verifications to third party requesters based on consent.

The CBSV process provides users with a consent-based SSN verification service in high volume. We developed CBSV as a user-friendly, internet-based application with safeguards that protect the public’s information. In addition to the benefit of providing high volume, centralized SSN verification services to users in a secure manner, CBSV provides us with cost and workload management benefits.

New Information: To use CBSV, interested parties must pay a one-time non-refundable enrollment fee of $5,000. Currently, users also pay a fee of $1.05 per SSN verification transaction in advance of services. We agreed to periodically calculate our costs for providing CBSV services and adjust the fees as necessary. We also agreed to notify current CBSV users of any cost adjustment to allow them to cancel or continue using the service at the new SSN verification transaction fee.

Based on our most recent cost analysis, we will adjust the fiscal year 2014 fee to $1.10 per SSN verification transaction. New users must still pay the one-time $5,000 enrollment fee.

DATES: The changes described above are effective October 1, 2013.

FOR FURTHER INFORMATION CONTACT: Esset Tate, Office of Public Service and Operations Support, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235–6401, [410–966–8502], for more information about the CBSV service, visit our Internet site, Social Security Online, at: http://www.socialsecurity.gov/cbsv.


Esset Tate,
Project Manager, Office of Public Service and Operations Support.
[FR Doc. 2013–22195 Filed 9–11–13; 8:45 am]
BILLING CODE 4191–02–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA – 2013–0353]

Article 19–A of the State of New York’s Vehicle and Traffic Law

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

ACTION: Notice of petition for determination of preemption; request for comments.

SUMMARY: FMCSA requests comments on petitions submitted by the American Bus Association (ABA) and Motor Coach Canada (MCC) seeking a determination that Article 19–A of the State of New York’s Vehicle and Traffic Law governing drivers of passenger-carrying interstate motor vehicles is preempted by Federal law. FMCSA requests comments on whether Article 19–A has safety benefits, how it is being enforced against interstate passenger carriers and its effect, if any, on interstate commerce.

DATES: Comments are due on or before November 12, 2013.

ADDRESSES: You may submit comments identified by the Federal Docket Management System Number in the heading of this document by any of the following methods. To allow effective public participation before the comment deadlines, however, the Agency encourages use of the Web site that is listed first. It will provide the most efficient and timely method of receiving and processing your comments. Do not submit the same comments by more than one method.

• Federal eRulemaking Portal: Go to 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, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.

• Hand Delivery: 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 this action. Note that all comments received will be posted without change to http://www.regulations.gov, including any personal information provided. Refer to the Privacy Act heading on http://www.regulations.gov for further information.

Public Participation: The regulations.gov system is generally available 24 hours each day, 365 days each year. You can find electronic submission and retrieval help and guidelines under the “help” section of the Web site. For notification that FMCSA received the comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments on line. Copies or abstracts of all documents referenced in this notice are in this docket. For access to the docket to read background documents or comments received, go to http://www.regulations.gov at any time or to 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. All comments received before the close of business on the comment closing date indicated above will be considered and will be available for examination in the docket at the above address. FMCSA will continue to file in the public docket relevant information that becomes available after the comment closing date. Interested persons should monitor the public docket for new material.

FOR FURTHER INFORMATION CONTACT: Geneviève D. Sapi, Office of the Chief Counsel, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC, 20590, (202) 366–7056. If you have questions on viewing or submitting material to the docket, call U.S. DOT Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Background

Provisions of Article 19–A of the State of New York’s Vehicle and Traffic Law and its implementing regulations (15 CRR–NY ch. 6) establish a wide range of
requirements applicable to both
interstate and intrastate passenger
carriers operating in New York. Under
this regulatory scheme, all interstate
passenger carriers must file an annual
compliance affidavit certifying that their
drivers are not disqualified under State
law and reporting the number of days
and vehicle miles of bus service
provided in New York during the
previous year. An interstate carrier is
generally exempt from the rest of Article
19–A, which includes requirements
related to employment, driver medical
qualifications, reporting, recordkeeping
and other matters affecting both drivers
and carriers, unless it operates certain
types of school buses or operates in New
York for more than 100 days or more
than 10,000 vehicle miles annually.
Interstate carriers that exceed the 100
day or 10,000 mile threshold can apply
for a waiver for bus drivers who operate
less than 30 days per year in New York
(N.Y. Veh. & Traf. Law, § 509-n; 15
CRR–NY § 6.14). Otherwise, an
interstate passenger carrier operating in
New York is required to comply with Article
19–A. The New York
Department of Motor Vehicles (NY
DMV) makes information about
compliance with Article 19–A available
through the following web link: http://

By letter dated June 28, 2011, MCC
requested that FMCSA preempt Article
19–A, alleging that it creates a burden
on interstate commerce by imposing
requirements that are more stringent
than Federal regulations. MCC stated that
49 CFR part 391 of the Federal
Motor Carrier Safety Regulations
(FMCSRs) contains comprehensive
driver qualification and licensing
requirements and that the requirements
of Article 19–A impermissibly regulate
interstate passenger carrier operations.
MCC specifically identified New York’s
request for bus driver information (a
two-page form for each driver), an
Affidavit of Compliance and an
annually-updated roster as unlawful
burdens. On July 18, 2011, the ABA
wrote a similar letter, objecting to New
York’s enforcement of Article 19–A, but,
at that time, specifically stated that it
was not requesting preemption.

