

Dated: December 27, 2001.

**Stephen A. Perry,**

*Administrator of General Services.*

[FR Doc. 02-926 Filed 1-14-02; 8:45 am]

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## GENERAL SERVICES ADMINISTRATION

### 41 CFR Part 301-10

[FTR Amendment 101]

RIN 3090-AH54

### Federal Travel Regulation; Privately Owned Vehicle Mileage Reimbursement

**AGENCY:** Office of Governmentwide  
Policy, GSA.

**ACTION:** Final rule.

**SUMMARY:** This final rule increases the mileage reimbursement rate for use of a privately owned vehicle (POV) on official travel to reflect current costs of operation as determined in cost studies conducted by the General Services Administration (GSA). The governing regulation is revised to increase the mileage allowance for advantageous use of a privately owned airplane from 96.5 to 97.5 cents per mile, the cost of operating a privately owned automobile from 34.5 to 36.5 cents per mile, and the cost of operating a privately owned motorcycle from 27.5 to 28.0 cents per mile.

**EFFECTIVE DATE:** This final rule is effective January 21, 2002.

**FOR FURTHER INFORMATION CONTACT:** Devoanna R. Reels, Program Analyst, telephone 202-501-3781.

#### SUPPLEMENTARY INFORMATION:

#### A. Background

Pursuant to 5 U.S.C. 5707(b), the Administrator of General Services has the responsibility to establish the privately owned vehicle (POV) mileage reimbursement rates. Separate rates are set for airplanes, automobiles (including trucks), and motorcycles. In order to set these rates, GSA is required to conduct periodic investigations, in consultation with the Secretaries of Defense and Transportation, and representatives of Government employee organizations, of the cost of travel and the operation of POVs to employees while engaged on official business. As required, GSA conducted an investigation of the costs of operating a POV and is reporting the cost per mile determination. The results of the investigation have been reported to Congress and a copy of the report appears as an attachment to this document. GSA's cost studies show the

Administrator of General Services has determined the per-mile operating costs of a POV to be 97.5 cents for airplanes, 36.5 cents for automobiles, and 28.0 cents for motorcycles. As provided in 5 U.S.C. 5704(a)(1), the automobile reimbursement rate cannot exceed the single standard mileage rate established by the Internal Revenue Service (IRS). The IRS has announced a new single standard mileage rate for automobiles of 36.5 cents effective January 1, 2002.

#### B. Regulatory Flexibility Act

This final rule is not required to be published in the **Federal Register** for notice and comment; therefore, the Regulatory Flexibility Act does not apply.

#### C. Executive Order 12866

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

#### D. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this final 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.*

#### E. Small Business Regulatory Enforcement Fairness Act

This final rule is also 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 301-10

Government employees, Travel and transportation expenses.

For the reasons set forth in the preamble, 41 CFR part 301-10 is amended to read as follows:

#### PART 301-10—TRANSPORTATION EXPENSES

1. The authority citation for 41 CFR part 301-10 continues to read as follows:

**Authority:** 5 U.S.C. 5707; 40 U.S.C. 486(c); 49 U.S.C. 40118.

2. Section 301-10.303 is amended by revising the entries Privately owned airplane, Privately owned automobile, and Privately owned motorcycle in the table to read as follows:

#### § 301-10.303 What am I reimbursed when use of a POV is determined by my agency to be advantageous to the Government?

For use of a	Your reim- burse- ment is
* * * * *	*
Privately owned airplane .....	197.5
Privately owned automobile .....	136.5
Privately owned motorcycle .....	128.0

<sup>1</sup> Cents per mile.

Dated: January 8, 2002.

**Stephen A. Perry,**

*Administrator of General Services.*

#### Attachment to Preamble—Report to Congress on the Costs of Operating Privately Owned Vehicles

Subparagraph (b)(1)(A) of section 5707 of Title 5, United States Code, requires the Administrator of General Services, in consultation with the Secretaries of Defense and Transportation, and representatives of Government employee organizations, to periodically investigate the cost of travel and the operation of privately owned vehicles (airplanes, automobiles, and motorcycles) to Government employees while on official business, to report the results of the investigations to Congress, and to publish the report in the **Federal Register**. This report is being published to comply with the requirements of the law.

Dated: January 8, 2002.

Stephen A. Perry,  
Administrator of General Services.

#### Report to Congress

Subparagraph (b)(1)(A) of section 5707 of Title 5, United States Code, requires that the Administrator of General Services, in consultation with the Secretaries of Defense and Transportation, and representatives of Government employee organizations, conduct periodic investigations of the cost of travel and the operation of privately owned vehicles (POVs) (airplanes, automobiles, and motorcycles) to Government employees while on official business and report the results to Congress at least once a year. Subparagraph (b)(2)(B) of section 5707 of Title 5, United States Code, further requires that the Administrator of General Services determine the average, actual cost per mile for the use of each type of POV based on the results of the cost investigation. Such figures must be reported to Congress within 5 working days after the cost determination has been made in accordance with 5 U.S.C. 5707(b)(2)(C).

