400 Seventh Street, SW., Washington, DC 20590. Telephone 202–366–5821 or fax 202–366–3889. Copies of this collection can also be obtained from that office.

SUPPLEMENTARY INFORMATION:

Title of Collection: Trustee's Supplemental Certification.

Type of Request: Extension of currently approved information collection.

OMB Control Number: 2133–0015.

Form Number: MA–580.

Expiration Date of Approval: August 31, 1996.

Summary of Collection of Information: Provide for approval of banks and trust companies to act as Trustees under certain ship financing trusts and provide a procedure for assuring the validity and preferred status of mortgages on U.S. flag vessels and certain mortgages requiring Secretarial approval. The approved bank or trust company is required to furnish its supplemental certification every five years in order to remain on the Roster of Approved Trustees. The processing fee for this application is $215.00 per filing.

Need and Use of the Information: Information collection provides information that will be used by the Maritime Administration to determine whether the bank or trust company continues to meet the statutory requirements to serve as Trustees.

Description of Respondents: Banks and trust companies.

Annual Responses: 68.

Annual Burden: 51 hours.

Comments: Send all comments regarding this information collection to Joel C. Richard, Department of Transportation, Maritime Administration, MAR–120, Room 7210, 400 Seventh Street, SW., Washington, DC 20590. Send comments regarding whether this information collection is necessary for proper performance of the function of the agency and will have practical utility, accuracy of the burden estimates, ways to minimize this burden, and ways to enhance quality, utility, and clarity of the information to be collected.

By Order of the Maritime Administrator.

Dated: May 16, 1996.

Joel C. Richard,

Secretary.

[FR Doc. 96–12798 Filed 5–21–96; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Petition for Modification of Exemption From the Vehicle Theft Prevention Standard; General Motors Corporation

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

ACTION: Grant of petition for modification of a previously approved antitheft device.

SUMMARY: On April 9, 1991, this agency granted in part General Motors Corporation's (GM) petition for exemption from the parts-marking requirements of the vehicle theft prevention standard for the Buick Park Avenue car line. This notice grants in full GM's petition for modification of the previously approved antitheft device for that line. The agency grants this petition because it has determined, based on substantial evidence, that the modified antitheft device described in GM's petition to be placed on the car line as standard equipment is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements.

DATES: The exemption granted by this notice is effective beginning with model year (MY) 1997.

FOR FURTHER INFORMATION CONTACT: Ms. Rosalind Proctor, Office of Planning and Consumer Programs, NHTSA, 400 Seventh Street, S.W., Washington, DC 20590. Ms. Proctor's telephone number is (202)366–1740. Her fax number is (202) 493–2739.

SUPPLEMENTARY INFORMATION: In April 1991, NHTSA published in the Federal Register a notice granting in part the petition from General Motors Corporation (GM) for an exemption from the parts-marking requirements of the Theft Prevention Standard (49 CFR Part 541) for the model year 1992 Buick Park Avenue car line. (See 56 FR 14413, April 9, 1991). The agency determined that the PASS-Key antitheft device, which GM intended to install on the Buick Park Avenue car line as standard equipment, was likely to be as effective in reducing and deterring motor vehicle theft as would compliance with the parts-marking requirements of the Theft Prevention Standard. The agency decided based on the information available at that time that a full exemption was not appropriate and granted a partial exemption, which required that the engine and transmission on this line continue to be marked. The agency limited the exemption because the antitheft device lacked both an audible and a visual alarm to call attention to unauthorized entry of the vehicle. The lack of such a warning device made the agency uncertain whether the device would be as effective as parts marking in deterring theft of this vehicle.

On February 16, 1996, GM submitted its petition for modification to its previously approved PASS-Key antitheft device. The petition also asked that the line be granted a full rather than partial exemption. GM's submittal is considered a complete petition, as required by 49 CFR Part 543.9(d), in that it meets the general requirements contained in § 543.5 and the specific content requirements of § 543.6. GM requested confidential treatment for some of the information and attachments submitted in support of its petition for modification. In a letter to GM dated March 1, 1996, the agency granted the petitioner's request for confidential treatment.

