

requirements applicable to both interstate and intrastate passenger carriers operating in New York. Under this regulatory scheme, all interstate passenger carriers must file an annual compliance affidavit certifying that their drivers are not disqualified under State law and reporting the number of days and vehicle miles of bus service provided in New York during the previous year. An interstate carrier is generally exempt from the rest of Article 19-A, which includes requirements related to employment, driver medical qualifications, reporting, recordkeeping and other matters affecting both drivers and carriers, unless it operates certain types of school buses or operates in New York for more than 100 days or more than 10,000 vehicle miles annually. Interstate carriers that exceed the 100 day or 10,000 mile threshold can apply for a waiver for bus drivers who operate less than 30 days per year in New York (N.Y. Veh. & Traf. Law, § 509-n; 15 CRR-NY § 6.14). Otherwise, an interstate passenger carrier operating in New York is required to comply with Article 19-A. The New York Department of Motor Vehicles (NY DMV) makes information about compliance with Article 19-A available through the following web link: <http://www.dmv.ny.gov/art19.htm>.

By letter dated June 28, 2011, MCC requested that FMCSA preempt Article 19-A, alleging that it creates a burden on interstate commerce by imposing requirements that are more stringent than Federal regulations. MCC stated that 49 CFR part 391 of the Federal Motor Carrier Safety Regulations (FMCSRs) contains comprehensive driver qualification and licensing requirements and that the requirements of Article 19-A impermissibly regulate interstate passenger carrier operations. MCC specifically identified New York's request for bus driver information (a two-page form for each driver), an Affidavit of Compliance and an annually-updated roster as unlawful burdens. On July 18, 2011, the ABA wrote a similar letter, objecting to New York's enforcement of Article 19-A, but, at that time, specifically stated that it was not requesting preemption.

In response, on March 29, 2012, FMCSA sent a letter giving the NY DMV an opportunity to respond to MCC's and the ABA's letters. The letter also asked whether the NY DMV applies Article 19-A to interstate carriers and how it uses the information it collects. By letter dated July 31, 2012, the DMV responded, stating that Article 19-A applies to interstate carriers and that it keeps the information it collects in its files, notifies carriers when a driver's

CDL is revoked or suspended, and notifies school bus operators of the results of the mandatory criminal history checks.

On September 7, 2012, the ABA sent another letter, this time requesting that FMCSA determine that Article 19-A is preempted because it has no demonstrated safety benefit, is not compatible with federal requirements and places an undue burden on interstate commerce. ABA stated that the requirements of Article 19-A exceed Federal driver qualification requirements, burdening interstate carriers. ABA specifically objected to those provisions of Article 19-A that require carriers to report information to the NY DMV about a driver's employment status, disqualification, pending criminal charges, out-of-State driving record, miles driven and number of convictions and accidents. ABA also objected to the requirements that carriers participate in New York's Conviction and Accident Notification program, establish an escrow account in New York, administer tests and assessments of driving skills in excess of that required by the FMCSRs, and submit affidavits attesting to compliance with Article 19-A.

The letters referenced above are available in the docket for this proceeding.

Applicable law

Section 31141 of title 49, United States Code, prohibits States from enforcing a law or regulation on CMV safety that the Secretary of Transportation (Secretary) has determined to be preempted. To determine whether a State law or regulation is preempted, the Secretary must decide whether a State law or regulation: (1) Has the same effect as a regulation prescribed under 49 U.S.C. 31136, which is the authority for much of the Federal Motor Carrier Safety Regulations (FMCSRs); (2) is less stringent than such a regulation; or (3) is additional to or more stringent than such a regulation (49 U.S.C. 31141(c)(1)). If the Secretary determines that a State law or regulation has the same effect as a regulation based on § 31136, it may be enforced (49 U.S.C. 31141(c)(2)). A State law or regulation that is less stringent may not be enforced (49 U.S.C. 31141(c)(3)). And a State law or regulation the Secretary determines to be additional to or more stringent than a regulation based on § 31136 may be enforced unless the Secretary decides that the State law or regulation (1) Has no safety benefit; (2) is incompatible with the regulation prescribed by the Secretary; or (3)

would cause an unreasonable burden on interstate commerce (49 U.S.C. 31141(c)(4)). To determine whether a State law or regulation will cause an unreasonable burden on interstate commerce, the Secretary may consider the cumulative effect that the State's law or regulation and all similar laws and regulations of other States will have on interstate commerce (49 U.S.C. 31141(c)(5)). The Secretary's authority under § 31141 is delegated to the FMCSA Administrator by 49 CFR 1.87(f).

Request for Comments

Although preemption under § 31141 is a legal determination reserved to the judgment of the Agency, FMCSA seeks comment on what effect, if any, Article 19-A and its accompanying regulations have on interstate motor carrier operations. Commenters are encouraged to provide information about the regulatory scheme's safety benefits, if any, and whether it constitutes a burden on interstate commerce or is incompatible with the FMCSRs. FMCSA is particularly interested in specific information on how New York enforces Article 19-A against interstate passenger carriers. In requesting comments, FMCSA does not seek legal conclusions, but requests commenters to submit data supporting their positions.

