

Marshall, Martin, McLean, Meade, Perry, Webster, Wolfe.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**Joseph P. Loddo,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 2011-13848 Filed 6-3-11; 8:45 am]

**BILLING CODE 8025-01-P**

## **SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration # 12588 and # 12589]**

### **Minnesota Disaster Number MN-00030**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Minnesota (FEMA-1982-DR), dated 05/10/2011.

*Incident:* Severe Storms and Flooding.  
*Incident Period:* 03/16/2011 and continuing.

*Effective Date:* 05/24/2011.

*Physical Loan Application Deadline Date:* 07/11/2011.

*Economic Injury (EIDL) Loan Application Deadline Date:* 02/10/2012.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of MINNESOTA, dated 05/10/2011, is hereby amended to include the following areas as adversely affected by the disaster.

*Primary Counties:* Becker, Beltrami, Kittson, Marshall, Norman, Otter Tail, Polk, Ramsey, Red Lake, Roseau, Swift, Washington, Wright, and the Red Lake Reservation.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**James E. Rivera,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 2011-13849 Filed 6-3-11; 8:45 am]

**BILLING CODE 8025-01-P**

## **DEPARTMENT OF STATE**

**[Public Notice 7486]**

### **Determination and Waiver Relating to Assistance for the Independent States of the Former Soviet Union**

Determination and Waiver of Section 7073(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (Div. F, Pub. L. 111-117), as carried forward under the Full-Year Continuing Appropriations Act, 2011 (Div. B, Pub. L. 112-10) ("the Act") Relating to Assistance for the Independent States of the Former Soviet Union.

Pursuant to the authority vested in me as Deputy Secretary of State, including by section Section 7073(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (Div. F, Pub. L. 111-117), as carried forward under the Full-Year Continuing Appropriations Act, 2011 (Div. B, Pub. L. 112-10) ("the Act"), Executive Order 13118 of March 31, 1999, and State Department Delegation of Authority No. 245-1, I hereby determine that it is in the national security interest of the United States to make available funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia" of the Act, without regard to the restriction in section 7073(a).

This determination shall be reported to the Congress and published in the **Federal Register**.

Dated: May 23, 2011.

**James B. Steinberg,**

*Deputy Secretary of State.*

[FR Doc. 2011-13920 Filed 6-3-11; 8:45 am]

**BILLING CODE 4710-23-P**

## **DEPARTMENT OF STATE**

**[Public Notice 7484]**

### **Waiver of Restriction on Assistance to the Central Government of Dominican Republic**

Pursuant to Section 7086(c)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (Div. F, Pub. L. 111-117) as carried forward by the Full-Year Continuing Appropriations Act, 2011 (Div. B, Pub. L. 112-10) ("the Act"), and Department of State Delegation of Authority Number 245-1, I hereby determine that it is important to the national interest of the United States to waive the requirements of Section 7086(c)(1) of the Act with respect to the Dominican Republic and I hereby waive such restriction.

This determination shall be reported to the Congress, and published in the **Federal Register**.

Dated: May 26, 2011.

**Thomas Nides,**

*Deputy Secretary of State for Management and Resources.*

[FR Doc. 2011-13919 Filed 6-3-11; 8:45 am]

**BILLING CODE 4710-29-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Motor Carrier Safety Administration**

**[Docket No. FMCSA-2011-0065]**

#### **Agency Information Collection Activities; Request for Comment; Extension of an Information Collection: Hours of Service (HOS) of Drivers Regulations**

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

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval and invites public comment. The FMCSA requests OMB approval to revise and extend an existing ICR entitled, "Hours of Service (HOS) of Drivers Regulations." The hours-of-service (HOS) rules require most commercial motor vehicle (CMV) drivers to maintain on the CMV an accurate record of duty status (RODS) in either paper or electronic form. The Agency, effective June 4, 2010, authorized the use of electronic on-board recorders (EOBRs) to create driver RODS. This ICR estimates, for the first time, the paperwork burden of motor carriers *voluntarily* using EOBRs. This ICR promotes safety in CMV operations by assisting motor carriers and enforcement officials in monitoring compliance with the HOS rules.

