

§ 101-41.506 Transportation debts administratively determined to be due the United States.

(a) Under the Federal Claims Collection Act of 1966, as amended (31 U.S.C. 3711, et seq.), the Comptroller General and the Attorney General have joint responsibility for promulgating standards for the collection, compromise, termination or suspension of collection action on any debts determined to be due the United States. Regulations defining agency responsibilities for collecting amounts determined to be due the United States, establishing principles governing agency collection procedures for reporting uncollectible debts to the General Accounting Office (GAO) or the Department of Justice, are found in 4 CFR Parts 101 through 105 and in the GAO Policy and Procedures Manual for Guidance of Federal Agencies.

(c) The Director, Office of Transportation Audits, has the authority and responsibility to audit and settle all accounts arising from the payment for domestic and foreign freight and passenger transportation services furnished for the account of the United States under the provisions of 31 U.S.C. 3726 without regard to monetary limitations. He/she initiates actions on claims arising from his/her audit and settlement activities.

(d) Whenever feasible, debts owed to the United States, together with interest, administrative charges and penalty charges, should be collected in full. If the debtor requests installment payments, the Director, Office of Transportation Audits, shall determine the financial hardship of the debtor and may arrange installment payments.

(e) All liquidated or certain claims (those upon which all audit procedures under 31 U.S.C. 3726 have been completed) over \$20,000, exclusive of interest, penalties and administrative charges which cannot be collected, shall be referred to the Department of Justice.

(f) The Director, Office of Transportation Audits, may terminate collection action on, or settle by compromise at less than the principal amount liquidated or certain claims not exceeding \$20,000 exclusive of interest, penalties and administrative charges if:

- (1) The debtor shows an inability to pay the full amount within a reasonable time;
- (2) Complete collection is not enforceable within a reasonable time;
- (3) The amount of the claim does not justify the foreseeable collection cost; or
- (4) There are uncertain litigative probabilities.

(g) The Director, Office of Transportation Audits, shall prescribe internal regulations for the guidance of GSA personnel collecting claims arising from the audit of transportation accounts.

15. Section 101-41.507 is added as follows:

§ 101-41.507 Disclosure to consumer reporting agencies and referrals to collection agencies.

GSA may disclose delinquent debts to consumer reporting agencies and may refer delinquent debts to debt collection agencies under provisions of the Federal Claims Collection Act, and § 105-55.010 of these Regulations.

Dated: November 18, 1985.

T.C. Golden,

Administrator of General Services.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 173

[Docket No. HM-172B; Amdt. No. 173-194]

Cylinder Retester Identification Procedures

Correction

In FR Doc. 85-26499, beginning on page 46054 in the issue of Wednesday, November 6, 1985, make the following corrections:

On page 46055, second and third columns, § 173.34:

1. In the introductory text of paragraph (e), the first and third lines, "period" should read "periodic".
2. In paragraph (e)(1), fifth line, insert "by" after "test".
3. In paragraph (e)(1)(iv), tenth line, "in" should read "is".

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Federal Highway Administration

49 CFR Part 391

[BMCS Docket No. MC-111; Notice No. 83-16]

**Qualifications of Drivers—
Handicapped Driver Waiver Program**

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Final rule.

SUMMARY: The FHWA is amending the Federal Motor Carrier Safety

Regulations to clarify an application requirement of the Handicapped Driver Waiver Program. It has been FHWA policy to require a Waiver Program applicant with an upper limb amputation or an upper limb impairment to be capable of demonstrating precision prehension and power grasp prehension. This action incorporates that policy into the rule.

EFFECTIVE DATE: January 6, 1986.

FOR FURTHER INFORMATION CONTACT:

Mr. Neill L. Thomas, Bureau of Motor Carrier Safety, (202) 755-1011; or Mr. Thomas P. Holian, Office of the Chief Counsel, (202) 426-0346, Federal Highway Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., ET, Monday through Friday.

SUPPLEMENTARY INFORMATION: The qualifications for drivers who drive in interstate or foreign commerce are found in 49 CFR Part 391. Among these qualifications are certain physical standards (49 CFR 391.41). Two of the physical standards concern drivers who have had an amputation of a limb or who have a limb impairment (49 CFR 391.41(b) (1) and (2)). These two conditions are subject to the waiver provisions of § 391.49, Waiver of certain physical defects.

On December 19, 1984, the FHWA published a notice of proposed rulemaking (NPRM) entitled "Qualifications of Drivers—Handicapped Driver Waiver Program," Docket No. MC-111, Notice No. 84-6 (49 FR 49313). The NPRM requested comments on a proposal to clarify an application requirement of the Waiver Program. The proposed application requirement required an applicant with an upper limb amputation or upper limb impairment to be capable of demonstrating precision prehension (e.g., manipulating vehicle controls and switches) and power grasp prehension (e.g., holding and turning the steering wheel) in each upper limb separately. In effect, it required the use of a limb prosthesis (artificial limb) for an upper limb amputee applicant. An upper limb-impaired applicant is required to wear an orthotic device (brace-like device) if he or she is not capable of demonstrating precision prehension and power grip prehension in each upper limb separately without a device.

The NPRM was issued because some confusion existed among applicants who were unaware of the FHWA's Waiver Program policy that required a demonstration of precision prehension and power grasp prehension in each