

In addition to the legislative history, the regulatory history of the Deepwater Ports program provides further support for interpreting the DWPA to apply nautical miles to ACS designations. The original Final Rule in 33 CFR part 148 published on November 10, 1975, defined mile for the purposes of the regulations as a nautical mile.<sup>25</sup> Although the definition for "mile" was subsequently removed in a May 20, 2003 Notice of Proposed Rulemaking and did not appear in the Final Rule published on September 29, 2006, 33 CFR part 2 indicates that nautical miles are the appropriate units of measurement to be employed for determining United States Coast Guard jurisdictional definitions where such jurisdictional definitions are not otherwise provided.<sup>26</sup>

### Discussion of Comments

MarAd published a Notice of Proposed Policy Clarification on Tuesday, March 5, 2013 (78 FR 14411). Interested persons were invited to submit comments on the proposed policy clarification by April 4, 2013. MarAd received one comment. The comment and MarAd's response is set forth in the following paragraph.

Clean Ocean Action, a coalition of diverse groups interested in improving the water quality of the New Jersey and New York coastal marine environment offered their support of the agency's analysis stating,

Clearly, the MARAD analysis of the Congressional Record, international law, and related domestic U.S. law properly led to the conclusion that "miles", for the purposes of Deepwater Ports, means nautical miles.

MarAd values Clean Ocean Action's input.

Accordingly, as a result of its interpretation of the DWPA, its legislative history, and implementing regulations, MarAd will apply nautical miles when designating ACS in future Notices of Application under 33 U.S.C. 1508(a)(1).

**Authority:** 33 U.S.C. 1501, *et seq.*; 49 CFR 1.93(h)(1).

Dated: April 24, 2013.

By Order of the Maritime Administrator.

**Julie Agarwal,**

*Secretary, Maritime Administration.*

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**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2013-0002]

### Reports, Forms, and Recordkeeping Requirements

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and the expected burden. The **Federal Register** Notice with a 60-day comment period was published on January 11, 2013.

**DATES:** Comments must be received on or before May 30, 2013.

**ADDRESSES:** Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street NW., Washington, DC 20503, Attention: NHTSA Desk Officer.

*Comments are invited on:* Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

A Comment to OMB is most effective if OMB receives it within 30 days of publication.

### FOR FURTHER INFORMATION CONTACT:

Mike Joyce, NHTSA, 1200 New Jersey Avenue SE., W52-238, NPO-520, Washington, DC 20590. Mr. Joyce's telephone number is (202) 366-5600 and email address is [mike.joyce@dot.gov](mailto:mike.joyce@dot.gov).

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

**SUPPLEMENTARY INFORMATION:** In compliance with the Paperwork Reduction Act of 1995, NHTSA

previously opened a docket for a 60-day comment period. Based upon comment to the docket, NHTSA modified its research plan. This notice announces that the ICR abstracted below has been forwarded to OMB for review and comment. The ICR describes the nature of the information collection and the expected burden. This is a request for new collection.

*Title:* Advanced Crash Avoidance Technologies Consumer Research.

*OMB Control Number:* 2127-XXXX.

*Form Number:* None.

*Type of Request:* New collection.

*Affected Public:* For the focus group phase of this collection, NHTSA plans to conduct a total of 9 focus groups, each lasting approximately two hours. In each group, 8 participants will be seated. Therefore, a total of 72 people will participate in the group sessions. For recruiting of these participants, however, a total of 108 potential participants (12 per group) will be recruited via telephone screening calls, which are estimated to take 10 minutes per call. Based on experience, it is prudent to recruit up to 12 people per group in order to ensure at least 8 will appear at the focus group facility at the appointed time.

Thus, the total burden per person actually participating in this focus group phase of research is estimated to be 130 minutes (10 minutes for the screening/recruiting telephone call plus 120 minutes in the focus group discussion session). Additionally, the total burden per person recruited (but not participating in the discussions) is 10 minutes. Therefore, the total annual estimated burden imposed by this portion of the collection is approximately 162 hours.

NHTSA also plans to conduct eight 30-minute dealer interviews.

Accounting for recruiting and interviewing time, the total annual estimated burden imposed by this portion of the collection is approximately 8 hours.

In total, the annual estimated burden imposed by this collection of information is approximately 170 hours. *Estimated Total Annual Burden:* 170 hours.

*Number of Respondents:* 80.

*Abstract:* The National Highway Traffic Safety Administration (NHTSA) was established by the Highway Safety Act of 1970 (23 U.S.C. 101) to carry out a Congressional mandate to reduce the mounting number of deaths, injuries, and economic losses resulting from motor vehicle crashes on the Nation's highways. In support of this mission, NHTSA proposes to conduct a limited number of focus group sessions and in-

<sup>25</sup> 40 FR 52554 (Nov. 10, 1975).

