

**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration****Reports, Forms, and Recordkeeping Requirements; Agency Information Collection Activity Under OMB Review**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below will be forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collections and their expected burden. The **Federal Register** Notice with a 60-day comment period was published on June 9, 2010 [FR Doc. 2010-0065, Vol. 75, No. 110, Pages 32838-32839].

**DATES:** Comments must be submitted on or before October 1, 2010.

**FOR FURTHER INFORMATION CONTACT:** Charlene Doyle, NVS-431, Office of Regulatory Analysis and Evaluation, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590. Ms. Doyle's phone number is 202-366-1276 and her e-mail address is [charlene.doyle@dot.gov](mailto:charlene.doyle@dot.gov).

**SUPPLEMENTARY INFORMATION:****National Highway Traffic Safety Administration**

*Title:* National Child Restraint Use Special Study (NCRUSS).

*OMB Number:* 2127-0642.

*Type of Request:* Request for public comment on proposed collection of information.

*Abstract:* The National Highway Traffic Safety Administration (NHTSA) proposes to conduct information collections to assess the levels of child restraint system use and misuse for children riding in passenger vehicles, and to examine whether the levels of use and/or misuse are related to any specific characteristics of the drivers, their passengers, the child restraints, and/or the vehicles. Previous studies have shown that there is a gap between recommended child restraint use and observed use. Actions have been taken by NHTSA to close the gap. In March 1999, NHTSA published a final rule establishing a uniform child restraint attachment system known as LATCH, Lower Anchors and Tethers for Children (Federal Motor Vehicles Safety

Standard 213, Child Restraint Systems and FMVSS 225, Child Restraint Anchorage Systems), in order to provide another, easier method of attaching a child restraint to the vehicle. This new collection of data is necessary in order to evaluate the effectiveness of FMVSS 225 and FMVSS 213, as well as to obtain an up to date snapshot of child restraint use and misuse across the United States. This information will be used in assessing what additional actions NHTSA should take to improve child passenger safety. In addition, NHTSA will publish the findings of this research study to provide information to States, localities, and other interested organizations in support of their efforts to reduce and prevent injuries among child occupants. NHTSA proposes to collect observational data on correct and incorrect use of child restraint systems in passenger vehicles, as well as interview information from drivers about their knowledge and perceptions of child restraint systems. The primary population for observation will be restrained and unrestrained child passengers riding in any seating position in passenger vehicles. Participation in the study will be voluntary. Interviews with drivers who agree to participate will be used to obtain the following data: demographic information on occupants, the driver's knowledge about the specific CRS in the vehicle, and the driver's general knowledge and experience with different types of restraint systems. While the interview is being conducted, a trained observer will collect information about the CRS in the vehicle, including the type of restraint that is used, the type of installation (seat belt or LATCH), how the CRS is installed, harness use, and seat belt fit. The observer will not remove the child or CRS from the vehicle.

*Affected Public:* Drivers of passenger vehicles who are transporting children and their passengers.

*Estimated Total Annual Burden:* 880 hours.

**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.

**Authority:** 44 U.S.C. 3506(c)(2)(A).

**James F. Simons,**

*Director, Office of Regulatory Analysis and Evaluation.*

[FR Doc. 2010-21871 Filed 8-31-10; 8:45 am]

**BILLING CODE 4910-59-P**

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

[Docket No. FD 35403]

**Patriot Rail, LLC, Patriot Rail Holdings LLC, and Patriot Rail Corp.—Continuance in Control Exemption—Piedmont & Northern Railway, Inc.**

Patriot Rail, LLC (PRL) and its subsidiaries, Patriot Rail Holdings LLC (PRH) and Patriot Rail Corp. (Patriot), have jointly filed a verified notice of exemption to continue in control of Piedmont & Northern Railway, Inc. (P&N), upon P&N's becoming a Class III rail carrier.<sup>1</sup>

This transaction is related to the verified notice of exemption filed in Docket No. FD 35402, *Piedmont & Northern Railway, Inc.—Operation Exemption—North Carolina Department of Transportation*, in which P&N seeks an exemption under 49 CFR 1150.31 to operate over approximately 13.04 miles of rail line owned by the North Carolina Department of Transportation, between Mt. Holly (milepost SFC 11.39) and Gastonia (milepost SFC 23.0), including the Belmont spur between Mt. Holly (milepost SFC 13.6/SFF 0.13) and Belmont (milepost SFF 1.56), in Gaston County, N.C.

