A. Correction of Error in the Preamble

1. On page 29800, third column, last paragraph, line 8, the phrase ‘‘effective 30 days after publication’’ is corrected to read ‘‘effective 60 days after publication’’.

B. Correction of Errors in the Regulation Text

1. On page 29864, third column, lines 1 and 2, amendatory instruction 9 for § 155.170, and lines 3 through 42, and the accompanying regulation text, are corrected to read as follows:

■ 9. Section 155.170 is amended by—

■ a. Revising paragraphs (a)(1) and (2);

■ b. Redesignating paragraph (a)(3) as paragraph (a)(4); and

■ c. Adding a new paragraph (a)(3).

The revisions and addition read as follows:

§ 155.170 Additional required benefits.

(a) * * *

(1) A State may require a QHP to offer benefits in addition to the essential health benefits. For plan years beginning before January 1, 2028, a benefit required by State action taking place on or before December 31, 2011, a benefit required by State action for purposes of compliance with Federal requirements, or a benefit covered in the State’s EHB-benchmark plan is considered an EHB. A benefit required by State action taking place on or after January 1, 2012, other than for purposes of compliance with Federal requirements, that is not a benefit covered in the State’s EHB-benchmark plan is considered in addition to the essential health benefits.

(2) For plan years beginning on or after January 1, 2028, a State may require a QHP to cover benefits in addition to the essential health benefits, which are any State-required benefits that are:

(i) Required by a State action taking place after December 31, 2011;

(ii) Applicable to the small group and/or individual markets;

(iii) Specific to required care, treatment, or services; and

(iv) Not required by State action for purposes of compliance with Federal requirements.

(3) A State must make payments in accordance with paragraph (b) of this section to defray the cost of any State-required benefits in addition to the EHB.

* * * * *

§ 156.130 [Corrected]

■ 2. On page 29874, first column, last paragraph, amendatory instruction 24 for § 156.130, line 2, the phrase ‘‘revising paragraph (a)(2)’’ is corrected to read ‘‘revising paragraph (a)(2) introductory text.’’

Liesl I. Fowler,

Executive Secretary to the Department, Department of Health and Human Services.

[FR Doc. 2026–14709 Filed 7–17–26; 4:15 pm]

BILLING CODE 4169–69–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[MD Docket Nos. 25–190, 24–85; FCC 26–43; FR ID 356762]

Review of the Commission’s Assessment and Collection of Regulatory Fees for Fiscal Year 2025

AGENCY: Federal Communications Commission.

ACTION: Denial of petition for reconsideration.

SUMMARY: In this document, the Federal Communications Commission denies the petition for partial reconsideration filed by Kinéis challenging the *FY 2025 Regulatory Fees Report and Order.*

DATES: Effective July 21, 2026.

FOR FURTHER INFORMATION CONTACT: Patrick Brogan, Office of Economics and Analytics, *Patrick.Brogan@fcc.gov* or 202–418–7378

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s Order on Reconsideration in MD Docket Nos. 25–190, 24–85, FCC 26–43, adopted on June 23, 2026, and released on June 24, 2026. The full text of this document is available at *https://docs.fcc.gov/public/attachments/FCC-26-43A1.pdf.* To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer and Governmental Affairs Bureau at 202–418–0530 (voice).

Final Regulatory Flexibility Analysis. The Regulatory Flexibility Act of 1980, as amended (RFA), requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that ‘‘the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.’’ Accordingly, in the *FY 2025 Regulatory Fees Report and Order,* the Commission prepared a final Regulatory Flexibility Analysis (FRFA) concerning the potential impact of rule and policy changes contained in the *FY 2025 Regulatory Fees Report and Order.* We received no petitions for reconsideration of that Final Regulatory Flexibility Analysis. In this present Order on Reconsideration, the Commission promulgates no additional final rules. Our present action is, therefore, not an RFA matter.

Congressional Review Act. The Commission will not send a copy of this Order on Reconsideration to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A), because no rule was adopted or amended.

Final Paperwork Reduction Act of 1995 Analysis. This document does not contain any proposed new or substantively modified information collections subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4).

