On February 22, 1999, the FAA determined that the application to impose and use the revenue from a PFC submitted by the City of Worcester was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than May 31, 1999.

The following is a brief overview of the application.

PFC Project #: 99–03–C–00–ORH.

Level of the proposed PFC: $3.00.

Proposed charge effective date: September 1, 1999.

Proposed charge expiration date: December 1, 2006.

Total estimated net PFC revenue: $1,190,443.

Brief description of proposed projects: Construct New Terminal Facilities and Related Landside/Airside Improvements.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: The City of Worcester has not requested any exclusions.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Worcester Regional Airport, 375 Airport Drive, Worcester, Massachusetts 01602.

Issued in Burlington, Massachusetts on February 23, 1999.

Bradley A. Davis,

Assistant Manager, Airports Division, New England Region.

[FR Doc. 99–5469 Filed 3–4–99; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Outdoor Advertising Council

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of amended agreement.

SUMMARY: The Federal Highway Administration agrees with the Nevada Department of Transportation (NVDOT) that one of the definitions in the Highway Beautification Federal/State Agreement between the United States of America and the State of Nevada should be amended by deleting ''incorporated villages and cities'' and substituting ''urbanized area boundaries, as defined by 23 U.S.C. 101(a).''

DATES: The amended agreement is effective as of March 5, 1999.

FOR FURTHER INFORMATION CONTACT: Ms. Marsha Bayer, Office of Real Estate Services, HRE–20, (202) 366–5853; or Mr. Robert Black, Office of Chief Counsel, HCC–31, (202) 366–1359, 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 Highway Beautification Act of 1965 (HBA), as amended, codified at 23 U.S.C. 131 requires States to provide effective control of outdoor advertising in the areas adjacent to both the Interstate System and Federal-aid primary system, as it existed on June 1, 1991, and any highway which is not on either of those systems but which is on the National Highway System. States must provide effective control of outdoor advertising as a condition of receiving their full apportionment of Federal-aid highway funds. Effective control of outdoor advertising includes prohibiting the erection of new advertising signs except for certain categories of signs listed at 23 U.S.C. 131(c).

Another category of signs, ''off premise'' signs, may be allowed by a State under 23 U.S.C. 131(d) in zoned or unzoned commercial or industrial areas. Signs in such areas must conform to the requirements of an agreement between the State and the Federal Government which establishes size, lighting, and spacing criteria consistent with customary use. The agreement between Nevada and the FHWA was executed January 21, 1972.

Modifying such agreements is rarely done, but in April 1980, the FHWA adopted a procedure to be followed if a State requested a change in the Federal/State agreement. In accordance with this procedure, the State of Nevada first submitted its proposed change, along with the reasons for the change and the effects of the change, to the FHWA Division Office in Nevada. The FHWA Nevada Division, Region 9, and Headquarters offices reviewed and commented on the proposal.

The change in the agreement is aimed primarily at effective control of billboards in Clark County (Las Vegas), Nevada, where a vast part of the urbanized area is outside the incorporated city limits of Las Vegas. The amendment requires the effective control of outdoor advertising signs as described in section 131(c) in urban areas outside of incorporated villages and cities. Las Vegas is reportedly the fastest growing urban area in the United States. The State of Nevada believes that the change to the term ''urbanized area boundaries'' in the agreement could allow between 20 and 24 new billboard sites primarily in the Las Vegas urbanized area but would still prohibit the erection of signs in incorporated cities, towns, or villages outside of urbanized areas as required by section 131(c). The State maintains that the amendment would result in minimal aesthetic impact because urban areas are generally intensely developed and contain numerous on-premise signs.

The State held public hearings on the proposed change to receive comments from the public. No negative comments were received during the State's public hearings on this proposed change, and several supportive comments were presented. Nevada's formal request to the FHWA also provided justification for the proposed revision to the 1972 Federal/State Agreement. The FHWA concurred with the State that the amendment resulted in minimal aesthetic impact because urban areas are generally developed and contain numerous on-premise signs; that the amendment clarified the distinction between developed areas and town limits; that the resulting changes did not compromise highway safety; that the amendment eliminated the artificial and arbitrary imposition of standards which allow billboards to be erected in areas where they are not appropriate, and in other cases prohibit billboards from areas where they would be appropriate; and that the amendment maintained interchange block-out zones outside the limits of urban boundaries.

The State submitted the justifications for the change, the record of its public hearings, and an assessment of the impact to the FHWA. These were summarized and published in a **Federal Register** notice dated November 28, 1997.

Five respondents sent comments to the FHWA Docket No. FHWA–97–2907. One was a national scenic preservation organization and four were various state scenic preservation organizations. No comments were received from Nevada citizens or organizations. All five commenters criticized the proposed amendment as not advancing the goals of the HBA or any other public policy. The five commenters believe that the amendment would set a national precedent. The national organization maintained that the amendment would undermine Las Vegas' ongoing efforts to control billboard blight and flew in the face of local public opinion to control billboards in Las Vegas. Another organization commented that any further potential loopholes could open the door for more billboard blight. A

third organization commented that the amendment would increase the number of distractions to drivers at intersections while a fourth organization asserted that the amendment would add severe insult to injury. The last organization responded that the amendment would further encourage efforts being made by outdoor advertisers to weaken pending billboard control legislation.

