Vanilla, *Vanilla planifolia* Jacks.
Wattleseed, *Acacia* spp.
White willow, *Salix alba* L.
Willow, *Salix* spp.
Yellow gentian, roots, *Gentiana lutea* L.
Cultivars, varieties, and hybrids of these commodities.

### TABLE 1—CROP GROUP 26: SPICE GROUP—Continued

<table>
<thead>
<tr>
<th>Commodities</th>
</tr>
</thead>
<tbody>
<tr>
<td>· Federal eRulemaking Portal: <a href="http://www.regulations.gov">http://www.regulations.gov</a>. Follow the online instructions for submitting comments.</td>
</tr>
<tr>
<td>· 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.</td>
</tr>
<tr>
<td>· Hand Delivery or Courier: U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12–140, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.</td>
</tr>
<tr>
<td>· Fax: 202–493–2251.</td>
</tr>
<tr>
<td>To avoid duplication, please use only one of these four methods. See the “Public Participation and Request for Comments” portion of the SUPPLEMENTARY INFORMATION section for instructions on submitting comments.</td>
</tr>
<tr>
<td>FOR FURTHER INFORMATION CONTACT: Mr. Gerald Folsom, Office of Registration and Safety Information, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 by telephone at 202–385–2405. If you have questions on viewing or submitting material to the docket, contact Docket Services, telephone 202–366–9826.</td>
</tr>
<tr>
<td>SUPPLEMENTARY INFORMATION:</td>
</tr>
<tr>
<td>A. Submitting Comments</td>
</tr>
<tr>
<td>If you submit a comment, please include the docket number for this NPRM (Docket No. FMCSA–2019–0066), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.</td>
</tr>
<tr>
<td>To submit your comment online, go to <a href="http://www.regulations.gov">http://www.regulations.gov</a>, put the docket number, FMCSA–2019–0066, in the keyword box, and click “Search.” When the new screen appears, click on the “Comment Now!” button and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.</td>
</tr>
<tr>
<td>If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.</td>
</tr>
<tr>
<td>FMCSA will consider all comments and material received during the comment period and may change this proposed rule based on your comments. FMCSA may issue a final rule at any time after the close of the comment period.</td>
</tr>
<tr>
<td>Confidential Business Information</td>
</tr>
</tbody>
</table>
| Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” FMCSA will treat such marked submissions as confidential under the FOIA, and will not place them in the public docket of this NPRM. Submissions containing CBI should be sent to Brian Dahlin, Chief, Regulatory Analysis Division, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington DC 20590. Any comment that FMCSA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.
The UCR Plan and the 41 States participating in the UCR Agreement establish and collect fees from motor carriers, motor private carriers of property, brokers, freight forwarders, and leasing companies. The UCR Plan and Agreement are administered by a 15-member board of directors; 14 appointed from the participating States and the industry, plus the Deputy Administrator of FMCSA. Revenues collected are allocated to the participating States and the UCR Plan. In accordance with 49 U.S.C. 14504a(f)(1)(E)(ii), fee adjustments must be requested by the UCR Plan when annual revenues exceed the maximum allowed. Also, if there are excess funds after payments to the States and for administrative costs, they are retained in the UCR Plan’s depository and subsequent fees must be reduced as required by 49 U.S.C. 14504a(h)(4). These two distinct provisions are the reasons for the two-stage adjustment proposed in this rule. This NPRM proposes to reduce the annual registration fees established pursuant to the UCR Agreement for 2020, 2021, and subsequent years.