Synopsis

I. Introduction

1. In this Order on Reconsideration, we deny the petition for partial reconsideration filed by Kinéis challenging the *FY 2025 Regulatory Fees Report and Order,* 90 FR 43284 (September 8, 2025). For the reasons presented below, we deny the petition for reconsideration and reject Kinéis’s request to modify the Commission’s determination to assess regulatory fees on all holders of space station authorizations as of the start of the fiscal year rather than only the holders of space station authorizations that have been certified to be operational as of the start of the fiscal year.

II. Background

A. Space and Earth Station Regulatory Fee Rulemaking Proceeding

2. In 2024, the Commission initiated a rulemaking proceeding to seek comment on possible changes to the then existing methodology for assessing regulatory fees on space and earth stations. Among other proposals, the Commission proposed to assess regulatory fees on all authorized earth or space stations as of the start of the fiscal year, which commences on October 1 and ends on September 30th. At the time, regulatory fees for earth and space stations were only assessed for stations that were certified as operational as of the start of the relevant fiscal year.

3. In the *FY 2024 Space and Earth Station Regulatory Fees NPRM,* 89 FR 20582 (March 25, 2024), the Commission set forth numerous reasons

why such a change in methodology would be reasonable. First, the Commission tentatively concluded that there was no statutory bar to assessing regulatory fees on authorized, but not yet operational, space and earth stations. The Commission observed that section 9(d) of the Act, 47 U.S.C. 159(d), explicitly gives the Commission authority to adjust its regulatory fees by rule if it determines that the schedule of fees requires amendment, and that Congress deleted the original textual language of section 9 that provided the basis for assessing space station regulatory fees on operational stations. Second, it observed that both license holders and station operators granted authority to access the market in the United States benefit from substantial full time equivalent (FTE) resources. The Commission explained that one FTE, a ''Full Time Equivalent'' or ''Full Time Employee,'' is a unit of measure equal to the work performed annually by a full-time person (working a 40-hour workweek for a full year) assigned to the particular job, and subject to agency personnel staffing limitations established by the U.S. Office of Management and Budget. Specifically, FTE resources were used to review and grant the respective application or petition for market access as well as to protect the benefits conferred by the authorization, such as use of spectrum and orbital resources and protection from interference. In addition, the Commission observed that if regulatory fees were assessed only when space stations become operational, rather than when they are authorized, then some authorization holders would not be assessed regulatory fees associated with FTE work for potentially many years or perhaps never. As a result, space stations that become operational earlier than other licensed stations would bear the entire burden of regulatory work done on behalf of all similarly situated entities. The Commission noted that regulatory fees are a zero-sum situation, so any decrease to the fees paid by one category of regulatees necessitates an increase in fees paid by other fee payors.

4. In proposing the change to its methodology, the Commission noted that it should not present a challenge to administer because the date a license or market access is issued is a matter of public record and contained in its licensing database. The *FY 2024 Space and Earth Station Regulatory Fees NPRM* acknowledged that the proposal could increase the costs to the satellite operator at the initial funding phases and sought comment on this and other potential collateral effects of the proposal and how the Commission should consider them.

5. In February 2025, the Commission released the *FY 2024 Space and Earth Station Regulatory Fees FNPRM,* 90 FR 11918 (March 13, 2025), seeking additional comment on the proposal to assess regulatory fees on all holders of space station authorizations as of the start of the fiscal year, along with other matters. The Commission tentatively concluded that the concerns raised regarding costs, financial risks, and the impact on innovation did not outweigh the need to assess regulatory fees on the same class who benefit from the Commission's FTE efforts. The Commission stated that while it understood the desire of interested parties to delay assessing regulatory fees on a satellite operator until the system becomes operational and generates revenues, it did not believe that this continuing with such an approach best comported with the requirements of section 9 of the Communications Act, 47 U.S.C. 159, nor was it fair to other fee payors in the same regulatory fee category. The Commission further noted that fairness is one of the overarching goals in implementing regulatory fee system.