The comments on the proposed amended agreement were evaluated by the FHWA. Outdoor advertising per se is not prohibited by the HBA. Section 131(d), which mandates agreements between the FHWA and the States, holds that effective control of outdoor advertising is thus not a total ban of advertising. Rather, it is the relegation of outdoor advertising signs to their proper areas. The urbanized area of Las Vegas would seem to be such an area.

It must be emphasized that nothing in the HBA or the Agreement prohibits Nevada or Las Vegas from imposing stricter controls on advertising. The HBA and the Agreement set the minimum amount of control a state must impose, not the maximum. Further, the amendment does not necessarily detract from Las Vegas' efforts to control outdoor advertising signs. The amendment would prohibit the erection of signs in incorporated cities, towns, or villages which are outside urbanized area boundaries. In incorporated villages and cities (such as Las Vegas) within urbanized areas, the erection of signs is already controlled by the existing Federal/State Agreement. The amendment to the agreement would exchange the restrictions on size, lighting, and spacing (while establishing block-out zones) within urbanized areas outside of incorporated villages and cities, for such restrictions within incorporated villages and cities outside of urbanized areas.

Any precedent set by the amendment to this agreement would be limited and nonbinding. The Las Vegas metropolitan area is unique, so the FHWA does not believe that any other Federal/State agreement would require amendment for the same reasons.

The FHWA believes that traffic safety within the Las Vegas urbanized area is not compromised by the amended language. Certainly, the State of Nevada, which is legally responsible for the safety of its highways, would not have proposed the amendment if it would lead to an increase in accidents. The amendment would extend block-out zones to the boundaries of unincorporated urbanized areas.

The comment that the amendment to the agreement would degrade the appearance of the area is inconsistent with the State's claim that the amendment would result in minimal aesthetic impact because urban areas are generally developed and contain numerous on-premise signs. Especially in the Las Vegas urbanized area, which is far beyond the municipal boundary, the potential addition of 20 to 24 sign sites among the numerous on-premise signs is insignificant. Further, the amendment would have no effect on areas within the boundaries of incorporated villages and cities, such as Las Vegas.

Nevada and the FHWA have completed the above procedure up to the point of publishing the FHWA's decision in the **Federal Register**. The State has submitted an amended agreement, signed by its duly empowered officials, to the FHWA for execution. Since the FHWA has decided the agreement should be amended as proposed, it is now publishing its decision in this **Federal Register**, and has executed on this date the amended agreement provided by the State.

Amendment to the Federal/State Agreement

The Federal/State Agreement ''For Carrying Out the National Policy Relative to Control of Outdoor Advertising in Areas Adjacent to the National System of Interstate and Defense Highways and the Federal-Aid Primary System'' made and entered on January 21, 1972, between the United States of America represented by the Secretary of Transportation acting by and through the Federal Highway Administrator and the State of Nevada has been amended to read at *Section III: STATE CONTROL*, Paragraph 2. b. *Spacing of Signs* as follows:

''Outside of urbanized area boundaries, as defined by 23 U.S.C. 101(a), no structure may be located adjacent to or within 500 feet of an interchange, intersection at grade, or safety rest area. Said 500 feet to be measured along the Interstate or freeway from the beginning or ending of pavement widening at the exit from or entrance to the main-traveled way.''

Authority: 23 U.S.C. 315; 49 CFR 1.48., 23 U.S.C. 131.

Issued on: February 25, 1999.

Kenneth R. Wykle,

Federal Highway Administrator.

[FR Doc. 99–5448 Filed 3–4–99; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[FHWA Docket No. FHWA–1997–2301; 97–10]

Highway Performance Monitoring System—Strategic Reassessment; Final Report

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice and closing of docket.

SUMMARY: FHWA has completed its strategic reassessment of the Highway Performance Monitoring System (HPMS). The work has been carried out over the past two years with the assistance of HPMS stakeholders, partners, customers and our HPMS Steering Committee. The participation of many individuals and organizations in response to our outreach process has provided valued perspectives to the reassessment process. The ''Highway Performance Monitoring System (HPMS) Reassessment Final Report'' and a companion informational brochure, ''Re-engineering HPMS,'' have been issued.

DATES: The docket is closed as of March 5, 1999.

FOR FURTHER INFORMATION CONTACT: Mr. James Getzewich, Highway Systems Performance Division, Office of Highway Information, (202) 366–0175, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:30 a.m. to 4 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

Internet users can access all comments received by the U.S. DOT Dockets, Room PL–401, by using the universal resource locator (URL): http://dms.dot.gov. It is available 24 hours each day, 365 days each year. Please follow the instructions online for more information and help.

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512–1661. The FHWA report and brochure are available through the Internet at http://www.fhwa.dot.gov/ohim under the heading ''Products and Publications.'' A very limited number of copies are available by writing or faxing your request to Federal Highway Administration (HPM–20), 400 Seventh Street, SW., Washington, DC 20590; fax: (202) 366–7742.