

6th Floor, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: 202-366-5370; E-mail: [MCPSD@dot.gov](mailto:MCPSD@dot.gov).  
**SUPPLEMENTARY INFORMATION:**

### Background

Section 4007(b) of the Motor Carrier Act of 1991 (Title IV of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Pub. L. 102-240, 105 Stat. 1914, 2152; 49 U.S.C. 31307) requires the Secretary of Transportation to establish Federal minimum training requirements for drivers of LCVs. The responsibility for implementing the statutory requirement was subsequently delegated to FMCSA (49 CFR 1.73). The FMCSA, in a final rule entitled, "Minimum Training Requirements for Longer Combination Vehicle (LCV) Operators and LCV Driver-Instructor Requirements" adopted implementing regulations for the minimum training requirements for the operators of LCVs (see 69 FR 16722; March 30, 2004).

The 2004 final rule created an information collection burden concerning the certification of new, current and non-grandfathered LCV drivers; grandfathering those current LCV drivers who are eligible for certification; and the certification of LCV driver-instructors. The implementing regulations define an LCV as any combination of a truck-tractor and two or more semi-trailers or trailers, which operate on the National System of Interstate and Defense Highways (as defined in 23 CFR 470.107) with a GVW greater than 80,000 pounds. The purpose of this rule is to enhance the safety of LCV operations on our nation's highways.

Drivers are required to present a training certification form to prospective employers to prove they are certified to drive LCVs. Motor carriers must not allow drivers to operate LCVs without ensuring the drivers have been properly trained in accordance with the requirements under 49 CFR part 380. The training certification form provides this assurance. Motor carriers must maintain a copy of the LCV training certification form in the driver qualification file, required by 49 CFR 391.51. Motor carriers responsible for the operation of LCVs must be able to show Federal or State enforcement officials that drivers responsible for operating such LCVs are certified to do so, based on the training certificate located in their DQ files.

*Title:* Training Certification for Drivers of Longer Combination Vehicles.  
*OMB Control Number:* 2126-0026.

*Type of Request:* Revision of a currently-approved information collection.

*Respondents:* Drivers who have completed the required LCV training and driver instructors responsible for conducting the required LCV training.

*Estimated Number of Respondents:* 1,200 drivers who complete the required LCV training each year; 6 driver instructors who complete LCV training must document their qualifications to train new LCV drivers.

*Estimated Time per Response:* 10 minutes for LCV drivers; 30 minutes for LCV instructors.

*Expiration Date:* June 30, 2007.

*Frequency of Response:* Annual.

*Estimated Total Annual Burden:* 203 hours. The FMCSA estimates that 10 minutes would be needed for newly certified LCV drivers to fulfill the information collection requirement, resulting in an annual information collection burden of 200 hours [1,200 LCV drivers × 10 minutes/60 minutes = 200 hours]. The estimated annual burden associated with instructor certification would be 3 burden hours [(2 classroom instructors × 10 minutes = 20 minutes) + (4 skills instructors × 15 minutes = 60 minutes) + (6 new instructors × 15 minute administrative burden per instructor certification = 90 minutes) = 170 minutes/60 minutes = 3 burden hours].

*Definitions:* The information collection requirement for the LCV training regulations under 49 CFR part 380 are applicable only to drivers of LCVs, as defined in 49 CFR 380.105. Section 380.105 defines LCV as any combination of a truck-tractor and two or more semi-trailers or trailers, which operate on the National System of Interstate and Defense Highways (defined in 23 CFR 470.107) with a gross vehicle weight greater than 80,000 pounds.

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FMCSA's performance; (2) the accuracy of the estimated burden; (3) ways for the FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize or include your comments in the request for OMB's clearance of this information collection.

Issued on: June 21, 2007.

**D. Marlene Thomas,**  
*Associate Administrator for Administration.*  
 [FR Doc. E7-12551 Filed 6-27-07; 8:45 am]  
**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

#### Sunshine Act Meetings; Unified Carrier Registration Plan Board of Directors

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**TIME AND DATE:** July 23, 2007, 1 p.m. to 5 p.m., and July 24, 2007, 8 a.m. to 12 p.m., Central Daylight Time.

