

regarding how best to determine the calculation of major portion. Therefore, the FAA will revise the process for determining major portion in FAA Order 8130.2.

Interested parties will be given an opportunity for comment on changes to the advisory circulars, FAA Order 8130.2, to include section 9, Experimental Amateur-Built Airworthiness Certifications, and forms 8000-38 and 8130-12 once these changes are implemented. This opportunity will be announced in a future **Federal Register** notice.

Dated: February 11, 2008.

**Frank Paskiewicz,**

*Manager, Production and Airworthiness Division.*

[FR Doc. 08-705 Filed 2-14-08; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Third Meeting, RTCA Special Committee 216: Aeronautical System Security

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of RTCA Special Committee 216 meeting Aeronautical Systems Security.

**SUMMARY:** The FAA is issuing this notice to advise the public of a meeting of RTCA Special Committee 216: Aeronautical Systems Security.

**DATES:** The meeting will be held on March 11-13, 2008, from 9 a.m. to 5 p.m.

**ADDRESSES:** The meeting will be held at EG&G, 300 M Street, Suite 400, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** RTCA Secretariat, 1828 L Street, NW., Suite 805, Washington, DC 20036-5133; telephone (202) 833-9339; fax (202) 833-9434; Web site <http://www.rtca.org>. EG&G Contact: Dale Immel, telephone (202) 264-7847 e-mail [dimmel@egginc.com](mailto:dimmel@egginc.com).

**SUPPLEMENTARY INFORMATION:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., Appendix 2), notice is hereby given for a Special Committee 216 meeting. The agenda will include:

- March 11-13:
- Opening Session (Welcome, Introductory and Administrative Remarks, Agenda Overview Minutes Review/Approve Second Meeting Summary (RTCA Paper No. 010-08/SC216-005 and Action Items).

- Status of the Task Force.
- Status of the Working Groups, SG2 and SG3.

- Status of WG72.
- Status of Liaison Activities.
- Breakout into Working Groups.
- Organization of Plan Forward, Assign Actions.

- Closing Session (Other Business, Assignment/Review of Future Work, Establish Agenda, Date and Place of Next Meeting, Closing Remarks, Adjourn).

Attendance is open to the interested public but limited to space availability. With the approval of the chairmen, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on February 8, 2008.

**Robert L. Bostiga,**

*RTCA Advisory Committee (Acting).*

[FR Doc. 08-700 Filed 2-14-08; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Temporary Suspension of Amateur-Built Aircraft Kit Evaluations Previously Conducted by the Federal Aviation Administration, Aircraft Certification Service

**AGENCY:** Federal Aviation Administration, DOT.

**SUMMARY:** This notice announces the temporary suspension of courtesy amateur-built aircraft kit evaluations that have been provided by the FAA. The purpose of these evaluations was to indicate if a prefabricated amateur-built aircraft kit could be eligible for certification as an amateur-built aircraft. Although kit evaluations have been suspended, amateur-built kit manufacturers may continue to develop, manufacture, market and sell their aircraft kits. Airworthiness certifications conducted by the FAA in response to requests from amateur-builders for their individually fabricated and constructed aircraft will continue.

**FOR FURTHER INFORMATION CONTACT:** Frank P. Paskiewicz, Manager, Production and Airworthiness Division, Aircraft Certification Service, AIR-200, Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591; telephone number (202) 267-8361.

## SUPPLEMENTARY INFORMATION:

### Background

Title 14 of the Code of Federal Regulations, Part 21, Certification Procedures for Products and Parts, § 21.191 (Experimental Certificates) form the regulatory basis for fabricating, assembling, and operating amateur-built aircraft. Specifically, § 21.191(g) defines an amateur-built aircraft as “an aircraft the major portion of which has been fabricated and assembled by persons who undertook the construction project solely for their own education or recreation.”

The Federal Aviation Administration (FAA) Aircraft Certification Service established an Amateur-Built Aviation Rulemaking Committee (ARC) on July 26, 2006.<sup>1</sup> The ARC was made up of representatives from the FAA, aircraft kit manufacturers, commercial assistance center owners, and associations. The purpose of the ARC was to make recommendations regarding the use of builder or commercial assistance when fabricating and assembling amateur-built aircraft under § 21.191(g).

The ARC concluded that the current FAA Directives and Advisory Circulars are no longer adequate. Current technologies that allow for the fabrication and assembly of sophisticated amateur-built aircraft were not envisioned at the time § 21.191(g) was promulgated or when the current forms and methodology were developed. Most amateur-built aircraft kits were generally simple to fabricate and assemble and did not require commercial builder assistance.