Currently the UCR Plan estimates that by December 31, 2019, total revenues will exceed the statutory maximum for the 2018 registration year by approximately $3.08 million. In addition, the UCR Plan determined that additional excess funds were collected for both the 2015 and the 2016 registration years that are being held in its depository. Therefore, in February 2019, the UCR Plan made a formal recommendation that FMCSA adjust the fees in a two-stage process. The proposed fees for the 2020 registration year, with collection beginning on or about October 1, 2019, would be reduced below the 2018 registration fee level that was in effect by approximately 12.82 percent to ensure that fee revenues do not exceed the statutory maximum, and to reduce the excess funds held in the depository, that also includes excess revenues for 2015 and 2016 not recognized during prior rulemakings. The proposed fees for the 2021 registration year, with collection beginning on or about October 1, 2020, would be reduced below the 2018 level by approximately 4.19 percent to ensure that fee revenues in the 2021 registration year and future years do not exceed the statutory maximum. The UCR Plan requested that the adjusted fees be adopted no later than August 31, 2019, to enable the participating States and the UCR Plan to reflect the new fees when collections for the 2020 registration year begin on or about October 1, 2019. The adoption of the adjusted fees must be accomplished through rulemaking by FMCSA under authority delegated from the Secretary of Transportation (Secretary).

The UCR Plan’s formal recommendation requested that FMCSA publish a rule reducing the fees paid per motor carrier, motor private carrier of property, broker, freight forwarder, and leasing company based on an analysis of current collections and past trends. The UCR Plan’s recommendation reduces fees based on collections over the statutory maximum, and includes a reduction in the amount of the administrative cost allowance from $3,500,000 to $3,225,000 for the 2020 and 2021 UCR Agreement registration years. The Board completed an analysis estimating the amount of administrative cost allowance needed for the 2020 and 2021 registration period and has determined that an allowance of $3,225,000 will be needed each year for those registration years. The Agency reviewed the UCR Plan’s formal recommendation and concluded that the UCR Plan’s projection of the total revenues received for registration year 2018 is acceptable.

The changes proposed in this NPRM would reduce the fees paid by motor carriers, motor private carriers of property, brokers, freight forwarders, and leasing companies to the UCR Plan and the participating States. While each motor carrier would realize a reduced burden, fees are considered by the Office of Management and Budget (OMB) Circular A–4, Regulatory Analysis, as transfer payments, not costs. Transfer payments are payments from one group to another that do not affect total resources available to society. Therefore, transfers are not considered in the monetization of societal costs and benefits of rulemakings.
associated with the UCR Plan and Agreement. The requested adjustments have been submitted by the UCR Plan in accordance with 49 U.S.C. 14504a(f)(1)(E)(ii), which requires the UCR Plan to request an adjustment by the Secretary when the annual revenues exceed the maximum allowed. In addition, 49 U.S.C. 14504a(h)(4) states that any excess funds held by the UCR Plan in its depository, after payments to the States and for administrative costs, shall be retained “...and the fees charged... shall be reduced by the Secretary accordingly.”

The UCR Plan is also requesting approval of a revised total revenue to be collected because of a reduction in the amount for costs of administering the UCR Agreement. No changes in the revenue allocations to the participating States have been recommended by the UCR Plan. The revised total revenue must be approved in accordance with 49 U.S.C. 14504a(d)(7). The Secretary also has broad rulemaking authority in 49 U.S.C. 13301(a) to carry out 49 U.S.C. 14504a, which is part of 49 U.S.C. subtitile IV, part B. Authority to administer these statutory provisions has been delegated to the FMCSA Administrator by 49 CFR 1.87(a)(2) and (7).

V. Statutory Requirements for the UCR Fees

A. Legislative History

The legislative history of 49 U.S.C. 14504a indicates that the purpose of the UCR Plan and Agreement is both to replace the Single State Registration System (SSRS) for registration of interstate motor carrier entities with the States and to “ensure that States don’t lose current revenues derived from SSRS” (S. Rep. 109–120, at 2 (2005)). The statute provides for a 15-member board of directors for the UCR Plan to be appointed by the Secretary.

