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OST-99-6187-28

Office of the Secretary

49 CFR Part 1

OST Docket No. 1; Amdt. I-2251

Organization and Delegation of Powers and Duties; Federal Highway Administrator et al.

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: This document delegates to the Federal Highway Administrator the authorities vested in the Secretary of Transportation by the Commercial Motor Vehicle Safety Act of 1986, Title XII of Pub. L. 99-570, 100 Stat. 3207-170, relating to commercial drivers' licenses, commercial drivers' license information system, and Federal disqualifications, and the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA), Pub. L. 100-17, 101 Stat. 132, concerning the construction and financing of highways, administration and implementation of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, and other matters.

EFFECTIVE DATE: May 4, 1988.

FOR FURTHER INFORMATION CONTACT: Mr. Samuel Whitehorn, Office of the General Counsel, C-50, (202) 366-9307, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION: Since these amendments relate to Departmental management, procedures, and practice, notice and comment on them are unnecessary and they may be made effective in fewer than thirty days after publication in the Federal Register.

The Secretary has determined that certain authority vested in him by the Commercial Motor Vehicle Safety Act of 1986, Title XII of Pub. L. 99-570, 100 Stat. 3207-170, relating to limitation on number of commercial drivers' licenses, establishment of a commercial driver's license information system, Federal disqualifications, commercial motor vehicle safety grants, and other matters should be delegated to the Federal Highway Administrator.

Also, certain authority vested in the Secretary by the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA), Pub. L. 100-17, 101 Stat. 132, relating to the construction and financing of highways, administration and implementation of the Uniform Relocation Assistance and Real Property Acquisition Policies Act,

and other matters should be delegated to the Federal Highway Administrator as set forth below.

List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies) organization and functions (Government agencies).

In consideration of the foregoing, Chapter I, Part 1 of Title 49, Code of Federal Regulations, is amended as follows:

PART 1—[AMENDED]

1. The authority citation for Part 1 continues to read as follows:

Authority: 49 U.S.C. 322.

2. Section 1.45 is amended by revising paragraph (e)(2) to read as follows:

§ 1.45 Delegations to all Administrators.

(e)

(2) Any such additional guidance is approved prior to issuance by the Federal government's designated lead agency, the Federal Highway Administration (see § 1.48(cc)), in coordination with the Assistant Secretary for Policy and International Affairs.

3. Section 1.48 is amended by revising paragraphs (b)(29) and (b)(34), (c)(1) and (c)(2); adding paragraph (c)(20); removing and reserving paragraph (i); adding paragraph (v); revising paragraphs (q), (s), and (cc) as set forth below. The introductory text of the section and the introductory text of paragraphs (b) and (c) are reprinted for the convenience of the reader.

§ 1.48 Delegations to the Federal Highway Administrator.

The Federal Highway Administrator is delegated authority to-

(b) Administer the following sections of Title 23, U.S.C.:

(29) 201 through 205, 210, 212, 214 through 218, (Chapter 2);

(34) 318 through 321, inclusive; and

(c) Administer the following laws relating generally to highways:

(1) Sections 105, 107(c) through (e), 123(a) and (b), 124(c), 128(d) through (g), 138(c), 140, 142 through 145, 147 through 154, 167, and 171, and Title IV, as amended (as it relates to matters within the primary responsibility of the Federal Highway Administrator), of the Surface Transportation Assistance Act of 1978, Pub. L. 95-599, 92 Stat. 2689; and

sections 502-504, Title V, of the Highway Revenue Act of 1978.

(2) Sections 103, 104, 111(b), 128(b), 131, 135, 136, 141, 147, 149, 154, 158 through 161, 163, 203, 206, 401, and 402 of the Federal-Aid Highway Act of 1973, as amended (Pub. L. 93-87, 87 Stat. 250; Pub. L. 93-643, 88 Stat. 2281).

