

DEPARTMENT OF TRANSPORTATION**Office of Motor Carrier Safety**

[Docket No. OMCS-96-6488, (formerly Docket No. MC-96-32)]

Notice of Request for Renewal of a Currently-Approved Information Collection: Financial Responsibility for Motor Carriers of Passengers and Motor Carriers of Property

AGENCY: Office of Motor Carrier Safety (OMCS), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the requirements of the Paperwork Reduction Act of 1995 (Section 3506(c)(2)(A)), this notice announces the agency's intention to request the Office of Management and Budget (OMB) to renew its clearance of a currently approved information collection identified below under Supplementary Information. In this regard, the agency is requesting OMB approval to combine two information collections (formerly authorized under Federal Highway Administration OMB approval numbers 2125-0074 and 2125-0518) into one information collection authorized under OMB Approval Number 2126-0518. The two collections cover similar requirements for motor carriers to document their minimum levels of financial responsibility. The only difference is the regulated audiences who are required to provide information—motor carriers of property and motor carriers of passengers. Combining these two collections will not result in increased burdens.

DATES: Comments must be submitted on or before January 31, 2000.

ADDRESSES: Signed, written comments should refer to the docket number that appears in the heading of this document and must be submitted to the Docket Clerk, U.S. DOT Dockets, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. All comments received will be available for examination at the above address between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped envelope or postcard.

FOR FURTHER INFORMATION CONTACT: Mrs. Valerie Height, (202) 366-1790, Office of Motor Carrier Safety, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

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

OMB Number: 2126-0518.

The Secretary of Transportation has rescinded the authority previously delegated to the Federal Highway Administrator to perform motor carrier functions and operations. This authority has been redelegated to the Director, Office of Motor Carrier Safety (OMCS), a new office within the Department of Transportation [64 FR 56270, October 19, 1999]. This is the reason for the revised information collection prefix number (being changed from 2125 to 2126) and the docket transfer.

The new OMCS assumes the motor carrier functions previously performed by the FHWA's Office of Motor Carrier and Highway Safety (OMCHS). Ongoing rulemaking, enforcement, and other activities of the OMCHS, initiated while part of the FHWA, will be continued by the new OMCS. The redelegation will cause no changes in the motor carrier functions and operations of the offices or resource centers.

Background: Sections 29 and 30 of the Motor Carrier Act of 1980 (codified at 49 U.S.C. 31139) require the Secretary of Transportation to promulgate regulations which establish minimal levels of financial responsibility for motor carriers of property to cover public liability, property damage, and environmental restoration. Sections 18 of the Bus Regulatory Reform Act of 1982 (codified at 49 U.S.C. 31138) requires the Secretary of Transportation to establish regulations to require minimal levels of financial responsibility for for-hire motor carriers of passengers to cover public liability and property damage.

The Endorsement for Motor Carrier Policies of Insurance for Public Liability (Form MCS-90/90B) and the Motor Carrier Public Liability Surety Bond (Form MCS-82/82B) contain the minimum amount of information necessary to document that a motor carrier 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; motor carriers of passengers—49 CFR 387.33). The information within these documents is used by the OMCS and the public to verify that a motor carrier of property or passengers has obtained and has in effect the required minimum levels of financial responsibility.

Respondents: Insurance and surety companies of motor carriers of property (Form MCS-90 and Form MCS-82) and

motor carriers of passengers (Form MCS-90B and Form MCS-82B).

Average Burden per Response: Two minutes to complete the Endorsement for Motor Carrier Policies of Insurance for Public Liability or the Motor Carrier Public Liability Surety Bond; one minute to file the Motor Carrier Public Liability Surety Bond; one minute to have either document on board the vehicle (foreign-domiciled motor carriers only).

Estimated Total Annual Burden: 3,658 hours.

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

Public Comments Invited

Interested parties are invited to send comments regarding any aspect of this information collection, including, but not limited to: (1) The necessity and utility of the information collection for the proper performance of the functions of the OMCS; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the collected information; and (4) ways to minimize the collection burden without reducing the quality of the collected information. Comments submitted in response to this notice will be summarized and/or included in the request for OMB's clearance of this information collection.

Electronic Availability

An electronic copy of this document may be downloaded using a computer, modem, and suitable communications software from the Government Printing Office electronic bulletin board service (telephone: 202-512-1661). It may also be downloaded over the Internet, from the home page of the **Federal Register** at: <http://www.nara.gov/fedreg>, or the database of the Government Printing Office at: <http://www.access.gpo.gov/nara>. Internet users can access all comments received by the U.S. DOT Dockets, Room PL-401, by using the universal resource locator (URL): <http://dms.dot.gov>. This service is available 24 hours each day, 365 days each year. Please follow the instructions online for more information and help.

Authority: 23 U.S.C. 315; 44 U.S.C. 3506(c)(2)(A); 49 CFR 1.73.

Issued on: November 22, 1999.

Julie Anna Cirillo,

Acting Director, Office of Motor Carrier Safety.

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