

1991, DOT is required to implement an alcohol testing program in various transportation industries. This specific requirement is elaborated in 49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs.

Breath-alcohol technicians (BAT) must fill out testing form. The form includes the employee's name, the type of test taken, the date of the test, and the name of the employer.

Custody and control is essential to the basic purpose of the alcohol testing program. Data on each test conducted, including test results, are necessary to document tests conducted and actions taken to ensure safety in the workplace.

Estimated Total Burden on

Respondents: The estimated annual burden hour is 1.

Issued in Washington, DC, on December 12, 1996.

Phillip A. Leach,

Clearance Officer, United States Department of Transportation.

[FR Doc. 96-32245 Filed 12-18-96; 8:45 am]

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Reports, Forms and Recordkeeping Requirements Agency Information Collection Activity Under OMB Review

AGENCY: Department of Transportation (DOT)

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (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 cost and burden. The Federal Register Notice with a 60-day comment period soliciting comments on the following collections of information was published on August 16, 1996 [FR 61, page 42674].

DATES: Comments must be submitted on or before January 21, 1997.

FOR FURTHER INFORMATION CONTACT: David Mednick, Environmental Specialist, K-20, Bureau of Transportation Statistics, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-8871.

SUPPLEMENTARY INFORMATION:

Bureau of Transportation Statistics (BTS)

Title: Motor Carrier Quarterly and Annual Report Form MP-1, Motor Carriers of Passengers.

Type of Request: Extension of a currently approved information collection.

OMB Control Number: 2139-0003.

Form Number: BTS Form MP-1.

Affected Public: Class I Motor Carriers of Passengers.

Abstract: This data collection form was transferred from the Interstate Commerce Commission to the Department of Transportation (DOT) on January 1, 1996, by the ICC Termination Act of 1995. The OMB Control number while under the ICC was 3120-0021. Pursuant to 14 U.S.C. 14123, DOT is required to collect annual financial reports from Class I motor carriers. DOT may also require motor carriers to file quarterly reports. In determining the matters to be covered by the reports, DOT must consider: (1) Safety needs; (2) the need to preserve confidential business information and trade secrets and prevent competitive harm; (3) private sector, academic, and public use of information in the reports; and (4) the public interest. BTS wishes to continue to provide periodic information on the health of the motor carrier of passengers industry, its impact on the economy, and the economy's impact on the industry. The current report accomplishes this with minimal data items to be completed quarterly.

Estimated Annual Burden: The total estimated annual burden is 156 hours.

ADDRESSES: Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW, Washington, DC 20503, Attention DOT Desk Officer.

Comments are invited on: 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.

Issued in Washington, DC, on December 13, 1996.

Phillip A. Leach,

Clearance Officer, United States Department of Transportation.

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Federal Highway Administration

[FHWA Docket No. 97-9]

Notice of Request for Extension of Currently Approved Information Collection; Certification of Enforcement of Vehicle Size and Weight Laws

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the requirements of 44 U.S.C. 3506(c)(2)(A), the FHWA solicits comments on its intent to request the Office of Management and Budget (OMB) to extend approval of the following information collections required annually from each State, the District of Columbia, and Puerto Rico: (1) a certification that they are enforcing their size and weight laws on Federal-aid highways; (2) information to verify that the certification is accurate; and (3) information on penalties assessed for violation of their size and weight laws and requirements for oversize and overweight permits.

DATES: Comments must be submitted on or before February 18, 1997.

ADDRESSES: All signed, written comments should refer to the docket number that appears at the top of this document and must be submitted to FHWA Docket No. 97-9, Office of Chief Counsel, HCC-10, Room 4232, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590. All comments received will be available for examination at the above address from 8:30 a.m. to 3:30 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard/envelope.

FOR FURTHER INFORMATION CONTACT: Mr. Tom Klimek, Office of Motor Carrier Information Analysis, at (202) 366-2212, Federal Highway Administration, Department of Transportation, 400 Seventh Street, SW., Room 3104, Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title: Certification of Enforcement of Vehicle Size and Weight Laws.

OMB Number: 2125-0034.

Background: Title 23, U.S.C., section 141 requires all States to file an annual certification that they are enforcing their size and weight laws on Federal-aid highways and that their Interstate System weight limits are consistent with

Federal requirements to be eligible to receive an apportionment of Federal highway trust funds. Section 141 also authorizes the Secretary to require States to file such information as is necessary to verify that their certifications are accurate. To determine whether States are adequately enforcing their size and weight limits, each must submit an updated plan for enforcing their size and weight limits to the FHWA at the beginning of each fiscal year. At the end of the fiscal year, they must submit their certifications and sufficient information to verify that the enforcement goals established in the plan have been met. Failure of a State to file a certification, adequately enforce its size and weight laws, and enforce weight laws on the Interstate System that are inconsistent with Federal requirements, could result in a specified reduction of its Federal highway fund apportionment for the next fiscal year. In addition, section 123 of the Surface Transportation Assistance Act of 1978 (Pub. L. 95-599, 92 Stat. 2689, 2701) requires each jurisdiction to inventory (1) its penalties for violation of its size and weight laws, and (2) the term and cost of its oversize and overweight permits.

