

Proposed Rules

Federal Register

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

GENERAL SERVICES ADMINISTRATION

41 CFR Part 102-118

[FMR Case 2005-102-5]

RIN: 3090-A114

Federal Management Regulation; Transportation Payment and Audit—Use of SF 1113, Public Voucher for Transportation Charges

AGENCY: Office of Governmentwide Policy, General Services Administration (GSA).

ACTION: Proposed rule.

SUMMARY: The General Services Administration proposes to amend the Federal Management Regulation (FMR) to discontinue use of the hard copy, paper construction of Standard Form (SF) 1113, Public Voucher for Transportation Charges, and its memorandum copy, SF 1113-A. Agencies are required to use electronic commerce for receiving bills and paying for transportation and transportation services. By using electronic commerce, the SF 1113 is not needed and is not essential for the transportation service provider to get paid. The FMR and any corresponding documents may be accessed at GSA's website at <http://www.gsa.gov/fmr>.

DATES: Comment Date: Comments must be received by May 15, 2006.

ADDRESSES: Submit comments identified by FMR case 2005-102-5 by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Agency Web Site: <http://www.gsa.gov/fmr>. Click on FMR Proposed Rules, and the FMR case number to submit comments.
- E-mail: fmr.case.2005-102-5@gsa.gov. Include FMR case 2005-102-5 in the subject line of the message.
- Fax: 202-501-4067.
- Mail: General Services Administration, Regulatory Secretariat (VIR), 1800 F Street, NW., Room 4035,

ATTN: Laurieann Duarte, Washington, DC 20405.

Instructions: Please submit comments only and cite FMR case 2005-102-5 in all correspondence related to this case. All comments received will be posted without change to <http://www.gsa.gov/fmr>, including any personal information provided. Click on FMR Public Comments.

FOR FURTHER INFORMATION CONTACT: The Regulatory Secretariat, Room 4035, GS Building, Washington, DC, 20405, at (202) 208-7312 for information pertaining to status or publication schedules. For clarification of content, contact Ted J. Bembenek, Jr., Office of Governmentwide Policy (MT), at (202) 208-7629. Please cite FMR case 2005-102-5.

SUPPLEMENTARY INFORMATION:

A. Background

As the Government continues to make systematic management improvements across its business lines, use of electronic commerce has become a significant link and critical tool in accomplishing this task. In its role as a Governmentwide policymaker, GSA will use every feasible opportunity to incorporate and promote electronic commerce to the fullest extent of its authority, particularly in relation to the procurement, billing, and payment of transportation services.

In part 102-118 of the Federal Management Regulation (FMR), (41 CFR part 102-118, Transportation Payment and Audit), GSA prescribes Standard Form (SF) 1113 for use by transportation service providers to bill transportation charges to the Government. GSA believes greater efficiencies can be gained for the Government and transportation service providers alike by requiring use of electronic commerce in all areas of transportation. This includes the use of electronic systems for ordering, receiving bills and paying for transportation and transportation services. This requirement will bring the Government closer to achieving a paperless environment and parity with the best business practices used in the private sector. Comments received from an exploratory notice published in the **Federal Register** at 69 FR 36088, June 28, 2004, generally favored the electronic billing and payment of transportation charges.

B. Substantive changes

This proposed rule discontinues the requirement for use of the paper construction of Standard Form (SF) 1113, Public Voucher for Transportation Charges, and its memorandum copy, SF 1113-A. Agencies are required to use electronic commerce for receiving bills and paying for transportation and transportation services. By using electronic commerce, the SF 1113 is not needed and is not essential for the transportation service provider to get paid. Paper invoices will no longer be received.

C. Executive Order 12866

GSA has determined that this proposed rule is not a significant rule for the purposes of Executive Order 12866 of September 30, 1993.

D. Regulatory Flexibility Act

This proposed rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* A regulatory flexibility analysis has therefore not been prepared.

E. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the proposed rule does not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget (OMB) under 44 U.S.C. 3501 *et seq.*

F. Small Business Regulatory Enforcement Fairness Act

This proposed rule is exempt from Congressional review prescribed under 5 U.S.C. 801 since it relates solely to agency management and personnel.

