

Federal governments that, with strengthened enforcement, would reduce the number of fatalities and injuries related to CMV operations. The Act provided that State laws and regulations pertaining to CMV safety could continue to be enforced only if they have the same effect as the Federal regulations.

The Act also created a Commercial Motor Vehicle Safety Regulatory Review Panel to review all State laws and regulations as they pertain to motor carrier safety affecting interstate operations. The focus of the Safety Panel was to determine which State laws and regulations either have the same effect, are more stringent than, or are less stringent than the requirements of the FMCSRs. The Safety Panel initially inventoried over 70,000 State motor carrier safety laws and regulations affecting interstate carriers.

In August of 1990, the Safety Panel submitted a final report of its findings and recommendations to the Secretary of Transportation. (DOT/FHWA, Achieving Compatibility of State and Federal Safety Requirements: A Report to the Secretary of Transportation, August 1990.) The Safety Panel identified many State laws and regulations that were determined to be less stringent than the Federal requirements. The Safety Panel specifically recommended using an approach whereby the FHWA could preempt less stringent State laws or regulations, deny funding under the Motor Carrier Safety Assistance Program, or both. This approach was subsequently adopted by the FHWA, and codified in 49 CFR parts 350 and 355. In fact, appendix A in part 355 specifically uses the 10,001 pound or more weight threshold as an example of a guideline for regulatory review. However, the Safety Panel "gave States latitude on the compatibility of their weight threshold requirements" pending the outcome of an FHWA rulemaking action on this issue, initiated by an advance notice of proposed rulemaking (ANPRM) published on February 17, 1989, at 54 FR 7224. (Safety Panel Report, at p. 11)

The FHWA requested comments in the ANPRM on possible changes to the GVWR criterion, including whether the 10,001 pound weight threshold should be raised to as high as 26,001 pounds. Because the information obtained from that effort did not support a change in the weight threshold, the FHWA is closing docket MC-89-5, and is providing notice of the withdrawal of the weight threshold proposal for CMVs, elsewhere in today's **Federal Register**. Consequently, States will be granted a

three-year period, from January 3, 1995, to adopt and enforce motor carrier safety laws and regulations having the same effect as the FMCSRs, at the 10,001 pound weight threshold, or be subject to the loss of MCSAP funding. It should be emphasized that this notice is expressly limited to the weight threshold issue concerning the definition of a CMV used in interstate commerce. States are expected to maintain regulatory requirements that are consistent with the FMCSRs. Generally, a State has up to three years from the effective date of the new Federal requirement to adopt and enforce that requirement. The FHWA views this action as falling within that category. Future FHWA rulemaking actions will specify appropriate deadlines for the States to promulgate and adopt their appropriate regulatory changes. See 49 CFR 350.11(f) and part 355, appendix A.

Authority: 49 U.S.C. app. 2301 through 2304, 2505 through 2507; 49 U.S.C. 504 and 3102; 23 U.S.C. 315, 49 CFR 1.48.

Issued on: December 22, 1994.

Rodney E. Slater,

Federal Highway Administrator.

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Federal Railroad Administration

Petition for Waivers of Compliance

In accordance with 49 CFR Sections 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for waivers of compliance with certain requirements of the Federal safety laws and regulations. The petition is described below, including the regulatory provisions involved, the nature of the relief being requested and the petitioner's arguments in favor of relief.

Central Puget Sound Regional Transit Authority (RTA)

FRA Docket Numbers SA-94-12 and RSGM-94-26

The RTA, working with the Burlington Northern Railroad and the Union Pacific Railroad, is developing a Commuter Rail Demonstration Project (CRDP). The CRDP is part of an ongoing effort to improve mass transit services in the three-county, Seattle-Tacoma-Everett region in the State of Washington. The RTA plans to begin operation in late January or early February of 1995, and be concluded not later than May 31, 1995.

The RTA effort to identify suitable passenger equipment for the CRDP

concluded that the only possible source of adequate equipment is GO Transit in Toronto, Ontario, Canada. RTA plans to lease 14 bi-level passenger cars, two auxiliary power car units (APCU) and two locomotives from GO Transit. Some of the same GO Transit equipment was leased for varying lengths of time by other United States commuter railroads in the past, most recently by the Southern California Regional Rail Authority for service in the Los Angeles, California, area to augment its equipment fleet because of the increase in commuter rail demand resulting from the January 17, 1994, earthquake.

The RTA seeks waivers of compliance from certain sections of the FRA regulations which are described herein. Conditional waivers were granted to the other commuter rail operators which leased the GO Transit equipment.

FRA Docket Number SA-94-12

The RTA seeks a temporary waiver of compliance with certain provisions of the Railroad Safety Appliance Standards (49 CFR Part 231) for 14 GO Transit passenger cars which do not fully comply with the regulations. Section 231.14(c)(3) requires that the side corner handholds be located specifically in relation to the center line of the coupler. RTA states that the side corner handholds are not located the correct distance above the centerline of the coupler.

