

reviews that are \$5,000,000 dollars or more. Motor carriers required to comply with the BTS regulations are classified on the basis of their annual gross carrier operating revenues (including interstate and intrastate). Under the financial and operating statistics (F&OS) program, the BTS collects balance sheet and income statement data along with information on tonnage, mileage, employees, transportation equipment, and other related data. These regulations were formerly administered by Interstate Commerce Commission (ICC), the Interstate Commerce Act, 49 U.S.C. 11145, 49 U.S.C. 11343(d)(1) and the Bus Regulatory Act of 1982 and later transferred to the Secretary of Transportation under 49 U.S.C. 14123 and BTS' implementing regulations (49 CFR part 1420).

#### Comment to the Docket

The BTS published in the **Federal Register** the required notice offering a 60-day comment period on November 15, 2002 (67 FR 69300). The agency received one comment to the docket from the Central Analysis Bureau, Inc., (CAB). The CAB is a private organization within the insurance industry that provides services to motor carriers of passengers and property.

In their comments, CAB supports the agency's need for the data collection and the agency's combined use of the form both as a quarterly and annual report for passenger carriers, however, it recommends that the agency revise its existing MP-1 Form and initiate efforts to prescribe a new MP-1 Form that complies with governing statutes. CAB believes that the current MP-1 Form does not meet statutory requirements, in that it lacks sufficient details in the balance sheet and income statement information. CAB further states that in order to permit a proper evaluation of a passenger carrier's ability to operate with sufficient capital that the agency must require more detailed information. They suggest a new form, which would include more meaningful financial and safety information. Secondly, CAB suggests that if the quarterly report were supplemental to an improved annual report for passenger carriers, the form would have greater utility.

The CAB believes that proper motor carrier financial reporting continues to be a crucial safety issue because "almost every safety study, such as the General Accounting Office's April 1991 report, "Freight Trucking: Promising Approach for Predicting Carriers' Safety Risks" has found that financially weak motor carriers have more accidents. The CAB believes that a financially weak motor carrier will sometimes cut back on

safety engineering services, including maintenance, employee hiring standards, and other safety related aspects.

CAB also recommends that the agency conduct a survey of all passenger carriers to determine their qualifying revenues. Currently, motor carriers of passengers with annual operating revenues of \$5 million dollars or more are required to file the Form MP-1. Under the CAB proposal, the reporting threshold would be lowered to \$3 million dollars in annual operating revenues.

#### BTS Response

BTS reviewed the CAB comment. It should be noted that the comment contained multiple proposals that would require the agency to conduct a rulemaking. The BTS is deferring rulemaking action, at this time, because the benefits of increasing the reporting requirements do not appear to outweigh the costs of the increased regulatory burden. The agency will consider CAB's proposal in any future rulemaking to revise the agency's reporting requirements.

The agency will consider CAB's proposal for the agency to survey passenger carriers about their qualifying revenues as a long-term action. The agency believes that it is not practical at this time to conduct a survey because it does not have the resources and/or necessary approval from OMB.

In the meantime, the agency will continue to work with motor carriers of passengers and others within the bus and transportation community to collect F&OS data and to conduct and facilitate useful analysis. Although no additional comments were received to the docket, specifically from the regulated community, the agency believes that the present regulations are not burdensome. Therefore, BTS without any additional data or information bus carriers or other affected parties as to the extent of the burden, will not proceed with the CAB's recommendation at this time. BTS will continue to work with CAB and others in the future on ways to reduce the burden on the motor carrier industry and improve the reporting process.

#### Information Collected for a Non-Statistical Purpose

Respondents are hereby notified by this notice 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. There may be reports of this information to agencies

outside BTS for review, analysis, and other possible non-statistical uses.

#### The Data Collection

The Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35; as amended) and 5 CFR part 1320 require each Federal agency to obtain an OMB approval to continue an information collection activity for which the agency received prior approval. BTS is seeking OMB' approval for the following BTS information collection activity.

*Title:* Class I Quarterly and Annual Reports of Motor Carriers of Passengers.

*OMB Control Number:* 2139-0003.

*Form Number:* BTS Form MP-1.

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

*Respondents:* Class I Motor Carriers of Passengers.

*Number of Respondents:* 26.

*Estimated Time Per Response:* 1.5 hours.

*Expiration Date:* February 28, 2003.

*Frequency:* Quarterly and Annually.

*Total Annual Burden:* 195 hours.

*Abstract:* This report provides financial and operating data. The Department of Transportation uses this information to assess the health of the industry and identify industry changes that may affect national transportation policy. The data also show company financial stability and traffic.

For additional information regarding this data collection, interested parties may review the supporting statements the agency submitted to OMB.

Issued on: March 10, 2003 in Washington, DC.

**Russell B. Capelle, Jr.,**

*Assistant BTS Director for Motor Carrier Information, Department of Transportation.*  
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## DEPARTMENT OF THE TREASURY

### Community Development Financial Institutions Fund

#### Notice of Proposed Information Collection for Public Comment: Community Development Financial Institutions Fund, Bank Enterprise Award Program, 2003-2004 Application

**AGENCY:** Community Development Financial Institutions Fund, Department of the Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The proposed information collection requirement, concerning the Community Development Financial

Institutions Fund (the Fund) Bank Enterprise Award (BEA) Program 2003–2004 Application, pursuant to which insured depository institutions (as defined by 12 U.S.C. 1813(c)(2)) may apply to the Fund for awards for performing certain qualified activities (as defined by 12 CFR 1806.103(mm)), will be submitted to the Office of Management and Budget (OMB) for review as required by the Paperwork Reduction Act. The Fund is soliciting public comments on the subject proposal.

