

property to the full extent authorized by the recently signed Air Transport Agreement between the United States, the European Community and the Member States of the European Community ("US-EU Agreement") to engage in: (1) Charter passenger foreign air transportation between any point or points behind any member state of the European Union via any point or points in any member state and via intermediate points to any point or points in the United States or beyond; (3) charter foreign passenger air transportation between any point or points in the United States and any point or points in any member of the European Common Aviation Area; (3) other charters pursuant to the prior approval requirements; and (4) transportation authorized by any additional route rights that may be made available to European Union carriers in the future.

**Renee V. Wright,**

*Program Manager, Docket Operations,  
Federal Register Liaison.*

[FR Doc. E8-27453 Filed 11-18-08; 8:45 am]

**BILLING CODE 4910-9X-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Aviation Proceedings, Agreements Filed the Week Ending October 24, 2008

The following Agreements were filed with the Department of Transportation under the sections 412 and 414 of the Federal Aviation Act, as amended (49 U.S.C. 1383 and 1384) and procedures governing proceedings to enforce these provisions. Answers may be filed within 21 days after the filing of the application.

*Docket Number:* DOT-OST-2008-0310.

*Date Filed:* October 23, 2008.

*Parties:* Members of the International Air Transport Association.

*Subject: Technical Correction:* Mail Vote 576—Resolution 010e. TC3 Special Passenger Amending Resolution. From Hong Kong SAR (HK) to Japan. (Memo 1243). Intended effective date: 15 November 2008.

**Renee V. Wright,**

*Program Manager, Docket Operations,  
Federal Register Liaison.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

**[Docket No. FAA-2006-25709, Notice No. 93-87; Docket No. FAA-2008-0517, Notice No. 08-05]**

#### Congestion Management Rules for John F. Kennedy International Airport, Newark Liberty International Airport, and LaGuardia Airport

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of Limited Slot Allocation demonstration.

**SUMMARY:** This notice announces a meeting to hold a demonstration of the allocation method that the Federal Aviation Administration will use to allocate limited slots for its congestion management rules for John F. Kennedy International Airport, Newark Liberty International Airport, and LaGuardia Airport (Final Congestion Rules). [Docket No. FAA-2008-0517, Notice No. 08-05 and Docket No. FAA-2006-25709, Notice No. 93-87].

**DATES:** The Limited Slot Allocation demonstration is scheduled for December 04, 2008, from 1 p.m. to 4 p.m., Eastern Time.

**ADDRESSES:** The demonstration will be held in the FAA headquarters, 800 Independence Avenue, SW., Washington, DC, in the FAA auditorium.

#### FOR FURTHER INFORMATION, TO RSVP OR TO CONTACT THE AGENCY REGARDING THE

**MEETING:** Molly Smith, Office of Aviation Policy & Plans, Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591; *Phone* 202-267-3274; *Fax:* (202) 267-3278; *E-mail:* [Molly.w.Smith@faa.gov](mailto:Molly.w.Smith@faa.gov). Please RSVP by November 26, 2008.

**SUPPLEMENTARY INFORMATION:** As discussed in the Final Congestion Rules all operators with more than 20 slots at the affected airports will have a percentage of slots designated as Limited Slots, which will expire prior to the expiration of the Final Congestion Rules. Limited Slot leases will expire over the first five years of the Final Congestion Rules. The number of years of lease duration for Limited Slots would be distributed in a manner that fairly distributes the relative length of lease durations among carriers in proportion to their initial holdings. The Final Congestion Rules designate that carriers identify one-half of their limited slots by hour of the day; the FAA will then choose the remaining 50 percent to fairly distribute the total across the day.

Thereafter, the slot lives for all limited slots would be assigned by FAA.

#### The Limited Slot Allocation

Demonstration is open to the public although reservations are required by November 26, 2008. Seating at the meeting is limited so priority will be given to the Port Authority of New York and New Jersey and the carriers operating at the affected airports.

Persons with a disability requiring special accommodations, such as an interpreter for the hearing impaired, should contact the FAA contact noted above at least ten (10) calendar days prior to the meeting.

**Robert Robeson,**

*Manager, Systems & Policy Analysis Division.*  
[FR Doc. E8-27461 Filed 11-18-08; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

#### Use of Advanced Information Technologies To Monitor Compliance With Federal Motor Carrier Safety Regulations

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

**ACTION:** Notice of Policy Change.

**SUMMARY:** This notice is to inform the motor carrier community of policy changes regarding the FMCSA's use of advanced information technology.

**DATES:** *Effective Date:* This change in policy is effective December 19, 2008.

**FOR FURTHER INFORMATION CONTACT:** Mr. Lee Zimmerman, Chief, Enforcement and Compliance Division, MC-ECE, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave, SE., Washington, DC 20590. Telephone: 202-366-6830. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays. Web site address: <http://www.fmcsa.dot.gov>.

#### Background

#### Current Policy

In 1997, the FMCSA issued a policy memorandum which limited the use of advanced technology during Agency investigations regarding motor carrier compliance with the Federal Motor Carrier Safety Regulations. The Agency recognized the technologies, which were emerging and being implemented within the industry in 1997, offered positive opportunity to advance operational safety performance. Therefore, the Agency decided to

initiate the 1997 policy limiting the use of technology data and electronically produced records during reviews and for regulatory enforcement purposes, in order to promote and encourage the use of these new technologies by the industry. This policy afforded the industry the opportunity to fully integrate the technology in its operations and overall safety management system.