List of Subjects in 41 CFR Part 102-118

Accounting, Claims, Government property management, Reporting and recordkeeping requirements, Surplus Government property, Transportation.

Dated: February 16, 2006

John G. Sindelar,

Acting Associate Administrator, Office of Governmentwide Policy.

For the reasons set forth in the preamble, GSA proposes to amend 41 CFR part 102-118 as set forth below:

PART 102-118—TRANSPORTATION PAYMENT AND AUDIT

1. The authority citation for 41 CFR part 102-118 continues to read as follows:

Authority: 31 U.S.C. 3726; and 40 U.S.C. 121(c), and 49 U.S.C. 10721, 13712, and 15504.

2. Revise § 102-118.65 to read as follows:

§ 102-118.65 Is my agency required to use electronic billing for payment and billing of transportation services?

Yes, your agency must use electronic billing for the procurement and billing of transportation services.

§ 102-118.100 [Removed and Reserved]

3. Remove and reserve § 102-118.100.

4. Revise § 102-118.130 to read as follows:

§ 102-118.130 Must my agency use a GBL for express, courier, or small package shipments?

No, however, all shipments must be subject to the terms and conditions set forth in the bill of lading. Any other contracts or agreements between the transportation service provider (TSP) and your agency for transportation services remain binding. When you use GSA's schedule for small package express delivery, the terms and conditions of that contract are binding.

5. Revise § 102-118.195 to read as follows:

§ 102-118.195 What documents must a transportation service provider (TSP) send to receive payment for a transportation billing?

The transportation service provider (TSP) must submit a bill of lading or an original properly certified International Government bill of lading (GBL). The TSP must submit this package and all supporting documents to the agency paying office.

6. Revise § 102-118.560 to read as follows:

§ 102-118.560 What is the required format that a transportation service provider (TSP) must use to file an administrative claim?

A transportation service provider (TSP) must bill for charges, when deemed necessary by your agency, in the format prescribed in the "U.S. Government Freight Transportation Handbook" or the "U.S. Government Passenger Transportation Handbook". To get a copy of these publications, you may write to: General Services Administration, Federal Supply Service Audit Division (FBA), 1800 F Street, NW., Washington, DC 20405, www.gsa.gov/transaudits.

[This document reflects corrections published in the Federal Register on March 23, 2006.]

[FR Doc. 06-????? Filed ??-??-06; 8:45 am]

BILLING CODE 6820-14-S

Authority: 42 U.S.C. 7401 *et seq.*

2. Section 63.1206 is amended by revising the first sentence of paragraph (a)(1)(ii)(B)(1) and adding paragraph (a)(1)(ii)(B)(3) to read as follows:

§ 63.1206 When and how must you comply with the standards and operating requirements?

(a) * * *

(1) * * *

(ii) * * *

(B) * * * (1) If you commenced construction or reconstruction of your hazardous waste combustor after April 20, 2004, you must comply with the new source emission standards under §§ 63.1219, 63.1220, and 63.1221 and the other requirements of this subpart by the later of October 12, 2005 or the date the source starts operations, except as provided by paragraphs (a)(1)(ii)(B)(2) through (3) of this section. * * *

(3) If you commenced construction or reconstruction of a cement kiln after April 20, 2004, you must comply with the new source emission standard for particulate matter under § 63.1220(b)(7)(i) by the later of [DATE OF PUBLICATION OF THE FINAL RULE IN THE **Federal Register**] or the date the source starts operations. * * *

3. Section 63.1217 is amended by revising paragraph (b)(7) to read as follows:

§ 63.1217 What are the standards for liquid fuel boilers that burn hazardous waste?

* * * * *

(b) * * *

(7) For particulate matter, except for an area source as defined under § 63.2 or as provided by paragraph (e) of this section, emissions in excess of 20 mg/dscm (0.0088 gr/dscf) corrected to 7 percent oxygen. * * *

4. Section 63.1219 is amended by revising paragraph (b)(7) to read as follows:

§ 63.1219 What are the replacement standards for hazardous waste incinerators?