**PLACE:** This meeting will take place at the offices of the Property Casualty Insurers Association of America, 2600 S. River Road, Room 400, Des Plaines, IL 60018.

**STATUS:** Open to the public.

**MATTERS TO BE CONSIDERED:** The Unified Carrier Registration Plan Board of Directors (the Board) will continue its work in developing and implementing the Unified Carrier Registration Plan and Agreement and to that end, may consider matters properly before the Board.

**FOR FURTHER INFORMATION CONTACT:** Mr. Avelino Gutierrez, Chair, Unified Carrier Registration Board of Directors at (505) 827-4565.

Dated: June 25, 2007.

**Robert W. Miller,**

*Acting Associate Administrator, for Enforcement and Program Delivery.*

[FR Doc. 07-3197 Filed 6-26-07; 3:24 pm]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2007-28090]

#### Hours of Service (HOS) of Drivers; American Pyrotechnics Association (APA) Application for an Exemption From the 14-Hour Rule During Independence Day Celebrations

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Grant of application for exemption.

**SUMMARY:** The Federal Motor Carrier Safety Administration (FMCSA) grants the American Pyrotechnics Association's (APA) application for an exemption from the prohibition against driving a commercial motor vehicle (CMV) after the 14th hour of coming on duty. The exemption is applicable for a period beginning 7 days prior to, and 2 days immediately following Independence Day in 2007 and 2008. Fireworks personnel who operate CMVs

for the nine companies listed in this notice, in conjunction with fireworks shows celebrating Independence Day, are allowed to exclude off-duty and sleeper-berth time of any length in the calculation of the 14 hours. However, drivers are not allowed to drive after accumulating a total of 14 hours of on-duty time, following 10 consecutive hours off duty, and continue to be subject to the 11-hour driving time limit and the 60- and 70-hour weekly limits. No substantive comments were received in response to the Agency's May 30, 2007 notice requesting public comment on the APA application. The FMCSA has determined that the granting of the exemption would achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption.

**DATES:** The exemption is effective June 28, 2007, and is applicable from June 28 (12:01 a.m.) through July 6, 2007 (11:59 p.m.), and from June 28 (12:01 a.m.) through July 6, 2008 (11:59 p.m.). The exemption expires on July 6, 2008.

**ADDRESSES:** *Docket:* For access to the docket to read background comments or comments received, go to <http://dms.dot.gov> and/or Room W12-140, Ground Floor of West Building, U.S. Department of Transportation (DOT), 1200 New Jersey Ave., SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Privacy Act:* Anyone may search the electronic form of all comments received into any of DOT's dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, or other entity). You may review the DOT's complete Privacy Act Statement in the **Federal Register** (65 FR 19477; April 11, 2000). This statement is also available at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas Yager, Chief, FMCSA Driver and Carrier Operations Division, Office of Bus and Truck Standards and Operations; Telephone: 202-366-4009. E-mail: [MCPSD@dot.gov](mailto:MCPSD@dot.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Section 4007 of the Transportation Equity Act for the 21st Century (Pub. L. 105-178, 112 Stat. 107, June 9, 1998) amended 49 U.S.C. 31315 and 31136(e) to provide FMCSA with authority to grant exemptions from its safety regulations. On August 20, 2004, FMCSA published a Final Rule (69 FR 51589) on this subject. Under 49 CFR part 381, FMCSA must publish a notice of each exemption request in the

**Federal Register** (49 CFR 381.315(a)). The Agency must provide the public with an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency must then examine the safety analyses and the public comments, and determine whether the exemption would achieve a level of safety equivalent to or greater than the level that would be achieved by the current regulation (49 CFR 381.305). The Agency's decision must be published in the **Federal Register** (49 CFR 381.315(b)). If the Agency denies the request, it must state the reason for doing so. If the decision is to grant the exemption, the notice must specify the person or class of persons receiving the exemption and the regulatory provision or provisions from which an exemption is being granted. The notice must also specify the effective period of the exemption (up to two years) and explain the terms and conditions of the exemption. The exemption may be renewed.

