

motor vehicle crashes in the United States. The collection of interview data aids in this effort.

*Affected Public:* Passenger Motor Vehicle Operators.

*Estimated Total Annual Burden:* 5,807 hours.

*Number of Respondents:* 13,500.

**ADDRESSES:** Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725–17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

*Comments are invited on:* Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. A Comment to OMB is most effective if OMB receives it within 30 days of publication.

**Marilena Amoni,**

*Associate Administrator for National Center for Statistics and Analysis.*

[FR Doc. E9–12749 Filed 6–1–09; 8:45 am]

BILLING CODE 4910–59–P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2009–0035]

#### Agency Information Collection Activities; New Information Collection Request: Annual Commercial Motor Vehicle Driver Survey: Work and Compensation

**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 the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for review and approval. The purpose of this new information collection is to acquire general information regarding the commercial motor vehicle (CMV) driving population and specific information on driver work history,

work scheduling, and compensation. This information is needed in many different types of analyses conducted by the FMCSA and would benefit the agency in understanding the impacts of proposed rules and the improvement of its safety programs. On December 12, 2008, FMCSA published a **Federal Register** notice allowing for a 60-day comment period on the ICR. One comment was received.

**DATES:** Please send your comments by July 2, 2009. OMB must receive your comments by this date in order to act quickly on the ICR.

**ADDRESSES:** All comments should reference Federal Docket Management System (FDMS) Docket Number FMCSA–2008–0035. Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the attention of the Desk Officer, Department of Transportation/Federal Motor Carrier Safety Administration, and sent via electronic mail to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov), or faxed to (202) 395–6974, or mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street, NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mindy Shalaby, Economist, Analysis Division, Office of Analysis, Research and Technology, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave., SE., Washington, DC 20590. Telephone: (202) 493–0304; e-mail [Mindy.Shalaby@dot.gov](mailto:Mindy.Shalaby@dot.gov). Requests for additional information or copies of the information collection instrument and instructions should be directed to Dr. Michelle Yeh, Engineering Psychologist, Human Factors Division, Volpe National Transportation Systems Center, 55 Broadway, Cambridge, MA 02124. Telephone: (617) 494–3459; e-mail [Michelle.Yeh@dot.gov](mailto:Michelle.Yeh@dot.gov). Office hours are from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

#### SUPPLEMENTARY INFORMATION:

*Title:* Annual Commercial Motor Vehicle Driver Survey: Work and Compensation.

*OMB Control Number:* 2126–XXXX.  
*Type of Request:* New information collection request.

*Respondents:* Commercial motor vehicle drivers.

*Estimated Number of Respondents:* 576 commercial motor vehicle drivers.

*Estimated Time per Response:* 15 minutes per response.

*Expiration Date:* N/A.

*Frequency of Response:* Once.

*Estimated Total Annual Burden:* 144 hours [576 respondents × 15 minutes/60 minutes per response = 144].

*Background:* The Federal Motor Carrier Safety Administration seeks to understand the commercial motor vehicle driving population. Driver-related factors are an important consideration in CMV crashes, but there is no comprehensive nationwide source of information describing the population of drivers operating CMVs in the United States (U.S.). Estimates of the number of commercial drivers and particular subsets of drivers (e.g., local, short-haul, and long-haul) are needed and would benefit FMCSA in assessing the impacts of proposed rules and improvements needed in its safety programs. In particular, information on driver work history, work schedule, and compensation is needed in many different types of analyses conducted by FMCSA.

Driver work history addresses how long a CMV driver has been working in the industry, his/her level of experience, and his/her type of experience. These items include questions regarding driver tenure with his/her current employer and the number of past employers to provide information regarding the driver turnover rate. The agency would also collect information under these items about driver training to understand how drivers learned to operate their CMVs and the amount of training that is ongoing in the industry. The driver work schedule item examines the issue of how much drivers work and the activities in which they are engaged when they work (e.g., driving time, loading time, waiting time). FMCSA is interested in understanding how drivers' work schedules are tracked (e.g., with paper log books or Electronic On-Board Recorders (EOBRs)). Finally, driver compensation collects information on how much drivers earn and how they are paid (e.g., salary, by hour, or by mile). This data will allow FMCSA to estimate an average wage rate, which can be used to understand the cost imposed on drivers by current and proposed regulations.

The goals of this survey are to acquire general demographic information regarding the commercial motor vehicle driving population, and specific information on driver work history, work scheduling, and compensation. Data for this project would be collected via driver interviews. The results of the information collection would be summarized in a report developed for the FMCSA and made available to the public.