<sup>26</sup> See 33 CFR 2.1(a) ("The purpose of this part is to define terms the Coast Guard uses in regulations, policies, and procedures, to determine whether it has jurisdiction on certain waters where specific jurisdictional definitions are not otherwise provided.")

depth interviews with members of the general public to help inform future revisions to the Monroney label and guide the development of a consumer education program. In addition, this consumer research will help to ensure that various advanced crash avoidance technologies the agency promotes are important and usable to consumers, and the information provided leads to consumer understanding of the benefits of these technologies.

In this collection of information, NHTSA is seeking approval to conduct qualitative consumer research and in-depth interviews to test consumer familiarity and understanding of advanced crash avoidance technology systems so that labeling and consumer materials will help consumers make informed vehicle purchase decisions. Specifically, this research will be guided by the following objectives:

- (i) Explore consumer familiarity with and understanding of advanced crash avoidance technologies;
- (ii) Explore potential nomenclature and rating systems that can be used to communicate information about advanced crash avoidance technologies;
- (iii) Guide considerations for design modifications of current New Car Assessment Program Government 5-Star Safety Ratings label to include information about advanced crash avoidance technologies;
- (iv) Guide the development of a consumer information program to improve awareness and understanding of advanced crash avoidance technologies.

On January 11, 2013, NHTSA published the 60-day notice requesting public comment on the proposed collection of information to the **Federal Register** on January 11, 2013. One comment was received from Agero, Inc, which expressed support for this research plan. Specifically, Agero requested NHTSA explore technologies such as advanced automatic crash notification and other technologies to determine how best to provide consumers with meaningful, useful information. They have also requested exploring standard nomenclature, communication channels and the potential impact that including technologies on the Monroney Label has on a consumer's likelihood to seek more information—all of which are goals for the focus group research.

*Requested Expiration Date of Approval:* Three years from approval date.

**Gregory A. Walter,**  
Senior Associate Administrator, Policy and Operations.

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## DEPARTMENT OF TRANSPORTATION

### Research & Innovative Technology Administration

[Docket ID Number RITA 2008-0002]

#### Agency Information Collection; Activity Under OMB Review; Preservation of Air carrier Records

**AGENCY:** Research & Innovative Technology Administration (RITA), Bureau of Transportation Statistics (BTS), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for extension of currently approved collections. The ICR describes the nature of the information collection and its expected burden. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on February 13, 2013 (74 FR 59018). No comments were received.

**DATES:** Written comments should be submitted by May 30, 2013.

**FOR FURTHER INFORMATION CONTACT:** Jeff Gorham, Office of Airline Information, RTS-42, Room E34-414, RITA, BTS, 1200 New Jersey Avenue SE., Washington, DC 20590-0001, Telephone Number (202) 366-4406, Fax Number (202) 366-3383 or EMAIL [jeff.gorham@dot.gov](mailto:jeff.gorham@dot.gov).

*Comments:* Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street NW., Washington, DC 20503, Attention: RITA/BTS Desk Officer.

#### SUPPLEMENTARY INFORMATION:

#### OMB Approval No. 2138-0006

*Title:* Preservation of Air carrier Records—14 CFR Part 249

*Form No.:* None.

*Type of Review:* Extension of a currently approved collection

*Respondents:* Certificated air carriers and charter operators

*Number of Respondents:* 90 certificated air carriers and 300 charter operators.

*Estimated Time per Response:* 3 hours per certificated air carrier; 1 hour per charter operator.

*Total Annual Burden:* 570 hours.

*Needs and Uses:* Part 249 requires the retention of records such as: general and subsidiary ledgers, journals and journal vouchers, voucher distribution registers, accounts receivable and payable journals and ledgers, subsidy records documenting underlying financial and statistical reports to DOT, funds reports, consumer records, sales reports, auditors' and flight coupons, air waybills, etc. Depending on the nature of the document, the carrier may be required to retain the document for a period of 30 days to 3 years. Public charter operators and overseas military personnel charter operators must retain documents which evidence or reflect deposits made by each charter participant and commissions received by, paid to, or deducted by travel agents, and all statements, invoices, bills and receipts from suppliers or furnishers of goods and services in connection with the tour or charter. These records are retained for 6 months after completion of the charter program.

Not only is it imperative that carriers and charter operators retain source documentation, but it is critical that we ensure that DOT has access to these records. Given DOT's established information needs for such reports, the underlying support documentation must be retained for a reasonable period of time. Absent the retention requirements, the support for such reports may or may not exist for audit/validation purposes and the relevance and usefulness of the carrier submissions would be impaired, since the data could not be verified to the source on a test basis.

The Confidential Information Protection and Statistical Efficiency Act of 2002 (44 USC 3501 note), requires a statistical agency to clearly identify information it collects for non-statistical purposes. BTS hereby notifies the respondents and the public that BTS uses the information it collects under this OMB approval for non-statistical purposes including, but not limited to, publication of both Respondent's identity and its data, submission of the information to agencies outside BTS for review, analysis and possible use in regulatory and other administrative matters.

Comments are invited on: Whether the proposed record retention requirements are necessary for the proper performance of the functions of the Department. Comments should