FAA has provided the aforementioned amateur-built kit evaluations in response to manufacturer's requests to determine if the percentage of the kit completed by the manufacturer would leave the major portion (51%) of the work to be completed by the amateur-builder. These evaluations are not a regulatory requirement. Rather, these evaluations have been a courtesy that FAA has provided for the convenience of the kit manufacturers, their customers, and FAA Inspectors. These evaluations have allowed the FAA to pre-evaluate amateur-built kits to determine (when built according to the manufacturer's instructions) if the kits could be eligible for an Experimental Airworthiness Certificate under 14 CFR Part 21 § 21.191, Experimental Certificates. When a kit has been found to be eligible, it is added to the FAA's

<sup>1</sup> FAA Order 1110.143, dated July 26, 2006, established the Amateur-Built Aviation Rulemaking Committee.

kit listing, which is available via the internet to prospective buyers. These kit evaluations inform prospective applicants that they could be eligible for an experimental amateur-built airworthiness certificate if they completed their aircraft in compliance with the FAA-evaluated assembly and instruction manuals and fabricated and constructed the aircraft in compliance with 14 CFR part 21, § 21.191(g).

The method of determining what constitutes the major portion of construction has undergone several changes since the rule was first codified. When FAA staff developed the commonly used form 8000-38, "Fabrication and Assembly Operation Checklist", to calculate major portion, the intent was that a single check mark in a column on the form would identify who did the task. Some manufacturers and FAA representatives calculate major portion by using a "task-based" accounting mechanism that incorporates a "dual-check" system whereby an amateur-builder may be given shared credit even if that person does not complete 50% of the task. When this is used in practice, the kit manufacturer and amateur-builder share credit on the Form 8000-38. It was not envisioned that credit for a task would be offered to an amateur-builder simply assisting in the fabrication and assembly, as is happening today in some cases.

The FAA will resume amateur-built kit evaluations after issuing final policy changes. Prior to publishing the final policy, FAA will solicit comments on draft policy, internal orders and advisory circulars through a notice in the **Federal Register**.

Dated: February 11, 2008.

**Frank Paskiewicz,**

*Manager, Production and Airworthiness Division.*

[FR Doc. 08-704 Filed 2-14-08; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Reports, Forms and Record Keeping Requirements Agency Information Collection Activity Under OMB Review

**AGENCY:** National Highway Traffic Safety Administration, 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 December 6, 2007 [72 FR 68955].

**DATES:** Comments must be submitted on or before March 17, 2008.

**FOR FURTHER INFORMATION CONTACT:** Markus Price at the National Highway Traffic Safety Administration, Office of Rulemaking (NVS-121), 202-366-0098, 1200 New Jersey Avenue, SE., Room W43-472, Washington, DC 20590.

#### SUPPLEMENTARY INFORMATION:

##### National Highway Traffic Safety Administration

*Title:* 49 CFR 571.125, Warning Devices.

*OMB Number:* 2127-0506.

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

*Abstract:* 49 U.S.C. 3011, 30112, and 30117 (Appendix 1) of the National Traffic and Motor Vehicle Safety Act of 1996, authorizes the issuance of Federal Motor Vehicle Safety Standards (FMVSS). The Secretary is authorized to issue, amend, and revoke such rules and regulations as she/he deems necessary. Using this authority, the agency issued FMVSS no.125, "Warning Devices" (Appendix 2), which applies to devices, without self contained energy sources, that are designed to be carried mandatory in buses and trucks that have a gross vehicle weight rating (GVWR) greater than 10,000 pounds and voluntarily in other vehicles. These devices are used to warn approaching traffic of the presence of a stopped vehicle, except for devices designed to be permanently affixed to the vehicles.

*Affected Public:* Business or other-for-profit organizations.

*Estimated Total Annual Burden:* 1.

**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; 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. A Comment to OMB is most effective if OMB receives it within 30 days of publication.

Issued: February 8, 2008.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. E8-2855 Filed 2-14-08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-33 (Sub-No. 245X)]

#### Union Pacific Railroad Company— Abandonment Exemption—in Jefferson County, TX

Union Pacific Railroad Company (UP), has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 1.21-mile rail line, known as the Port Arthur Industrial Lead, between mileposts 2.00 and 3.21 near Port Arthur, in Jefferson County, TX. The line traverses United States Postal Service Zip Code 77640.

UP has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment-Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an OFA has been received, this exemption will be effective on March 18, 2008, unless stayed pending reconsideration. Petitions to stay that do