**DATES:** Comments must be submitted on or before August 5, 2011.

**ADDRESSES:** You may submit comments identified by Federal Docket Management System (FDMS) Docket Number FMCSA-2011-0065 using any of the following methods:

*Web site:* Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Fax:* 1-202-493-2251.

*Mail:* Docket Management Facility; U.S. Department of Transportation, 1200

New Jersey Avenue, SE., West Building, Ground Floor, Room W12-140, 20590-0001.

**Hand Delivery or Courier:** West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m. E.T., Monday through Friday, except Federal holidays.

**Instructions:** All submissions must include the Agency name and docket number. For detailed instructions on submitting comments and additional information on the exemption process, see the Public Participation heading below. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

**Docket:** For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>, and follow the online instructions for accessing the dockets, or go to the street address listed above.

**Privacy Act:** Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement for the Federal Docket Management System published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdf/E8-794.pdf>.

**Public Participation:** The Federal eRulemaking Portal is available 24 hours each day, 365 days each year. You can obtain electronic submission and retrieval help and guidelines under the "help" section of the Federal eRulemaking Portal Web site. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments online. Comments received after the comment closing date will be included in the docket and will be considered to the extent practicable.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas Yager, Chief, FMCSA Driver and Carrier Operations Division. Telephone: 202-366-4325. E-mail: [MCPSD@dot.gov](mailto:MCPSD@dot.gov).

#### SUPPLEMENTARY INFORMATION:

**Background:** The FMCSA regulates the amount of time a CMV driver may drive or otherwise be on duty, in order to ensure that an adequate period of time is available to the driver to rest. A

driver must accurately record his or her duty status (driving, on duty not driving, off duty, sleeper berth) at all points during the 24-hour period designated by the motor carrier (49 CFR 395.8(a)(1)). This record of duty status (RODS) must be made on a grid specified by subsection 395.8(g). The term "logbook" is often used in the industry to denote the collection of the most recent RODS of the driver. A driver must have the RODS for the previous 7 consecutive days in the CMV at all times (395.8(k)(2)). The RODS must be submitted to the motor carrier along with any supporting documents, such as fuel receipts and toll tickets that could assist in verifying the accuracy of entries on the RODS, and the motor carrier must retain these records for a minimum of 6 months from the date of receipt (49 CFR 395.8(k)(1)).

Statutory authority for regulating the hours of service (HOS) of drivers operating CMVs in interstate commerce is derived from 49 U.S.C. 31136 and 31502. The penalty provisions are located at 49 U.S.C. 521, 522 and 526, as amended. On November 28, 1982, the Federal Highway Administration (FHWA), the agency responsible for administration of the Federal Motor Carrier Safety Regulations (49 CFR 350 *et seq.*) (FMCSRs) at that time, promulgated a final rule requiring motor carriers to ensure that their drivers record their duty status in a specified format and verify the accuracy of the HOS of each driver (47 FR 53383). The rule is codified at 49 CFR 395.8. The FMCSRs also state:

"No driver shall operate a commercial motor vehicle, and a commercial motor carrier shall not require or permit a driver to operate a commercial motor vehicle, while the driver's ability or alertness is so impaired, or so likely to become impaired, through fatigue, illness, or any other cause, as to make it unsafe for him/her to begin or continue to operate the commercial motor vehicle" (49 CFR 392.3).

The HOS rules provide four methods of recording driver duty status:

(1) **Paper RODS:** This grid form requires the driver to graph time and location on a paper record over a 24-hour period (Section 395.8(g)). It must be present on the CMV in the absence of a regulatory exception.

