

**DEPARTMENT OF TRANSPORTATION****Office of the Secretary****Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (formerly Subpart Q) During the Week Ending August 4, 2006**

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, or Motions To Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* OST-1996-1371.

*Date Filed:* August 1, 2006.

*Due Date for Answers, Conforming Applications, or Motion To Modify Scope:* August 22, 2006.

*Description:* Application of Delta Air Lines, Inc. requesting renewal of its certificate authority to engage in scheduled foreign air transportation of persons, property and mail between the terminal point Atlanta, GA, and the coterminal points Madrid, Barcelona, Malaga and Palma de Mallorca, Spain which are foreign points named on segment 5 of Delta's certificate for Route 178.

*Docket Number:* OST-2001-9855.

*Date Filed:* August 1, 2006.

*Due Date for Answers, Conforming Applications, or Motion To Modify Scope:* August 22, 2006.

*Description:* Application of Delta Air Lines, Inc. requesting renewal of its certificate authority to provide foreign air transportation of persons, property and mail between the United States and Athens, Greece, which is a foreign point named on segments 3 and 9 of Delta's certificate for Route 616.

*Docket Number:* OST-2004-19617.

*Date Filed:* August 3, 2006.

*Due Date for Answers, Conforming Applications, or Motion To Modify Scope:* August 24, 2006.

*Description:* Application of EOS Airlines, Inc. requesting that its certificate for public convenience and necessity be amended by adding an additional route "between the United States via intermediate points, on the one hand, and Switzerland and beyond,

on the other hand" and that it be designated to serve the United States-Switzerland market under the bilateral.

*Docket Number:* OST-2006-25562.

*Date Filed:* August 3, 2006.

*Due Date for Answers, Conforming Applications, or Motion To Modify Scope:* August 24, 2006.

*Description:* Application of Jordan International Air Cargo requesting an exemption and a foreign air carrier permit authorizing it to provide the following service: (1) Charter foreign air transportation of persons, property and mail between any point or points in Jordan and any point or points in the United States; and between any point or points in the United States and any point or points in third country or countries, provided that such service constitutes part of a continuous operation, with or without a change of aircraft, that includes air service to Jordan for the purpose of carrying local traffic between Jordan and the United States; and (2) other charters between third countries and the United States.

**Renee V. Wright,**

*Program Manager, Docket Operations,*

*Federal Register Liaison.*

[FR Doc. E6-13880 Filed 8-21-06; 8:45 am]

**BILLING CODE 4910-9X-P**

**DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-2006-25586]

**Agency Information Collection Activities; Request for Comment; Renewal of an Information Collection: Financial Responsibility for Motor Carriers of Passengers and Motor Carriers of Property**

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

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

**SUMMARY:** The FMCSA invites comments on its plan to request the Office of Management and Budget's (OMB) approval to renew an existing information collection. This information collection renewal will be used to assure that motor carriers of property and passengers maintain appropriate levels of financial responsibility to operate on public highways. This notice is required by the Paperwork Reduction Act of 1995.

**DATES:** Comments must be submitted on or before October 23, 2006.

**ADDRESSES:** All comments should reference Docket No. FMCSA-2006-

25586. You may mail or hand deliver comments to the U.S. Department of Transportation, Dockets Management Facility, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590; telefax comments to 202/493-2251; or submit electronically at <http://dms.dot.gov>. You may examine and copy all comments received at the above address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. If you desire your comment to be acknowledged, you must include a self-addressed stamped envelope or postcard or, if you submit your comments electronically, you may print the acknowledgment.

**FOR FURTHER INFORMATION CONTACT:** Ms. Stephanie Haller, Commercial Enforcement, phone (202) 385-2362; FAX (202) 385-2422; or e-mail [stephanie.haller@fmcsa.dot.gov](mailto:stephanie.haller@fmcsa.dot.gov); Federal Motor Carrier Safety Administration, DOT, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 8 a.m. to 4:30 p.m., Monday through Friday, except Federal Holidays.

**SUPPLEMENTARY INFORMATION:**

*Title:* Financial Responsibility for Motor Carriers of Passengers and Motor Carriers of Property.

*OMB Control No:* 2126-0008.

*Background:* The Secretary of Transportation is responsible for implementing regulations which establish minimal levels of financial responsibility for: (1) For-hire motor carriers of property to cover public liability, property damage, and environmental restoration, and (2) for-hire motor carriers of passengers to cover public liability and property damage. The Endorsement for Motor Carrier Policies of Insurance for Public Liability (Forms MCS-90/90B) and the Motor Carrier Public Liability Surety Bond (Forms MCS-82/82B) contain the minimum amount of information necessary to document that a motor carrier of property or passengers has obtained, and has in effect, the minimum levels of financial responsibility as set forth in applicable regulations (motor carriers of property—49 CFR 387.9; and motor carrier of passengers—49 CFR 387.33). FMCSA and the public can verify that a motor carrier of property or passengers has obtained, and has in effect, the required minimum levels of financial responsibility, by use of the information embraced within these documents.