The transaction is scheduled to be consummated on or after September 11, 2010 (30 days after the notice of exemption was filed).

Patriot currently controls the following six Class III rail carriers: Tennessee Southern Railroad Company, Rarus Railway Company, Utah Central Railway Company, Sacramento Valley Railroad, Inc., The Louisiana and North

<sup>1</sup> PRL is a noncarrier limited liability company that owns not less than 51% of the equity interests in PRH. PRH owns 100% of the stock of Patriot. Patriot is a noncarrier holding company that owns 100% of the stock of six railroad subsidiaries and P&N.

West Railroad Company LLC, and Temple & Central Texas Railway, Inc.

The parties state that: (1) The rail line to be operated by P&N does not connect with any other railroads in the corporate family; (2) the transaction is not part of a series of anticipated transactions that would connect this rail line with any other railroad in the corporate family; and (3) the transaction does not involve a Class I rail carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than September 3, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35403, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Louis E. Gitomer, 600 Baltimore Ave., Suite 301, Towson, MD 21204.

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

Decided: August 26, 2010.

By the Board.

**Rachel D. Campbell,**  
*Director, Office of Proceedings.*

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2010-21805 Filed 8-31-10; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement; Opportunity Corridor, City of Cleveland, Cuyahoga County, OH

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

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be prepared for transportation improvements proposed in Cuyahoga County, Ohio.

**FOR FURTHER INFORMATION CONTACT:** Laura S. Leffler, Division Administrator, Federal Highway Administration, 200 North High Street, Room 328, Columbus, Ohio 43215, Telephone: (614) 280-6896.

**SUPPLEMENTARY INFORMATION:** The Federal Highway Administration (FHWA), in cooperation with the Ohio Department of Transportation (ODOT), will prepare an Environmental Impact Statement (EIS) on a proposal to construct new roadways on new alignments between Interstate 490 and the University Circle area of Cleveland, Ohio. The study area extends from Interstate 77/Interstate 490 in the west to East 105th Street and Chester Avenue (U.S. 322) in the east and is located entirely in the City of Cleveland, Ohio. The study area runs generally parallel to the existing railroad transportation corridor containing Greater Cleveland Regional Transit Authority's (GCRTA) Red Line and freight tracks owned and operated by Norfolk Southern Corporation (NS) and CSX Corporation (CSX).

The purpose of the transportation improvement is to create the transportation infrastructure to improve mobility and access in southeast Cleveland and support the revival and redevelopment of large tracts of vacant industrial and residential land within an area bounded by Cedar Avenue on the north, east 55th Street on the West, Woodhill Road/East 93rd Street on the east and Union Avenue on the south. Actions under consideration include (1) six various alternatives to construct a boulevard type roadway including a multi-lane urban arterial with curbs, an elevated landscape median, multi-modal facilities, landscaping and lighting, and (2) taking no action. The current six various alternatives have been born out of a previous planning study called the University Circle Access Boulevard. The project development process including the refinement of Conceptual Alternatives and the development of Feasible Alternatives will be included in the Draft EIS.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies and to private organizations and citizens who have previously expressed or are known to have interest

in this proposal. A series of public meetings and hearings will be held in the project area. Public notice will be given of the exact time and place of the meetings and the hearing to be held for the project. The Draft EIS will be available for public and agency review and comment prior to the Public Hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action or the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 315; 49 CFR 1.48.

Issued on: August 19, 2010.

**Laura S. Leffler,**

*Division Administrator, Federal Highway Administration, Columbus, Ohio.*

[FR Doc. 2010-21911 Filed 8-31-10; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on East Lake Sammamish Master Plan Trail in King County, WA

**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 FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed transportation enhancement project, the East Lake Sammamish Trail, starting at Gilman Boulevard in Issaquah, Washington and ending at Bear Creek Trail in Redmond, Washington. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, 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 the transportation project will be barred unless the claim is filed on or before February 28, 2011. If the Federal law that authorizes judicial review of a claim provides a