6. In June 2025, the Commission adopted the *Space and Earth Station Regulatory Fees Third Report and Order,* 90 FR 29760 (July 7, 2025), which, among other changes, adopted the proposal to assess regulatory fees on all authorized earth or space stations as of the start of the fiscal year, rather than only on those certified as operational as of the start of the fiscal year. That is, the Commission changed the existing methodology from assessing fees only after notification that the station is operational to assessing fees on all stations authorized by license or grant of market access as of the start of the fiscal year. In doing so, the Commission observed that significant Commission resources, expressed in Space Bureau FTEs, are involved with the review and grant of space and earth station licenses. The Commission noted that under the prior methodology, fee payors with systems that become operational earlier than other licensed systems bear the entire fee burden of regulatory work done on behalf of all regulated systems. Moreover, even if a system never becomes operational, the licensee or market access grant recipient nonetheless benefited from the FTE burdens. The Commission also noted that, although the term of a license does not commence until the space station or system of space stations is operational, the benefits and protections provided by a license or market access grant, such as the ability to use spectrum and orbital resources and to preclude others from using those same resources, accrue upon authorization or grant. In such an instance, the Commission would not be able to recover the FTE burdens associated with regulating the licensed space or earth station, and other licensees with operational space or earth stations would have to bear all the costs of such regulation. The Commission also observed that, given the bespoke nature of many satellite systems, FTE resources are used by the industry before, during, and after an application is filed. Finally, the Commission concluded that assessing regulatory fees on authorized, not just operational stations, broadens the base of regulatory fee payors, creating a more fair methodology. The Commission also observed that broadening the base to include authorized, but not operational, stations more accurately allocates FTE burdens.

7. In August 2025, the Commission adopted a schedule to assess and collect regulatory fees for FY 2025 by September 30, 2025. In doing so, the Commission implemented the amendments to the fee methodology that were adopted in the *Space and Earth Station Regulatory Fees Third Report and Order,* including the change to assessing regulatory fees on all authorized space stations as of the start of the fiscal year, rather than only on stations that had become operational as of the start of the fiscal year. The Commission specifically declined a request by petitioner Kinéis to interpret ''authorized stations'' solely as stations ''that have received unconditional permission to provide service without the need for further agency action.'' The Commission found that this request effectively was an attempt to revisit whether operational status should be the basis for assessing regulatory fees on a space station, although the Commission had just decided in June 2025 that the operational status of a space or earth station should no longer be the deciding factor of whether regulatory fees should be assessed. The Commission reiterated that significant FTE burdens are involved with the licensing of space and earth stations, even before a station becomes operational, and that if an authorized space station never becomes operational, then the FTE burdens associated with oversight and regulating such space stations would never be recovered and would have to be borne by stations that are operational. The Commission found that these considerations equally apply to space

stations that are authorized, but subject to a condition that needs to be fulfilled by the licensee or grantee prior to becoming operational, or prior to accessing the U.S. market in the case of a non-U.S. licensed space station. The Commission also noted that assessment of regulatory fees could provide an incentive for licensees to resolve any aspects of their application that are within their control prior to action on the application, or as quickly as possible if the application is granted with conditions subject to the licensee's control.

8. The Commission also pointed to the prior finding in the *Space and Earth Station Regulatory Fees Third Report and Order* that assessing regulatory fees on authorized stations broadens the base of regulatory fee payors, spreading the recovery of regulatory fees from all licensees and grantees that benefit from the Space Bureau FTE's licensing and regulatory activities, and potentially lowering the per unit regulatory fee burden by increasing the number of units on which fees are assessed. The Commission found that this rationale for adopting regulatory fees on authorized stations would be undermined by not assessing regulatory fees on space stations that are authorized, but are subject to conditions that need to be fulfilled prior to commencing operations. Not assessing regulatory fees until all aspects of an application are fully resolved could effectively remove a significant number of current fee payors from regulatory fee assessments. The Commission noted that all the NGSO large constellation fee payors have not received unconditional authorization for all aspects of their applied-for systems. If they are not assessed regulatory fees, their share of NGSO space station regulatory fees would need to be paid by other NGSO space station fee payors. Finally, the Commission found that requiring Commission staff to determine whether the conditions placed on every space and earth station grant prevent the licensee from commencing operations risks being subjective and administratively burdensome.

