

(a) Has a gross combination weight rating of 11,794 or more kilograms (kg) (26,001 or more pounds (lbs) inclusive of a towed unit with a gross vehicle weight rating (GVWR) of more than 4,536 kg (10,000 lbs)); (b) has a GVWR of 11,794 or more kg (26,001 or more lbs); (c) is designed to transport 16 or more passengers, including the driver; or (d) is of any size and is used to transport hazardous materials as hazardous materials are defined in 49 CFR 383.5.

The CMVSA requires a driver to notify both their employer and the licensing official in the driver's State of licensure of all violations of any State or local laws relating to traffic control (except parking violations). A person whose CDL is suspended, revoked, or canceled by a State, or who is disqualified from operating a CMV for any period, also must notify their employer of such actions. A person applying for employment as a CMV driver also must notify prospective employers of their employment history as a CMV driver for the previous ten years.

Pursuant to 49 U.S.C. 31309, the Secretary of Transportation (Secretary) must maintain an information clearinghouse and depository of information about the issuance of a license, and identification and disqualification of CMV operators, in conjunction with 49 U.S.C. 31106. The Secretary may consult with the States in carrying out this section. States must certify that they are in compliance with the CDL program. If a State does not substantially comply with these requirements, the FMCSA may penalize the State until compliance is achieved. The information required to be collected by the States will be used to determine whether the States are in substantial compliance with these requirements.

This request for renewed approval includes additional burdens for recordkeeping requirements under 49 CFR 384.231(d) concerning retention and updating of driver records on the Commercial Driver's License Information System (CDLIS). These requirements also include the maintenance of such driver records and driver identification data on the CDLIS as the FMCSA finds are necessary to implement and enforce the disqualifications called for in 49 U.S.C. 384.215 through 384.219, and 384.221 through 384.224.

**Respondents:** Motor carriers, CMV drivers and State governments.

**Estimated Total Annual Burden:** 1,080,345 hours. The information collection is comprised of four components:

(1) Notification of convictions: Estimated number of annual responses = 3,776,667 (11.3 million CDL drivers/3 = 3,776,667). It takes approximately 10 minutes to notify a motor carrier concerning convictions. Each driver averages approximately 1 conviction every 3 years. The notification requirement has an estimated annual burden of 627,778 burden hours (11.3 million CDL drivers/3 × 10/60 = 627,778 hours);

(2) Employment history: Estimated annual turnover rate = 14%. There are an estimated 1,582,000 annual responses to this requirement (11.3 million CDL drivers × .14 annual turnover rate = 1,582,000). It takes approximately 15 minutes to complete this requirement. The employment history requirement has an estimated annual burden of 395,500 hours (1,582,000 annual responses × 15 min./60 = 395,500 hours);

(3) State compliance and certification: There are 51 responses to this requirement (50 States and the District of Columbia) and it takes approximately 32 hours to complete each response. The compliance and certification requirement has an estimated annual burden of 1,632 hours (51 responses × 32 hours = 1,632 hours); and

(4) CDLIS Recordkeeping: Fifty (50) States and the District of Columbia are required to enter data into CDLIS about operators of CMVs and to perform record checks before issuing, renewing or upgrading a CDL or allowing a CDL transfer. We estimate that the average amount of time for each CDLIS inquiry is 2 minutes. The total burden hours is 55,435 for these combined activities: 12,160 hours for all States to create a new driver; 4,023 hours for all States to change the State of record; 19,759 hours for all States to change data and 19,493 hours to enter citizenship information.

**Public Comments Invited:** We invite you to comment on any aspect of this information collection, including, but not limited to: (1) Whether the collection of information is necessary for the proper performance of the functions of the FMCSA, including whether the information is practical and useful; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, usefulness, and clarity of the collected information; and (4) ways to minimize the collection burden without reducing the quality of the information collected.

**Electronic Access and Filing:** You may submit or retrieve comments online through the Docket Management System (DMS) at <http://dmses.dot.gov/submit>. Acceptable formats include: MS Word (versions 95 to 97), MS Word for Mac (versions 6 to 8), Rich Text File (RTF),

American Standard Code Information Interchange (ASCII)(TXT), Portable Document Format (PDF), and WordPerfect (versions 7 to 8). The DMS is available 24 hours each day, 365 days each year. Electronic submission and retrieval help and guidelines are available under the help section of the web site.