(20) Sections 103(e), 105(a) through (g), 106(a), and (b), 110(b), 114(d), 117(f), 120(c) and (d), 123(g) and (i), 133(f), 134, 136, 137, 139 through 145, 146(b), 147(c), 149(a) through (f), (h), (i), (k), 151 through 157, 164, and 208 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (Pub. L. 100-17, 101 Stat. 132).

(i) (Reserved)

(q) Carry out the functions vested in the Secretary by section 5 (as it relates to bridges, other than railroad bridges, not over navigable waters), and section 8(a) (as it relates to all bridges other than railroad bridges) of the International Bridge Act of 1972 (Pub. L. 92-434, 86 Stat. 731).

(s) Exercise the authority vested in the Secretary by sections 101, 118, 120(b), 123 and 124 of the Federal-Aid Highway Amendments of 1974 (Pub. L. 93-643, January 4, 1975, 88 Stat. 2281).

(v) Carry out the functions vested in the Secretary by the Commercial Motor Vehicle Safety Act of 1988, Title XII of Pub. L. 99-570, 100 Stat. 3207-170.

(cc) Prescribe regulations, as necessary, at Parts 24 and 25 of this title, to implement Pub. L. 91-646, 84 Stat. 1894, and any amendments thereto, as appropriate, in coordination with the Assistant Secretary for Policy and International Affairs, and carry out all other functions vested in the Secretary by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Pub. L. 91-646, 84 Stat. 1894, and any amendments thereto.

(d d) [Reserved]

(ee) [Reserved]

Issued on April 20, 1988.

Jim Burnley,
Secretary of Transportation.

[FR Doc. 88-9873 Filed 5-3-88; 8:45 am]

BILLING CODE 4910-62-M

[4910-62]

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1

[OST Docket No. 1; amdt. 1-225]

ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: This document delegates to the Federal Highway Administrator the authorities vested in the Secretary of Transportation by the Commercial Motor Vehicle Safety Act of 1986, Title XII of Pub. L. 99-570, 100 Stat. 3207-170, relating to commercial drivers' licenses, commercial drivers: license information system, and Federal disqualifications, and the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA), Pub. L. 100-17, 101 Stat. 132, concerning the construction and financing of highways, administration and implementation of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, and other matters.

EFFECTIVE DATE: (Date of publication in the Federal Register.)

FOR FURTHER INFORMATION CONTACT: Mr. Samuel Whitehorn,
Office of the General Counsel, C-50, (202) 366-9307,
Department of Transportation, 400 Seventh Street, SW.,
Washington, D.C. 20590 .

SUPPLEMENTARY INFORMATION: Since these amendments relate to Departmental **management**, procedures, and practice, notice and comment on them are unnecessary and they may be **made** effective in fewer than thirty days after publication **in the** FEDERAL REGISTER.

The Secretary has determined that certain authority vested in him by the Commercial Motor Vehicle Safety Act of 1986, Title XII of Pub. L. 99-750, 100 Stat. 3207-170, relating to limitation on number of commercial drivers licenses, establishment of a commercial driver's license information system, Federal disqualifications, commercial motor vehicle safety grants, and other matters should be delegated to the Federal Highway Administrator.

Also, certain authority vested in the Secretary by the Surface Transportation and Uniform Relocation Assistance Act of 1987 (**STURAA**), Pub. L. 100-17, 101 Stat. 132, relating to the construction and financing of highways, administration and implementation of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, and other matters should be delegated to the Federal Highway Administrator as set forth below.

List of Subjects in 49 CFR Part 1:

Authority delegations (Government agencies)
organization and functions (Government agencies).

In consideration of the foregoing, Part 1 of Title 49, Code of Federal Regulations, is amended as follows:

PART 1--[AMENDED]

1. The authority citation for Part 1 continues to read as follows:

AUTHORITY: 49 U.S.C. § 322.