Pursuant to the requirements of subparagraph (b)(1)(A) of section 5707 of Title 5, United States Code, the General Services Administration (GSA), in consultation with the Secretaries of Defense and Transportation, and representatives of Government employee organizations, conducted an investigation of the cost of operating a privately owned automobile (POA). As provided in 5 U.S.C. 5704(a)(1),

the automobile reimbursement rate cannot exceed the single standard mileage rate established by the Internal Revenue Service (IRS). The IRS has announced a new single standard mileage rate for automobiles of 36.5 cents effective January 1, 2002.

As required, GSA is reporting the results of the investigation and the cost per mile determination. Based on cost studies conducted by GSA, I have determined the per-mile operating costs of a POV to be 97.5 cents for airplanes, 36.5 cents for automobiles, and 28.0 cents for motorcycles.

I will issue a regulation to increase the current 96.5 to 97.5 cents for privately owned airplanes, 34.5 to 36.5 cents for privately owned automobiles, and 27.5 to 28.0 cents for privately owned motorcycles. This report to Congress on the cost of operating POVs will be published in the **Federal Register**. Stephen A. Perry,  
Administrator of General Services.

[FR Doc. 02-927 Filed 1-14-02; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 20

[CC Docket No. 94-102; DA 01-2885]

#### Petitions for Reconsideration Concerning PSAP Requests for Phase II Enhanced 911, Comments Invited

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule, petitions for reconsideration.

**SUMMARY:** The Commission seeks comment on petitions for reconsideration of its recent decision in this proceeding regarding universal Enhanced 911(E911) service. In that decision, the Commission amended its rules to clarify what constitutes a valid Public Safety Answering Point (PSAP) request for E911 service so as to trigger a wireless carrier's obligation to implement E911 within the six-month period following the date of the request. The current action is taken to establish a record from which the Commission can evaluate the merits of the petitions for reconsideration.

**DATES:** Comments are due on or before January 18, 2002, and reply comments are due on or before January 28, 2002.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Jane Phillips, 202-418-1310.

**SUPPLEMENTARY INFORMATION:** This is a summary of Commission's document in CC Docket No. 94-102, DA 01-2885, released on December 12, 2001. The complete text of this document is

available for inspection and copying during normal business hours in the FCC Reference Information Center, Courtyard Level, 445 12th Street, SW., Washington, DC, and also may be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. Copies of the full text of this decision may also be found at the Commission's Internet site at [www.fcc.gov](http://www.fcc.gov).

#### Synopsis of the Commission's Decision

1. The Commission solicits comment on petitions for reconsideration of its decision in this proceeding (66 FR 55618, November 2, 2001, and 66 FR 63093, December 4, 2001) filed by Sprint PCS (Sprint) on November 30, 2001, and by Cingular Wireless LLC (Cingular) on December 3, 2001. In that decision, the Commission amended its rules to clarify what constitutes a valid Public Safety Answering Point (PSAP) request for enhanced 911 (E911) service so as to trigger a wireless carrier's obligation to implement E911 within the six-month period following the date of the request. If challenged by the wireless carrier, the request will be deemed valid if the PSAP making the request demonstrates E911 readiness as provided in the amended rule, 47 CFR 20.18(j).

2. Sprint requests several amendments to the Commission's documentation requirements, and Cingular contends that the language of amended § 20.18(j) is internally inconsistent and contradicts previous Commission's statements and that the decision violates the notice and comment requirement of the Administrative Procedure Act and is arbitrary and capricious.

3. The petitions are available for public inspection during regular business hours in the FCC Public Reference Room, Room CY-A257, 445 12th Street, NW., Washington, DC 20554. Petitions and comments may also be viewed electronically by accessing the Commission Internet site at [www.fcc.gov](http://www.fcc.gov) or purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554.

4. Pursuant to 47 CFR 1.1200(a), this proceeding is designated as a "permit but disclose" proceeding and subject to § 1.1206 of the Commission's rules. Presentations to or from Commission decision-making personnel are permissible, provided that *ex parte* presentations are disclosed pursuant to 47 CFR 1.1206.

5. Interested parties may file comments or oppositions responding to the petitions on or before January 18, 2002, and reply comments on or before January 28, 2002. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. Comments filed through the ECFS can be sent via the Internet to <http://www.fcc/e-file/ecfs.html>. Only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, postal service mailing address, and the applicable docket or rulemaking number.

6. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail message to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form<your e-mail address>". A sample form and directions will be sent.

Parties who choose to file by paper must file an original and four copies of each filing. All filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. A copy should also be sent to Jane Phillips, Room 3A-200.

Federal Communications Commission.

**Kris Anne Monteith,**  
Chief, Policy Division, Wireless Telecommunications Bureau.

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### 49 CFR Part 214

[Docket No. FRA-2001-10426]

RIN 2130-AA48

#### Railroad Workplace Safety

**AGENCY:** Federal Railroad Administration (FRA), (DOT).

**ACTION:** Interim final rule.

**SUMMARY:** FRA is amending regulations on Railroad Workplace Safety to eliminate a provision which could present undue hazards to persons, and to eliminate possible confusion regarding the use of various terms in the rule text. In particular, FRA is prohibiting the use of body belts as permissible components of personal fall arrest systems, and is revising references to railroad bridge workers as