After more than a decade since the Agency established its policy, the use of advanced technology has become widely accepted and an integral component of the industry's logistics and operations management systems. The Agency's policy achieved its purpose; the once emerging technologies are today a common and essential component of the industry's logistics, operations and safety management systems to achieve the safe and efficient transportation of passengers and freight. Therefore, with this notice, the FMCSA rescinds the 1997 policy on Advanced Information Technology.

Issued on: November 13, 2008.

**Dan Hartman,**

*Associate Administrator, Field Operations.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2006-26367]

#### Announcement of Renewal of the Motor Carrier Safety Advisory Committee Charter; Request for Nominations

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

**ACTION:** Notice of renewal of advisory committee charter and reappointment of members; request for member nominations.

**SUMMARY:** FMCSA announces the renewal of the charter for its Motor Carrier Safety Advisory Committee (MCSAC) and the reappointment of 13 of the 15 original members of the Committee, and solicits nominations for interested persons in the safety enforcement community to serve on the Committee. The MCSAC was mandated by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Public Law 109-59; established on September 8, 2006; and, renewed on September 8, 2008. The Committee is charged with providing

advice and recommendations to the FMCSA Administrator on the needs, objectives, plans, approaches, content, and accomplishments of Federal motor carrier safety programs and Federal motor carrier safety regulations.

**DATES:** Nominations for the MCSAC must be received on or before December 4, 2008.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jeffrey Miller, Chief, Strategic Planning and Program Evaluation Division, Office of Policy Plans and Regulation, (202) 366-1258, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Section 4144 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59, August 10, 2005), required the Secretary to establish the MCSAC. The Committee provides advice and recommendations to the Administrator of FMCSA on the needs, objectives, plans, approaches, content, and accomplishments of motor carrier safety programs and motor carrier safety regulations. The Committee may be comprised of up to 20 members appointed by the Administrator for up to two-year terms. They are selected from among individuals who are not employees of FMCSA and who are specially qualified to serve on the Committee based on their education, training, or experience. The members include representatives of the motor carrier industry, safety advocates, and safety enforcement officials. Representatives of a single enumerated interest group may not constitute a majority of the Committee members.

The Administrator designates a chairman of the Committee from among the members. Committee members must not be officers or employees of the Federal Government and will serve without pay. The Administrator may allow a member, when attending meetings of the Committee or a subcommittee, reimbursement of expenses authorized under Section 5703 of Title 5, United States Code and the Federal Travel Regulation, 41 CFR Part 301, relating to per diem, travel and transportation. FMCSA anticipates calling Committee meetings at least four times each year. Meetings will be open to the general public, except as provided under the Federal Advisory Committee Act (5 U.S.C. App. 2). Notice of each meeting will be published in the **Federal Register** at least 15 calendar days prior to the date of the meeting.

On March 5, 2007, the Administrator appointed motor carrier sector representatives John M. Bauer (Kohl's Corporation), Clyde J. Hart (American Bus Association), David J. Osiecki (American Trucking Associations), Robert G. Petrancosta (Conway Freight), J. Todd Spencer (Owner Operators Independent Drivers Association); safety advocacy representatives Michael T. Irwin (Michigan Center for Truck Safety), Stephen C. Owings (Road Safe America), David R. Parker (Great West Casualty Company), Lester B. Sokolowski (National Safety Council), Judith Lee Stone (Advocates for Highway and Auto Safety); and safety enforcement representatives Michael Greene (Columbia Machine Works, Incorporated), Lt. Colonel Terry L. Maple (Kansas Highway Patrol), Captain Robert R. Powers (Michigan State Police), Karen Sain (North Carolina Highway Patrol), and Roger Vanderpool (Arizona Department of Public Safety) to the Committee. Their terms expired on September 30, 2008.

On October 1, 2008, the Administrator reappointed motor carrier sector representatives John M. Bauer, Clyde J. Hart, David J. Osiecki, Robert G. Petrancosta, J. Todd Spencer; safety advocacy representatives Michael T. Irwin, Stephen C. Owings, David R. Parker, Lester B. Sokolowski, Judith Lee Stone; and, safety enforcement representatives Lt. Colonel Terry L. Maple, Captain Robert R. Powers, and Roger Vanderpool, for two-year terms, ending September 30, 2010.

##### II. Motor Carrier Safety Advisory Committee Charter [This is the Text of the Charter That the Department of Transportation Filed With the General Services Administration on September 8, 2008.]

1. *Purpose:* This charter renews the Motor Carrier Safety Advisory Committee and provides for its operation in accordance with provisions of the Federal Advisory Committee Act (FACA), as amended (5 U.S.C.); 41 CFR Part 102-3; DOT Order 1120.3B; and Section 4144 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Pub. L. 109-59. The charter also sets forth the principles governing the committee's operation.

2. *Scope and Objectives:* The committee will provide advice and recommendations to the Administrator of the Federal Motor Carrier Safety Administration (FMCSA) on motor carrier safety programs and motor carrier safety regulations.

3. *Duties:* The members of the committee shall:

- a. Attend committee meetings.