(2) **Time Record:** The HOS regulations allow certain "short haul" CMV drivers to avoid the onboard-the-CMV RODS requirement if their motor carrier records their HOS by means of a time record or time card maintained at the place of business (Section 395.1(e)). To qualify for this exception, short-haul drivers generally must return at the end of the duty day to the same location at

which they began the day, and must remain within a certain distance of that location at all times during the duty day. The time record must show the time the driver began work, was released from work, and the total hours worked.

(3) **Automatic On-Board Recording Device (AOBRD):** An electronic record is permitted if it is created and maintained by an AOBRD as defined by 49 CFR 395.2. The record must include all the information that would appear on a paper log, and the driver or carrier must be capable of producing this information upon demand.

(4) **EOBR:** Motor carriers subject to an FMCSA remedial directive must use an electronic record created and maintained by an EOBR as defined in 49 CFR 395.2. Other motor carriers may voluntarily employ EOBRs.

The RODS is important because it provides motor carriers and enforcement personnel a significant tool for determining driver compliance with the HOS rules. Compliance helps FMCSA protect the public by reducing the number of tired CMV drivers on the highways.

Most States receive grants from FMCSA under the Motor Carrier Safety Assistance Program. As a condition of receiving these grants, States agree to adopt and enforce the FMCSRs, including the HOS rules, as State law. As a result, State enforcement inspectors use the RODS and supporting documents to determine whether CMV drivers are complying with the HOS rules. In addition, FMCSA uses the RODS during on-site compliance reviews (CRs) and targeted reviews of motor carriers. The CR is a public record. An unfavorable review can be damaging to a motor carrier's business because customers may access the CRs before selecting a motor carrier to hire. Finally, Federal and State judicial systems generally accept RODS as evidence in actions alleging driver of motor carrier violation of the HOS regulations. This information collection supports the DOT's Strategic Goal of Safety because the information helps the Agency ensure the safe operation of CMVs in interstate commerce on our Nation's highways.

The currently-approved PRA burden estimate is 181.28 million hours, as approved by OMB on August 20, 2010. The expiration date of this IC is August 31, 2011. In this ICR, FMCSA proposes to reduce the PRA burden by approximately 9.20 million burden hours, or by slightly over 5 per cent. FMCSA seeks OMB approval of its revised estimated PRA burden of 172.08 million burden hours. In today's

submission, FMCSA for the first time estimates the extent of *voluntary* EOBR use by motor carriers, and subtracts that same number from its estimate of the extent of the use of written RODS. The Agency maintains its OMB-approved estimates of the total number of CMV drivers subject to the HOS rules, and the total number of CMV drivers subject to an Agency remedial HOS directive.

By this notice, the Agency seeks public comment on its revised estimate of the paperwork burden of the HOS rules.

*Title:* Hours of Service (HOS) of Drivers Regulations.

*OMB Control Number:* 2126-0001.

*Type of Request:* Revision and extension of a currently-approved information collection.

*Respondents:* Motor Carriers, Drivers of CMVs.

*Estimated Annual Respondents:* 4.93 million [4.60 million drivers + 0.33 million active motor carriers = 4.93 million respondents].

*Estimated Time per Response:* A driver employing a paper RODS takes an average of 6.5 minutes to complete it; a driver employing an EOBR takes an average of 2 minutes to complete it. A driver takes an average of 5 minutes to forward a paper RODS to the motor carrier; a driver employing an EOBR is relieved of this task by automation. Whether using a paper or EOBR RODS, a motor carrier takes 2 minutes to review a RODS and its corresponding supporting documents, and 1 additional minute to maintain those supporting documents. For those motor carriers using an EOBR, the ICR burden of maintaining the RODS is eliminated by automation; for those motor carriers using paper RODS, 1 minute is required to maintain the RODS.

*Expiration Date:* 8/31/2011.

*Estimated Frequency of Response:*

*Drivers:* 240 days per year, on average.

*Motor Carriers:* 240 days per year, on average.