In response, on March 29, 2012,
FMCSA sent a letter giving the NY DMV
an opportunity to respond to MCC’s and
the ABA’s letters. The letter also asked
whether the NY DMV applies Article
19–A to interstate carriers and how it
uses the information it collects. By letter
dated July 31, 2012, the DMV
responded, stating that Article 19–A
applies to interstate carriers and that it
keeps the information it collects in its
files, notifies carriers when a driver’s
CDL is revoked or suspended, and
notifies school bus operators of the
results of the mandatory criminal
history checks.

On September 7, 2012, the ABA sent
another letter, this time requesting that
FMCSA determine that Article 19–A is
preempted because it has no
demonstrated safety benefit, is not
compatible with federal requirements
and places an undue burden on
interstate commerce. ABA stated that
the requirements of Article 19–A exceed
Federal driver qualification
requirements, burdening interstate
carriers. ABA specifically objected to
those provisions of Article 19–A that
require carriers to report information to
the NY DMV about a driver’s
employment status, disqualification,
pending criminal charges, out-of-State
driving record, miles driven and
number of convictions and accidents.
ABA also objected to the requirements
that carriers participate in New York’s
Conviction and Accident Notification
program, establish an escrow account in
New York, administer tests and
assessments of driving skills in excess of
that required by the FMCSRs, and
submit affidavits attesting to compliance
with Article 19–A.

The letters referenced above are
available in the docket for this
proceeding.

**Applicable law**

Section 31141 of title 49, United
States Code, prohibits States from
enforcing a law or regulation on CMV
safety that the Secretary of
Transportation (Secretary) has
determined to be preempted. To
determine whether a State law or
regulation is preempted, the Secretary
must decide whether a State law or
regulation: (1) Has the same effect as a
regulation prescribed under 49 U.S.C.
31136, which is the authority for much
of the Federal Motor Carrier Safety
Regulations (FMCSRs); (2) is less
stringent than such a regulation; or (3)
is additional to or more stringent than
such a regulation (49 U.S.C.
31141(c)(1)). If the Secretary determines
that a State law or regulation has the
same effect as a regulation based on
§31136, it may be enforced (49 U.S.C.
31141(c)(2)). A State law or regulation
that is less stringent may not be
enforced (49 U.S.C. 31141(c)(3)). And a
State law or regulation the Secretary
determines to be additional to or more
stringent than a regulation based on
§31136 may be enforced unless the
Secretary decides that the State law or
regulation (1) Has no safety benefits; (2)
is incompatible with the regulation
prescribed by the Secretary; or (3)
would cause an unreasonable burden on
interstate commerce (49 U.S.C.
31141(c)(4)). To determine whether a
State law or regulation will cause an
unreasonable burden on interstate
commerce, the Secretary may consider
the cumulative effect that the State’s law
or regulation and all similar laws and
regulations of other States will have on
interstate commerce (49 U.S.C.
31141(c)(5)). The Secretary’s authority
under § 31141 is delegated to the
FMCSA Administrator by 49 CFR
1.87(f).

**Request for Comments**

Although preemption under § 31141
is a legal determination reserved to the
judgment of the Agency, FMCSA seeks
comment on what effect, if any, Article
19–A and its accompanying regulations
have on interstate motor carrier
operations. Commenters are encouraged
to provide information about the
regulatory scheme’s safety benefits, if
any, and whether it constitutes a burden
on interstate commerce or is
incompatible with the FMCSRs. FMCSA
is particularly interested in specific
information on how New York enforces
Article 19–A against interstate
passenger carriers. In requesting
comments, FMCSA does not seek legal
conclusions, but requests commenters to
submit data supporting their positions.

Issued under the authority of delegation in
49 CFR 1.87.


Anne S. Ferro,
Administrator.

[FR Doc. 2013–22162 Filed 9–11–13; 8:45 am]

BILLING CODE 4910–EX–P

**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

[Docket No. PHMSA–2013–0119]

**Pipeline Safety: Public Workshop on Integrity Verification Process, Comment Extension**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration, DOT.

**ACTION:** Notice of extension of comment period.

**SUMMARY:** On May 28, 2013, PHMSA published in the Federal Register a notice announcing a public workshop on “Integrity Verification Process” which took place on August 7, 2013. The notice also sought comments on the proposed "Integrity Verification Process." In response to the comments received, PHMSA has made some revisions to the proposed “Integrity