Respondents: The State Highway Administrations in the 50 States, the District of Columbia, and Puerto Rico.

Estimated Total Annual Burden: 4,160 hours. This number has not changed from the last approved request.

Frequency: The reports must be submitted annually.

Authority: 23 U.S.C. 141; 44 U.S.C. 3506(c)(2)(A); 23 CFR 657; section 123, Pub. L. 95-599, 92 Stat. 2701; 49 CFR 1.48.

Issued on: December 12, 1996.

George S. Moore, Jr.,

Associate Administrator for Administration.

[FR Doc. 96-32252 Filed 12-18-96; 8:45 am]

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Federal Transit Administration

Section 5309 (Section 3(j)) FTA New Starts Criteria

AGENCY: Federal Transit Administration (FTA), DOT

ACTION: Notice.

SUMMARY: The Federal Transit Administration (FTA) is issuing this Notice describing the criteria it will use to evaluate candidate projects for discretionary New Starts funding under Title 49 United States Code (U.S.C.) Section 5309 (formerly Section 3 of the Federal Transit Act (FT Act)). These criteria replace those which have been in force since the May 18, 1984,

Statement of Policy on Major Urban Mass Transportation Capital Investments. The new criteria, together with the FTA/Federal Highway Administration (FHWA) planning regulations (23 CFR Part 450), implement the requirements of Title 49 U.S.C. Section 5309(e) (formerly Section 3(i) of the FT Act), which was modified by the Intermodal Surface Transportation Efficiency Act of 1991. This section requires a project to be ("A) based on the results of an alternatives analysis and preliminary engineering, (B) justified based on a comprehensive review of its mobility improvements, environmental benefits, cost effectiveness, and operating efficiencies, and (C) supported by an acceptable degree of local financial commitment, including evidence of stable and dependable financial sources to construct, maintain, and operate the [project]." This Notice sets forth the approach FTA will use to evaluate candidate projects in terms of their justification and local financial commitment. These criteria will be used to evaluate projects in order to make recommendations for funding these projects in the annual report to Congress required by 49 U.S.C. 5309(m)(3) (formerly Section 3(j) of the FT Act).

EFFECTIVE DATES: This Notice will be used to evaluate projects for discretionary new start funding recommendations for the 1999 Fiscal Year.

FOR FURTHER INFORMATION CONTACT: Richard Steinmann, Office of Policy Development, FTA, Washington, DC. 20590, (202) 366-4060.

SUPPLEMENTARY INFORMATION:

I. Background

Since the early 1970's, the Federal government has provided a large share of the Nation's capital investment in urban mass transportation, particularly for "New Starts" (major new fixed guideway transit systems or extensions to existing fixed guideway systems). By the mid-1970's, because of the magnitude of the New Start commitments being proposed, the Department found it useful to publish a statement of Federal policy to ensure that the available resources would be used in the most prudent and effective manner. The first such statement was issued in 1976. It introduced a process-oriented approach with the requirement that New Start projects be subjected to an analysis of alternatives, including a Transportation System Management alternative which used no-capital and low-capital measures to make the best use of the existing transportation

system. The Statement also required projects to be "cost-effective."

This policy was supplemented in 1978 by a "Policy on Rail Transit." This Statement reiterated the requirement for Alternatives Analysis, established requirements for local financial commitments to the project, established the concept of a contract providing for a multi-year commitment of Federal funds, with a maximum limit of Federal participation (the Full Funding Grant Agreement—FFGA), and required that local governments undertake supporting local land use actions. This was supplemented by a 1980 policy statement which linked the Alternatives Analysis requirement to the Environmental Impact Statement development process.

These principles were reiterated and refined in a May 19, 1984, Statement of Policy on Major Urban Mass Transportation Capital Investments. The major feature of this Policy Statement was introduction of an approach for making comparisons between competing projects. To do so, a rating system was established under which projects were evaluated in terms of a cost effectiveness index of forecast incremental cost per incremental rider for the build alternative, compared with the TSM alternative as the base. Further, index threshold values were established which projects had to pass in order to be considered for funding. In addition, the criteria to be used to judge local financial commitment were spelled out.

The principles of the 1984 policy statement were later incorporated into law with enactment by Congress of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA). This act added a new Section 5309(e) (formerly Section 3(i) of the Federal Transit Act), establishing in law a set of criteria which New Starts projects must meet in order to be eligible for Federal discretionary grants. Specifically, projects had to be "cost-effective" and "supported by an adequate degree of local financial commitment." STURAA also added a new Section 5309(m)(3) (formerly Section 3(j)), requiring an annual report to Congress laying out the Department's recommendations for discretionary funding for New Starts for the subsequent fiscal year.

To implement the requirements set forth in STURAA, on April 25, 1989 FTA (then the Urban Mass Transportation Administration) issued a Notice of Proposed Rulemaking. The Proposed Rule would have codified the requirements of the 1984 Policy Statement and proposed making the "Cost Per New Rider" Index and