

Intergovernmental Partnership (58 FR 58093, October 28, 1993), or special considerations as required by Executive Order 12898, entitled Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (59 FR 7629, February 16, 1994), or require OMB review in accordance with Executive Order 13045, entitled Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997).

In addition, since these tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the tolerances in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) do not apply. Nevertheless, the Agency has previously assessed whether establishing tolerances, exemptions from tolerances, raising tolerance levels or expanding exemptions might adversely impact small entities and concluded, as a generic matter, that there is no adverse economic impact. The factual basis for the Agency's generic certification for tolerance actions published on May 4, 1981 (46 FR 24950) and was provided to the Chief Counsel for Advocacy of the Small Business Administration.

VIII. Submission to Congress and the General Accounting Office

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: April 1, 1998.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. Section 180.478 is revised to read as follows:

§ 180.478 Rimsulfuron; tolerances for residues

(a) *General.* Tolerances are established for residues of the herbicide rimsulfuron (*N*-((4,6-dimethoxypyrimidin-2-yl)aminocarbonyl)-3-(ethylsulfonyl)-2-pyridinesulfonamide in or on the following raw agricultural commodities:

Commodity	Parts per million
Corn, field, fodder	0.1
Corn, field, forage	0.1
Corn, field, grain	0.1
Potatoes, tubers	0.1
Tomatoes	0.05

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CC Docket Nos. 96-149 and 96-61; DA 98-556]

Independent LECs Providing In-Region, Interstate, Interexchange Services on an Integrated Basis; Delay of Deadline

AGENCY: Federal Communications Commission.

ACTION: Final rule; partial stay.

SUMMARY: The Common Carrier Bureau of the Federal Communications Commission has released an Order staying the provision for the April 18, 1998 deadline by which independent LECs providing in-region, interstate, interexchange services on an integrated basis must comply with the Commission's requirement that they provide these services through a separate affiliate. Petitions for reconsideration of the separate affiliate requirement are currently under consideration by the Commission and may not be decided by the April 18, 1998 deadline for compliance. To ensure that independent LECs do not incur compliance costs while the

possibility of changes to the requirement still exists, the Order released by the Common Carrier Bureau stays the portion of the rule that provides the deadline for compliance until 60 days after the release of a Commission reconsideration order addressing this issue.

DATES: Effective March 24, 1998, 47 CFR 64.1903(c) published July 3, 1997 (62 FR 35974) is stayed until 60 days after the release of the Commission's order on reconsideration in CC Docket Nos. 96-149 and 96-61. The Commission will publish the date on which the stay expires in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Brent Olson, Common Carrier Bureau, Policy and Program Planning Division, (202) 418-7152.

SUPPLEMENTARY INFORMATION:

Synopsis of Order

In the *LEC Classification Order*, 62 FR 35974, July 3, 1997, which was released on April 18, 1997, the Commission revised its regulatory treatment of Bell Operating Companies (BOCs) and independent local exchange carriers (LECs) that provide domestic, interstate, interexchange, and international services. The Common Carrier Bureau has released this Order to stay the April 18, 1998 deadline by which independent LECs currently providing in-region, interstate, interexchange services on an integrated basis must comply with the Commission's requirement that they provide these services through a separate affiliate.

In the *LEC Classification Order*, the Commission concluded that independent LECs must provide in-region, interstate, interexchange services through a separate affiliate that satisfies the separation requirements enumerated in the *Fifth Report and Order*, 49 FR 34824, September 4, 1984. The Commission recognized that independent LECs providing these services on an integrated basis face greater costs of complying with the *Fifth Report and Order* separation requirements than those already providing such services on a separated basis. Accordingly, the Commission allowed independent LECs providing in-region, interstate, interexchange services on an integrated basis one year from the date of release of the *LEC Classification Order* (i.e., until April 18, 1998) to comply with the *Fifth Report and Order* separation requirements (47 CFR 64.1903(c)).

Following the release of the *LEC Classification Order*, a number of petitioners sought reconsideration of a variety of issues, including the decision

to apply the *Fifth Report and Order* separation requirements to independent LECs providing in-region, interstate, interexchange services. These petitions currently are under consideration by the Commission and may not be decided by April 18, 1998, the deadline for compliance with the separate affiliate requirement. We find that it is in the public interest for the Commission to address and resolve, prior to the deadline for compliance, petitioners' claim that this requirement should not be applied to independent LECs, so such LECs need not incur compliance costs while the possibility of changes to this requirement still exists.