*Estimated Annual Responses:* 3,843.59 million—the sum of the following:

#### A. Driver Tasks

(1) Filling out the RODS: 1,104 million, and

(2) Forwarding the RODS to the motor carrier: 102.23 million.

#### B. Motor Carrier Tasks

(1) Reviewing the RODS: 552 million,

(2) Maintaining the RODS: 981.36 million, and

(3) Maintaining the supporting documents: 1,104 million.

*Estimated Total Annual Burden:* 172.08 million burden hours [118.92

million driver hours + 53.16 million carrier hours = 172.08].

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for the FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the information collected. The Agency will summarize or include your comments in the request for OMB's clearance of this ICR.

Issued on: May 27, 2011.

**Kelly Leone,**

*Associate Administrator for Research and Information Technology.*

[FR Doc. 2011-13900 Filed 6-3-11; 8:45 am]

**BILLING CODE 4910-EX-X**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2006-26367]

### Motor Carrier Safety Advisory Committee Public Meeting

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

**ACTION:** Notice of Motor Carrier Safety Advisory Committee (MCSAC) Meeting.

**SUMMARY:** FMCSA announces that MCSAC will hold a committee meeting from Monday, June 20 through Wednesday, June 22, 2011. The meeting will be open to the public for its duration. The MCSAC will complete action on Task 11-01, regarding Patterns of Safety Violations by Motor Carrier Management and will begin work on Tasks 11-02, regarding Roadside violation severity weightings in the Carrier Safety Measurement System (CSMS) in FMCSA's Compliance, Safety, Accountability (CSA) program, and 11-03, regarding Oversight of the Agency's Long-Haul Cross Border Trucking Pilot Program.

**TIME AND DATES:** The meeting will be held on Monday and Tuesday, June 20-21, 2011, from 8:30 a.m. to 4 p.m., Eastern Time (E.T.), and on Wednesday, June 22, from 8:30 a.m. to 1 p.m., E.T. The last hour of each day will be reserved for public comment.

**FOR FURTHER INFORMATION CONTACT:** Ms. Shannon L. Watson, Senior Adviser to the Associate Administrator for Policy, Federal Motor Carrier Safety Administration, U.S. Department of

Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, (202) 385-2395, [mcsac@dot.gov](mailto:mcsac@dot.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Background

##### MCSAC

Section 4144 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59, 119 Stat. 1144, August 10, 2005) required the Secretary of Transportation to establish a Motor Carrier Safety Advisory Committee. The committee provides advice and recommendations to the FMCSA Administrator on motor carrier safety programs and regulations, and operates in accordance with the Federal Advisory Committee Act (5 U.S.C. App 2).

##### Patterns of Safety Violations Task

SAFETEA-LU Section 4133 allows the Secretary to suspend, amend, or revoke any part of a motor carrier's registration if the Secretary finds that an officer of a motor carrier engages, or has engaged, in a pattern or practice of avoiding compliance, or masking or otherwise concealing noncompliance, with the Federal Motor Carrier Safety Regulations and Hazardous Materials Regulations, while serving as an officer of any motor carrier. The section defines an officer as "an owner, director, chief executive officer, chief financial officer, safety director, vehicle maintenance supervisor, and driver supervisor of a motor carrier, regardless of title attached to these functions, and any person, however designated, exercising controlling influence over the operations of a motor carrier." Following deliberations of the Committee, the MCSAC will submit written recommendations in the form of a report to the FMCSA Administrator on this topic following its June 2011 meeting.

##### Roadside Violation Severity Weightings Task

FMCSA's new compliance and enforcement program, Compliance, Safety, Accountability (CSA), includes a new measurement system to assess carriers' safety performance. One of the core purposes of the CSMS is to identify poor motor carrier safety behavior. Building upon FMCSA's previous Safety Status Measurement System (SafeStat), CSMS quantifies the on-road safety performance of carriers to identify candidates for interventions, determine the specific safety problems exhibited by a carrier and its drivers, and monitor whether safety problems are improving or worsening. FMCSA requests that