The UCR Plan and the participating States are authorized by 49 U.S.C. 14504a(f) to establish and collect fees from motor carriers, motor private carriers of property, brokers, freight forwarders, and leasing companies. The current annual fees charged for registration year 2019 are set out in 49 CFR 367.50 and for registration years 2020 and thereafter in § 367.60. These fees were approved by FMCSA in December 2018 after a rulemaking proceeding. See Fees for the Unified Carrier Registration Plan and Agreement, 83 FR 67124 (Dec. 28, 2018).

For carriers and freight forwarders, the fees vary according to the size of the vehicle fleets, as required by 49 U.S.C. 14504a(f). The fees collected are allocated to the States and the UCR Plan in accordance with 49 U.S.C. 14504a(h).

B. Fee Requirements

The statute specifies that the fees set by the Agency are to be based on the recommendation of the UCR Plan (49 U.S.C. 14504a(f)(1)(E)(ii)). In recommending the level of fees to be charged in any registration year, and in setting the fee level, both the UCR Plan and the Agency shall consider the following factors:

- Administrative costs associated with the UCR Plan and Agreement;
- Whether the revenues generated in the previous year and any surplus or shortage from that or prior years enable the participating States to achieve the revenue levels set by the UCR Plan; and

(49 U.S.C. 14504a(d)(7)(A)). The fees may be adjusted within a reasonable range on an annual basis if the revenues derived from the fee are either insufficient to provide the participating States with the revenues they are entitled to receive or exceed those revenues (49 U.S.C. 14504a(f)(1)(E)).

Overall, the fees charged under the UCR Agreement must produce the level of revenue established by statute. Section 14504a(g) establishes the revenue entitlements for States that choose to participate in the UCR Agreement. FMCSA’s understanding of its responsibilities under 49 U.S.C. 14504a in setting fees for the UCR Plan and Agreement is guided by the primary statute places on the need both to set and to adjust the fees to ensure they “provide the revenues to which the States are entitled” (49 U.S.C. 14504a(f)(1)(E)(ii)). The statute links the requirement that the fees be adjusted “within a reasonable range” to the provision of sufficient revenues to meet the entitlements of the participating States (49 U.S.C. 14504a(f)(1)(E)). See also 49 U.S.C. 14504a(d)(7)(A)(ii)).

Section 14504a(h)(4) gives additional support for this understanding. This provision explicitly requires FMCSA to reduce the fees charged in the registration year following any year in which the depository retains any funds in excess of the amount necessary to satisfy the revenue entitlements of the participating States and the UCR Plan’s administrative costs.

VI. Background

On December 13, 2018, the board of directors voted unanimously to submit a recommendation to the Secretary to reduce the fees charged from the fees are the UCR Plan for registration years 2020 and thereafter. The recommendation was submitted to the Secretary on February 25, 2019. The requested fee adjustments are required by 49 U.S.C. 14504a because, for registration year 2018, the total revenues collected are expected to exceed the total revenue entitlements of $107.78 million distributed to the 41 participating States plus the $5 million established for “the administrative costs associated with the unified carrier registration plan and agreement” (49 U.S.C. 14504a(d)(7)(A)(ii)). The maximum revenue entitlements for each of the 41 participating States, established in accordance with 49 U.S.C. 14504a(g), are set out in a table attached to the February 25, 2019 recommendation.

As indicated in the analysis attached to the February 25, 2019 recommendation letter, as of the end of November 2017, the UCR Plan had already collected $7.30 million more than the statutory maximum of $112.78 million for registration year 2018. The UCR Plan estimates that by the end of 2019, total revenues will exceed the statutory maximum by $9.17 million, or approximately 8.13 percent. The excess revenues collected will be held in a depository maintained by the UCR Plan as required by 49 U.S.C. 14504a(h)(4).

The UCR Plan’s recommendation estimated the minimum projection of revenue collections for December 2017 through December 2018 by summing the collections within each of the registration years 2013 through 2015 and then comparing across years to find the minimum total amount. This is the same methodology used to project collections and estimate fees in the previous fee adjustment rulemaking (83 FR 67124 (Dec. 28, 2018)).