Accordingly, we find good cause to stay § 64.1903(c) which provides the date by which independent LECs providing in-region, interstate, interexchange services must comply with the *Fifth Report and Order* separation requirements until 60 days after release of a Commission reconsideration order addressing this issue.

Federal Communications Commission.

A. Richard Metzger, Jr.,

Chief, Common Carrier Bureau.

[FR Doc. 98-8932 Filed 4-3-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

49 CFR Part 395

Global Positioning System (GPS) Technology

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of interpretation; request for participation in pilot demonstration project.

SUMMARY: The FHWA believes global positioning system (GPS) technology and many of the complementary safety management computer systems currently being used by the motor carrier industry, provide at least the same degree of monitoring accuracy as the "automatic on-board recorders" allowed by the Federal Motor Carrier Safety Regulations (FMCSRs), 49 CFR 395.15. Accordingly, the FHWA is announcing a voluntary program under which a motor carrier with GPS technology and related safety management computer systems may enter into an agreement with the FHWA to use such systems in a pilot demonstration project to record and monitor drivers' hours of service in lieu of complying with the handwritten "records of duty status" requirement of

the FMCSRs, 49 CFR 395.8. Consistent with the President's initiatives in reinventing government and regulatory reform, the project is intended to demonstrate whether the motor carrier industry can use the technology to improve compliance with the hours-of-service requirements in a manner which promotes safety and operational efficiency while reducing paperwork requirements.

DATES: This interpretation is effective April 6, 1998. Applications for participation in the pilot demonstration project will be accepted until October 5, 1998.

ADDRESSES: Written applications should be mailed to Office of Motor Carrier Research and Standards (HCS-10), Federal Highway Administration, Department of Transportation, 400 Seventh St., SW., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Mr. Bryan L. Price, Office of Motor Carrier Safety and Technology, (202) 366-5720, Mr. Neill L. Thomas, Office of Motor Carrier Research and Standards, (202) 366-4009, or Mr. Charles Medalen, Office of Chief Counsel, (202) 366-1354, Federal Highway Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays. Application requests and specific questions regarding this pilot demonstration project may also be directed to the contact person(s) named in this notice or the Division or Regional Offices of the FHWA in your State.

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this document may be downloaded using a modem and suitable communications software from the **Federal Register** Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the **Federal Register's** home page at <http://www.nara.gov/nara/fedreg> and the Government Printing Office's database at: http://www.access.gpo/su_docs.

Background

On September 30, 1988, the FHWA published a final rule (53 FR 38666) to allow motor carriers, at their option, to use certain automatic on-board recording devices to record their drivers' records of duty status in lieu of the required handwritten records of duty status. This provision is now codified at 49 CFR 395.15. Many motor carriers that employed that technology found that their compliance with the

hours-of-service regulations improved. New technologies are emerging, however, and the narrowly crafted on-board recorder provision is becoming obsolete. Before considering changes to the rule, the FHWA believes it would be prudent to demonstrate the effectiveness of more recent technology for ensuring compliance with the hours-of-service regulations. The FHWA also hopes to demonstrate the safety and economic advantages to the motor carrier industry when the technology is used to reduce the prescriptive paperwork and recordkeeping requirements of the hours-of-service regulations (49 CFR part 395). The FHWA intends to carefully evaluate results of the pilot demonstration project. Should the results prove to be positive and the safety potential of the involved technologies confirmed, the agency will consider proposing revisions to the FMCSRs.

The FHWA is aware of the benefits of GPS technology to monitor and control drivers' compliance with the hours-of-service regulations. Although § 395.15 was originally promulgated for a specific technology, the FHWA believes GPS technology and many of the complementary safety management computer systems currently being used by the motor carrier industry provide at least the same degree of monitoring accuracy, while substantially complying with the requirements of § 395.15. Accordingly, the FHWA will allow volunteer motor carriers to use GPS technology to meet the "automatic on-board recorder" provisions of § 395.15 in order to demonstrate the safety potential of this technology. The FHWA invites motor carriers that believe their GPS technology programs meet the requirements set forth in this document to seek permission to participate in this demonstration project.

The conditions that will apply during the demonstration project are included in a question and answer format that expresses the interpretation.

Premise: Section 395.2 of the FMCSRs defines an "automatic on-board recording device" as "an electric, electronic, electromechanical, or mechanical device capable of recording driver's duty status information accurately and automatically as required by § 395.15. The device must be integrally synchronized with specific operations of the commercial motor vehicle in which it is installed. At a minimum, the device must record engine use, road speed, miles driven, the date, and time of day." Section 395.15 of the FMCSRs provides motor carriers the authority to use "automatic on-board recording devices" to record