*Respondents:* Insurance and surety companies of motor carriers of property (Forms MCS-90 and MCS-82) and motor carriers of passengers (Forms MCS-90B and MCS-82B).

*Frequency:* Upon creation, change, or replacement of an insurance policy or surety bond.

*Estimated Average Burden per Response:* The FMCSA estimates it takes two minutes to complete the Endorsement for Motor Carrier Policies of Insurances for Public Liability or the Motor Carrier Public Liability Surety Bond; one minute to file the Motor Carrier Public Liability Surety Bond; and one minute to place either document on board the vehicle (foreign-domiciled motor carriers only). These endorsements are maintained at the motor carrier's principal place of business (49 CFR 387.7 (iii) (d)).

*Estimated Total Annual Burden Hours:* 4,529 hours (4,528.84 rounded to nearest hour) [151.44 hours for motor carriers of passengers + 4,377.40 hours for motor carriers of property = 4,528.84].

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FMCSA's performance; (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. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Issued on August 15, 2006.

**John H. Hill,**  
Administrator.

[FR Doc. E6-13794 Filed 8-21-06; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Proposed Agency Information Collection Activities; Comment Request

**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 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 its expected burden. The **Federal Register** notice with a 60-day comment

period soliciting comments on the following collection of information was published on June 16, 2006 (71 FR 34990).

**DATES:** Comments must be submitted on or before September 21, 2006.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493-6292), or Gina Christodoulou, Office of Support Systems, RAD-20, 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 June 16, 2006, FRA published a 60-day notice in the **Federal Register** soliciting comment on ICRs that the agency was seeking OMB approval. 71 FR 34990. FRA received one comment in response to this notice.

The comment submitted came from the Association of American Railroads (AAR). AAR opposes OMB renewal of this information collection because FRA has not yet fully accommodated its request concerning electronic recordkeeping for the Hours of Duty Records required in this collection. Specifically, AAR remarks:

\* \* \* FRA's hours of service regulations illegally discriminate against electronic records. FRA's regulations only permit paper records because 49 CFR section 228.9 requires that HOS [Hours of Service] records be "signed" by the employee whose time on duty is being recorded (or by the ranking crew member, in the case of train crews). A railroad has to apply for a waiver to keep HOS records electronically.

AAR argues that "FRA has chosen the use of the waiver program to impose requirements that do not apply for paper records." Further, AAR states:

FRA has required railroads to, *inter alia*,

- Develop computer programs capable of measuring and analyzing records to determine compliance with HOS requirements, focusing on issues such as time spent "deadheading" (nonworking travel not including commuting), "commingled" service (service not subject to HOS restrictions), and employee reports of excess service;

- Establish quality-assurance programs consisting of regular and remedial training as determined by FRA and utilizing materials reviewed by FRA; and
- Make electronic records accessible to FRA through various field locations.

AAR observes that "there are no comparable requirements for paper records." AAR goes on to note that "the Government Paperwork Elimination Act (GPEA) required OMB to develop procedures for the acceptance of electronic records" and that "by Oct. 21, 2003, OMB was to ensure that agencies provide an option for the maintenance of records electronically and, where practicable, the use of electronic signatures." AAR believes that FRA's "hours of service regulations violate the GPEA's mandate to facilitate electronic records."

FRA and its representatives have a long relationship with AAR. There have been many contacts and discussions between FRA and AAR officials regarding the Hours of Service Regulations and electronic recordkeeping. FRA has been working for some time with the AAR on this issue. FRA has met with AAR representatives, and has indicated its intention to act on AAR's request regarding electronic recordkeeping. FRA has a team now working on a proposed rule to enable electronic recordkeeping (which would eliminate the need for waivers), so AAR's belief that FRA is unresponsive and that no progress has been made is not correct. By its nature, the process of regulatory development and enactment is a slow one. Moreover, FRA has communicated to AAR that top agency officials and specialists are available to work on any issues under current waivers while a proposed rule is being developed.

In its comments, AAR admits that electronic recordkeeping option has been and is available through agency waivers. FRA clearly then has no bias against electronic records. In fact, FRA has long encouraged the use of electronic recordkeeping, wherever feasible, to reduce burden on respondents. However, because the work of "covered employees" directly impacts rail safety and because "fatigue" resulting from excessive work hours is a direct threat to public safety and the safety of train crews and other railroad workers, FRA must ensure that the Federal hours of service (HOS) laws are strictly adhered to in order to meet its primary safety mission and its statutory obligation for HOS oversight. Although FRA permitted railroads to do away with various costly and cumbersome paper records, AAR complains that FRA imposes additional