

Administration (RITA), to the Federal Motor Carrier Safety Information (FMCSA) (69 FR 51009, Aug. 17, 2004).  
*FMCSA IC: OMB Control No. 2126-0031.*

*Form No.:* MP-1.

*Type of Review:* Extension of a currently approved information collection.

*Respondents:* Class I Motor Carriers of Passengers.

*Number of Respondents:* 26.

*Estimated Time Per Response:* 1.5 hours.

*Expiration Date:* August 31, 2006.

*Frequency:* Quarterly and Annually.

*Total Annual Burden:* 195 hours [130 responses x 1.5 hour per response = 195 hours].

### Background

The Annual and Quarterly Report of Class I Motor Carriers of Passengers is a mandated reporting requirement applicable to certain motor carriers of passengers. Motor carriers (both interstate and intrastate) subject to the Federal Motor Carrier Safety Regulations are classified on the basis of their gross carrier operating revenues.<sup>1</sup> Class I passenger motor carriers are required to file with the Agency motor carrier quarterly and annual reports (Form MP-1) providing financial and operating data (see 49 U.S.C. 14123). Under the financial and operating statistics (F&OS) program, FMCSA collects balance sheet and income statement data along with information on tonnage, mileage, employees, transportation equipment, and related data. The Agency uses this information to assess the health of the industry and identify industry changes that could affect national transportation policy. The data also indicate company financial stability and operational characteristics. The data and information collected are made publicly available and used by FMCSA to determine a passenger carrier's compliance with the F&OS program

<sup>1</sup> For purposes of the Financial & Operating Statistics (F&OS) program, passenger carriers are classified into the following two groups: (1) Class I carriers are those having average annual gross transportation operating revenues (including interstate and intrastate) of \$5 million or more from passenger motor carrier operations after applying the revenue deflator formula in the Note of 49 CFR 1420.3; (2) Class II passenger carriers are those having average annual gross transportation operating revenues (including interstate and intrastate) of less than \$5 million from passenger motor carrier operations after applying the revenue deflator formula as shown in Note A of § 1420.3. Only Class I carriers of passengers are required to file Annual and Quarterly Report Form MP-1, but Class II passenger carriers must notify the Agency when there is a change in their classification or their revenues exceed the Class II limit.

requirements set forth in 49 CFR Part 1420.

The F&OS reporting regulations were formerly administered by the Interstate Commerce Commission. They were transferred to the U.S. Department of Transportation on January 1, 1996, by Section 103 of the ICC Termination Act of 1995 (ICCTA) (Pub. L. 104-88, 109 Stat. 803, December 29, 1995), now codified at 49 U.S.C. 14123. On September 30, 1998, the Secretary transferred the authority to administer the F&OS program to BTS (63 FR 52192). Effective September 29, 2004, the Secretary transferred this program responsibility from BTS and re delegated it to FMCSA (69 FR 51009, Aug. 17, 2004). FMCSA will publish a final rule that transfers and redesignates the F&OS program reporting requirements, currently at 49 CFR 1420, from BTS (now RITA) to FMCSA.

We particularly request comments on: (1) Whether the proposed collection of information is necessary for FMCSA to meet its goal of reducing commercial motor vehicle crashes, and the usefulness of the information with respect to this goal; (2) the accuracy of the estimated IC burden; (3) ways to enhance the quality, utility, and clarity of the information collected; and (4) ways to minimize the burden of the collection of information on respondents (including use of automated collection techniques and other information technologies) without reducing the quality of the collected information. The Agency will summarize and/or include your comments in the request for OMB approval of this IC.

Issued on: July 7, 2006.

**David H. Hugel,**

*Acting Administrator.*

[FR Doc. E6-11140 Filed 7-13-06; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Environmental Impact Statement: DesertXpress High Speed Train Between Victorville, CA and Las Vegas, NV

**AGENCY:** Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

**ACTION:** Notice of Intent to prepare an Environmental Impact Statement.

**SUMMARY:** The FRA is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for the proposed

DesertXpress high-speed train project. The project includes passenger stations, a maintenance facility, and a new railroad line along the I-15 corridor between Victorville, California and Las Vegas, Nevada. FRA is issuing this notice to solicit public and agency input into the development of the scope of the EIS and to advise the public that outreach activities conducted by the FRA will be considered in the preparation of the EIS. Federal cooperating agencies for the EIS are the Surface Transportation Board (STB), the Federal Highway Administration (FHWA) and the Bureau of Land Management (BLM). Alternatives to be evaluated and analyzed in the EIS include (1) take no action (No-Project or No-Build); and, (2) construction of a privately financed steel-wheel-on-steel-rail high-speed train, including a proposed station in Victorville and a station in Las Vegas, and a maintenance facility in Victorville. Several alternative routings would be considered in the EIS.