B. Kinéis Petition for Reconsideration

9. Kinéis sought partial reconsideration of the *FY 2025 Report and Order.* Since no party sought reconsideration of the Commission's determination in the *Space and Earth Station Regulatory Fees Third Report and Order* to assess regulatory fees on all authorized earth stations, rather than on earth stations certified as operational at the start of the relevant fiscal year, this reconsideration focuses solely on the Commission's determination to assess regulatory fees on authorized, rather than operational, space stations. No other party has sought reconsideration on the Commission's determinations regarding the assessment of regulatory fees for FY 2025. The Commission released a public notice inviting comment on the Kinéis Petition, which was also published in the **Federal Register**. No parties filed oppositions in response to Kinéis's petition.

III. Discussion

10. *Standard of Review.* Under § 1.429 of the Commission's rules, any interested person may petition for reconsideration of a final action in a rulemaking proceeding. Our rules require that a petition for reconsideration must state with particularity the respects in which the action taken should be changed, and must be filed within 30 days from the date of public notice of such action. In addition, a petition for reconsideration cannot rely on facts or arguments that were not previously presented to the Commission, except under enumerated conditions.

A. The Commission Sufficiently Considered the Concerns of Kinéis

11. Kinéis argues that the Commission did not adequately address all aspects of the concerns raised regarding the assessment of regulatory fees on space stations that are ''provisionally authorized,'' but that remain subject to a ''critical'' condition on their authorization that would preclude the licensee from initiating service without further agency action. Kinéis asserts that the Commission failed to consider fully all aspects of the financial burdens that its definition of ''authorized'' places upon small, start-up operators. It states that the Commission failed to acknowledge that a license or grant of market access, without certainty that the licensee or grantee will be able to satisfy all conditions of the grant and be able to access the market, is likely to have a significant detrimental effect on the licensee or grantee. Instead, Kinéis broadly argues that the Commission's decision to assess fees on space stations authorized as of the start of the fiscal year, but not yet operational, reflected a bias towards maximizing fee collections and avoiding the need for administrative decisions, while discounting the significant financial impact on licensees whose authorizations ''remain in regulatory limbo'' absent grant of unconditional authority and who may lack the resources to pay regulatory fees without an unrestricted license. Kinéis claims that the Commission focused solely on the administrative burden of having to determine whether the conditions placed on every earth or space station grant prevent the licensee (or grantee) from commencing operations, which it alleges is not a valid concern.

12. We disagree that the Commission failed to consider sufficiently Kinéis's concerns. In the *FY 2025 Report and Order,* the Commission explained its reasoning for declining to interpret ''authorized stations'' solely as stations ''that have received unconditional permission to provide service without the need for further agency action'' as requested by Kinéis. We disagree that the Commission failed to acknowledge the ''significant detrimental effect'' that assessing regulatory fees on authorized stations would have on fee payors that are conditionally licensed or granted market access, without certainty the licensee or grantee will be able to satisfy all the conditions. To the contrary, the Commission recognized that assessing a regulatory fee on any station—including those authorized but subject to conditions—involves a financial burden for a regulatory fee payor. However, as the Commission correctly observed, the Commission changed the methodology used to assess regulatory fees from one based on the operational status of the space station to whether the space station was authorized, since significant FTE burdens are involved with the licensing of space stations, even before a station becomes operational. That is, the Commission decided to assess regulatory fees once an applicant becomes a licensee or grantee and receives the benefits of regulation (that is, benefits from the FTE burdens that went into reviewing and granting the license and that go into oversight and regulation of the licensee after the license is granted). Congress has prescribed a method for the Commission to collect the full annual salaries and expenses (S&E) appropriation by keying our regulatory fee assessment to the relevant FTE burden. The methodology for assessing regulatory fees must ''reflect the full-time equivalent number of employees within the bureaus and offices of the Commission, adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission's activities.'' FTEs within a bureau are not assigned to specific fee categories ''by rote or at random, but rather in a manner that reflects the time spent by FTEs on a regulatory fee category, which is in itself a reflection of 'benefit' to the fee category.'' As the

Commission has explained before, section 9, 47 U.S.C. 159, is clear that regulatory fee assessments are based on the burden imposed on the Commission, not benefits realized by regulatees. Thus, the fee assigned to each regulatory fee category relates to the FTE burden associated with oversight and regulation of each regulatory fee category by the relevant core bureaus.