FRA Docket Number RSGM-94-26

The RTA seeks a temporary waiver of compliance with certain provisions of the Railroad Safety Glazing Standards (49 CFR Part 223) for 14 GO Transit bi-level commuter passenger cars, 2 APCU, and 2 locomotives which do not fully comply with the regulation. The glazing material installed in the equipment is manufactured to CSA-D263-1972 (ANSI Z.26.1) standards, laminated safety glass suitable for locomotives and railway cars. The side facing and end facing glazing material is not in compliance with 49 CFR Section 223.15.

Interested parties are invited to participate in these proceedings by submitting written reviews, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number SA-94-12) and

must be submitted in triplicate to the Docket Clerk, Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received before February 10, 1995 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) in Room 8201, Nassif Building, 400 Seventh Street S.W., Washington, D.C. 20590.

Issued in Washington, D.C. on December 27, 1994.

Phil Olekszyk,

Deputy Associate Administrator for Safety.
[FR Doc. 94-32243 Filed 12-30-94; 8:45 am]

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DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

December 27, 1994.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-11. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

Bureau of Alcohol, Tobacco and Firearms (BATF)

OMB Number: 1512-0184.

Form Number: ATF F 5400.4.

Type of Review: Extension.

Title: Explosives Transaction Record.

Description: This form is used to verify the qualification and identification of unlicensed persons wishing to purchase explosive materials from licensed dealers, as well as the location in which the explosives are intended for storage and/or use. ATF uses the information in its investigations and inspections to establish leads and determine compliance.

Respondents: Businesses or other for-profit, Small businesses or organizations.

Estimated Number of Respondents: 1,140.

Estimated Burden Hours Per Respondent: 10 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 7,227 hours.

OMB Number: 1512-0500.

Form Number: ATF F 5630.5R and ATF F 5630.5RC.

Type of Review: Extension.

Title: Special Tax "Renewal" Registration and Return and Special Tax Location Registration Listing.

Description: 26 U.S.C. Chapters 51, 52 and 53 authorize the collection of special occupational tax from persons engaging in certain alcohol, tobacco or firearms businesses. ATF F 5630.5R and ATF F 5630.5RC are used for the annual renewal cycle to both compute and report the tax and as an application for registry as required by statute. Upon receipt of the tax, a special tax stamp is issued.

Respondents: Individuals or households, State or local governments, Businesses or other for-profit, Small businesses or organizations.

Estimated Number of Respondents: 402,000.

Estimated Burden Hours Per Respondent: 24 minutes.

Frequency of Response: Annually.

Estimated Total Reporting Burden: 160,800 hours.

Clearance Officer: Robert N. Hogarth (202) 927-8930, Bureau of Alcohol, Tobacco and Firearms, Room 3200, 650 Massachusetts Avenue, N.W., Washington, DC 20226.

OMB Reviewer: Milo Sunderhauf (202) 395-7340, Office of Management and Budget, Room 10226, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 94-32292 Filed 12-30-94; 8:45 am]

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Public Information Collection Requirements Submitted to OMB for Review

December 27, 1994.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the

Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

Bureau of the Public Debt (BPD)

OMB Number: 1535-0042.

Form Number: PD F 2216.

Type of Review: Extension.

Title: Application by Preferred Creditor for Disposition Without Administration Where Deceased Owner's Estate Includes United States Savings Bonds/Notes and/or Related Checks in an Amount Not Exceeding \$500 (Face Amount).

Description: This form is used by a preferred creditor of a decedent's estate to request payment of savings bonds/notes and/or related checks not exceeding \$500 when estate is not being administered.

Respondents: Individuals or households, Businesses or other for-profit.

Estimated Number of Respondents: 5,000.

Estimated Burden Hours Per Response: 10 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 835 hours.

OMB Number: 1535-0092.

Form Number: PD Fs 4144, 4144-1, 4144-2, 4144-3 and 4144-4.

Type of Review: Extension.

Title: Subscription for Purchase and Issue of U.S. Treasury Time Deposit Securities—State and Local Government Series.

Description: The information collected is necessary to establish the accounts for owners of Time Deposit Securities of State and Local Government Series.

Respondents: State or local governments.

Estimated Number of Respondents: 5,000.

Estimated Burden Hours Per Response: 55 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 4,585 hours.

OMB Number: 1535-0093.

Form Number: PD Fs 5291, 5291-1, 5291-2 and 5291-3.

Type of Review: Extension.

Title: Subscription for Purchase and Issue of U.S. Treasury Special Zero Interest Securities—State and Local Government Series (plus Schedule 1 for Certificates of Deposit and Schedule 2 for Notes).

Description: The information is necessary to establish the accounts for owners of Special Zero Interest Time Deposit Securities of State and Local Government Series.

Respondents: State or local governments.