**DATES:** Three scoping meetings will be held during July of 2006. Scoping meetings will be advertised locally and are scheduled for the following cities on the dates indicated below:

- July 25, 2006, Las Vegas Nevada at The White House, 3260 Joe Brown Drive time 5-8 pm.
- July 26, 2006, Barstow, California at the Ramada Inn, 1571 E. Main Street, time 12-2 pm, and
- July 26, 2006, Victorville, California at the San Bernardino County Fairgrounds Building 3, time 5-8 pm.

Persons interested in providing comments on the scope of the EIS should do so by August 15, 2006. Comments can be sent to Mr. David Valenstein at the FRA address identified below.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Valenstein, Environmental Program Manager, Office of Railroad Development, Federal Railroad Administration, 1120 Vermont Avenue, (Mail Stop 20), Washington, DC 20590, (telephone 202/ 493-6368). Information and documents regarding the environmental review process will be made available through the FRA's Web site: <http://www.fra.dot.gov> at Passenger Rail, Environment, Current Reviews, DesertXpress.

**SUPPLEMENTARY INFORMATION:** The FRA will prepare an Environmental Impact Statement (EIS) for the proposed DesertXpress high-speed train project. The FRA is an operating administration of the U.S. Department of Transportation and is primarily responsible for railroad safety

regulation. Federal cooperating agencies for the EIS are the Surface Transportation Board (STB), the Federal Highway Administration (FHWA) and the Bureau of Land Management (BLM). The BLM has approval authority over the use of public lands under their control. The FHWA has jurisdiction over the use and/or modification of land within the I-15 right of way. The STB has exclusive jurisdiction, pursuant to 49 U.S.C. 10501(b), over the construction, acquisition, operation and abandonment of rail lines, railroad rates and services and rail carrier consolidations and mergers. The construction and operation of the proposed DesertXpress high-speed train project is subject to STB's approval authority under 49 U.S.C. 10901. To the extent appropriate, the EIS will address environmental concerns raised by federal, state and local agencies during the EIS process.

*Project Description:* DesertXpress Enterprises, LLC (the project Applicant) proposes to construct and operate a privately financed interstate high-speed passenger train, with a proposed station in Victorville, California and a station in Las Vegas, Nevada, along a 200-mile corridor, within or adjacent to the I-15 freeway for about 170 miles and adjacent to existing railroad lines for about 30 miles.

The need for the project is directly related to the rapid increase in travel demand between Southern California and Las Vegas, coupled with the growth in population in the areas surrounding Victorville, Barstow, Primm and Las Vegas, which has resulted in substantial congestion along the I-15 freeway between Victorville and Las Vegas. Ridership is estimated to be 4.1 million round trips in the first full year of service. To accommodate this level of ridership, trains would operate from 6 a.m. to 10 p.m., daily, 365 days a year at 20 to 30 minute intervals during peak periods.

The project would involve construction of a fully grade-separated, dedicated double track passenger-only railroad along an approximately 200-mile corridor, from Victorville California to Las Vegas, Nevada. Where the railroad alignment would be within the I-15 freeway corridor, continuous concrete truck barriers, as well as American Railway Engineering and Maintenance of Way Association crash barriers at all supporting columns of bridges at freeway interchanges and overpasses would be provided. The project would include the construction of a passenger station, as well as maintenance, storage and operations

facility in Victorville and one passenger station in Las Vegas.

The proposed Victorville Station would be located along the west side of I-15 between the two existing Stoddard Wells interchanges. The facilities directly associated with the Victorville station would occupy about 60 acres of land, and would have a parking capacity for up to 10,000 automobiles. Access to the Victorville station would be via the two existing Stoddard Wells Road Interchanges.

The Maintenance, Storage and Operations facility is proposed to be located in the City of Victorville on a site that lies within the Victorville Valley Economic Development Area. The facility would require approximately 50 acres and would include a fueling station, train washing facility, repair shop, parts storage, and operations center. It is estimated that approximately 400 employees would be based at this facility.

