

subject to the requirements that video event recorders installed in Greyhound vehicles must be mounted not more than 50 mm (2 inches) below the upper edge of the area swept by the windshield wipers, and located outside the driver's sight lines to the road and highway signs and signals. The exemption will be valid for two years unless rescinded earlier by FMCSA. The exemption will be rescinded if: (1) Greyhound fails to comply with the terms and conditions of the exemption; (2) commenters demonstrate persuasively, or the Agency learns, that the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(b)(1).

### Basis for Renewing Exemption

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than two years from its approval date and may be renewed upon application for additional two-year periods. On March 19, 2008, Greyhound applied for an exemption from 49 CFR 393.60(e)(1) to allow it to install video event recorders on some or all of its bus fleet—which totals approximately 1,650 buses. FMCSA published a notice of the application, and requested public comments, in the **Federal Register** on August 11, 2008 (73 FR 46704). On March 19, 2009, FMCSA published a notice of final disposition in the **Federal Register** granting the exemption (74 FR 11807).

FMCSA is not aware of any evidence showing that the installation of video event recorders on Greyhound's buses, in accordance with the conditions of the original exemption, has resulted in any degradation in safety. The Agency believes that extending the exemption for a period of two years will likely achieve a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption because: (1) The video event recorders will not obstruct drivers' views of the roadway, highway signs and surrounding traffic due to the fact that the panoramic windshields installed on Greyhound's buses encompass a large percentage of the front of buses and extend well above the driver's sight lines; (2) larger windshield wipers installed on Greyhound's buses increase the swept area well beyond that which is recommended by the Society of Automotive Engineers guidelines for commercial vehicles; and (3) placement of video event recorders just below the larger swept area of the wipers will be

well outside of the driver's useable sight lines.

### Request for Comments

FMCSA requests comments on the decision to renew Greyhound's exemption by April 21, 2011. The Agency will also review comments received at any time indicating that Greyhound's safety record has been adversely affected by the use of video event recorders.

Interested parties or organizations possessing information showing that Greyhound is not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(b)(1), FMCSA will take immediate steps to revoke the Greyhound's exemption.

Issued on: March 16, 2011.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2011-0022]

### Reports, Forms, and Recordkeeping Requirements

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

**ACTION:** Request for extension of a currently approved collection of information.

**SUMMARY:** This notice solicits public comments on continuation of the requirements for the collection of information on safety standards. Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections.

This document describes a collection of information with respect to the phase-in of the upgraded requirements of Federal Motor Vehicle Safety Standard No. 214, "Side impact

protection," for which NHTSA intends to seek OMB approval.

**DATES:** Comments must be received on or before May 23, 2011.

**ADDRESSES:** You may submit comments (identified by the DOT Docket ID Number above) by any of the following methods:

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

- *Mail:* Docket Management Facility; M-30, U.S. Department of Transportation, West Building Ground Floor, Rm. W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *Hand Delivery or Courier:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590 between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal holidays.

- *Fax:* (202) 493-2251.

Regardless of how you submit your comments, you should mention the docket number of this document. You may call the Docket at (202) 366-9324. Please identify the proposed collection of information for which a comment is provided, by referencing its OMB clearance number. It is requested, but not required, that two copies of the comment be provided.

Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. 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 in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

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

**FOR FURTHER INFORMATION CONTACT:** Complete copies of each request for collection of information may be obtained at no charge from Mr. Chris Wiacek, U.S. Department of Transportation, NHTSA, Room W43-419, 1200 New Jersey Avenue, SE., Washington, DC 20590. Mr. Wiacek's telephone number is (202) 366-4801 and fax number is (202) 366-7002.

**SUPPLEMENTARY INFORMATION:** Under the Paperwork Reduction Act of 1995, before a proposed collection of information is submitted to OMB for

approval, Federal agencies must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5CFR 1320.8(d)), an agency must ask for public comment on the following:

(i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) How to enhance the quality, utility, and clarity of the information to be collected;

(iv) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.* permitting electronic submission of responses.

In compliance with these requirements, NHTSA asks for public comments on the following proposed collection of information:

*Title:* Side Impact Phase-in Reporting Requirements—Part 597.