You may also download an electronic copy of this document from the DOT Docket Management System on the Internet at <http://dms.dot.gov/search.htm>. Please include the docket number appearing in the heading of this document.

**Authority:** The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.73.

**Warren E. Hoemann,**  
Deputy Administrator.

[FR Doc. 03-30104 Filed 12-2-03; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA -2003-16405]

#### Notice of Request for Renewal of a Currently Approved Information Collection: Request for Revocation of Authority Granted

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

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

**SUMMARY:** The FMCSA is seeking public comments about our intent to request the Office of Management and Budget's (OMB) approval to renew the currently approved information collection identified as "Request for Revocation of Authority Granted." This information collection notifies the FMCSA of a voluntary request by a motor carrier, freight forwarder, or property broker to amend or revoke its registration of authority granted. The Paperwork Reduction Act requires the publication of this notice.

**DATES:** Please submit comments by February 2, 2004.

**ADDRESSES:** 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://dmses.dot.gov/submit>. Be sure to include the docket number appearing in this notice's heading. All comments received may be examined and copied

at the above address from 9 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard or you may print the acknowledgment page that appears after submitting comments electronically.

**FOR FURTHER INFORMATION CONTACT:** Ms. Marian Mills Lee, (202) 385-2423, Office of Enforcement and Compliance, Federal Motor Carrier Safety Administration, Department of Transportation, 400 Seventh St., SW., Washington, DC, 20590. Office hours are from 7:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

*Title:* Request for Revocation of Authority Granted.

*OMB Approval Number:* 2126-0018.

*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) 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. The form requests the registrant's docket number, name and address, and the reasons for the revocation request.

*Respondents:* Motor carriers, freight forwarders, and brokers.

*Average Burden per Response:* 15 minutes.

*Estimated Total Annual Burden:* 250 hours (1,000 motor carriers × 15 minutes/60 minutes).

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) The necessity and usefulness of the information collection for the FMCSA to meet its goal in reducing truck crashes; (2) the accuracy of the estimated

burdens; (3) ways to enhance the quality, usefulness, and clarity of the collected information; and (4) ways to minimize the collection burden 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.

*Electronic Access and Filing:* You may submit or retrieve comments online through the Docket Management System (DMS) at <http://dmses.dot.gov/submit>. Acceptable formats include: MS Word (versions 95 to 97), MS Word for Mac (versions 6 to 8), Rich Text File (RTF), American Standard Code Information Interchange (ASCII)(TXT), Portable Document Format (PDF), and WordPerfect (versions 7 to 8). The DMS is available 24 hours each day, 365 days each year. Electronic submission and retrieval help and guidelines are available under the help section of the DMS web site.

You may download an electronic copy of this document by using a computer, modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the Office of the Federal Register's home page at <http://www.nara.gov/fedreg> and the Government Printing Office's web page at: <http://www.access.gpo.gov/nara>.

**Authority:** 49 U.S.C. 13902, 13903, 13904 and 13905; and 49 CFR 1.73.

Issued on: November 26, 2003.

**Warren E. Hoemann,**

*Deputy Administrator.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

### American Short Line and Regional Railroad Association

[Waiver Petition Docket Number FRA-2003-16271]

American Short Line and Regional Railroad Association (ASLRRA), on behalf of their membership, seeks a waiver of compliance from the requirements of the *Locomotive Safety Standards*, 49 CFR part 229.23, which requires periodic inspection of all locomotives at intervals not to exceed ninety-two (92) days, and from the requirements 49 CFR 229.25, which identify items to be inspected during a periodic inspection. ALSRRA believes that the short line and regional railroads that it represents do not operate their locomotive in the same environment as the larger Class I railroads. They feel that Class I railroads operate twenty-four hours a day, seven days a week, with longer and heavier trains, over greater distances than short line and regional railroads. ALSRRA feels that the *Locomotive Safety Standards* periodic inspection and testing requirements should recognize this. If granted, the ALSRRA feels that its members should be allowed to perform the periodic, during required, annual inspections 49CFR 229.27.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (FRA-2003-16271) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590. Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

Anyone is able to search the electronic form of all comments received into any of our dockets by the