In its petition for MY 1992, GM included a detailed description of the identity, design and location of the components of the PASS-Key antitheft device, including diagrams of components and their location in the vehicle. GM described the PASS-Key antitheft device installed as standard equipment as passively activated. The PASS-Key antitheft device utilizes an ignition key, an ignition lock cylinder and a decoder module.

GM stated that for MY 1997, the PASS-Key III antitheft device will utilize more advanced technology than the PASS-Key or PASS-Key II devices. The PASS-Key III device will add new features and refinements to some of the previous PASS-Key/PASS-Key II components. As with the PASS-Key and PASS-Key II antitheft devices, the PASS-Key III device will remain fully functional once the ignition has been turned off and the key has been removed. No operator action will be required other than removing the key. The PASS-Key III will also use a special ignition key and decoder module. The conventional mechanical key unlocks and releases the steering wheel and transmission lever. However, before the vehicle can be operated, the key's electrical code must be sensed by the key cylinder and properly decoded by the decoder module.

GM stated that the transponder, now embedded in the head of the key for the PASS-Key III device, is stimulated by a coil surrounding the key cylinder. The transponder in the key then emits a modulated signal at a specified radio frequency. The identity of the key is an integral and unique code within the

modulated signal. The PASS-Key III device has the potential for four trillion or more unique electrical key codes. The key cylinder coil receives and sends the modulated signal to the decoder. When the decoder module recognizes a valid key code, it sends an encoded message to the Powertrain Control Module (PCM) to enable fuel flow and starter operation. If an invalid key is detected, the PASS-Key III decoder module will transmit a different password to the PCM to disable fuel flow and starter operation.

The PASS-Key II device was designed to shut down for three to four minutes if an invalid key was detected, preventing further attempts at starting the vehicle during that shutdown. However, GM believes that the time-consuming task of attempting to defeat the device having over four trillion key codes by a trial-and-error method eliminates the need for such an extensive shutdown period. Therefore, with the PASS-Key III device, a shut-down period occurs only if someone is attempting to program a new electronically coded key. Shut-down occurs for ten seconds with a valid key and thirty minutes with a non-valid key. As an additional security measure, GM will provide the MY 1997 Buick Park Avenue owner/operator with a ''valet'' version of the PASS-Key III ignition key that will be modified to prevent the ten-second code-duplication possible with the normal ignition key.

The PASS-Key III decoder module and antenna will be located in the steering column for MY 1997. GM stated that the device cannot be defeated by removing and then subsequently reapplying vehicle power. Additionally, GM stated that replacement of the decoder module will not defeat the device because of its decoder module password.

Upon starting the vehicle, the ignition switch will enable power to the PASS-Key III device causing the decoder module to illuminate a ''security'' light on the instrument cluster. GM states that this ''bulb check'' sequence will last for five seconds and then the light will return to the normal state (''off'') for a valid key. Any attempts to start the vehicle with an electronically invalid key will cause the ''security'' light to turn on. Should an error arise during normal operation, the ''security'' light is enabled, signaling to the operator that a fault has been detected in the PASS-Key III device. According to GM, the vehicle will continue to operate despite the fault, however, vehicle security may be compromised.

GM stated that the PASS-Key III device has been designed to enhance the functionality and theft protection of the first and second-generation PASS-Key and PASS-Key II devices. However, as in the first and second-generation PASS-Key devices, the PASS-Key III device does not provide an alarm, either audible or visual to attract the attention to the efforts of an unauthorized person to enter or move the vehicle by means other than a key (49 CFR § 543.6(a)(3)(ii).) To substantiate its belief that an alarm system is not a necessary feature to effectively deter the theft of a vehicle, GM compared the reduction in thefts for Corvettes equipped with a passive antitheft device *with* an audible/visible alarm feature (24% reduction), and the Chevrolet Camaro and Pontiac Firebird car lines equipped with a passive antitheft device *without* an alarm feature (66% and 69% reduction).