Under 49 U.S.C. 14504a(d)(7), the costs incurred by the UCR Plan to administer the UCR Agreement are eligible for inclusion in the total revenue to be collected, in addition to the revenue allocations for the participating States. The total revenue for registration years 2010 to 2018, as approved in the 2010 final rule (75 FR 21993 (April 27, 2010)), has been $112,777,059.81, including $5,000,000 for administrative costs. The UCR Plan’s latest recommendation includes a reduction in the amount of the administrative cost allowance to $3,225,000 for the 2020 and 2021 registration years. The reduction of...
§275,000 recommended by the UCR Plan was based on estimates of future administrative cost allowances needed to operate the UCR Plan and Agreement. No changes in the State revenue entitlements are recommended, and the entitlement figures for 2020 and 2021 for the 41 participating States are the same as those previously approved for the years 2010 through 2018. Therefore, for registration years 2020 and 2021, the UCR Plan recommends total revenue to be collected of $111,002,060 (rounded to the nearest dollar). FMCSA proposes to approve this recommendation for the total revenue to be collected by the UCR Plan, as shown in the following table.

<table>
<thead>
<tr>
<th>State</th>
<th>Total 2020 UCR revenue entitlements</th>
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</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>$2,939,964.00</td>
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<tr>
<td>Arkansas</td>
<td>1,817,360.00</td>
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<tr>
<td>California</td>
<td>2,131,710.00</td>
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<tr>
<td>Colorado</td>
<td>1,801,615.00</td>
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<tr>
<td>Connecticut</td>
<td>3,129,840.00</td>
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<tr>
<td>Georgia</td>
<td>2,660,060.00</td>
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<tr>
<td>Idaho</td>
<td>547,696.68</td>
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<tr>
<td>Illinois</td>
<td>3,516,993.00</td>
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<td>Indiana</td>
<td>2,364,879.00</td>
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<td>Iowa</td>
<td>474,742.00</td>
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<tr>
<td>Kansas</td>
<td>4,344,290.00</td>
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<td>Kentucky</td>
<td>5,365,980.00</td>
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<td>Louisiana</td>
<td>4,063,836.00</td>
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<tr>
<td>Maine</td>
<td>1,555,672.00</td>
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<td>Massachusetts</td>
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<td>Michigan</td>
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<td>Minnesota</td>
<td>1,137,323.00</td>
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<td>Missouri</td>
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<td>Mississippi</td>
<td>4,322,100.00</td>
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<tr>
<td>Montana</td>
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<td>New Mexico</td>
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<td>North Carolina</td>
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<td>Pennsylvania</td>
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<td>Rhode Island</td>
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<td>South Carolina</td>
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<td>South Dakota</td>
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<td>Tennessee</td>
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<td>Texas</td>
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<td>Utah</td>
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<td>Wisconsin</td>
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<td>Administrative Expenses</td>
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</tr>
<tr>
<td>Total Revenue Target ...</td>
<td>111,002,060.00</td>
</tr>
</tbody>
</table>

### VII. Discussion of Proposed Rulemaking

FMCSA has reviewed the formal recommendation from the UCR Plan and proposes to approve it, including the reduction in the allowance for administrative costs necessary to continue administering the UCR Agreement and the UCR Plan. Overall, the UCR Plan and the Agency agree on the reduction of the current fees for 2019 and subsequent registration years, and that there would be no change in the State UCR revenue entitlements.

### VIII. International Impacts

Motor carriers and other entities involved in interstate and foreign transportation in the United States that do not have a principal office in the United States, are nonetheless subject to the fees for the UCR Plan. They are required to designate a participating State as a base State and pay the appropriate fees to that State (49 U.S.C. 14504a(a)(2)(B)(ii) and (f)(4)).