##### **APA's Application for an Exemption**

APA requested an exemption from FMCSA's prohibition against drivers of property-carrying CMVs operating such vehicles after the 14th hour of coming on duty [49 CFR 395.3(a)(2)]. APA requested that fireworks personnel covered by the exemption would be allowed to exclude off-duty and sleeper-berth time of any length from the calculation of the 14-hour rule. Drivers would not be allowed to drive after the accumulation of 14 hours of on-duty time following 10 consecutive hours off duty. The exemption would be applicable to nine carriers employing approximately 100 drivers responsible for operating about 100 CMVs. A copy of the application for an exemption, which includes a list of all of the motor carriers that would be covered by it, is included in the docket referenced at the beginning of this notice.

On May 22, 2007, FMCSA published a notice in the **Federal Register** (72 FR 28755) granting a renewal of an identical exemption from APA for 70 of its member companies. The original exemption expired on July 7, 2006, and APA had requested a renewal for those original companies.

On May 30, 2007, FMCSA published a notice in the **Federal Register** (72 FR 30047) announcing APA's application for exemption for nine of its member carriers, and requesting public comment.

APA, a trade association representing the domestic fireworks industry, asserts that full compliance with the current hours-of-service (HOS) regulations during the brief period surrounding Independence Day imposes a substantial economic hardship on its members that operate fireworks for the public. This period is the busiest time of the year for these companies. APA members are engaged to stage multiple shows in celebration of Independence Day, during a compressed timeframe.

The member-company drivers that would be covered by the exemption are trained pyrotechnicians, each holding a commercial driver's license with a hazardous materials endorsement. These drivers transport fireworks and equipment to remote locations under demanding schedules. During the week before Independence Day, these companies are engaged to stage multiple shows in a very compressed period of time. To meet the press of business in this 1-week period under the current HOS rules, companies would be required to hire a second driver for most trips. This would result in a substantial increase in the cost of these shows, and as a result, many shows would be cancelled. Alternatively, APA members would be forced to significantly decrease their engagements. In either case, these companies would have to decrease the number of shows they provide, thereby denying many Americans a primary component of their Independence Day celebration.

APA believes that granting of the requested exemption will not adversely affect the safety of the motor carrier transportation provided by its member companies. An identical exemption has been in effect, including renewal, since 2004 for approximately 70 other APA member carriers. There have been no reported crashes or incidents involving these carriers. According to the APA, the exemption will enhance safety by decreasing the number of CMVs stationed with HM 1.3 and 1.4 products aboard at locations throughout the country. Under the exemption, CMVs will be able to return to their home base, which is a secured area for these types of products.

In its prior comparable exemption requests, APA stated they believe that the operational demands of this unique industry minimize the risks of CMV crashes. In the last few days before the Independence Day holiday, drivers spend their driving time transporting fireworks relatively short distances from the nearest distribution point to the site of the fireworks display. Most of their on-duty time, however, is devoted to installing, wiring, and double-checking

fireworks displays. Pyrotechnicians drive to the site of the fireworks display in the early morning and return late in the evening, thus avoiding much of the heavy traffic typical of the holiday. After setting the fireworks display in daylight in order to reduce the possibility of mistakes, the pyrotechnicians/drivers typically have several hours off duty in the late afternoon and early evening, just before the shoot. This enables them to rest or nap, reducing or eliminating the fatigue caused by the day's activities, and making their return trip later that evening safer.

In addition to driving at off-peak hours and having an opportunity for substantial rest periods during their tour of duty, pyrotechnicians who drive back to a hotel or motel in the 15th or 16th hours after coming on duty will be required to take 10 consecutive hours off-duty, like other drivers.

**Discussion of Public Comments**

On May 30, 2007, FMCSA requested public comment from all interested persons on the APA application for an exemption for these nine member companies (72 FR 30047). The comment period closed on June 14, 2007. There were no substantive comments filed in response to this notice.