The following GM car lines have the ''PASS-Key'' device as standard equipment and have been exempted in part from the requirements of 49 CFR Part 541: the Chevrolet Camaro and Pontiac Firebird, beginning with MY 1990 (See 54 FR 3365, August 15, 1989); the Cadillac DeVille/Fleetwood and Oldsmobile 98, beginning with MY 1991 (See 55 FR 17854, April 27, 1990); and the Pontiac Bonneville and Buick Park Avenue, beginning with MY 1992 (See 56 FR 14413, April 9, 1991). NHTSA has also granted exemptions in part for the following GM car lines that have PASS-Key II as standard equipment: the Oldsmobile 88 Royale and Buick LeSabre, beginning with MY 1993 (See 57 FR 10517, March 26, 1992) and the Cadillac Eldorado and Cadillac Seville, beginning with MY 1994 (see 58 FR 11659, February 26, 1993).

The agency had granted partial, rather than full exemptions for the car lines listed above because neither the PASS-Key nor PASS-Key II antitheft devices included an audible or visual alarm system. As such, the GM systems lack, as standard equipment, an important feature that the agency has defined in its rulemaking on Part 543 as one of several attributes which contribute to the effectiveness of an antitheft device: automatic activation of the device; an audible or visual signal that is connected to the hood, doors, and trunk, and draws attention to vehicle tampering; and a disabling mechanism designed to prevent a thief from moving a vehicle under its own power without a key.

Since deciding those petitions, however, the agency has become aware that theft data show declining theft rates for GM vehicles equipped with either version of the PASS-Key device. A comparison of theft data for car lines incorporating the PASS-Key and PASS-Key II devices does not show that the lack of an audible or visual alarm system detracts from the effectiveness of the PASS-Key and PASS-Key II devices. The agency believes that the data show that over time, despite the absence of an audible or visual alarm system, the PASS-Key and PASS-Key II devices, when placed on car lines as standard equipment, are as likely to be as effective in deterring and reducing motor vehicle theft as compliance with the parts-marking requirements.

Based on this information, the agency has granted two GM petitions for full exemptions for car lines equipped with the PASS-Key II antitheft device. Those lines are the Chevrolet Lumina and Buick Regal car lines (See 60 FR 25938, May 15, 1995) and the Buick Riviera and Oldsmobile Aurora car lines (See 58 FR 44872, August 25, 1993). In both of those instances, the agency concluded that a full exemption was warranted because the PASS-Key II device had shown itself to be as likely as parts marking to be effective protection against theft despite the absence of a visual or audible alarm. Because the PASS-Key III device to be used in the Buick Park Avenue beginning in MY 1997 is an improved version of these systems, the agency concludes that a full exemption is appropriate for this car line as well.

To ensure reliability and durability of the device, GM stated that it conducted tests based on its own specified standards. GM provided the test results for the PASS-Key III device showing that the device complied with the specified performance requirements of each test. GM stated that the PASS-Key III device complied with it standards for power temperature cycling, high and low temperature storage, humidity, salt fog, drop, dust, thermal shock, frost, altitude, shock, random vibration and potential contaminants.

To substantiate its beliefs as to the effectiveness of the PASS-Key III antitheft device, GM compared its MY 1997 antitheft modification to similar devices that have previously been granted exemptions by the agency. GM provided data on the Chevrolet Camaro, Pontiac Firebird, Cadillac DeVille/ Fleetwood, Cadillac Seville and Cadillac Eldorado car line theft rates for MYs 1986 through 1991. PASS-Key was made standard on the Camaro, Firebird, Seville and Eldorado beginning with MY 1989 and on the DeVille/ Fleetwood beginning with MY 1990. The data provided by GM were reported by the Federal Bureau of Investigation's National Crime Information Center (NCIC), which is NHTSA's official source of theft data (See 50 FR 46666,

November 12, 1985). The NCIC receives reports on all thefts.

The NCIC data reported by GM showed that the Camaro, Firebird, DeVille/Fleetwood, Seville and Eldorado theft rates (per thousand vehicles) by Model Year were: For MY 1986, 29.49 for the Camaro, 27.83 for the Firebird, 7.11 for the DeVille/Fleetwood, 1.71 for the Seville and 2.27 for the Eldorado; for MY 1987, 26.03 for the Camaro, 30.14 for the Firebird, 6.16 for the DeVille/Fleetwood, 9.24 for the Seville and 3.90 for the Eldorado; for MY 1988, 25.74 for the Camaro, 29.39 for the Firebird, 7.91 for the DeVille/Fleetwood, 9.54 for the Seville and 3.16 for the Eldorado; for MY 1989, 8.69 for the Camaro, 9.00 for the Firebird, 5.57 for the DeVille/Fleetwood, 8.31 for the Seville and 2.35 for the Eldorado; for MY 1990, 9.04 for the Camaro, 8.04 for the Firebird, 3.85 for the DeVille/Fleetwood, 9.43 for the Seville and 2.44 for the Eldorado; for MY 1991, 7.80 for the Camaro, 6.37 for the Firebird, 4.06 for the DeVille/Fleetwood, 7.95 for the Seville and 2.83 for the Eldorado.