§ 1.45 [AMENDED]

2. Section 1.45 is amended by revising paragraph (e) (2) to read as follows:

§ 1.45 Delegations to all Administrators.

* * * * *

(e) * * *

(2) Any such additional guidance is approved prior to issuance by the Federal government's designated lead agency, the Federal Highway Administration (see § 148(cc)), in coordination with the Assistant Secretary for Policy and International Affairs.

§ 1.48 [AMENDED]

3. Section 1.48 is amended by revising paragraphs (b) (29) and (b) (34), (c) (1) and (c) (2); adding paragraph (c) (20); removing and reserving paragraph (i); adding paragraph (v); revising paragraphs (q), (s), and (cc); and removing and reserving paragraphs (dd) and (ee) as set forth below. The introductory text of the section and the introductory text of paragraphs (b) and (c) are reprinted for the convenience of the reader.

§ 1.48 Delegations to the Federal Highway Administrator.

The Federal Highway Administrator is delegated authority to --

* * * * *

(b) Administer the following sections of Title 23, U. S. C.:

* * * * *

(29) 201 through 205, 210, 212, 214 through 218, (Chapter 2);

* * * * *

(34) 318 through 321, inclusive; and

* * * * *

(c) Administer the following laws relating generally to highways:

(1) Sections 105, 107(c) through (e), 123(a) and (b), 124(c), 126(d) through (g), 138(c), 140, 142 through 145, 147 through 154, 167, and 171, and Title IV, as amended (as it relates to matters within the primary responsibility of the Federal Highway Administrator), of the Surface Transportation Assistance Act of 1978, Pub. L. 95-599, 92 Stat. 2689; and sections 502 - 504, Title V, of the Highway Revenue Act of 1978.

(2) Sections 103, 104, 111(b), 128(b), 131, 135, 136, 141, 147, 149, 154, 158 through 161, 163, 203, 206, 401, and 402 of the Federal-Aid Highway Act of 1973, as amended (Pub. L. 93-87, 87 Stat. 250; Pub. L. 93-643, 88 Stat. 2281).

* * * * *

(20) Sections 103(e), 105(a) through (g), 106(a), and (b), 110(b), 114(d), 117(f), 120(c) and (d), 123(g) and (i), 133(f), 134, 136, 137, 139 through 145, 146(b), 147(c), 149(a) through (f), (h), (i), (k), 151 through 157, 164, and 208 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (Pub. L. 100-17, 101 Stat. 132).

* * * * *

(i) [RESERVED]

* * * * *

(q) Carry out the functions vested in the Secretary by section 5 (as it relates to bridges, other than railroad bridges, not over navigable waters), and section 8(a) (as it relates to all bridges other than railroad bridges) of the International Bridge Act of 1972 (Pub. L. 92-434, 86 Stat. 731).

* * * * *

(s) Exercise the authority vested in the Secretary by sections 101, 118, 120(b), 123 and 124 of the Federal-Aid Highway Amendments of 1974 (Pub. L. 93-643, January 4, 1975, 88 Stat. 2281).

* * * * *

(v) Carry out the functions vested in the Secretary by the Commercial Motor Vehicle Safety Act of 1986, Title XII of Pub. L. 99-570, 100 Stat. 3207-170.

* * * * *

(cc) Prescribe regulations, as necessary, at Parts 24 and 25 of this title, to implement Pub. L. 91-646, 84 Stat. 1894, and any amendments thereto, as appropriate, in coordination with the Assistant Secretary for Policy and **International** Affairs, and carry out all other functions vested in the Secretary by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Pub. L. 91-646, 84 Stat. 1894, and any amendments thereto.

(dd) [Reserved]

(ee) [Reserved]

Issued on: *April 29, 1988*

Jim Burnley

JIM BURNLEY

Secretary of Transportation

CERTIFIED TO BE A TRUE COPY
OF THE ORIGINAL:

Linda W. Senese

Linda W. Senese
Certifying Officer