

closest applicable size standard under the SBA rules is for Wired Telecommunications Carriers. This provides that such a carrier is small entity if it employs no more than 1,500 employees. None of the four BOCs that would be affected by amendment of these rules meets this standard. The Commission next turns to whether any of the section 272 affiliates may be deemed a small entity. Under SBA regulation 121.103(a)(4), "SBA counts the * * * employees of the concern whose size is at issue and those of all its domestic and foreign affiliates * * * in determining the concern's size." In that regard, although section 272 affiliates operate independently from their affiliated BOCs, many are 50 percent or more owned by their respective BOCs, and thus would not qualify as small entities under the applicable SBA regulation. Moreover, even if the section 272 affiliates were not "affiliates" of BOCs, as defined by SBA, as many are, the Commission estimates that fewer than fifteen section 272 affiliates would fall below the size threshold of 1,500 employees. Particularly in light of the fact that Commission data indicate that a total of 261 companies have reported that their primary telecommunications service activity is the provision of interexchange services, the fifteen section 272 affiliates that may be small entities do not constitute a "substantial number." Because the proposed rule amendments directly affect only BOCs and section 272 affiliates, based on the foregoing, the Commission concludes that a substantial number of small entities will not be affected by our proposal.

10. Accordingly, for the reasons set forth above, the Commission certifies that the proposals in this NPRM, if adopted, will not have a significant economic impact on a substantial number of small entities. The Commission will send a copy of the Notice, including a copy of this Initial Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the SBA. This initial certification will also be published in the **Federal Register**.

Ordering Clauses

11. Accordingly, pursuant to the authority contained in sections 2, 4(i)-(j), 272, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 152, 154(i)-(j), 272, 303(r), this *Notice of Proposed Rulemaking* is Adopted.

12. The Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, shall Send a copy of this *Notice of Proposed Rulemaking*,

including the Initial Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the Small Business Administration, in accordance with the Regulatory Flexibility Act.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 03-29054 Filed 11-20-03; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[DOT Docket No. NHTSA-03-15073]

RIN 2127-AI67

Federal Motor Vehicle Safety Standards; Motorcycle Controls and Displays

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: In this document, we (NHTSA) propose two regulatory alternatives to amend the motorcycle controls and displays standard. Each alternative would require that for certain motorcycles without a clutch control lever, the rear brakes be controlled by a lever located on the left handlebar. We also request comment on industry practices and plans regarding controls for motorcycles with integrated brakes. Finally, we propose minor changes to a table in the motorcycle controls and displays standard. This rulemaking responds to a petition from Vectrix Corporation.

DATES: You should submit your comments early enough to ensure that Docket Management receives them not later than January 20, 2004.

ADDRESSES: You may submit your comments in writing to: Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. Alternatively, you may submit your comments electronically by logging onto the Docket Management System Web site at <http://dms.dot.gov>. Click on "Help & Information" or "Help/Info" to view instructions for filing your comments electronically. Regardless of how you submit your comments, you should mention the docket number of this document.

You may call the Docket at (202) 366-9324. You may visit the Docket from 10 a.m. to 5 p.m., Monday through Friday, except for Federal holidays.

FOR FURTHER INFORMATION CONTACT: For non-legal issues, you may call Mr. Michael Pyne, Office of Crash Avoidance Standards at (202) 366-4171. His FAX number is (202) 493-2739. For legal issues, you may call Ms. Dorothy Nakama, Office of the Chief Counsel, at (202) 366-2992. Her FAX number is (202) 366-3820. You may send mail to both of these officials at National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. What Does FMVSS No. 123 State at Present?
 - II. How Did This Rulemaking Begin?—Vectrix Petition
 - III. Why NHTSA Granted This Petition—Petitions for Temporary Exemption
 - A. Aprilia's Petition for Temporary Exemption
 - B. Motorcycle Crash Causation Studies
 - C. Brake Control Location Study Funded by Aprilia
 - D. Search of NHTSA's Consumer Complaint Database
 - IV. The Regulatory Alternatives for Rear Brake Control Location
 - A. First Alternative
 - B. Second Alternative
 - 1. How a "Scooter" Differs From Other Motorcycles
 - 2. Advancing International Harmonization
 - 3. Supplemental Rear Brake Controls
 - C. Motorcycles With Integrated Braking
 - 1. The Honda Petition for Temporary Exemption
 - 2. Supplemental Controls on Integrated Braking
 - 3. Request for Comments on New Developments in Integrated Braking
 - V. Minor Revisions to Table 1
 - VI. Leadtime
 - VII. Regulatory Analyses and Notices
 - A. Executive Order 12866 and DOT Regulatory Policies and Procedures
 - B. Executive Order 13132 (Federalism)
 - C. Executive Order 13045 (Economically Significant Rules Affecting Children)
 - D. Executive Order 12778 (Civil Justice Reform)
 - E. Regulatory Flexibility Act
 - F. National Environmental Policy Act
 - G. Paperwork Reduction Act
 - H. National Technology Transfer and Advancement Act
 - I. Unfunded Mandates Reform Act of 1995
 - J. Data Quality Guidelines
 - K. Plain Language
 - L. Regulation Identifier Number (RIN)
- Proposed Regulatory Text

I. What Does FMVSS No. 123 State at Present?

Federal Motor Vehicle Safety Standard (FMVSS) No. 123, *Motorcycle controls and displays*, specifies requirements for the location, operation, identification, and illumination of motorcycle controls and displays. The