

use the Exchange's facilities and dedicated terminals for its trade match functions at the existing rates referenced above. The Exchange also intends to allow Member Firms to connect their own PCs via the Exchange to SIAC, the Exchange's provider of clearing-related processing. For this, the Exchange proposes a fee of \$80 per month per user ID. This is identical to the fee that the Exchange currently charges for allowing Member Firms to utilize the Exchange's dedicated computer terminals for trade match. The Exchange proposes to apply a reduced fee of \$50 per month per user ID if the Member Firm uses its own PCs that connect via the Member Firm's SIAC connection. For trade match table fees, the Exchange proposes to add another option that will allow Member Firms to pay \$50 per month per dedicated booth on the options trading floor.

**Shortfall Fee.** The Exchange currently charges a shortfall fee of \$0.35 per shortfall contract on the top 120 equity option issues if the PCX volume in the issue is less than 12% of the national volume in that issue for that month. The volume base for the fee is 12% of the monthly industry volume for each qualifying issue, less the PCX monthly volume for the issue. In order to defray the shortfall fee for Member Firms who are achieving greater than 12% volume in any of their top 120 issues, the Exchange proposes to apply a short fall fee credit of \$0.35 per contract to offset the short fall fee of any Member Firm who achieves a market share of greater than 12% of the national volume in any top 120 equity option issue. The Exchange proposes that the volume base for the credit will be the PCX monthly volume for the issue less 12% of the monthly industry volume for each qualifying issue. The Exchange will apply the credit only to offset an individual Member Firm's obligation to pay a shortfall fee incurred by that particular Member Firm. The Exchange will not apply the credit to offset other fees or allow it to be carried forward or applied retroactively to the shortfall fee for other months.

## (2) Statutory Basis

The Exchange believes that the proposed rule change is consistent with section 6(b)<sup>4</sup> of the Act in general and section 6(b)(4)<sup>5</sup> of the Act, in particular, because it provides for the equitable allocation of reasonable dues, fees and other charges among its members.

## B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

## C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments on the proposed rule change were neither solicited nor received.

## III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change, which establishes or changes a due, fee or other charge imposed by the Exchange, has become effective pursuant to section 19(b)(3)(A)<sup>6</sup> of the Act and subparagraph (f)(2) of Rule 19b-4 thereunder.<sup>7</sup> At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in the furtherance of the purposes of the Act. For purposes of calculating the 60-day abrogation period, the Commission considers the proposed rule change to have been filed on May 22, 2003, when Amendment No. 1 was filed.<sup>8</sup>

## IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be

available for inspection and copying at the principal office of the PCX. All submissions should refer to File No. SR-PCX-2003-19 and should be submitted by June 23, 2003.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>9</sup>

**Jill M. Peterson,**

*Assistant Secretary.*

[FR Doc. 03-13686 Filed 5-30-03; 8:45 am]

**BILLING CODE 8010-01-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[U.S. DOT Docket Number NHTSA-2003-15170]

### Reports, Forms and Record Keeping Requirements; Agency Information Collection Activity Under OMB Review

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Request for public comment on proposed extension of collection of information.

**SUMMARY:** The Department of Transportation is submitting the following request for extension of public information collection to the Office of Management and Budget for review and clearance under the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35.) This notice announces that a request for an extension of the Information Collection Request (ICR) abstracted below will be forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collections and their expected burden. Comments should be directed to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

**DATES:** Comments must be received on or before August 1, 2003.

**FOR FURTHER INFORMATION CONTACT:** Kristin Thiriez, NHTSA 400 Seventh Street, SW., Room 6213, NPO.122, Washington, DC 20590. The telephone number for Ms. Thiriez is (202) 366-2837.

## SUPPLEMENTARY INFORMATION:

<sup>9</sup> 17 CFR 200.30-3(a)(12).

<sup>4</sup> 15 U.S.C. 78f(b).

<sup>5</sup> 15 U.S.C. 78f(b)(4).

<sup>6</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>7</sup> 17 CFR 240.19b-4(f)(2).

<sup>8</sup> See note 3, *supra*.

## National Highway Traffic Safety Administration

*Title:* National Automotive Sampling System (NASS)—Tire Pressure Monitoring System Study (TPMSS).

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

*OMB Control Number:* 2127-0626.

*Affected Public:* Passenger Motor Vehicle Operators.

*Abstract:* The National Automotive Sampling System Tire Pressure Monitoring System Study (TPMSS) is being conducted in support of the rulemaking that requires tire pressure monitoring systems on all new vehicles effective November 2003. The stringent requirement for enactment of the rule requires that the needed data on the frequency and pervasiveness of under-inflation be collected and provided in a short period. This study will assess the extent to which passenger vehicle operators are aware of the recommended air pressure for their tires, if they monitor air pressure, and to what extent actual air pressure differs from that recommended by the vehicle manufacturer. Data will be collected on vehicles equipped with the tire pressure monitoring systems and a set of peer vehicles. The two groups will be compared by extent of under-inflation.

