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#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

#### **PART 73—[AMENDED]**

1. The authority citation for part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

#### **§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Wisconsin, is amended by adding Cornell, Channel 260C3.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-8121 Filed 4-2-96; 8:45 am]

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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Highway Administration**

#### **49 CFR Parts 382, 383, 390, 391 and 392**

[FHWA Docket Nos. MC-92-19 and MC-92-23]

RIN 2125-AD46

#### **Commercial Driver's License Program and Controlled Substances and Alcohol Use and Testing**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Final rule; technical correction.

**SUMMARY:** This document corrects the final rule on alcohol and drug testing rules and the regulations implementing the commercial driver's license program which was published in the issue of March 8, 1996, in FR Doc. 96-5373 on page 9564. In part 383, a reference to a nonexistent paragraph was inadvertently inserted and, by this document, is removed.

**EFFECTIVE DATE:** March 8, 1996.

**FOR FURTHER INFORMATION CONTACT:** For information regarding program issues: Office of Motor Carrier Research and

Standards, (202) 366-1790, For information regarding legal issues: Office of the Chief Counsel, Motor Carrier Law Division, (202)366-0834, Federal Highway Administration, 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.

**SUPPLEMENTARY INFORMATION:** The FHWA hereby corrects 49 CFR part 383 as published on March 8, 1996, in FR Doc. 96-5373 on page 9564, in the introductory paragraph of § 383.3(d), by replacing the words “, (d)(2), and (d)(3) of this section” with the words “and (d)(2) of this section”.

Authority: 49 U.S.C. 322; 23 U.S.C. 315.

Issued on: March 27, 1996.

Edward V.A. Kussy,

Acting Chief Counsel.

[FR Doc. 96-8157 Filed 4-2-96; 8:45 am]

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#### **49 CFR Parts 383 and 395**

RIN 2125-AD83

#### **Exemptions From Federal Motor Carrier Safety Regulations**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Final rule.

**SUMMARY:** The National Highway System Designation Act of 1995 creates exemptions from certain requirements of the Federal Motor Carrier Safety Regulations (FMCSRs) for employers engaged in: The transportation of agricultural commodities and farm supplies, the transportation of ground water drilling rigs, the transportation of construction materials and equipment, the operation of utility service vehicles, and the operation of snow and ice removal equipment within the boundaries of an eligible unit of local government. These exemptions relate to the hours-of-service and the commercial driver's license requirements of the regulations. This final rule amends the FMCSRs to conform to these statutory exemptions.

**EFFECTIVE DATES:** This rule is effective April 3, 1996 except § 383.3(d)(3) and §§ 395.1(n) and (o), pertaining to the transportation of snow and ice removal equipment, construction materials and equipment, and drivers of utility service vehicles, are not effective until May 26, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert F. Schultz, Jr., Office of Motor Carrier Research and Standards, (202) 366-2718, or Ms. Grace Reidy, Office of the Chief Counsel, (202) 366-6226,

Federal Highway Administration, DOT, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

#### **SUPPLEMENTARY INFORMATION:**

Background and Notices

On November 28, 1995, the President signed the National Highway Systems Designation Act of 1995, Pub. L. 104-59, 109 Stat. 568 (1995)(NHS Act). Section 345 of this Act creates five specific exemptions from certain provisions of the FMCSRs (49 CFR 390.1 *et seq.*).

The first exemption applies to drivers transporting agricultural commodities or farm supplies during planting and harvesting seasons, if the transportation is limited to the area within a 100 air mile radius of the source of the commodities or the distribution point for the farm supplies. These drivers are exempt from the maximum driving and on-duty time regulations of the FMCSRs.

The second exemption relates to drivers who are primarily involved in the transportation of ground water drilling rigs. These rigs include any vehicle, machine, tractor, trailer, semi-trailer, or specialized mobile equipment propelled or drawn by mechanical power and used on highways to transport water well field operating equipment, including water well drilling and pump service rigs equipped to access ground water. Current regulations forbid drivers from operating CMVs after they have been on duty a certain number of hours over a 7 or 8 day span. Specifically, if the employing motor carrier *does not* operate 7 days a week, the cutoff is 60 hours over a 7-day span; if the employing motor carrier *does* operate 7 days a week, the cutoff is either 60 hours over a 7-day span, or 70 hours over an 8-day span. The water drilling rig exception in the NHS Act permits these drivers to “restart the clock,” which means that at any point at which the driver is off-duty for 24 or more consecutive hours, the period of 7 or 8 days ends as of the beginning of that off-duty period, and the clock restarts for purposes of computing the 7 or 8 day period when the driver goes on duty again. Thus, this exemption enables the motor carrier to designate the time of day at which the period of 7 or 8 days begins. The definition of “24-hour period” in the NHS Act authorizes the carrier to designate the time of day at which the 24-hour period begins, which may vary between the various terminals from which drivers are dispatched.