**FMCSA Decision**

The FMCSA has determined that the granting of this exemption would achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption. An identical exemption has been in effect, including renewal, since 2005 for approximately 70 other APA member carriers. There have been no reported crashes or incidents involving these carriers while operating under the exemption. No comments have been received concerning adverse impacts on safety in response to FMCSA's May 30, 2007 notice announcing this exemption application. Although FMCSA believes the 14-hour limit is generally conducive to safety, the current HOS regulations allow certain short-haul drivers a 16-hour driving "window" once a week, providing specified conditions are met.

Because pyrotechnician-drivers operate like short-haul drivers (relatively little driving, a variety of work), FMCSA has concluded that the 9-day yearly exemption requested by APA is not likely to adversely affect motor carrier safety.

The drivers employed by the companies, firms, and entities listed in the appendix to this notice are granted relief from the requirements of 49 CFR 395.3(a)(2) under the following terms and conditions:

**Terms of the Exemption**

*Period of the Exemption*

The exemption from the requirements of 49 CFR 395.3(a)(2) [the "14-hour rule"] is effective June 28, 2007, and is applicable from June 28 (12:01 a.m.) through July 6, 2007 (11:59 p.m.) and from June 28 (12:01 a.m.) through July 6, 2008 (11:59 p.m.). The exemption expires on July 7, 2008.

*Extent of the Exemption*

This exemption is restricted to drivers employed by the companies, firms and entities listed in the appendix to this notice. The drivers are entitled to a limited exemption from the requirements of 49 CFR 395.3(a)(2). This regulation, 49 CFR 395.3(a)(2), currently prohibits a driver from driving after the 14th hour of coming on duty and does not permit off-duty periods to extend the 14-hour limit. Drivers covered by this exemption may exclude off-duty and sleeper-berth time of any length from the calculation of the 14-hour limit. This exemption is contingent on each driver driving no more than 11 hours in a 14-hour period. The exemption is further contingent on each driver having a full 10 hours off duty following 14 hours on duty prior to beginning a new driving period. The drivers must comply with all other requirements of 49 CFR part 395.

*Preemption*

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with or is inconsistent with this exemption with respect to a person operating under the exemption (49 U.S.C. 31315(d)).

*Notification to FMCSA*

Under the exemption, each APA member company, firm and entity listed in the appendix to this notice must notify FMCSA within 5 business days of any accident (as defined in 49 CFR 390.5), involving any of the motor carrier's CMVs, operating under the terms of this exemption. The notification must include the following information:

- a. Date of the accident,
- b. City or town, and State, in which the accident occurred, or closest to the accident scene,
- c. Driver's name and license number,
- d. Vehicle number and State license number,
- e. Number of individuals suffering physical injury,
- f. Number of fatalities,
- g. The police-reported cause of the accident,
- h. Whether the driver was cited for violation of any traffic laws, or motor carrier safety regulations, and
- i. The total driving time and total on-duty time period prior to the accident.

*Termination*

FMCSA does not believe the motor carriers and drivers covered by this exemption will experience any deterioration of their safety record. However, should this occur, FMCSA will take all steps necessary to protect the public interest, including revocation of the exemption. FMCSA will immediately revoke the exemption for failure to comply with its terms and conditions. Each motor carrier and each driver may be subject to periodic monitoring by FMCSA during the period of the exemption.

Issued on: June 22, 2007.

