Congressional review Act, see 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 73
Television.

Federal Communications Commission.
Barbara A. Kreisman,
Chief, Video Division, Media Bureau.

Final Rule
For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES
  1. The authority citation for part 73 continues to read as follows:

§ 73.622 [Amended]
  § 2. Section 73.622(i), the Post-Transition Table of DTV Allotments under North Carolina, is amended by removing channel 51 and adding channel 26 at Greenville.

SUPPLEMENTARY INFORMATION:
This document announces that, on July 24, 2012, OMB approved, for a period of three years, the information collection requirements relating to the rules and procedures contained in the Commission’s Order, FCC 12–9, published at 77 FR 19480, March 30, 2012. The OMB Control Number is 3060–1162. The Commission publishes this notice as an announcement of the effective date of the rules. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Cathy Williams, Federal Communications Commission, Room 1–C823, 445 12th Street SW., Washington, DC 20554. Please include the OMB Control Number, 3060–1162, in your correspondence. The Commission will also accept your comments via email at PRA@fcc.gov.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

Synopsis
As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received final OMB approval on July 24, 2012, for the information collection requirements contained in new rules 47 CFR 79.4(c)(1)(ii), 79.4(c)(2)(ii)–(iii), 79.4(d)(1)–(4) and (6)–(9), 79.4(e)(1)–(6), and 79.103(b)(3)–(4).

Under 5 CFR 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060–1162.


The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060–1162.
OMB Approval Date: July 24, 2012.
OMB Expiration Date: July 31, 2015.

Title: Closed Captioning of Video Programming Delivered Using Internet Protocol, and Apparatus Closed Caption Requirements.
Form Number: N/A.
Respondents: Individuals or households; Businesses or other for-profit entities; Not-for-profit institutions.
Number of Respondents and Responses: 1,762 respondents; 4,684 responses.
Estimated Time per Response: 0.084 to 10 hours.
Frequency of Response: One-time and on-occasion reporting requirements; Recordkeeping requirement; Third-party disclosure requirement.
Obligation to Respond: Mandatory; Required to obtain or retain benefits.

The statutory authority for this information collection is contained in the Twenty-First Century Communications and Video Accessibility Act of 2010, Public Law 111–260, 124 Stat. 2751, and Sections 4(i), 4(j), 303, 330(b), 713, and 716 of the Communications Act of 1934, as amended. 47 U.S.C. 154(f), 154(j), 303, 330(b), 613, and 617.

Total Annual Burden: 11,685 hours.
Total Annual Cost: $ 307,800.
Nature and Extent of Confidentiality: Some assurances of confidentiality are being provided to the respondents.

Parties filing petitions for exemption based on economic burden, requests for Commission determinations of technical feasibility and achieveability, requests for purpose-based waivers, or responses to complaints alleging violations of the Commission’s rules may seek confidential treatment of information they provide pursuant to the Commission’s existing confidentiality rules. See 47 CFR 0.459.

The Commission is not requesting that individuals who file complaints alleging violations of the Commission’s rules (complainants) submit confidential information (e.g., credit card numbers, social security numbers, or personal financial information) to the Commission. The Commission requests that complainants submit their names, addresses, and other contact information, which Commission staff needs to process complaints. Any use of this information is covered under the routine uses listed in the Commission’s SORN, FCC/CGB–1, “Informal Complaints and Heart Articles.”

The PIA that the FCC completed on June 28, 2007 gives a full and complete
DEPARTMENT OF TRANSPORTATION
Federal Motor Carrier Safety Administration

49 CFR Part 393 and Appendix G to Subchapter B of Chapter III

[Docket No. FMCSA–2010–0257]

RIN 2126–AB28

Parts and Accessories Necessary for Safe Operation: Brakes; Adjustment Limits

AGENCY: Federal Motor Carrier Safety Administration, DOT.

ACTION: Final rule.

SUMMARY: The Federal Motor Carrier Safety Administration (FMCSA) amends the requirements regarding brake readjustment limits in the Federal Motor Carrier Safety Regulations (FMCSRs). This rule amends the readjustment limits, clarifies their application, and corrects an error in cross-referencing a Federal Motor Vehicle Safety Standard (FMVSS). This rule responds to a petition for rulemaking from the Commercial Vehicle Safety Alliance (CVSA).

DATES: Effective Date: This final rule becomes effective September 5, 2012. Petitions for Reconsideration of this final rule must be submitted to the FMCSA Administrator no later than September 5, 2012.

ADDRESSES: Please include the Docket ID Number FMCSA–2010–0257 or the Regulatory Identification Number (RIN) 2126–AB28 in the subject line of your petition, and submit it by any of the following methods:

• Federal eRulemaking Portal: http://www.regulations.gov. Follow the online 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 or Courier: West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays. Fax: 202–493–2251.


SUPPLEMENTARY INFORMATION:

I. Abbreviations

II. Legal Basis for the Rulemaking

III. Background

IV. CVSA’s Petition

V. NPRM; Comments Received

VI. Regulatory Analyses

I. Abbreviations

ATA American Trucking Associations
CMV commercial motor vehicle
CVSA Commercial Vehicle Safety Alliance
DOT U.S. Department of Transportation
FHWA Federal Highway Administration
FMCSRs Federal Motor Carrier Safety Regulations
FMVSS Federal Motor Vehicle Safety Standards
NHTSA National Highway Traffic Safety Administration
NPRM Notice of Proposed Rulemaking
OOS out of service
SAE Society of Automotive Engineers

II. Legal Basis for the Rulemaking

This final rule is based on the authority of the Motor Carrier Act of 1935 (Pub. L. 74–255, 49 Stat. 543, August 9, 1935, now codified at 49 U.S.C. 31502(b)) (1935 Act) and the Motor Carrier Safety Act of 1984 (Pub. L. 98–554, Title II, 98 Stat. 2832, October 30, 1984) (the 1984 Act), both of which provide broad discretion to the Secretary of Transportation (Secretary) in implementing their provisions. The 1935 Act provides that the Secretary may prescribe requirements for (1) qualifications and maximum hours of service of employees of, and safety of operation and equipment of, a motor carrier [49 U.S.C. 31502(b)(1)], and (2) qualifications and maximum hours of service of employees of, and standards of equipment of, a motor private carrier, when needed to promote safety of operation [section 31502(b)(2)]. This final rule is based on the Secretary’s authority to regulate the safety and standards of equipment of for-hire and private carriers.

The 1984 Act gives the Secretary concurrent authority to regulate drivers, motor carriers, and vehicle equipment. Codified in 49 U.S.C. 31136(a), section 206(a) of the Act requires the Secretary to publish regulations on commercial vehicle (CMV) safety. Specifically, the Act sets forth minimum safety standards to ensure that (1) CMVs are maintained, equipped, loaded, and operated safely [section 31136(a)(1)]; (2) the responsibilities imposed on operators of CMVs do not impair their ability to operate the vehicles safely [section 31136(a)(2)]; (3) the physical condition of CMV operators is adequate to enable them to operate the vehicles safely [section 31136(a)(3)]; and (4) the operation of CMVs does not have a deleterious effect on the physical