13. Because the annual assessment of regulatory fees is a zero-sum game, the *FY 2025 Report and Order* explained that adopting Kinéis's proposal would result in an increased financial burden on other regulatory fee payors. As the Commission has previously found, ''assessing regulatory fees on authorized stations broadens the base of regulatory fee payors, spreading the recovery of fees from all licensees and grantees that benefit from the Space Bureau's licensing and regulatory activities, and potentially lowering the per unit regulatory fee burden by increasing the number of units on which fees are assessed.'' We are unpersuaded by Kinéis's argument that such entities should be excluded from the base of regulatory fee payors. Moreover, to the extent Kinéis argues that it does not have an ability to pay regulatory fees, we remind Kinéis of existing processes to seek a waiver, reduction, or deferral of regulatory fees to mitigate the impact of regulatory fees on operators when paying such fees would cause a hardship. Section 9A(d) permits the Commission to waive, reduce, or defer payment of a regulatory fee and associated interest charges and penalties for good cause. As the Commission has repeatedly noted, however, it interprets this provision narrowly to permit only those waivers ''unambiguously articulating 'extraordinary circumstances' outweighing the public interest in recouping the cost of the Commission's regulatory services for a particular regulatee.''

14. Furthermore, under Kinéis's proposal, it is more than an ''inconvenience'' to require the Commission to assess whether license conditions provide certainty that a licensee or grantee can operate or enter the U.S. market under the license or grant. Virtually every space station license or market access grant is subject to conditions. In proposing regulatory fees, the Commission must determine the number of units in a category over which regulatory fees are to be assessed. The fewer units, the greater the regulatory fee per unit. As the Commission stated, requiring Commission staff to determine whether conditions placed on every space (and earth) station license or market access grant would prevent the licensee from commencing operations risks being subjective and administratively burdensome. The Commission also noted that all regulatory fee payors in the large constellation non-geostationary orbit (NGSO) fee category have not received unconditional authorizations for all aspects of their applied-for systems, so other NGSO space station fee payors would have to pay more regulatory fees if those large constellation fee payers were no longer assessed regulatory fees under Kinéis's proposal. The fact that it might be theoretically possible to analyze what constitutes a ''critical'' condition on an authorization that would preclude the licensee from initiating service without further agency action to avoid this administrative burden, does not change the fact that change would still be more difficult to administer than the proposal adopted. Moreover, such a proposal does not appear to best comport with the statute because it fails to ensure that regulatory fees be paid by all entities holding authorizations that benefit from the Space Bureau's licensing and regulatory activities. Furthermore, it undermines efforts to potentially lower the per unit regulatory fee burden by increasing the number of units on which fees are assessed. As such, we affirm that the concerns stated by the Commission were valid.

15. Kinéis also seeks reconsideration based on the alleged failure of the Commission to address potential alternatives that Kinéis suggests would allow regulatees to have a license or grant of market access but not pay regulatory fees. We note that the alternatives proposed by Kinéis originate from a fundamental misunderstanding of the basis for assessing regulatory fees. Kinéis's alternatives seek to address whether a license is final or subject to additional action by the licensee and the Commission, and whether it is fair to assess regulatory fees while these additional actions are yet to be taken. This misses the point entirely. As discussed above, regulatory fees are keyed to the FTE burden. Even if a license is conditional and additional steps must be taken, by the licensee or the Commission, before the licensee can operate a space station under the license, there is still a license, and the licensee or authorization holder has benefitted, and continues to benefit from Space Bureau FTE resources used to review and grant licenses in the category of the fee payor and continue to have regulatory oversight over licenses in the payor's fee category.