**DATES:** Written and electronic comments on the subject proposal must be submitted to the Fund by May 13, 2003.

**ADDRESSES:** Interested persons are invited to submit comments regarding the subject proposal. Comments should refer to the proposal by name and should be sent by mail to: Margaret Nilson, Depository Institutions Manager, CDFI Fund, 601 Thirteenth Street, NW., Suite 200, Washington DC 20005; by e-mail to [cdfihelp@cdfi.treas.gov](mailto:cdfihelp@cdfi.treas.gov); or by facsimile at (202) 622–8244. This is not a toll free number.

**FOR FURTHER INFORMATION CONTACT:** Margaret Nilson, Depository Institutions Manager, CDFI Fund, 601 Thirteenth Street, NW., Suite 200, Washington DC 20005; telephone number: (202) 622–8917. This is not a toll free number. Copies of the proposed application form and other available information may be obtained from Ms. Nilson, or on the BEA page of the Fund's Web site, at: <http://www.cdfifund.gov>.

**SUPPLEMENTARY INFORMATION:** The Fund will submit the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended). This notice is soliciting comments from members of the public and affected organizations concerning the proposed collection of information to: (1) Evaluate whether the proposed collection of information is necessary to insure proper performance of the functions of the Fund, including whether the information will have practical utility; (2) evaluate the accuracy of the Fund's estimate of the burden of the proposed collection of information; (3) enhance the quality, utility and clarity of the information to be collected; and (4) minimize the burden of the collection of information on those who are to respond, including through use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. Please note: The fund may not consider public comments in the event that OMB determines that modifications to the

proposed information collection are not substantive and thus do not require that the Fund obtain public comments prior to issuing the 2003–2004 BEA Application.

*This Notice also lists the following information:*

*Title of Proposal:* Community Development Financial Institutions Fund Bank Enterprise Award Program 2003–2004 Application.

*Description of the need for information and proposed use:* The Fund, a wholly owned government corporation within the Department of the Treasury, is administering the FY 2003 and FY 2004 funding rounds of its BEA Program, pursuant to that certain Notice of Funds Availability (NOFA), published in the **Federal Register**, on February 4, 2003, at 68 FR 5727 (2003). As provided in the NOFA, the Fund will make awards to insured depository institutions, based upon such institutions' completion of certain qualified activities, as reported in the application. The application will solicit information concerning: applicants' eligibility to participate in the BEA Program; the character and quantity (value) of applicants' activities, and the extent to which such activities may be qualified activities; and appropriate supporting documentation. The questions that the application contains, and the information generated thereby, will enable the Fund to evaluate applicants' activities and determine the extent of applicants' eligibility for a BEA Program award.

*Members of the affected public:* Every insured depository institution that applies to the Fund for an award under the BEA Program will be required to submit an application. One hundred fifty-nine (159) such insured depository institutions applied to participate in the FY 2002 funding round.

*Estimation of the total number of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response:* The Fund estimates that completing each application will take 15 hours, for a total maximum burden hour estimate of 2,385 hours (based upon the number of applicants to the BEA Program in the FY 2002 funding round).

*Total Estimated Annual Burden Hours:* 2,385 hours.

*Status of the proposed information collection:* Pending OMB approval.

**Authority:** The Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended; 12 U.S.C. 1834a; 12 U.S.C. 4713.

Dated: March 10, 2003.

**Tony T. Brown,**

*Director, Community Development Financial Institutions Fund.*

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## DEPARTMENT OF THE TREASURY

### Community Development Financial Institutions Fund

#### Notice of Funds Availability Inviting Applications for the Community Development Financial Institutions Fund—Bank Enterprise Award Program: Change of Application Deadlines; Corrections

**AGENCY:** Community Development Financial Institutions Fund, Department of the Treasury.

**ACTION:** Change of application deadlines; corrections.

*Change of Application Deadlines:* On February 4, 2003, the Community Development Financial Institutions Fund (the "Fund") announced in a NOFA for the BEA Program (68 FR 5727 (2003)) that the deadline for applications for BEA Program awards was July 17, 2003, for those applicants that opt to apply under the 6-month baseline/assessment period, as defined in 12 CFR 1806.103(k) and (f), respectively, and as further specified in the NOFA (the "6-month option").

This notice is to announce that the Fund is extending until 5 p.m., July 23, 2003 the deadline for the submission of applications for BEA Program awards for those applicants that apply under the 6-month option, for the FY 2003 funding round.

#### Correction

Section X of the February 4, 2003 NOFA states incorrectly that the award percentage applicable to an Equity Investment in CDFI shall be 15 percent for if the applicant is CDFI, and 5 percent if the applicant is not a CDFI. 68 FR 5730 (2003). The correct award percentage for an Equity Investment in a CDFI shall be 15 percent for all applicants, whether such applicant is a CDFI, or not.

All other information and requirements set forth in the February 4, 2003 NOFA for the BEA Program shall remain effective, as published.

**FOR FURTHER INFORMATION, CONTACT:** If you have any questions about the programmatic requirements for this program, contact the Depository Institutions Manager. If you have questions regarding administrative