(b) * * *

(7) Except as provided by paragraph (e) of this section, particulate emissions in excess of 3.7 mg/dscm (0.0016 gr/dscf) corrected to 7 percent oxygen. * * *

5. Section 63.1220 is amended by revising paragraph (b)(7)(i) to read as follows:

§ 63.1220 What are the replacement standards for hazardous waste burning cement kilns?

(b) * * *

(7) * * *

(i) Emissions in excess of 15.8 mg/dscm (0.0069 gr/dscf) corrected to 7 percent oxygen; and * * *

[FR Doc. 06-2703 Filed 3-22-06; 8:45 am]

BILLING CODE 6560-50-P

GENERAL SERVICES ADMINISTRATION

41 CFR Part 102-118

[FMR Case 2005-102-5]

RIN 3090-A114

Federal Management Regulation; Transportation Payment and Audit—Use of SF 1113, Public Voucher for Transportation Charges; Correction

AGENCY: Office of Governmentwide Policy, General Services Administration (GSA).

ACTION: Proposed rule; correction.

SUMMARY: The General Services Administration is issuing corrections to the proposed rule issued as FMR Case 2005-102-5, Transportation Payment and Audit—Use of SF 1113, Public Voucher for Transportation Charges. **EFFECTIVE DATE:** March 23, 2006.

FOR FURTHER INFORMATION CONTACT: Ms. Laurieann Duarte at (202) 208-7312, General Services Administration, Regulatory Secretariat, Washington, DC 20405.

Corrections

In the proposed rule document appearing at 71 FR 13063, March 14, 2006—

1. On page 13064, under the heading A. Background, second column, first paragraph, the third line is corrected by adding “and payment” after the word “billing”.

2. On page 13064, third column, § 102-118.130 is corrected to read as follows:

§ 102-118.130 Must my agency use a GBL for express, courier, or small package shipments?

No, however, all shipments must be subject to the terms and conditions set forth in the bill of lading. Any other contracts or agreements between the transportation service provider (TSP) and your agency for transportation services remain binding. When you use GSA’s schedule for small package express delivery, the terms and conditions of that contract are binding.

3. On page 13064, third column, § 102-118.195 is corrected to read as follows:

§ 102-118.195 What documents must a transportation service provider (TSP) send to receive payment for a transportation billing?

The transportation service provider (TSP) must submit a bill of lading or an original properly certified International Government bill of lading (GBL). The TSP must submit this package and all supporting documents to the agency paying office.

§ 102-118.560 [Corrected]

4. On page 13064, in the third column, § 102-118.560 is corrected in the fourth line by removing “manner” and adding “format” in its place.

Dated: March 17, 2006.

Laurieann Duarte,

Supervisor, Regulatory Secretariat, General Services Administration.

[FR Doc. E6-4189 Filed 3-22-06; 8:45 am]

BILLING CODE 6820-14-S

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[U.S. DOT Docket Number NHTSA-2005-22655]

Federal Motor Vehicle Safety Standards; Steering Control Rearward Displacement

AGENCY: National Highway Traffic Safety Administration (NHTSA), U.S. Department of Transportation.

ACTION: Denial of petition for rulemaking.

SUMMARY: On July 28, 2004, NHTSA received a petition for rulemaking from Honda Motor Company Ltd. requesting that the agency amend the applicability of Federal Motor Vehicle Safety Standard (FMVSS) No. 204, “Steering control rearward displacement.” Specifically, it petitioned to exempt vehicles that already comply with the unbelted frontal barrier crash requirements of FMVSS No. 208, “Occupant crash protection.” This notice denies this petition for rulemaking.

FOR FURTHER INFORMATION CONTACT: For non-legal issues: Christopher Wiacek, Office of Crashworthiness Standards, NVS-112, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. Telephone: (202) 366-4801. Fax: (202) 493-2290.

For legal issues: Christopher Calamita, Office of Chief Counsel, NCC-112,