Issued under the authority of delegation in 49 CFR 1.87.

Dated: September 3, 2013.

Anne S. Ferro,
Administrator.

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2013-0119]

Pipeline Safety: Public Workshop on Integrity Verification Process, Comment Extension

AGENCY: Pipeline and Hazardous Materials Safety Administration, DOT.

ACTION: Notice of extension of comment period.

SUMMARY: On May 28, 2013, PHMSA published in the **Federal Register** a notice announcing a public workshop on "Integrity Verification Process" which took place on August 7, 2013. The notice also sought comments on the proposed "Integrity Verification Process." In response to the comments received, PHMSA has made some revisions to the proposed "Integrity

Verification Process" flowchart. PHMSA is using this notice to announce the revised "Integrity Verification Process" flowchart and extend the comment period from September 9, 2013, to October 7, 2013.

DATES: The closing date for filing comments is extended from September 9, 2013, to October 7, 2013.

COMMENTS: Comments should reference Docket No. PHMSA-2013-0119. Comments may be submitted in the following ways:

- *E-Gov Web site:* <http://www.regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency. Follow the instructions for submitting comments.

- *Fax:* 1-202-493-2251.

- *Mail:* Docket Management System, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12-140, Washington, DC 20590.

Hand Delivery: DOT Docket Management System, Room W12-140, on the ground floor of the West Building, 1200 New Jersey Avenue SE., Washington, DC between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Instructions: Identify the docket number at the beginning of your comments. If you submit your comments by mail, submit two copies. If you wish to receive confirmation that PHMSA has received your comments, include a self-addressed stamped postcard. Internet users may submit comments at <http://www.regulations.gov>.

Note: Comments will be posted without changes or edits to <http://www.regulations.gov> including any personal information provided. Please see the Privacy Act Statement heading below for additional information.

Privacy Act Statement: Anyone may search the electronic form of all comments received for any of our dockets. You may review DOT's complete Privacy Act Statement in the **Federal Register** published April 11, 2000, (65 FR 19477).

FOR FURTHER INFORMATION CONTACT: Cameron Satterthwaite, Office of Pipeline Safety, at 202-366-1319 or by email at cameron.satterthwaite@dot.gov, regarding the subject matter of this notice.

SUPPLEMENTARY INFORMATION: On May 28, 2013, PHMSA published in the **Federal Register** a notice (78 FR 32010) to solicit comments and announce a public workshop regarding an "Integrity Verification Process." The public workshop was held on August 7, 2013.

At the workshop, PHMSA, the National Association of State Pipeline Safety Representatives and various other stakeholders presented information regarding the "Integrity Verification Process" that will help address several mandates set forth in Section 23, Maximum Allowable Operating Pressure, of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011. Presentations, archived webcast, charts, and other pertinent information have been made available online at <http://www.phmsa.dot.gov/pipeline>.

In response to stakeholder feedback, PHMSA has made some revisions to the proposed "Integrity Verification Process." The revised "Integrity Verification Process" is available in the docket at www.regulations.gov, Docket Number "PHMSA-2013-0119". In an effort to provide the public with adequate time to comment on the proposed revision, PHMSA is extending the comment period from September 9, 2013, to October 7, 2013.

Issued in Washington, DC, on September 6, 2013, under delegated authority in 49 CFR 1.97.

Jeffrey D. Wiese,

Associate Administrator for Pipeline Safety.

[FR Doc. 2013-22161 Filed 9-11-13; 8:45 am]

BILLING CODE 4910-60-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Toll-Free Phone Line Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of Meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Toll-Free Phone Line Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Tuesday, October 15, 2013.

FOR FURTHER INFORMATION CONTACT: Linda Rivera at 1-888-912-1227 or (202) 622-8390.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel Toll-Free Phone Line Project Committee will be held Tuesday,

October 15, 2013 at 11:00 a.m. Eastern Time via teleconference. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Linda Rivera. For more information please contact: Ms. Rivera at 1-888-912-1227 or (202) 622-8390, or write TAP Office, 1111 Constitution Avenue NW., Room 1509—National Office, Washington, DC 20224, or contact us at the Web site: <http://www.improveirs.org>.

The committee will be discussing Toll-free issues and public input is welcomed.

Dated: September 6, 2013.

Otis Simpson,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2013-22154 Filed 9-11-13; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Joint Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of Meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Joint Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Wednesday, October 23, 2013.

FOR FURTHER INFORMATION CONTACT: Susan Gilbert at 1-888-912-1227 or (515) 564-6638.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel Joint Committee will be held Wednesday, October 23, 2013 at 2:00 p.m. Eastern Time via teleconference. The public is invited to make oral comments or submit written statements for consideration. Notification of intent to participate must be made with Susan Gilbert. For more information please contact Ms. Gilbert at 1-888-912-1227 or (515) 564-6638 or write: TAP Office, 210 Walnut Street, Stop 5115, Des Moines, IA 50309 or contact us at the Web site: <http://www.improveirs.org>.

The agenda will include various committee issues for submission to the