*OMB Control Number:* 2127-0558.

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

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

*Affected Public:* Businesses.

*Summary of the Collection of Information:* 49 U.S.C. 30111 authorizes the issuance of Federal motor vehicle safety standards (FMVSS) and regulations. The agency, in prescribing a FMVSS or regulation, considers available relevant motor vehicle safety data, and consults with other agencies, as it deems appropriate. Further, the statute mandates that in issuing any FMVSS or regulation, the agency considers whether the standard or regulation is "reasonable, practicable and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed," and whether such a standard will contribute to carrying out the purpose of the Act.

The Secretary is authorized to invoke such rules and regulations, as deemed necessary to carry out these requirements. Using this authority, on

September 11, 2007, the agency published a final rule (73 FR 51908) upgrading the requirements of FMVSS No. 214, "Side impact protection." The final rule contained a collection of information because of the proposed phase-in reporting requirements. The collection of information requires manufacturers of passenger cars and of trucks, buses and multipurpose passenger vehicles with a gross vehicle weight rating (GVWR) of 4,536 kg (10,000 lb) or less, to annually submit a report, and maintain records related to the report, concerning the number of such vehicles that meet the vehicle-to-pole and moving deformable barrier (MDB) test requirements of FMVSS No. 214 during the three year phase-in of those requirements. In response to petitions for reconsideration the agency published a final rule (73 FR 32473) extending the phase-in of both the pole and MDB test requirements to four years. The purpose of the reporting and recordkeeping requirements is to assist the agency in determining whether a manufacturer of vehicles has complied with the requirements during the phase-in period.

This notice requests comments on the phase-in reporting requirements of FMVSS No. 214.

*Description of the Likely Respondents (Including Estimated Number and Proposed Frequency of Response to the Collection of Information):* NHTSA estimates that there are 21 manufacturers of passenger cars, multipurpose passenger vehicles, trucks, and buses with a GVWR of 4,536 kg (10,000 lb) or less. During the phase-in reporting period, this information collection requires a simple written report on the respondent's annual vehicle production and the percent of that production meeting the new vehicle-to-pole and vehicle to MDB test requirements of FMVSS No. 214. There is no burden to the general public.

*Estimate of the Total Annual Reporting and Recordkeeping Burden Resulting from the Collection of Information:* NHTSA estimates that the total annual reporting and recordkeeping burden resulting from the collection of information is 1,260 hours and estimates that the total annual cost burden, in U.S. dollars, will be \$44,100. No additional resources will be expended by vehicle manufacturers to gather annual production information because they already compile this data for their own use.

*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.

**Authority:** 44 U.S.C. 3506(c); delegation of authority at 49 CFR 1.50.

Issued on: March 17, 2011.

**Joseph S. Carra,**

*Acting Associate Administrator for Rulemaking.*

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. EP 670 (Sub-No. 1)]

#### Notice of Rail Energy Transportation Advisory Committee Meeting

**AGENCY:** Surface Transportation Board, Department of Transportation.

**ACTION:** Notice of Rail Energy Transportation Advisory Committee meeting.

**SUMMARY:** Notice is hereby given of a meeting of the Rail Energy Transportation Advisory Committee (RETAC), pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, Public Law 92-463, as amended (5 U.S.C., App. 2).

**DATES:** The meeting will be held on Wednesday, April 6, 2011, at 9 a.m., E.D.T.

**ADDRESSES:** The meeting will be held in the Hearing Room on the first floor of the Surface Transportation Board's headquarters at Patriot's Plaza, 395 E Street, SW., Washington, DC 20423-0001.

**FOR FURTHER INFORMATION CONTACT:** Scott M. Zimmerman (202) 245-0386. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at: (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** RETAC arose from a proceeding instituted by the Board, in *Establishment of a Rail Energy Transportation Advisory Committee*, EP 670. RETAC was formed to provide advice and guidance to the Board, and to serve as a forum for discussion of emerging issues regarding the transportation by rail of energy resources, particularly, but not necessarily limited to, coal, ethanol, and