### IX. Section-by-Section Analysis

In this NPRM, FMCSA proposes that the provisions of 49 CFR 367.60 (which were adopted in the December 28, 2018 final rule) would be revised to establish new reduced fees applicable only to registration year 2020. A new 49 CFR 367.70 would establish the proposed fees for registration year 2021, which would remain in effect for subsequent registration years unless revised in the future.

#### A. Executive Order (E.O.) 12866 (Regulatory Planning and Review), E.O. 13563 (Improving Regulation and Regulatory Review), and DOT Regulatory Policies and Procedures

FMCSA performed an analysis of the impacts of the proposed rule and determined it is not a significant regulatory action under section 3(f) of E.O. 12866, Regulatory Planning and Review (58 FR 51735, October 4, 1993), as supplemented by E.O. 13563, Improving Regulation and Regulatory Review (76 FR 3821, January 21, 2011). Accordingly, OMB has not reviewed it under those Orders. It is also not significant within the meaning of DOT regulatory policies and procedures (DOT Order 2100.6 dated December 28, 2018).

The changes proposed by this rule would reduce the registration fees paid by motor carriers, motor private carriers of property, brokers, freight forwarders, and leasing companies. The reduction of the current 2019 registration year fees (finalized on December 28, 2018) would range from approximately $210 to $1,629 per entity, depending on the number of vehicles owned or operated by the affected entities. The reduction in fees for subsequent registration years would range from approximately $4 to $4,119 per entity.

#### B. E.O. 13771 Reducing Regulation and Controlling Regulatory Costs

This proposed rule is neither expected to be an E.O. 13771 regulatory action nor an E.O. 13771 deregulatory action because there would be no cost impacts resulting from the rule.

#### C. Regulatory Flexibility Act (Small Entities)

The Regulatory Flexibility Act (RFA) of 1980 (5 U.S.C. 601 et seq.), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) (Pub. L. 104–121, 110 Stat. 857), requires Federal agencies to consider the effects of the regulatory action on small business and other small entities and to minimize any significant economic impact. The term “small entities” comprises small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000 (5 U.S.C. 601(6)). Accordingly, DOT policy requires an analysis of the impact of all regulations on small entities, and

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mandates that agencies strive to lessen any adverse effects on these businesses. Section 605 of the RFA allows an agency to certify a rule, in lieu of preparing an analysis, if the rule making is not expected to have a significant economic impact on a substantial number of small entities.

This proposed rule would directly affect the participating States, motor carriers, motor private carriers of property, brokers, freight forwarders, and leasing companies. Under the standards of the RFA, as amended by the SBREFA, the participating States are not small entities. States are not considered small entities because they do not meet the definition of a small entity in section 601 of the RFA. Specifically, States are not considered small governmental jurisdictions under section 601(5) of the RFA, both because State government is not included among the various levels of government listed in section 601(5), and because, even if this were the case, no State or the District of Columbia has a population of less than 50,000, which is the criterion by which a governmental jurisdiction is considered small under section 601(5) of the RFA.

The Small Business Administration’s size standard for a small entity (13 CFR 121.201) differs by industry code. The entities affected by this rule fall into many different industry codes. In order to determine if this rule would have an impact on a significant number of small entities, FMCSA examined the 2012 Economic Census data for two different industry groups: truck transportation (Subsector 484) and transit and ground transportation (Subsector 485). According to the 2012 Economic Census, approximately 99 percent of truck transportation firms, and approximately 97 percent of transit and ground transportation firms, had annual revenue less than the Small Business Administration’s revenue thresholds of $27.5 million and $15 million, respectively, to be defined as a small entity. Therefore, FMCSA has determined that this rule would impact a substantial number of small entities.

However, FMCSA has determined that this rule would not have a significant impact on the affected entities. The effect of this rule would be to reduce the annual registration fee for motor carriers, motor private carriers of property, brokers, freight forwarders, and leasing companies, which is currently required to pay. The reduction will range from approximately $2 to $1,629 per entity, in the first year, and from approximately $4 to $4,119 per entity in subsequent years, depending on the number of vehicles owned and/or operated by the affected entities. Accordingly, I certify that this rule will not have a significant economic impact on a substantial number of small entities.

