

result in the elimination of two quarterly reporting requirements that are currently reported to OMB under the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520). These forms include: (1) Form QFR Quarterly for property carriers, authorized by OMB under information collection 2126–0033; and (2) the Class I passenger carrier financial quarterly survey (MP–1 Quarterly), authorized by OMB under information collection 2126–0031. The FMCSA does not have the statutory authority to eliminate the annual reporting requirements for property or passengers. FMCSA will be publishing a direct final rule that will include additional information, including the reduced paperwork burden, resulting from this future action.

*Title:* Annual Report of Class I and Class II Motor Carriers of Property (formerly OMB Control Number 2139–0004).

*New OMB Control Number:* 2126–0032.

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

*Respondents:* Class I and Class II Motor Carriers of Property.

*Estimated Number of Respondents:* 197 (per year).

*Estimated Time per Response:* 9 hours.

*Expiration Date:* September 30, 2012.

*Frequency of Response:* Annually.

*Estimated Total Annual Burden:* 1,773 hours [197 respondents × 9 hours to complete form = 1,773].

*Title:* Quarterly Report of Class I Motor Carriers of Property (formerly OMB Control Number 2139–0002).

*New OMB Control Number:* 2126–0033.

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

*Respondents:* Class I Motor Carriers of Property.

*Estimated Number of Respondents:* 111.

*Estimated Time per Response:* 1.8 hours (27 minutes per quarter).

*Expiration Date:* September 30, 2012.

*Frequency of Response:* Quarterly.

*Estimated Total Annual Burden:* 200 hours [111 respondents × 1.8 hours to complete forms = 200].

*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 agency to perform its mission; (2) the accuracy of the estimated burden; (3) ways for 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: April 12, 2012.

**Kelly Leone,**

*Associate Administrator for Office of Research and Information Technology.*

[FR Doc. 2012–9548 Filed 4–19–12; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2012–0048]

#### Agency Information Collection Activities; Extension of a Currently-Approved Information Collection: Annual and Quarterly Report of Class I Motor Carriers of Passengers

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

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit to the Office of Management and Budget (OMB) its request to revise a currently-approved information collection for Class I Motor Carriers of Passengers, (Form MP–1) entitled, “Annual and Quarterly Reports.” This information collection is necessary to ensure that motor carriers comply with financial and operating statistics requirements at 49 CFR part 369. The agency invites public comments on this information request.

**DATES:** We must receive your comments on or before June 19, 2012.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket Number FMCSA–2012–0048 using any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Fax:* 1–202–493–2251.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Ground Floor, Room W12–140, 20590–0001.

- *Hand Delivery or Courier:* West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday through Friday, except Federal holidays.

*Instructions:* All submissions must include the Agency name and docket number. For detailed instructions on submitting comments, see the Public Participation heading below. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>, and follow the online instructions for accessing the dockets, or go to the street address listed above.

*Privacy Act:* 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 for the Federal Docket Management System published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdf/E8-794.pdf>.

*Public Participation:* The Federal eRulemaking Portal is available 24 hours each day, 365 days each year. You can obtain electronic submission and retrieval help and guidelines under the “help” section of the Federal eRulemaking Portal Web site. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments online. Comments received after the comment closing date will be included in the docket and will be considered to the extent practicable.

**FOR FURTHER INFORMATION CONTACT:** Ms. Vivian Oliver, Office of Research and Information Technology, Department of Transportation, Federal Motor Carrier Safety Administration, West Building 6th Floor, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone: 202–366–2974; email [Vivian.Oliver@dot.gov](mailto:Vivian.Oliver@dot.gov).

#### SUPPLEMENTARY INFORMATION:

*Background:* For-hire Class I motor carriers of passengers (including interstate and intrastate)<sup>1</sup> are required

<sup>1</sup> For purposes of the Financial & Operating Statistics (F&OS) program, passenger carriers are classified into the following two groups: (1) Class I carriers are those having average annual gross transportation operating revenues (including interstate and intrastate) of \$5 million or more from passenger motor carrier operations after applying the revenue deflator formula in the Note of section

to file Motor Carrier Quarterly and Annual Reports (Form MP-1) that provide financial and operating data (see 49 U.S.C. 14123; and implementing FMCSA regulations at 49 CFR part 369). The agency 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 patterns. Motor carriers of passengers required to comply with the regulations are classified on the basis of their annual gross carrier operating revenues. Under the Financial & Operating Statistics (F&OS) program the FMCSA collects balance sheet and income statement data along with information on tonnage, mileage, employees, transportation equipment, and other related data.

