

(B) One member recommended by a national motorcycle riders 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.

This notice also serves to identify changes in the MAC-FHWA membership due to changes in the employment status for two persons. Due to his semi-retirement, Mr. Robert J. McClune has been replaced by Mr. Dean Tisdall as a member recommended by the traffic safety systems industry. Mr. Mark Bloschock has retired from the Texas Department of Transportation and no longer fulfills the criterion of a motorcyclist who is a State transportation department official. An additional person will not be substituted for Mr. Bloschock as the charter requires "at least one, and not more than two, motorcyclists who are traffic system design engineers or State transportation department officials" and, Mr. Donald Vaughn of the Alabama Department of Transportation, an original member of the MAC-FHWA, is currently fulfilling that requirement.

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 third meeting of the Motorcyclist Advisory Council to the Federal Highway Administration will be held on December 5-6, at the Sheraton Crystal City, 1800 Jefferson Davis Highway, Arlington, VA 22202 from 10 a.m. until 5 p.m. on December 5, 2007, and from 9 a.m. until 1 p.m. on December 6, 2007.

(Authority: Section 1914 of Pub. L. 109-59; Pub. L. 92-463, 5 U.S.C., App. II § 1)

Issued on: November 5, 2007.

J. Richard Capka,

Administrator, Federal Highway Administration.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35066]

Columbia Basin Railroad Company, Inc.—Acquisition and Operation Exemption—BNSF Railway Company and BNSF Acquisition, Inc.

Columbia Basin Railroad Company, Inc. (CBRW), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire, by purchase pursuant to an agreement it anticipates entering into with BNSF Railway Company and BNSF Acquisition, Inc., and to operate approximately 74 miles of rail lines as follows: (1) From milepost 186.9 at or near Connell to milepost 145.7 at or near Wheeler, WA; (2) from milepost 0.0 at or near Bassett Junction to milepost 12.5 at or near Schrag, WA; (3) from milepost 20.0 at or near Moses Lake to

milepost 5.6 at or near Sieler, WA; and (4) from milepost 5.6 at or near Sieler to milepost 0.0 at or near Wheeler. In addition, CBRW intends to acquire incidental trackage rights for local and overhead rail service over approximately 13 miles of rail line from milepost 1987 at or near Othello to the end of the track at milepost 1974 at or near Warden, WA. CBRW has leased, operated and performed trackage rights services over substantially the same rail lines since December 1996.¹

CBRW certifies that its projected annual revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier.

CBRW states that it intends to consummate the transaction on or after December 1, 2007, but shall in no event consummate the transaction before the Board either grants its petition for waiver of the 60-day labor notice requirement or CBRW satisfies the applicable labor notice requirement at 49 CFR 1150.42(e).²

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Stay petitions must be filed no later than 7 days before the exemption becomes effective.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35066, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Rose-Michele Nardi, Weiner Brodsky Sidman Kider PC, 1300 19th Street, NW., Fifth Floor, Washington, DC 20036-1609.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: November 9, 2007.

By the Board, David M. Konschnik,
Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

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¹ See *Columbia Basin Railroad Company, Inc.—Exemption to Lease and Operate—Burlington Northern Railroad Co. and BNSF Acquisition, Inc.*, STB Finance Docket No. 33140 (STB served Dec. 13, 1996).

² On November 1, 2007, CBRW concurrently filed a certification of labor notice compliance and a petition for waiver of the 60-day advance labor notice requirement at 49 CFR 1150.42(e). That request will be addressed in a separate decision. Unless the Board grants the waiver request, the earliest this transaction may be consummated will be December 31, 2007.