D. Assistance for Small Entities

In accordance with section 213(a) of the SBREFA, FMCSA wants to assist small entities in understanding this proposed rule so that they can better evaluate its effects on themselves and participate in the rulemaking initiative. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance; please consult the FMCSA point of contact, Gerald Folsom, listed in the FOR FURTHER INFORMATION CONTACT section of this proposed rule.

Small businesses may send comments on the actions of Federal employees who enforce or otherwise determine compliance with Federal regulations to the Small Business Administration’s Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small businesses. If you wish to comment on actions by employees of FMCSA, call 1–888–REG–FAIR (1–888–734–3247). DOT has a policy regarding the rights of small entities to regulatory enforcement fairness and an explicit policy against retaliation for exercising these rights.

E. Unfunded Mandates Reform Act of 1995

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $165 million (which is the value equivalent of $100,000,000 in 1995, adjusted for inflation to 2018 levels) or more in any one year. Though this proposed rule would not result in such an expenditure, the Agency does discuss the effects of this rule elsewhere in this preamble.

F. Paperwork Reduction Act

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

G. E.O. 13132 (Federalism)

A rule has implications for federalism under section 1(a) of E.O. 13132 if it has “substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.” FMCSA determined that this proposal would not have substantial direct costs on or for States, nor would it limit the policymaking discretion of States. Nothing in this document preempts any State law or regulation. Therefore, this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Impact Statement.

H. E.O. 12988 (Civil Justice Reform)

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

I. E.O. 13045 (Protection of Children)

E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997), requires agencies issuing “economically significant” rules, if the regulation also concerns an environmental health or safety risk that an agency has reason to believe may disproportionately affect children, to include an evaluation of the regulation’s environmental health and safety effects on children. The Agency determined this proposed rule is not economically significant. Therefore, no analysis of the impacts on children is required. In any event, the Agency does not anticipate that this regulatory action could in any respect present an environmental or safety risk that could disproportionately affect children.

J. E.O. 12630 (Taking of Private Property)

FMCSA reviewed this proposed rule in accordance with E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights, and has determined it will (not) affect a taking of private property or otherwise have taking implications.
Governments)

N. E.O. 13175 (Indian Tribal

13211.

energy. Therefore, it does not require a

rule under E.O. 13211, Actions

Concerning Regulations That

affect the privacy of individuals. The

Agency will complete a Privacy

Threshold Assessment (PTA) to evaluate

the risks and effects the proposed

rulemaking might have on collecting,

storing, and sharing personally

identifiable information. The PTA will

be submitted to FMCSA’s Privacy

Officer for review and preliminary

adjudication and to DOT’s Privacy

Officer for review and final

adjudication.

L. E.O. 12372 (Intergovernmental

Review)

The regulations implementing E.O.

12372 regarding intergovernmental

consultation on Federal programs and

activities do not apply to this program.

M. E.O. 13211 (Energy Supply,

Distribution, or Use)

FMCSA has analyzed this proposed

rule under E.O. 13211, Actions

Concerning Regulations That

Significantly Affect Energy Supply,

Distribution, or Use. The Agency has
determined that it is not a “significant

energy action” under that order because

it is not a “significant regulatory action”

likely to have a significant adverse effect

on the supply, distribution, or use of

energy. Therefore, it does not require a

Statement of Energy Effects under E.O.

13211.

N. E.O. 13175 (Indian Tribal

Governments)

This proposed rule does not have

tribal implications under E.O. 13175,

Consultation and Coordination with

Indian Tribal Governments, because it
does not have a substantial direct effect

on one or more Indian Tribes, on the

relationship between the Federal

Government and Indian Tribes, or on

the distribution of power and

responsibilities between the Federal

Government and Indian Tribes.

