

adopted by ARAC. As part of the procedures, the working group is expected to:

1. Recommend a work plan for completion of the task, including the rationale supporting such a plan for consideration at the next meeting of the ARAC on general aviation certification and operations issues held following publication of this notice.

2. Give a detailed conceptual presentation of the proposed recommendations prior to proceeding with the work stated in item 3 below.

3. Draft the appropriate documents, required analyses, and any other related materials or documents.

4. Provide a status report at each meeting of the ARAC held to consider general aviation certification and operations issues.

Participation in the Working Group

The part 23 Electrical Systems Harmonization Working Group will be composed of technical experts having an interest in the assigned task. A working group member need not be a representative or a member of the full committee.

An individual who has expertise in the subject matter and wishes to become a member of the working group should write to the person listed under the caption **FOR FURTHER INFORMATION CONTACT** expressing that desire, describing his or her interest in the task, and stating the expertise he or she would bring to the working group. We must receive all requests by September 7, 2001. The co-assistant chairs, the co-assistant executive directors, and the working group chairs will review the requests. We will advise individuals whether or not we can accommodate their request.

Individuals chosen for membership on the working group will be expected to represent their aviation community segment and actively participate in the working group (e.g., attend all meetings, provide written comments when requested to do so, etc.). We also expect them to devote the resources necessary to support the working group in meeting any assigned deadlines. Members must keep their management chain and those they represent advised of working group activities and decisions to ensure that the proposed technical solutions do not conflict with their sponsoring organization's position when the subject being negotiated is presented to ARAC for approval.

Once the working group has begun deliberations, members will not be added or substituted without the approval of the co-assistant chairs, the

co-assistant executive directors, and the working group chairs.

The Secretary of Transportation determined that the formation and use of the ARAC is necessary and in the public interest in connection with the performance of duties imposed on the FAA by law.

Meetings of the ARAC are open to the public. Meetings of the part 23 Electrical Systems Harmonization Working Group are not open to the public, except to the extent that individuals with an interest and expertise are selected to participate. The FAA makes no public announcement of working group meetings.

Issued in Washington, DC, on August 16, 2001.

Anthony F. Fazio,

Executive Director, Aviation Rulemaking Advisory Committee.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application 01-05-C-00-PLB To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Clinton County Airport, Plattsburgh, New York

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Clinton County Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

DATES: Comments must be received on or before September 21, 2001.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, New York Airports District Office, 600 Old Country Road, Suite 446, Garden City, New York 11530.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Ralph Hensel, Airport Manager at the following address: Clinton County Airport, 11 Airport Road, Suite 101, Plattsburgh, New York, 12901.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the County of Clinton under § 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT:

Robert Levine, Airport Engineer, New York Airports District Office, 600 Old Country Road, Garden City, New York 11530, Telephone: (516) 227-3807. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Clinton County Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

On August 7, 2001, the FAA determined that the application to impose and use the revenue from a PFC submitted by County of Clinton was substantially complete within the requirements of § 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than November 17, 2001.

The following is a brief overview of the application.

PFC Application No.: 01-05-C-00-PLB.

Level of the proposed PFC: \$3.00.

Proposed charge effective date: December 1, 2001.

Proposed charge expiration date: March 1, 2005.

Total estimated PFC revenue: \$56,500.

Brief description of proposed project(s):

- On Airport Obstruction Removal (Phase I & II).

- Transient Apron Rehabilitation.

- Purchase Runway Sweeper.

- Runway 1-19 & 14-32 Crack Repair.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Non-Scheduled/On Demand Operators filing FAA Form 1800-31.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA regional airports office located at: Federal Aviation Administration, Eastern Region, Airports Division, AEA-610, 1 Aviation Plaza, Jamaica, New York 11434-4809.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the County of Clinton.

Issued in Garden City, New York on August 13, 2001.

Philip Brito,

Manager, New York Airports District Office, Eastern Region.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2001-9664]

Drug Test Results Study

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

ACTION: Notice; extension of comment period.

SUMMARY: The FMCSA extends this notice's comment period until September 8, 2001. This is in response to two petitions for an extension of the comment period. The Motor Carrier Safety Improvement Act of 1999 (MCSIA) directs the Federal Motor Carrier Safety Administration (FMCSA) to conduct a study and report to the Congress on the feasibility and merits of requiring Medical Review Officers and employers to report verified positive drug test results for CDL drivers to the State that issued the driver's license. The FMCSA initiates this study on this issue and invites public comments on how the proposed rule will affect prospective regulated parties.