To minimize data collection and training costs and to ensure accuracy of the data, the TPMSS is being conducted as a special study through the infrastructure of the National Automotive Sampling System (NASS). Trained NASS crash investigators will be the data collector for the TPMSS. NASS collects nationally representative data on motor vehicle crashes for the National Highway Traffic Safety Administration (NHTSA). The collection of crash data that support the establishment and enforcement of motor vehicle regulations that reduce the severity of injury and property damage caused by motor vehicle crashes is authorized under the National Traffic and Motor Vehicle Safety Act of 1966 (Public Law 89-563, Title 1, Sec. 106, 108, and 112).

*Estimated Annual Burden:* 3,000 hours.

*Number of Respondents:* 12,000.

Issued on May 22, 2003.

**H. Keith Brewer,**

*Director, Office of Advanced Safety Research.*  
[FR Doc. 03-13693 Filed 5-30-03; 8:45 am]

**BILLING CODE 4910-59-M**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

May 20, 2003.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, 1750 Pennsylvania Avenue, NW, Washington, DC 20220.

**DATES:** Written comments should be received on or before July 2, 2003, to be assured of consideration.

### Internal Revenue Service (IRS)

*OMB Number:* 1545-0205.

*Form Number:* IRS Form 5452.

*Type of Review:* Revision.

*Title:* Corporate Report of Nondividend Distributions.

*Description:* Form 5452 is used by corporations to report their nontaxable distributions as required by Internal Revenue Code (IRC) 6042(d)(2). The information is used by IRS to verify that the distributions are nontaxable as claimed.

*Respondents:* Business or other for-profit, Farms.

*Estimated Number of Respondents/Recordkeepers:* 1,700.

*Estimated Burden Hours Per Respondent/Recordkeeper:*

Recordkeeping .....	28 hr., 13 min.
Learning about the law or the form.	35 min.
Preparing the form .....	1 hr., 05 min.
Copying, assembling, and sending the form to the IRS.	16 min.

*Frequency of Response:* On occasion.

*Estimated Total Reporting/Recordkeeping Burden:* 50,830 hours.

*OMB Number:* 1545-0495.

*Form Number:* IRS Form 4506-A.

*Type of Review:* Extension.

*Title:* Request for Public Inspection or Copy of Exempt or Political Organization IRS Form.

*Description:* Internal Revenue Code section 6104 states that if an organization described in section 501(c) or (d) is exempt from taxation under section 501(a) for any taxable year, the

application for exemption is open for public inspection. This includes all supporting documents, any letter or other documents issued by the IRS concerning the application, and certain annual returns of the organization. Form 4506-A is used to request public inspection or a copy of these documents.

*Respondents:* Business or other for-profit, Individuals or households, Not-for-profit institutions, Farms, Federal Government, State, Local or Tribal Government.

*Estimated Number of Respondents/Recordkeepers:* 20,000.

*Estimated Burden Hours Per Respondent/Recordkeeper:*

Recordkeeping .....	6 min.
Learning about the law or the form.	7 min.
Preparing the form .....	30 min.
Copying, assembling, and sending the form to the IRS.	16 min.

*Frequency of Response:* On occasion.

*Estimated Total Reporting/*

*Recordkeeping Burden:* 20,400 hours.

*OMB Number:* 1545-1251.

*Regulation Project Number:* PS-5-91 Final.

*Type of Review:* Extension.

*Title:* Limitations on Percentage Depletion in the Case of Oil and Gas Wells.

*Description:* Section 1.613A-3(e)(6)(i) of the regulations requires each partner to separately keep records of the partner's share of the adjusted basis of partnership oil and gas property.

*Respondents:* Business or other for-profit.

*Estimated Number of Recordkeepers:* 1,500,000.

*Estimated Burden Hours Per Recordkeeper:* 2 minutes.

*Estimated Total Recordkeeping*

*Burden:* 49,950 hours.

*OMB Number:* 1545-1814.

*Form Number:* IRS Form 1099-CAP.

*Type of Review:* Extension.

*Title:* Changes in Corporate Control and Capital Structure.

*Description:* Any corporation that undergoes reorganization under Regulation section 1.6043-4T with stock, cash, and other property over \$100 million must file Form 1099-CAP with the IRS shareholders.

*Respondents:* Business or other for-profit, Individuals or households.

*Estimated Number of Respondents:* 350.

*Estimated Burden Hours Per Respondent:* 18 minutes.

*Frequency of Response:* Annually.

*Estimated Total Reporting Burden:* 105 hours.

*Clearance Officer:* Glenn Kirkland, Internal Revenue Service, Room 6411-