O. National Technology Transfer

and Advancement Act (Technical

Standards)

The National Technology Transfer

and Advancement Act (15 U.S.C. 272

note) directs agencies to use voluntary

consensus standards in their regulatory

activities unless the agency provides

Congress, through OMB, with an

explanation of why using these

standards would be inconsistent with

applicable law or otherwise impractical.

Voluntary consensus standards (e.g.,
specifications of materials, performance,
design, or operation; test methods;
sampling procedures; and related

management systems practices) are

standards that are developed or adopted

by voluntary consensus standards

bodies. This rule does not use technical

standards. Therefore, FMCSA did not

consider the use of voluntary consensus

standards.

P. Environment

FMCSA analyzed this NPRM for the

purpose of the National Environmental


4321 et seq.) and determined this action

is categorically excluded from further

analysis and documentation in an

environmental assessment or

environmental impact statement under

FMCSA Order 5610.1 (69 FR 9680,

March 1, 2004), Appendix 2, paragraph

6.h. The Categorical Exclusion (CE) in

paragraph 6.h. covers regulations and

actions taken pursuant to regulation

implementing procedures to collect fees

that will be charged for motor carrier

registrations. The proposed

requirements in this rule are covered by

this CE and the NPRM does not have

any effect on the quality of the

environment. The CE determination is

available in the docket.

Q. E.O. 13783 (Promoting Energy

Independence and Economic Growth)

E.O. 13783 directs executive

departments and agencies to review

existing regulations that potentially

burden the development or use of
domestically produced energy

resources, and to appropriately suspend,

revise, or rescind those that unduly

burden the development of domestic

energy resources. In accordance with

E.O. 13783, DOT prepared and

submitted a report to the Director of

OMB that provides specific

recommendations that, to the extent

permitted by law, could alleviate or

eliminate aspects of agency action that

burden energy production. This

proposed rule has not been

identified by DOT under E.O. 13783 as

potentially alleviating unnecessary

burdens on domestic energy production.

List of Subjects in 49 CFR Part 367

Insurance, Intergovernmental

relations, Motor carriers, Surety bonds.

In consideration of the foregoing,

FMCSA proposes to amend 49 CFR

chapter III, part 367 to read as follows:

PART 367—STANDARDS FOR

REGISTRATION WITH STATES

1. The authority citation for part 367

continues to read as follows:

Authority: 49 U.S.C. 13301, 14504a; and

49 CFR 1.87.

2. Revise § 367.60 to read as follows:

§ 367.60 Fees under the Unified Carrier

Registration Plan and Agreement for

Registration Year 2020.

<table>
<thead>
<tr>
<th>Bracket</th>
<th>Number of commercial motor vehicles owned or operated by exempt or non-exempt motor carrier, motor private carrier, or freight forwarder</th>
<th>Fee per entity for exempt or non-exempt motor carrier, motor private carrier, or freight forwarder</th>
<th>Fee per entity for broker or leasing company</th>
</tr>
</thead>
<tbody>
<tr>
<td>B1</td>
<td>0–2</td>
<td>$60</td>
<td>$60</td>
</tr>
<tr>
<td>B2</td>
<td>3–5</td>
<td>180</td>
<td></td>
</tr>
<tr>
<td>B3</td>
<td>6–20</td>
<td>357</td>
<td></td>
</tr>
<tr>
<td>B4</td>
<td>21–100</td>
<td>1,248</td>
<td></td>
</tr>
<tr>
<td>B5</td>
<td>101–1,000</td>
<td>5,946</td>
<td></td>
</tr>
<tr>
<td>B6</td>
<td>1,001 and above</td>
<td>58,060</td>
<td></td>
</tr>
</tbody>
</table>
§ 367.70 Fees under the Unified Carrier Registration Plan and Agreement for registration years beginning in 2021.