DATES: Please submit comments no later than September 8, 2001.

ADDRESSES: Mail or hand deliver comments to the U.S. Department of Transportation, Dockets Management Facility, Room PL-401, 400 Seventh Street, SW., Washington DC 20590, or submit electronically at <http://dmses.dot.gov/submit>. Please specify the number you are commenting on before listing your comments. All comments received will be available for examination and copying at the above address between 9 a.m. and 5 p.m., et., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped envelope or postcard or you may print the acknowledgment page that appears after submitting comments electronically.

FOR FURTHER INFORMATION CONTACT: For information about the status of this notice, you may contact Ms. Kaye Kirby, Office of Bus and Truck Standards and Operations, (202) 366-3109; for information about legal issues related to this notice, Mr. Michael Falk, Office of

the Chief Counsel, (202) 366-1384, FMCSA, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., et., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

You may see all the comments on the Document Management System (DMS) website at: <http://dmses.dot.gov>.

Background

On July 9, 2001, we published a notice announcing the initiation of a study required by Congress in the Motor Carrier Safety Improvement Act of 1999 (Public Law 106-159, 113 Stat. 1748), and seeking comments on the feasibility and merits of requiring Medical Review Officers and employers to report verified positive drug test results for CDL drivers to the State that issued the driver's license (66 FR 35825). Respondents to the notice were requested to address a number of questions focused on the burden imposed by such a reporting requirement on the employers, State, and others. Comments were requested by August 8, 2001.

Petition for Extension of Comment Period

On July 13, 2001, the American Trucking Associations (ATA) requested a 45 day extension for commenting. The ATA seeks to survey and solicit comments from its membership on this issue in an attempt to answer the 11 questions posed by the FMCSA in the July 9, 2001 notice. They also intend to contact the Federal Aviation Administration to investigate the manner in which that agency implemented a similar reporting requirement for drug and alcohol-related information concerning airline pilots. In addition, they plan to contact the numerous States that have explored the feasibility of a similar reporting process.

On July 26, 2001, the Owner-Operator Independent Drivers Association (OOIDA) requested a 45 day extension for commenting. The OOIDA would like the additional time to contact nearly 66,000 of its members who are small business truckers to address and gather information on issues related to safety, privacy, and procedure that are raised by the questions posed by the FMCSA in the notice.

The FMCSA finds good cause to extend the notice comment period closing date for 30 days, after the previous closing date of August 8, 2001, based upon the concerns raised by the

petitioners. Because the agency faces a December 9, 2001 Congressional deadline on this issue, the extra 15 days requested by the petitioners cannot be granted. Accordingly, the new closing date is September 8, 2001.

Statutory History and Issues

Section 226 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA) requires the Secretary of Transportation (Secretary) to conduct a study of the feasibility and merits of requiring Medical Review Officers or employers to report all verified positive controlled substances test results on any driver subject to controlled substances testing in 49 CFR part 382 to the State where the driver is licensed. In addition to the reporting requirement, this potential provision would require prospective employers to query the State that issued the CDL to determine if the State had any record of a verified positive drug test on such driver before hiring the driver. The MCSIA further required the Secretary to report on the study, together with any recommendations the Secretary determines appropriate, to Congress no later than two years after enactment of the law.

In carrying out this study, Congress directed the Secretary to conduct an assessment to identify methods for safeguarding the confidentiality of verified drug test results. In addition, the Secretary was asked to examine the costs, benefits, and safety impacts of requiring States to maintain records of verified positive drug test results; and whether a process should be established to allow drivers to correct errors in their records and to expunge information from their records after a reasonable period of time.

Comments and suggestions are invited concerning the feasibility and merits of employers and Medical Review Officers reporting positive drug test results to the State that issued the driver's CDL and the burden imposed by such a reporting requirement on the employers, State, and others. Of concern are operational, legal, confidentiality, and financial issues, as well as the type of database, database access, and database management that would be required.

Comments

Comments are requested specifically on the following questions:

(1) What impact would this requirement have on the motor carrier industry, drivers, Medical Review Officers, safety advocates, the States and other interested parties?

(2) What would be the benefits, costs, and safety impacts of requiring States to