GM believes that based on the reduced theft rates of its PASS-Key and PASS-Key II equipped car lines and the proven theft-deterrence success of transponder electronics security, the PASS-Key III device to be introduced on the MY 1997 Buick Park Avenue is likely to be more effective in reducing and deterring motor vehicle theft than compliance with the parts marking requirements of 49 CFR Part 541.

The agency believes that there is substantial evidence indicating that the modified antitheft device to be installed as standard equipment on the MY 1997 Buick Park Avenue car line will likely be as effective in reducing and deterring motor vehicle theft as compliance with the requirements of the Theft Prevention Standard (49 CFR Part 541). This determination is based on the information that GM submitted with its petition and on other available information. The agency believes that the modified device will continue to provide the types of performance listed in Section 543.6(a)(3): promoting activation; attracting attention to unauthorized entries; preventing defeat or circumventing of the device by unauthorized persons; preventing operation of the vehicle by unauthorized entrants; and ensuring the reliability and durability of the device.

As required by 49 CFR Section 543.6(a)(4), the agency also finds that GM has provided adequate reasons for its belief that the modified antitheft device will reduce and deter theft. This conclusion is based on the information GM provided on its PASS-Key III device. This information included a description of reliability and functional tests conducted by GM for the PASS-Key III antitheft device and its components.

For the foregoing reasons, the agency hereby exempts the Buick Park Avenue car line, which is the subject of this notice, in whole, from the requirements of 49 CFR Part 541.

Section 543.9(h)(2)(i), specifically reads, ''* * * an exemption under this section takes effect on the first day of the model year following the model year in which NHTSA issued the modification decision.'' Therefore, since the agency is issuing its decision on the General Motors Corporation modification during model year 1996, the modification for the Buick Park Avenue car line becomes effective beginning with Model Year 1997.

If, in the future, GM decides not to use the exemption for the car line that is the subject of this notice, it should formally notify the agency. If such a decision is made, the car line must be fully marked according to the requirements under 49 CFR Section 541.5 and Section 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if GM wishes in the future to modify the device on which this exemption is based, it may have to submit a petition to modify the exemption. Part 543.7(d) states that a Part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the antitheft device on which the line's exemption is based. Further, Section 543.9(c)(2) provides for the submission of petitions ''(t)o modify an exemption to permit the use of an antitheft device similar to but differing from the one specified in that exemption.''

The agency wishes to minimize the administrative burden which section 543.9(c)(2) could place on exempted vehicle manufacturers and itself. The agency did not intend in drafting Part 543 to require the submission of a modification petition for every change to the components or design of an antitheft device. The significance of many such changes could be de minimis. Therefore, NHTSA suggests that if the manufacturer contemplates making any changes the effects of which might be characterized as de minimis, it should consult the agency before preparing and submitting a petition to modify.

Authority: 49 U.S.C. 33106; delegation of authority at 49 CFR 1.50.

Issued on: May 17, 1996.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

[FR Doc. 96–12842 Filed 5–21–96; 8:45 am]

BILLING CODE 4910–59–P

Research and Special Programs Administration

Office of Hazardous Materials Safety; Notice of Applications for Exemptions

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of applicants for exemptions.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions form the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the applications described herein. Each mode of transportation for which a particular exemption is requested is indicated by a number in the ''Nature of Application'' portion of the table below as follow: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

DATES: Comments must be received on or before (30 days after publication).

ADDRESS COMMENTS TO: Dockets Unit, Research and Special Programs, Administration, U.S. Department of Transportation, Washington, DC 20590. Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the exemption application number.

FOR FURTHER INFORMATION CONTACT: Copies of the applications are available for inspection in the Dockets Unit, Room 8426, Nassif Building, 400 7th Street, SW., Washington, DC.