

comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19476) or you may visit <http://DocketsInfo.dot.gov>.

**Submitting Comments:**

- You can find electronic submission and retrieval help and guidelines under the "help" section of the Web site.
- For notification that FMCSA received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments on line.
- All comments received will be available for examination in the docket at the above address or on the Web site.
- Comments received will be considered to the extent practicable.

FMCSA will continue to put relevant information in the docket as it becomes available and interested persons should continue to examine the docket for new material.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas Yager, Chief, FMCSA Driver and Carrier Operations. Telephone (202) 366-4325 or E-mail [MCPSD@dot.gov](mailto:MCPSD@dot.gov). Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** On August, 25, 2005, FMCSA published a final HOS rule ("2005 rule") (70 FR 49978). On July 24, 2007, the DC Circuit Court vacated the 11-hour driving time and 34-hour restart provisions of the 2005 rule (*Owner-Operator Independent Drivers Association, Inc. v. Federal Motor Carrier Safety Administration*, 494 F.3d 188 (DC Cir. 2007)). In response to the DC Circuit Court decision, FMCSA published an interim final rule (IFR) on December 17, 2007 (72 FR 71247) that reinstated the two provisions vacated by the Court and sought further comments on those provisions.

For a full background on this rulemaking, please see the preamble to the December 2007 HOS IFR. The docket for this rulemaking (FMCSA-2004-19608) contains all of the background information for this rulemaking, including comments.

This notice advises of the availability of four additional documents. FMCSA remains committed to issuing a final rule in 2008 and any comments on the four documents should be submitted as soon as possible.

*FMCSA is placing the following four documents in the docket:*

- "Integrated Report: Peer Review of R. J. Hanowski *et al.*, "Analysis of Risk as a Function of Driving Hours: Assessment of Driving Hours 1 through 11." The separate reviews were conducted by D.A. Perrin (January 23, 2008), G. Belenky and L.J. Wu (February 6, 2008), and S.R. Hursh and J. Fanzone (February 7, 2008). This peer review was conducted at the request of FMCSA.

- "Review of Hours of Service Regulatory Impact Analysis (RIA) Report," conducted by Linda Ng Boyle, Ron Knipling, and Greg Belenky, and dated December 27, 2007. This peer review was conducted at the request of FMCSA.

- "Hours of Service Regulatory Impact Analysis: Peer Review Results and FMCSA Responses," dated May 2008. This document was prepared in response to the requested peer review of the RIA that accompanied the 2007 HOS IFR.

- "Analysis of Fatigue-Related Large Truck Crashes, the Assignment of Critical Reason, and Other Variables Using the Large Truck Crash Causation Study." This analysis, dated May 30, 2008, was prepared by FMCSA.

Issued on: June 20, 2008.

**John H. Hill,**

*Administrator.*

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### 49 CFR Part 1002

[STB Ex Parte No. 542 (Sub-No. 15)]

#### Regulations Governing Fees for Services Performed in Connection With Licensing Related Services—2008 Update

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Stay of effective date.

**SUMMARY:** This document contains corrections to the preamble of the Board's Final Rules, which was published in the **Federal Register** of Wednesday, June 18, 2008 (73 FR 34649). The Final Rules adopted the 2008 User Fee Update and revised the fee schedule to reflect increased costs associated with the January 2008 Government salary increases, and the Board's overhead costs, and to reflect changes in Government fringe benefits. After the rules were published, an inadvertent error involving the effective dates of the rules was noticed. The effective dates of these final rules are July 18, 2008, rather than June 18, 2008.

**DATES:** The amendments to 49 CFR 1002.1 (a) through (e), (f)(1), and (g)(6), and 49 CFR 1002.2(f), published June 18, 2008 (73 FR 34649) are stayed until July 18, 2008.

**FOR FURTHER INFORMATION CONTACT:** David T. Groves, (202) 245-0327, or Anne Quinlan, (202) 245-0309. [TDD for the hearing impaired: 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** On June 18, 2008, the Board issued Final Rules in the above-docketed proceeding, *Regulations Governing Fees for Services Performed in Connection With Licensing Related Services—2008 Update*, 73 FR 34649 (June 18, 2008). After the rules were published, an inadvertent error involving the effective dates of the rules was noticed. The effective dates of the final rules are July 18, 2008, rather than June 18, 2008.

Decided: June 20, 2008.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Anne Quinlan,**

*Acting Secretary.*

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