Table 1 to § 367.70—Fees under the Unified Carrier Registration Plan and Agreement for Registration Year 2021 and Each Subsequent Registration Year Thereafter

<table>
<thead>
<tr>
<th>Bracket</th>
<th>Number of commercial motor vehicles owned or operated by exempt or non-exempt motor carrier, motor private carrier, or freight forwarder</th>
<th>Fee per entity for exempt or non-exempt motor carrier, motor private carrier, or freight forwarder</th>
<th>Fee per entity for broker or leasing company</th>
</tr>
</thead>
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<tr>
<td>B2</td>
<td>3–5</td>
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<td>6–20</td>
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<td>21–100</td>
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<td>101–1,000</td>
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</tr>
<tr>
<td>B6</td>
<td>1,001 and above</td>
<td>$63,809</td>
<td></td>
</tr>
</tbody>
</table>

Issued under authority delegated in 49 CFR 1.87.
Raymond P. Martinez,
Administrator.
[FR Doc. 2019–18418 Filed 8–26–19; 8:45 am]
BILLING CODE 4910–EX–P

DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service
50 CFR Part 17

[Docket No. FWS–R3–ES–2018–0036; FXES111309BFLC0]

RIN 1018–BC80

Endangered and Threatened Wildlife and Plants; Removing Trifolium stoloniferum (Running Buffalo Clover) from the Federal List of Endangered and Threatened Plants

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), propose to remove the Trifolium stoloniferum (running buffalo clover) from the Federal List of Endangered and Threatened Plants, due to recovery. This determination is based on a thorough review of the best available scientific and commercial information, which indicates that the threats to the species have been eliminated or reduced to the point that it no longer meets the definition of an endangered or a threatened species under the Endangered Species Act of 1973, as amended (Act). We are seeking information and comments from the public regarding this proposed rule. We are also seeking comments on the draft post-delisting monitoring plan for running buffalo clover.

DATES: We will accept comments received or postmarked on or before October 28, 2019. Comments submitted electronically using the Federal eRulemaking Portal (see ADDRESSES, below) must be received by 11:59 p.m. Eastern Time on the closing date. We must receive requests for public hearings, in writing, at the address shown in FOR FURTHER INFORMATION CONTACT by October 11, 2019.

ADDRESSES: Written comments: You may submit comments by one of the following methods:

(1) Electronically: Go to the Federal eRulemaking Portal: http://www.regulations.gov. In the Search box, enter FWS–R3–ES–2018–0036, which is the docket number for this rulemaking. Then, click on the Search button. On the resulting page, in the Search panel on the left side of the screen, under the Document Type heading, click on the Proposed Rules link to locate this document. You may submit a comment by clicking on “Comment Now!”


We request that you send comments only by the methods described above. We will post all comments on http://www.regulations.gov. This generally means that we will post any personal information you provide us (see Public Comments, below, for more information).

Document availability: This proposed rule and draft post-delisting monitoring (PDM) plan referenced throughout this document, as well as supporting materials, are available on http://www.regulations.gov under Docket No. FWS–R3–ES–2018–0036 and on the Service’s Midwest Region website at https://www.fws.gov/midwest/endangered/plants/rbcl/index.html. In addition, the supporting file for this proposed rule will be available for public inspection, by appointment, during normal business hours, at the Ohio Ecological Services Field Office, 4625 Morse Road, Suite 104, Columbus, OH 43230; telephone 614–416–8993.


SUPPLEMENTARY INFORMATION:

Information Requested

Public Comments

We intend that any final action resulting from this proposed rule will be based on the best scientific and commercial data available and be as accurate and as effective as possible. Therefore, we request comments or information from other concerned governmental agencies, Native American tribes, the scientific community, industry, or any other interested parties concerning this proposed rule. We particularly seek comments concerning:

(1) Reasons we should or should not “delist” running buffalo clover (that is, remove the species from the List of Endangered and Threatened Plants (List));

(2) New information concerning any threat (or lack thereof), including climate change, to running buffalo clover;