

obtain the full three year approval pursuant to FCC 14–117. These revised information collection requirements, which implement and enforce the updated antenna structure notice, registration, reporting, and recordkeeping requirements of part 17 of the Commission's rules, help improve efficiency, reduce regulatory burdens, and enhance compliance with antenna structure painting and lighting requirements, while continuing to ensure the safety of pilots and aircraft passengers nationwide. The revised information collection requirements are as follows:

Section 17.4 provides that the owner of any proposed or existing antenna structure that requires notice of proposed construction to the Federal Aviation Administration (FAA) due to physical obstruction must register the structure with the Commission. Section 17.4(f) previously required antenna structure owners “to immediately provide a copy” of the antenna structure registration to each tenant. This rule has been revised so that it now requires that antenna structure owners either provide a copy or a link to the FCC antenna structure Web site, and that this notification may be done electronically or via paper mail.

Section 17.4(g) previously required antenna structure owners to display the Antenna Structure Registration Number a conspicuous place that is readily visible near the base of the antenna. This rule has been revised to require that the Antenna Structure Number be displayed so that it is conspicuously visible and legible from the publicly accessible area nearest the base of the antenna structure along the publicly accessible roadway or path. It has also been revised to provide that where an antenna structure is surrounded by a perimeter fence, or where the point of access includes an access gate, the Antenna Structure Registration Number should be posted on the perimeter fence or access gate. Where multiple antenna structures having separate Antenna Structure Registration Numbers are located within a single fenced area, the revised rule provides that the Antenna Structure Registration Numbers must be posted both on the perimeter fence or access gate and near the base of each antenna structure. If the base of the antenna structure has more than one point of access, the revised rule requires that the Antenna Structure Registration Number be posted so that it is visible at the publicly accessible area nearest each such point of access. The registration number is issued to identify antenna structure owners in order to enforce the

Congressionally-mandated provisions related to the owners.

Sections 17.48 and 17.49 contain reporting and recordkeeping requirements. Section 17.48(a) required that antenna structure owners promptly report outages of top steady burning lights or flashing antenna structure lights to the FAA. Upon receipt of the outage notification, the FAA issues a Notice to Airmen (NOTAM), which notifies aircraft of the outage. However, the FAA cancels all such notices within 15 days. Previously, the Commission's rules did not require antenna structure owners to provide any notification to the FAA regarding the status of repairs other than the initial outage report and the resumption of normal operation. Thus, if the repairs to an antenna structure's lights required more than 15 days, the FAA may not have had any record of the outage from that 15th day to the resumption of normal operation.

This rule has been revised to require antenna structure owners to provide the FAA with regular updates on the status of their repairs of lighting outages so that the FAA can maintain notifications to aircraft throughout the entire period of time the antenna structure remains unlit. Consistent with the current FAA requirements, if a lighting outage cannot be repaired within the FAA's original NOTAM period, the revised rule requires the antenna structure owner to notify the FAA of that fact. In addition, the revised rule provides that the antenna structure owner must provide any needed updates to its estimated return-to-service date to the FAA. The revised rule also requires antenna structure owners to continue to provide these updates to the FAA every NOTAM period until its lights are repaired.

Section 17.49 previously required antenna structure owners to maintain a record of observed or otherwise known extinguishments or improper functioning of structure lights, but did not specify the time period for which such records must be maintained. This rule has been revised to require antenna structure owners to maintain a record of observed or otherwise known extinguishments or improper functioning of structure lights for two years and provide the records to the Commission upon request.

Federal Communications Commission.

Marlene H. Dortch,

Secretary, Office of the Secretary.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Part 390

[Docket No. FMCSA–2012–0103]

RIN 2126–AB44

Lease and Interchange of Vehicles; Motor Carriers of Passengers

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

ACTION: Extension of deadline for filing petitions for reconsideration.

SUMMARY: FMCSA announces an extension of the deadline for submitting petitions for reconsideration of its May 27, 2015, final rule concerning the lease and interchange of commercial motor vehicles (CMVs) by motor carriers of passengers. The final rule provides regulations governing the lease and interchange of passenger-carrying CMVs to identify the motor carrier operating a passenger-carrying CMV that is responsible for compliance with the Federal Motor Carrier Safety Regulations (FMCSRs) and ensure that a lessor surrenders control of the CMV for the full term of the lease or temporary exchange of CMVs and drivers. The American Bus Association (ABA) and United Motorcoach Association (UMA) filed a joint request for an extension of the June 26, 2015, deadline for the submission of petitions for reconsideration of the final rule. The Agency grants the request and extends the deadline for submission of petitions for reconsideration from June 26 until August 25, 2015.

DATES: Petitions for reconsideration must be filed in accordance with 49 CFR 389.35 by close of business on August 25, 2015.

FOR FURTHER INFORMATION CONTACT: Ms. Loretta Bitner, (202) 385–2428, loretta.bitner@dot.gov, Office of Enforcement and Compliance. FMCSA office hours are from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

On May 27, 2015 (80 FR 30164), FMCSA published a final rule concerning the lease and interchange of passenger-carrying CMVs to identify the motor carrier operating a passenger-carrying CMV that is responsible for compliance with the FMCSRs and ensure that a lessor surrenders control of the CMV for the full term of the lease or temporary exchange of CMVs and

drivers. The Agency indicated that the final rule is necessary to ensure that unsafe passenger carriers cannot evade FMCSA oversight and enforcement by entering into a questionable lease arrangement to operate under the authority of another carrier that exercises no actual control over those operations. This rule will enable the FMCSA, the National Transportation Safety Board (NTSB), and our Federal and State partners to identify motor carriers transporting passengers in interstate commerce and correctly assign responsibility to these entities for regulatory violations during inspections, compliance investigations, and crash investigations. It also provides the general public with the means to identify the responsible motor carrier at the time transportation services are provided.

The effective date of the final rule is July 27, 2015, and the compliance date is January 1, 2017, for motor carriers of

passengers operating CMVs under a lease or interchange agreement.

ABA and UMA Request

On June 18, the ABA and UMA submitted a joint request for a 60-day extension of the deadline for petitions for reconsideration of the final rule. The associations stated:

“In the wake of publication of the Final Rule, our members have raised a number of significant questions regarding the practical and operational applications of the rule’s requirements necessary for the successful implementation of the rule.

The diversity of our [members’] operations, some of which are addressed directly by this rule and some of which are indirectly addressed, we believe, has led to unintended consequences or possibly inaccurate interpretations. Therefore, before we consider filing a petition for reconsideration, we initially would like to work with the Agency and seek clarification.”

The associations indicated that they are currently in the process of coordinating meetings with FMCSA to

provide clarification of the various provisions in the final rule but those meetings are not likely to be completed before the June 26, 2015, deadline for petitions for reconsideration.

FMCSA Decision

FMCSA has considered the ABA and UMA request and believes that granting an extension of the deadline is appropriate. The extension will enable the associations to work with their members to better understand the final rule, seek clarification or guidance from FMCSA if necessary, and determine subsequently whether there are indeed substantive issues to be addressed through a petition for reconsideration. The Agency extends the deadline for submission for an additional 60 days to August 25, 2015.

Issued on: June 24, 2015.

T.F. Scott Darling, III,
Chief Counsel.

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