**Larry W. Minor,**

*Acting Associate Administrator for Policy and Program Development.*

**Appendix to Notice of Application for Exemption by American Pyrotechnics Association From the 14-Hour Rule During 2007 and 2008 Independence Day Celebrations**

LIST OF APA MEMBERS COVERED BY EXEMPTION FROM 14-HOUR RULE IN HOURS OF SERVICE FOR DRIVERS REGULATION

Company name	Address	City, State ZIP	DOT No.
Alpha-Lee Enterprises, Inc. ....	4111 FM 2351 .....	Friendswood, TX 77546 .....	1324580A
American Fireworks Company .....	7041 Darrow Road .....	Hudson, OH 44236 .....	103972
Cartwright Fireworks, Inc. ....	1608 Keely Road .....	Franklin, PA 16323 .....	882283
Entertainment Fireworks, Inc .....	P.O. Box 7160 .....	Olympia, WA 98507-7160 .....	680942
Fireworks Productions of Arizona, Ltd .....	17034 S. 54th Street .....	Chandler, AZ 85226 .....	948780
Great Lakes Fireworks .....	24805 Marine .....	Eastpointe, MI 48021 .....	1011216

LIST OF APA MEMBERS COVERED BY EXEMPTION FROM 14-HOUR RULE IN HOURS OF SERVICE FOR DRIVERS  
REGULATION—Continued

Company name	Address	City, State ZIP	DOT No.
Rainbow Fireworks, Inc. ....	76 Plum Ave. ....	Inman, KS 67546 .....	1139643
Skyworks, Ltd. ....	13513 W. Carrier Road .....	Carrier, OK 73727 .....	1421047
Stellar Fireworks, Inc. ....	4440 Southeast Blvd. ....	Wichita, KS 67210 .....	1349562

[FR Doc. E7-12572 Filed 6-27-07; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration**

[U.S. DOT Docket Number NHTSA-2007-27625]

**Reports, Forms and Recordkeeping Requirements; Agency Information Collection Activity Under OMB Review****AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collections and their expected burden. The **Federal Register** Notice with a 60-day comment period was published on March 23, 2007 [72 FR 13856].

**DATES:** Comments must be submitted on or before July 30, 2007.

**FOR FURTHER INFORMATION CONTACT:** Gayle Dalrymple at the National Highway Traffic Safety Administration (NHTSA), Office of Crash Avoidance Standards, 202-366-5559, 1200 New Jersey Ave., SE., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:****National Highway Traffic Safety Administration**

*Title:* Exemption from the Make Inoperative Prohibition.

*OMB Number:* 2127-0635.

*Type of Request:* Renewal.

*Abstract:* On February 27, 2001, NHTSA published a final rule (66 FR 12638) to facilitate the modification of a motor vehicle so that persons with disabilities can use the vehicle. The regulation is found at 49 CFR Part 595 Subpart C—Vehicle Modifications to Accommodate People with Disabilities. This final rule included two new “collection of information,” as that term is defined in 5 CFR Part 1320

Controlling Paperwork Burdens on the Public: modifier identification and a document to be provided to the owner of the modified vehicle stating the exemptions used for that vehicle and any reduction in load carrying capacity of the vehicle of more than 100 kg (220 lbs).

*Affected Public:* Business that modify vehicles, after the first retail sale, so that the vehicle may be used by persons with disabilities.

*Estimated Total Annual Burden:* 933 hours and \$14.21.

**ADDRESSES:** Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

**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.

- Whether the Department’s estimate of the burden of the proposed information collection is accurate.

- 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.

A comment to OMB is most effective if OMB receives it within 30 days of publication.

**Roger A. Saul,**

*Director, Office of Crashworthiness Standards.*

[FR Doc. E7-12464 Filed 6-27-07; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration**

[Docket No. NHTSA-2007-28531]

**Notice of Receipt of Petition for Decision That Nonconforming 2004 Hyundai XG350 Passenger Cars Are Eligible for Importation****AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice of receipt of petition for decision that nonconforming 2004 Hyundai XG350 passenger cars are eligible for importation.

**SUMMARY:** This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that 2004 Hyundai XG350 passenger cars that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS) are eligible for importation into the United States because (1) They are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards, and (2) they are capable of being readily altered to conform to the standards.

**DATES:** The closing date for comments on the petition is July 30, 2007.

**ADDRESSES:** Comments should refer to the docket number and notice number, and be submitted to: Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590. [Docket hours are from 9 a.m. to 5 p.m.]. 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 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202-366-3151).

**SUPPLEMENTARY INFORMATION:****Background**

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the