16. In sum, we reject the alternatives proposed by Kinéis as fundamentally incorrect in both fact and law when Kinéis contends that the benefits of the regulatory process are manifested only once unconditional approval is received, and the Commission should not assess regulatory fees premised on these benefits absent ''unfettered'' authorization. Not only does this ignore the longstanding regulatory fee framework required by Congress in keying our regulatory fee assessment to the relevant FTE burden, but it also improperly focuses on the fee assessment of a particular regulatee, rather than the category of fee payors as a whole. Accordingly, we reject the alternatives posed by Kinéis.

B. Recent Statements in a Notice of Proposed Rulemaking Do Not Support Reconsideration

17. Kinéis argues that its position that an authorization is not final when conditioned on the future submission of an orbital debris mitigation plan is supported by language in the *Space Modernization NPRM* adopted by the Commission in October 2025. In the *Space Modernization NPRM,* the Commission sought comment on whether to allow the grant of a conditional space station authorization where an applicant did not provide an orbital debris mitigation plan, but instead certified its intent to comply with the Commission's orbital debris mitigation rules in a subsequent filing. The conditionally authorized applicant would then be required to submit a compliant orbital debris mitigation plan or a modification application no later than six months prior to integration of satellites into a launch vehicle. If the applicant files for a modification or seeks a waiver of Commission rules instead of submitting a fully compliant proposal, the conditional grant would be rescinded. Kinéis argues that the proposal in the NPRM supports its position that a ''conditionally approved applicant'' has not yet been authorized.

18. As an initial matter, we considered this argument even though it was not previously presented to the Commission because the *Space Modernization NPRM* was released after the August *FY 2025 Report and Order.* Even so, we do not find that the statements in the *Space Modernization NPRM* support reconsideration. The Commission's statements in the *Space Modernization NPRM* about the creation of new types of grants and processes reflect things that may or may not come to pass. Should the Commission adopt changes to its regulation of space and earth stations that impact the FTE

resources allocated to the relevant regulatory fee categories and methodology used for such fee categories, those changes would be appropriately addressed in a future regulatory fees rulemaking rather than at this time in a reconsideration of a past regulatory fee rulemaking. As the Commission has repeatedly explained, apportionment of amounts to be collected from each fee category within a Bureau or Office based on FTE resources allocated is not required to be calculated with scientific precision. In plain terms, whether any of the proposed changes, if adopted, will materially alter FTE resources devoted to the oversight and regulation of space stations sufficient to merit the Commission proposing changes to fee categories or methodologies is premature at this time. As such, we do not find that the statements in the *Space Modernization NPRM* support reconsideration of the Commission's decision.

IV. Ordering Clauses

19. Accordingly, *it is ordered* that pursuant to sections 1, 4(i), 4(j), and 405 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i) 154(j), 155(c), and 405, and § 1.429(b) of the Commission's rules, 47 CFR 1.429(b), the Petition for Reconsideration filed on November 14, 2025 by Kinéis *is denied.*

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2026–14673 Filed 7–20–26; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Chapter III

[Docket No. FMCSA–2025–0754]

RIN 2126–AC75

General Technical, Organizational, Conforming, and Correcting Amendments to the Federal Motor Carrier Safety Regulations

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

ACTION: Final rule.

SUMMARY: FMCSA amends its regulations by making technical corrections throughout the Federal Motor Carrier Safety Regulations (FMCSR). The Agency makes minor changes to correct inadvertent errors and omissions, remove or update obsolete references, and improve the clarity and consistency of certain regulatory provisions. FMCSA also makes a change to its rules of organization, procedures, and practice. Because the rule does not impose any new material requirements or increase compliance obligations, it is issued without prior notice and opportunity for comment, pursuant to the good cause exception in the Administrative Procedure Act (APA).

DATES: Effective July 21, 2026. The incorporation by reference of the material described in the rule is approved by the Director of the Federal Register as of July 21, 2026.

