

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 16–648; MB Docket No. 14–236; RM–11739 and MB Docket No. 14–257; RM–11743]

Radio Broadcasting Services; Bogata, Texas and Wright City, Oklahoma

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: At the request of Charles Crawford, the Audio Division amends the FM Table of Allotments, by allotting Channel 247A at Bogata, Texas and Channel 295A at Wright City, Oklahoma. A staff engineering analysis indicates that FM Channel 247A can be allotted at Bogata, Texas at the following reference coordinates: 33–33–21 NL and 95–18–28 WL. FM Channel 295A can be allotted at Wright City, Oklahoma, at the following reference coordinates: 34–04–44 NL and 94–51–15 WL.

DATES: Effective July 25, 2016.

FOR FURTHER INFORMATION CONTACT: Nazifa Sawez, Media Bureau, (202) 418–2700.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission’s *Report and Order*, MB Docket Nos. 14–236 and 14–257, adopted July 9, 2016, and released July 10, 2016. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC’s Reference Information Center at Portals II, CY–A257, 445 12th Street SW., Washington, DC 20554. The full text is also available online at <http://apps.fcc.gov/ecfs/>. This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. The Commission will send a copy of the *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

Federal Communications Commission.
Nazifa Sawez,
Assistant Chief, Audio Division, Media Bureau.

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336, and 339.

§ 73.202 [Amended]

■ 2. Section 73.202(b), the Table of FM Allotments, is amended by:

■ a. Under Oklahoma, adding, in alphabetical order, Wright City, Channel 295A.

■ b. Under Texas, adding, in alphabetical order, Bogata, Channel 247A.

[FR Doc. 2016–14934 Filed 6–24–16; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Part 386

[Docket Number: FMCSA–2016–0128]

RIN 2126–AB93

Federal Civil Penalties Inflation Adjustment of 2015

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

ACTION: Interim final rule.

SUMMARY: FMCSA amends the civil penalties listed in its regulations to ensure that the civil penalties assessed or enforced by the Agency reflect the statutorily mandated ranges as adjusted for inflation. Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (2015 Act), FMCSA is required to promulgate a catch-up adjustment through an interim final rule. Pursuant to the Administrative Procedure Act, FMCSA finds that good cause exists for immediate implementation of this interim final rule because prior notice and comment are unnecessary, per the specific provisions of the 2015 Act.

DATES: This interim rule is effective on August 1, 2016.

FOR FURTHER INFORMATION CONTACT: Ms. LaTonya Mimms, Enforcement Division, by email at civilpenalty@dot.gov or phone at 202–366–0991. Office hours are from 8:00 a.m. to 4:30 p.m. Monday through Friday, except Federal holidays. If you have questions on viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Purpose and Summary of the Major Provisions

This interim final rule (IFR) adjusts the amount of FMCSA’s civil penalties to account for inflation as directed by the 2015 Act. The specific inflation adjustment methodology is described later in this document.

B. Benefits and Costs

The changes imposed by this IFR affect the civil penalty amounts, which are considered by the Office of Management and Budget (OMB) Circular A–4, Regulatory Analysis, as transfer payments, not costs. Transfer payments are payments from one group to another that do not affect total resources available to society. By definition they are not considered in the monetization of societal costs and benefits of rulemakings. Congress stated in the Federal Civil Penalties Inflation Adjustment Act of 1990 (1990 Act) that increasing penalties over time will “maintain the deterrent effect of civil monetary penalties and promote compliance with the law.”¹ Therefore, with this continued deterrence, FMCSA infers that there may be some safety benefits that occur due to this IFR. The deterrent effect of increasing penalties, which Congress has recognized, cannot be reliably quantified into safety benefits, however.

II. Legal Basis for the Rulemaking

A. Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015

This rulemaking is based primarily on the 2015 Act, Public Law 114–74, title VII, § 701, 129 Stat. 599, 28 U.S.C. 2461 note (Nov. 2, 2015). The 2015 Act amended the Federal Civil Penalties Inflation Adjustment Act of 1990 (1990 Act) (28 U.S.C. 2461 note). The basic findings and purpose of the amended 1990 Act remain unchanged and include supporting the role civil penalties play in federal law and regulations in deterring violations by allowing for regulatory adjustments to account for inflation. The changes based on the 2015 Act amend sections four, five, six, and also add a new section seven. The effective provisions relevant to this rulemaking will be discussed in turn.

Under section four, agencies must adjust their civil monetary penalties and publish such adjusted penalties in the **Federal Register** by July 1, 2016, while utilizing an initial “catch-up”

¹ 28 U.S.C. 2461 note (Pub. L. 101–410, Oct. 5, 1990, 104 Stat. 890).