On December 12, 2008, the FMCSA published a **Federal Register** notice on this same topic and provided 60 days for public comment (73 FR 75793). The Agency received one comment from the Owner-Operator Independent Drivers Association, INC (OOIDA) in response to the notice. OOIDA expressed support for the survey and provided several suggestions on how the survey questions and methodology for collecting the data could be improved. FMCSA will consider these suggestions during the implementation of the survey.

**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 FMCSA to perform its functions; (2) the accuracy of the estimated burden; (3) ways for the 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.

Issued on: May 26, 2009.

**David C. Anewalt,**

*Acting Associate Administrator, Research and Information Technology.*

[FR Doc. E9-12777 Filed 6-1-09; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-337 (Sub-No. 6X)]

#### **Dakota, Minnesota & Eastern Railroad Corporation—Discontinuance of Trackage Rights Exemption—in Worth and Cerro Gordo Counties, IA, and Freeborn County, MN**

Dakota, Minnesota & Eastern Railroad Corporation (DM&E) <sup>1</sup> has filed a verified notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue overhead trackage rights over approximately 48.2 miles of Union Pacific Railroad Company (UP) rail lines extending from milepost 107.0 at Hartland, MN, to milepost 119.4 at Albert Lea, MN, and from milepost 251.6 at Albert Lea to milepost 192.8 at Mason City, IA, (the Hartland-Mason City Line), in Freeborn County, MN, and Worth and Cerro Gordo Counties, IA.<sup>2</sup> The line traverses

United States Postal Service Zip Codes 56042, 56007, 56036, 50459, 50448, 50456 and 50401.

DM&E has certified that: (1) no local traffic has moved via its trackage rights over the line for at least 2 years; (2) any DM&E overhead traffic can be rerouted over other lines; (3) no formal complaint filed by a user of DM&E rail service on the line (or by a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the discontinuance of service shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on July 2, 2009, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA for continued rail service under 49 CFR 1152.27(c)(2) <sup>3</sup> must be filed by June 12, 2009.<sup>4</sup> Petitions to reopen must be filed by June 22, 2009, with: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to DM&E's representative: Thomas J. Litwiler, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: May 26, 2009.

Western Transportation Company. See *Dakota, Minnesota & Eastern Railroad Corporation—Acquisition and Operation Exemption—Chicago and North Western Transportation*, Finance Docket No. 30889 (ICC served Sept. 8, 1986).

<sup>3</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,500. See 49 CFR 1002.2(f)(25).

<sup>4</sup> Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Likewise, no environmental or historical documentation is required here under 49 CFR 1105.6(c) and 1105.8(b), respectively.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Kulunie L. Cannon,**  
*Clearance Clerk.*

[FR Doc. E9-12720 Filed 6-1-09; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### **Notice of Final Federal Agency Actions on Proposed Highway in Texas**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of limitation on claims for judicial review of actions by FHWA and other Federal agencies.

**SUMMARY:** This notice announces actions taken by the FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to various proposed highway projects in the State of Texas. Those actions grant licenses, permits and approvals for the projects.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on any of the listed highway projects will be barred unless the claim is filed on or before November 30, 2009. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** Salvador Deocampo, District Engineer, Texas Division, FHWA, J.J. Pickle Federal Building 300 East 8th Street, Room 826, Austin, Texas 78701; phone number 512-536-5950; e-mail: [salvador.deocampo@fhwa.dot.gov](mailto:salvador.deocampo@fhwa.dot.gov). FHWA Texas Division normal business hours are 8 a.m. to 5 p.m. (central time) Monday through Friday. You may also contact Ms. Dianna Noble, P.E., Director Environmental Affairs Division, Texas Department of Transportation, 118 E. Riverside, Austin, Texas, 78704; phone number 512-416-2734; e-mail: [dnoble@dot.state.tx.us](mailto:dnoble@dot.state.tx.us). Texas Department of Transportation normal business hours are 8 a.m. to 5 p.m. (central time) Monday through Friday.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the highway projects in the State of Texas that are listed below. The actions by the Federal agencies on the project, and the laws under which such actions were taken, are described

<sup>1</sup> DM&E is a wholly owned, indirect subsidiary of Canadian Pacific Railway Company and is a Class II rail carrier.

<sup>2</sup> DM&E acquired these overhead trackage rights from UP's predecessor, the Chicago and North