Petitions for Reconsideration of this final rule must be submitted to the FMCSA Administrator no later than August 20, 2026.

FOR FURTHER INFORMATION CONTACT: Ghita Palmer, Regulatory Development Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–1144; *ghita.palmer@dot.gov.*

SUPPLEMENTARY INFORMATION:

I. Abbreviations

APA Administrative Procedure Act
CDC U.S. Center for Disease Control and Prevention
CDL Commercial Driver's License
CDLIS Commercial Driver's License Information System
CFR Code of Federal Regulations
CMV Commercial Motor Vehicle
DOT Department of Transportation
E.O. Executive Order
FHWA Federal Highway Administration
FMCSA Federal Motor Carrier Safety Administration
FMCSR Federal Motor Carrier Safety Regulations
GVWR Gross vehicle weight rating
IC Information collection
ICC Interstate Commerce Commission
ICCTA ICC Termination Act of 1995
IT Information technology
LCV Longer combination vehicle
MCSIA Motor Carrier Safety Improvement Act of 1999
MVR Motor vehicle records
NARA National Archives and Records Administration
OFR Office of the Federal Register
OMB Office of Management and Budget
PIA Privacy Impact Analysis
PTA Privacy Threshold Assessment
SAFETEA–LU Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SDLAs State Driver's Licensing Agencies
SPE Skills performance evaluation
UMRA Unfunded Mandates Reform Act of 1995
U.S.C. United States Code

II. Legal Basis for the Rulemaking

Congress delegated certain powers to regulate interstate commerce to DOT in numerous pieces of legislation, most notably in section 6 of the Department of Transportation Act (DOT Act) (Pub. L. 89–670, 80 Stat. 931, 937, Oct. 15, 1966). Section 6 of the DOT Act transferred to DOT the authority of the former Interstate Commerce Commission (ICC) to regulate the qualifications and maximum hours of service of employees, the safety of operations, and the equipment, of motor carriers in interstate commerce (80 Stat. 939; *see also* 49 U.S.C. 31502(b)). This authority, first granted to the ICC in the Motor Carrier Act of 1935 (Pub. L. 74–255, 49 Stat. 543, Aug. 9, 1935), now appears in 49 U.S.C. chapter 315. The regulations issued under this authority, as well as subsequently enacted laws, became known as the FMCSR and are codified at 49 CFR parts 350–399. The administrative powers to enforce chapter 315 (codified in 49 U.S.C. chapter 5) were also transferred from the ICC to DOT in 1966, assigned first to the Federal Highway Administration (FHWA), and then to FMCSA. The FMCSA Administrator, whose powers and duties are set forth in 49 U.S.C. 113, has been delegated authority by the Secretary of Transportation (the Secretary) under 49 CFR 1.81 to prescribe regulations and to exercise authority over and with respect to any personnel within the organization, and under 49 CFR 1.87 to carry out the motor carrier functions vested in the Secretary.

Between 1984 and 1999, enforcement of the FMCSR, the Hazardous Materials Regulations, and the Commercial Regulations was added to FHWA's authority. The statutes granting these authorities include the Motor Carrier Safety Act of 1984 (Pub. L. 98–554, Title II, 98 Stat. 2832, Oct. 30, 1984), codified at 49 U.S.C. chapter 311, subchapter III; the Commercial Motor Vehicle Safety Act of 1986 (Pub. L. 99–570, Title XII, 100 Stat. 3207–170, Oct. 27, 1986), codified at 49 U.S.C. chapter 313; the Hazardous Materials Transportation Uniform Safety Act of 1990, as amended (Pub. L. 101–615, 104 Stat. 3244, Nov. 16, 1990), codified at 49 U.S.C. chapter 51; the Omnibus Transportation Employee Testing Act of 1991 (Pub. L. 102–143, Title V, 105 Stat. 917, 952, Oct. 28, 1991), codified at 49 U.S.C. 31306; the ICC Termination Act of 1995 (ICCTA) (Pub. L. 104–88, 109 Stat. 803, Dec. 29, 1995), codified at 49 U.S.C. chapters 131–149; and the Transportation Equity Act for the 21st