The data and information collected is made publicly available as prescribed in 49 CFR part 369. The regulations were formerly administered by the 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 U.S. Department of Transportation on January 1, 1996, by the ICC Termination Act of 1995 (ICCTA) (Pub. L. 104-88, 109 Stat. 803 (Dec. 29, 1995)), now codified at 49 U.S.C. 14123. The Secretary of Transportation (Secretary) transferred the authority to administer the F&OS program to the former Bureau of Transportation Statistics on September 30, 1998 (63 FR 52192). Pursuant to this authority, the BTS, now part of the Research and Innovative Technology Administration (RITA), became the responsible DOT modal administration for implementing the F&OS program and requirements at 49 CFR part 1420. On September 29, 2004, the Secretary transferred the responsibility for the F&OS program from BTS, to FMCSA (69 FR 51009). On August 10, 2006 (71 FR 45740), the Secretary published a final rule that transferred and redesignated the motor carrier financial and statistical reporting regulations of BTS that were formerly located at chapter XI of title 49 CFR to FMCSA in 49 chapter III of title 49 CFR part 369.

1420.3; (2) Class II passenger carriers are those having average annual gross transportation operating revenues (including interstate and intrastate) of less than \$5 million from passenger motor carrier operations after applying the revenue deflator formula as shown in Note A of section 1420.3. Only Class I carriers of passengers are required to file Annual and Quarterly Report Form MP-1, but Class II passenger carriers must notify the agency when there is a change in their classification or their revenues exceed the Class II limit.

FMCSA plans to initiate a regulatory proceeding in the near future that will result in the elimination of two quarterly reporting requirements that are currently reported to OMB under the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520). These forms include: (1) Form QFR Quarterly for property carriers, authorized by OMB under information collection 2126-0033; and (2) the Class I passenger carrier financial quarterly survey (MP-1 Quarterly), authorized by OMB under information collection 2126-0031. The FMCSA does not have the statutory authority to eliminate the annual reporting requirements for property or passengers. FMCSA will be publishing a direct final rule that will include additional information, including the reduced paperwork burden, resulting from this future action.

*Title:* Annual and Quarterly Report of Class I Motor Carriers of Passengers (OMB 2139-0003).

*OMB Control Number:* 2126-0031.

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

*Respondents:* Class I Motor Carriers of Passengers.

*Estimated Number of Respondents:* 2.

*Estimated Time per Response:* 18 minutes per response.

*Expiration Date:* September 30, 2012.

*Frequency of Response:* Annually and Quarterly.

*Estimated Total Annual Burden:* 3 hours [10 responses × 18 minutes per response/60 minutes].

*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 agency to perform its mission; (2) the accuracy of the estimated burden; (3) ways for 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: April 12, 2012.

**Kelly Leone,**

*Associate Administrator for Office of Research and Information Technology.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[FMCSA-2012-0102]

#### Proposed Recommendations on Obstructive Sleep Apnea

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

**ACTION:** Notice; request for public comments.

**SUMMARY:** FMCSA announces proposed recommendations from the Motor Carrier Safety Advisory Committee (MCSAC) and the Medical Review Board (MRB) on Obstructive Sleep Apnea (OSA) and the medical certification of commercial motor vehicle (CMV) drivers. The MCSAC and the MRB are FMCSA advisory committees and operate in accordance with the Federal Advisory Committee Act (FACA). At the Agency's request, the committees deliberated and provided their finalized recommendations to FMCSA on February 6, 2012. The Agency proposes to adopt the recommendations as regulatory guidance after reviewing and evaluating comments received from the public.

**DATES:** Comments must be received on or before May 21, 2012.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA 2012-0102 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

- *Fax:* 1-202-493-2251.

*Instructions:* Each submission must include the Agency name and the docket numbers for this notice. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below for further information.

*Docket:* For access to the docket to read background documents or