The Las Vegas passenger station would be located at one of three possible locations: (1) Near the south end of the Las Vegas Strip; (2) in the center section of the Strip; or (3) in downtown Las Vegas. A light maintenance, cleaning, and inspection facility would also be built near the Las Vegas station.

*Alternatives:* A No-Build alternative will be studied as the baseline for comparison with the proposed project. The No-Build Alternative represents the highway (I-15) and airport (McCarran) system physical characteristics and capacity as they exist at the time of the EIS (2006) with planned and funded improvements that will be in place at the time the project becomes operational. The project build alternatives have the same stations and maintenance facility. The railroad alignment between Victorville and Las Vegas can be divided into 6 distinct segments. Within the segments, several build alternatives are being considered as discussed below.

*Segment 1:* Victorville to Lenwood (south of Barstow, California): Alternative A would depart the Victorville Station in a south-westerly direction before turning north and generally following the existing BNSF Railway Company (BNSF) railroad corridor and Route 66 to a point just south of Barstow. Alternative B would depart the Victorville Station and head north generally following the west side of the I-15 corridor. The alignment would diverge from the I-15 corridor near Hodge Road and head northerly to a point just south of Barstow near the exiting BNSF railroad corridor.

Alternative B would be approximately 6.8 miles shorter than Alternative A.

*Segment 2:* Lenwood (South of Barstow) to Yermo, California: From a point south of Barstow, the build alternative alignment would head north for about five miles, cross the Mojave River and turn east through the City of Barstow. Through Barstow the alignment would utilize an existing, but abandoned, former Atchison Topeka & Santa Fe railroad corridor along the north side of the Mojave River, for approximately three miles before reaching the vicinity of the I-15 / Old Highway 58 interchange on the eastside of Barstow. From this point the alignment would head east along the north side of I-15 corridor through the town of Yermo to a point just east of the agricultural inspection station on the I-15 Freeway.

*Segment 3:* Yermo to Mountain Pass: There are two alignment alternatives in this segment: Alternative A entirely within the median of the I-15 freeway; and Alternative B along the north side of the I-15 corridor.

*Segment 4:* Mountain Pass to Primm, Nevada: Alternative A would leave the I-15 freeway corridor and head south for approximately four miles before returning to the I-15 freeway corridor south of Primm. A portion of this alignment may encroach on the Mojave Desert Preserve, about one half mile south of the I-15 freeway. Alternative B would leave the I-15 freeway corridor and head north before returning to the I-15 freeway corridor south of Primm. A 4,000-foot long tunnel would be necessary for Alternative B.

*Segment 5:* Primm to Jean, Nevada: Alternative A would be entirely within the median of the I-15 freeway. Alternative B would continue along the east side of the I-15 freeway corridor between Primm and Jean.

*Segment 6:* Jean to Las Vegas, Nevada: There are three alternative alignments in this segment. Alternative A would continue in the median of the I-15 freeway into the Las Vegas passenger station. Alternative B would cross the I-15 freeway corridor from the east side to the west side and continue along the west side of the I-15 freeway corridor into the Las Vegas passenger station. Alternative C would diverge to the east and generally follow the existing Union Pacific railroad corridor into the Las Vegas passenger station. To reach the downtown Las Vegas passenger station Alternative A would leave the median of the I-15 freeway corridor near Oakey Boulevard and diverge to the east to follow the Union Pacific railroad corridor to Bonneville Street. Alternatives B and C would follow the

west side of the I-15 freeway corridor and cross at Oakey Boulevard to the east to join the Union Pacific railroad corridor to Bonneville Street.

**Scoping and Comments:** FRA encourages broad participation in the EIS process during scoping and review of the resulting environmental documents. Comments and suggestions are invited from all interested agencies and the public at large to insure the full range of issues related to the proposed action and all reasonable alternatives are addressed and all significant issues are identified. In particular, FRA is interested in determining whether there are areas of environmental concern where there might be the potential for identifiable significant impacts. FRA invites and welcomes public agencies, communities and members of the public to advise the FRA of their environmental concerns, and to comment on the scope and content of the environmental information regarding the proposed project. Persons interested in providing comments on the scope of the EIS should send them to Mr. David Valenstein at the FRA address identified above by August 15, 2006.

