to evaluate the close call reporting system will be conducted with two groups: (1) Key stakeholders to the process (e.g., FRA officials, industry labor, and carrier management within participating railroads); and (2) Employees in participating railroads who are eligible to submit close call reports to the Confidential Close Call Reporting System. Different questions will be addressed to each of these two groups. Interviews will be semi-structured, with follow-up questions asked as appropriate depending on the respondent's initial answer.

The confidentiality of the interview data is protected by the Privacy Act of 1974. FRA fully complies with all laws pertaining to confidentiality, including the Privacy Act. Thus, information obtained by or acquired by FRA's contractor, the Volpe Center, from key stakeholders and railroad employees will be used strictly for evaluation purposes. None of the information that might be identifying will be disseminated or disclosed in any way. In addition, the participating railroad sites involved will require Volpe to establish a non-disclosure agreement that prohibits disclosure of company confidential information without the carrier's authorization. Also, the information is protected under the Department of Transportation regulation Title 49 CFR Part 9, which is in part concerned with the Department involvement in proceedings between private litigants. According to this statute, if data are subpoenaed, Volpe and Volpe contractors can not "provide testimony or produce any material contained in the files of the Department, or disclose any information or produce any material acquired as part of the performance of that employee's official duties or because of that employee's official duty status" unless authorized by agency counsel after determining that, in legal proceedings between private litigants, such testimony would be in the best interests of the Department or that of the United States Government if disclosed. Finally, the name of those interviewed will not be requested.

Annual Estimated Burden Hours: 267 hours.

Addressee: Send comments regarding this information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street, NW., Washington, DC 20503, Attention: FRA Desk Officer.

Comments are invited on the following: 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.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication of this notice in the **Federal Register**.

Authority: 44 U.S.C. 3501–3520.

Issued in Washington, DC on September 5, 2007.

D. J. Stadler,

*Director, Office of Financial Management,
Federal Railroad Administration.*

[FR Doc. E7–17809 Filed 9–10–07; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Electronic Remote Authority Delivery Systems

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

ACTION: Notice of interpretation.

SUMMARY: FRA is issuing this notice of interpretation to inform interested parties of its position regarding the implementation of digital electronic remote authority delivery systems that permit authorized users to electronically request, obtain, and release authorities to occupy controlled tracks. These activities are classified as safety-critical functions, and may interact with the functions of train control systems and dispatching procedures. Depending on the functionality and complexity of these systems, railroads seeking to implement digital electronic remote authority systems may be required to comply with Title 49 of the Code of Federal Regulations (CFR) Part 236, Subpart H (Subpart H). This notice classifies digital electronic authority delivery systems based on their functionality and identifies categories of systems that are subject to compliance with the requirements of Subpart H.

ADDRESSES: You may submit comments to Thomas McFarlin, Staff Director, Signal and Train Control Division, or Olga Cataldi, Senior Electronic Engineer, FRA Office of Safety Assurance and Compliance, by facsimile

(202–493–6216) or e-mail (thomas.mcfarlin@dot.gov) or (olga.cataldi@dot.gov). Comments may also be submitted to Kathy Shelton, FRA Office of Chief Counsel, by facsimile (202–493–6068) or e-mail (kathryn.shelton@dot.gov).

FOR FURTHER INFORMATION CONTACT:

Thomas McFarlin, Staff Director, Signal and Train Control Division, Office of Safety Assurance and Compliance, FRA, 1120 Vermont Avenue, NW., Washington, DC, 20590 (telephone: (202) 493–6203), e-mail (thomas.mcfarlin@dot.gov); Olga Cataldi, Senior Electronic Engineer, Office of Safety Assurance and Compliance, FRA, 1120 Vermont Avenue, NW., Washington, DC, 20590 (telephone: (202) 493–6321), e-mail (olga.cataldi@dot.gov); or Kathy Shelton, Office of Chief Counsel, FRA, 1120 Vermont Avenue, NW., Washington, DC 20590 (telephone: (202) 493–6063), e-mail (kathryn.shelton@dot.gov).

SUPPLEMENTARY INFORMATION:

Background

With technical advances and the wide availability of wireless communication technology, a number of Class I and short line railroads have been developing and, for the past several years, implementing a variety of software-based applications for the electronic delivery of digital track authorities to roadway workers. Software-based digital communication between railroad workers and the dispatch center has proven to be an effective alternative to voice communication with the dispatcher via radio. Digital communications may potentially result in significant increases in safety by eliminating delivery or read back errors associated with voice communications. Digital communications may also increase the effectiveness of railroad operations and track maintenance resources utilization by significantly decreasing the time associated with obtaining and releasing track authorities. These potential operational and safety benefits are prompting railroads to extend the use of wireless data communication to digital transmission of track warrants to trains. Further, railroads are seeking to extend the functionalities associated with the digital communication of authorities to roadway workers and train crews to include the auto-generation and issuance of authorities, excluding any involvement of the dispatcher.

The regulations contained in 49 CFR Part 214, Subpart C, which currently govern the delivery of authorities for

exclusive track occupancy to roadway workers, do not specifically address digital communication between the dispatcher and the employee in charge. Currently, 49 CFR 214.321(a)(1) requires that all authorities issued to a roadway worker in charge be given by the dispatcher or control operator who controls train movement on that track.

The digital delivery of movement authorities to train crews is addressed in 49 CFR Part 236, Subpart H. This set of regulations prescribes the minimum safety standards for the development and operation of processor-based signal and train control systems. As stated in the preamble to Subpart H, FRA purposely left the term “train control” undefined, as advances in technology supporting these systems would make any definition of the term “train control”, or any list of train control systems and associated features, “undoubtedly outdated” in a relatively short period of time. See 70 FR 11052, 11066. Therefore, the requirements contained in Subpart H apply to “safety-critical products”, which include systems that provide safety-relevant information on which crews are expected to rely. See 49 CFR 236.901. However, FRA emphasized in the preamble to the rule that “[o]ther systems providing safety-relevant information on which crews are expected to rely will also fall within this term”. See 70 FR 11052, 11066. In regard to dispatching systems, a centralized computer-aided train dispatching system being a part of an “office system” may also be subject to Subpart H compliance, if “it performs safety-critical functions within, or affects the safety performance of, a new or next generation train control system.” See 49 CFR 236.911(c).

FRA recognizes that its current regulations do not clearly address the auto-generation and digital communication of authorities to roadway workers and locomotive engineers. FRA is currently taking measures to augment existing regulations to more clearly address these functionalities. For example, FRA, with the participation of the Railroad Safety Advisory Committee, has explored appropriate conditions for the digital transmission of authority to a roadway worker in charge. In light of these discussions, FRA expects to include specific concepts in a notice of proposed rulemaking for revision of 49 CFR Part 214, Subpart C. Further, FRA has been in discussion with the Association of American Railroads regarding the need for general standards to ensure the effectiveness and security of wireless communications particularly