

same manner as the incumbent LEC would not be subject to the cap. Eliminating the “own costs” exception does not alter the content of this information collection; it does, however, address and satisfy the terms of clearance in the May 2009 Notice of Office of Management and Budget Notice of Approval.

The order also revises the certifications that states (or ETCs that are not subject to state jurisdiction) are required to file annually with the Commission and the universal service fund Administrator to ensure that carriers use universal service support “only for the provision, maintenance and upgrading of facilities and services for which the support is intended” consistent with section 254(e) of the Act. Although the existing certifications are prospective only, the revised certification will ensure that carriers not only will use support in the next year for the intended purposes, but also have used support in the prior year for the intended purposes.

The order also eliminates eligibility for Safety Net Additive support for costs incurred after 2009. Accordingly, this collection is being revised to eliminate the requirement that carriers notify the Commission and USAC that they qualify for Safety Net Additive Support.

The order also eliminates the distinction between “rural” and “non-rural” carriers. Therefore, this collection is being revised to eliminate the reporting requirements for self-certification as a rural carrier.

The order also moves the recordkeeping requirement from 47 CFR 54.202(e) to new 47 CFR 54.320. It also increases the required document retention period from five to ten years and makes clear that carriers are subject to random compliance audits and other investigations and must make all documents and records available to the Commission, any of its Bureaus or Offices, the USF Administrator, and their respective auditors.

The order extends current federal annual reporting requirements to all ETCs, including those designated by states. Specifically, the order requires that all ETCs must include in their annual reports the information that is currently required by § 54.209(a)(1) through (a)(6)—specifically, a progress report on their five-year build-out plans; data and explanatory text concerning outages; unfulfilled requests for service; complaints received; certification of compliance with applicable service

quality and consumer protection standards; and certification of its ability to function in emergency situations. All ETCs that receive high-cost support will file this information with the Commission, USAC, and the relevant state commission, relevant authority in a U.S. Territory, or Tribal government, as appropriate.

Finally, this submission eliminates the recordkeeping requirements from OMB Control Number 3060-0894. Upon OMB approval of this information collection revision, the Commission will voluntarily discontinue OMB Control Number 3060-0894.

The Commission plans to submit additional revisions or new collections for OMB review and approval to address other reforms adopted in the Order at a later date.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Parts 384 and 385

[Docket No. FMCSA-2007-27659]

RIN 2126-AB02

Commercial Driver's License Testing and Commercial Learner's Permit Standards

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

ACTION: Correcting amendments.

SUMMARY: FMCSA published a final rule in the **Federal Register** on Monday, May 9, 2011, that became effective on July 8, 2011. That final rule amended the commercial driver's license (CDL) knowledge and skills testing standards and established new minimum Federal standards for States to issue the commercial learner's permit (CLP). Since the final rule was published, FMCSA identified minor discrepancies regarding section references in existing regulatory text resulting from the final rule. This document corrects those section references.

DATES: This final rule is effective on May 8, 2012.

FOR FURTHER INFORMATION CONTACT: Robert Redmond, Office of Safety

Programs, Commercial Driver's License Division, telephone (202) 366-5014 or email robert.redmond@dot.gov. Office hours are from 8:00 a.m. to 4:30 p.m.

SUPPLEMENTARY INFORMATION: This document corrects section references in a final rule amending the commercial driver's license (CDL) knowledge and skills testing standards, which was published in the **Federal Register** on Monday, May 9, 2011 (76 FR 26853).

List of Subjects

49 CFR Part 384

Administrative practice and procedure, Alcohol abuse, Drug abuse, Highway safety, Motor carriers.

49 CFR Part 385

Highway safety, Highways and roads, Motor carriers, Motor vehicle safety, Safety fitness procedures.

Accordingly, 49 CFR parts 384 and 385 are corrected by making the following correcting amendments:

PART 384—STATE COMPLIANCE WITH COMMERCIAL DRIVER'S LICENSE PROGRAM

- 1. The authority citation for part 384 continues to read as follows:

Authority: 49 U.S.C. 31136, 31301 et seq., and 31502; secs. 103 and 215 of Pub. L. 106-159, 113 Stat. 1753, 1767; and 49 CFR 1.73.

- 2. Revise § 384.234 to read as follows:

§ 384.234 Driver medical certification recordkeeping.

The State must meet the medical certification recordkeeping requirements of § 383.73(b)(5) and (o) of this chapter.

PART 385—SAFETY FITNESS PROCEDURES

- 3. The authority citation for part 385 continues to read as follows:

Authority: 49 U.S.C. 113, 504, 521(b), 5105(e), 5109, 5113, 13901-13905, 31136, 31144, 31148, and 31502; Sec. 350 of Pub. L. 107-87; and 49 CFR 1.73.

- 4. Amend the Table to § 385.321 by revising Violation 7 to read as follows:

§ 385.321 What failures of safety management practices disclosed by the safety audit will result in a notice to a new entrant that its USDOT new entrant registration will be revoked?

* * * * *

TABLE TO § 385.321—VIOLATIONS THAT WILL RESULT IN AUTOMATIC FAILURE OF THE NEW ENTRANT SAFETY AUDIT

*	*	*	*	*	*	*	*
7.	§ 383.37(b)-	Knowingly allowing, requiring, permitting, or authorizing an employee to operate a commercial motor vehicle with a commercial learner's permit or commercial driver's license which is disqualified by a State, has lost the right to operate a CMV in a State or who is disqualified to operate a commercial motor vehicle.				Single occurrence.	
*	*	*	*	*	*	*	*

Issued on: April 19, 2012.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2012-10931 Filed 5-7-12; 8:45 am]

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