Issued in Washington, DC, on July 11, 2006.

**Mark E. Yachmetz,**

*Associate Administrator for Railroad Development.*

[FR Doc. E6-11154 Filed 7-13-06; 8:45 am]

BILLING CODE 4910-06-P

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket Number: FTA-2005-23227]

#### Notice of Proposed Title VI Circular

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of proposed revisions and request for comment.

**SUMMARY:** The Federal Transit Administration (FTA) is revising and updating its Circular 4702.1, "Title VI Program Guidelines for Urban Mass Transit Administration Recipients." FTA is issuing a proposed Title VI Circular and seeks input from interested parties on this document. After consideration of the comments, FTA will issue a second **Federal Register** notice responding to comments received and noting any changes made to the Circular as a result of comments received. The proposed Circular is available in Docket Number: 23227 at <http://dms.dot.gov>.

**DATES:** Comments must be received by August 14, 2006. Late filed comments will be considered to the extent practicable.

**ADDRESSES:** You may submit comments identified by DOT DMS Docket Number FTA-05-23227 by any of the following methods: Web Site: <http://dms.dot.gov>. Follow the instructions for submitting comments on the DOT electronic docket site; Fax: 202-493-2251; Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, PL-401, Washington, DC 20590-0001; Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Instructions:** You must include the agency name (Federal Transit Administration) and the docket number (FTA-05-23227). You should submit two copies of your comments if you submit them by mail. If you wish to receive confirmation that FTA received your comments, you must include a self-addressed, stamped postcard. Note that all comments received will be posted without change to the Department's Docket Management System (DMS) website located at <http://dms.dot.gov>. This means that if your comment includes any personal identifying information, such information will be made available to users of DMS.

**FOR FURTHER INFORMATION CONTACT:**

David Schneider, Office of Civil Rights, 400 Seventh Street, SW., Washington, DC, 20590, (202) 366-4018 or at [David.Schneider@fta.dot.gov](mailto:David.Schneider@fta.dot.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The authority for FTA's Title VI Circular derives from Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, *et seq.*, which prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Section 601 of this Title provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance," (42 U.S.C 2000d). Section 602 authorizes Federal agencies "to effectuate the provisions of [Section 601] \* \* \* by issuing rules, regulations or orders of general applicability," (42 U.S.C. 2000d-1). The U.S. Department of Transportation (DOT), in an exercise of

this authority, promulgated regulations, contained in 49 CFR Part 21 that effectuate the provisions of Section 601 and Title VI in general.

FTA Circular 4702.1, titled "Title VI Program Guidelines for Urban Mass Transit Administration Recipients," provides information on how FTA will enforce the Department of Transportation's Title VI regulations at 49 CFR Part 21. The Circular includes information, guidance, and instructions on the objectives of Title VI, information on specific grant programs covered by Title VI, a description of FTA data collection and reporting requirements, a summary of FTA Title VI compliance review procedures, a description of FTA process for implementing remedial and enforcement actions, information on how FTA will respond to Title VI complaints, and public information requirements. Circular 4702.1 was last updated on May 26, 1988.

The proposed circular would make reference to and in some instances would summarize the text of other FTA guidance, regulations, and other documents. Many of the documents referred to will undergo revision during the life of the proposed circular. In all cases, the most current guidance document, regulation, etc will supercede any preceding information provided. FTA reserves the right to make page changes to proposed and final circulars regarding updates to other provisions, without subjecting the entire circular to public comment.

**Comments Related to Reporting Requirements:** In addition to general comments concerning the draft Title VI Circular, FTA is seeking comments from its recipients and subrecipients concerning the costs and benefits associated with meeting the proposed Circular's guidance. Recipients and subrecipients are encouraged to comment on the number of hours and/or financial cost associated with implementing the Circular's guidance as well as the extent to which following the guidance will assist the recipient and subrecipient in achieving its organizational objectives.

**I. Why is FTA revising its Title VI Circular?**

The DOT Title VI regulations and FTA Circular 4702.1 attempt to transform the broad antidiscrimination ideals set forth in Section 601 of Title VI into reality. In the 18 years since FTA last revised its Title VI Circular, much of FTA's guidance has become outdated. Over those years, legislation, Executive Orders, and court cases have transformed transportation policy and affected Title VI rights and