

states that the vehicle is equipped with combination lap and shoulder restraints that adjust by means of an automatic retractor and release by means of a single push button at both front designated seating positions, with combination lap and shoulder restraints that release by means of a single push button at both rear outboard designated seating positions, and with a lap belt in the rear center designated seating position.

Standard No. 214 *Side Impact Protection*: installation of reinforcing beams.

Standard No. 301 *Fuel System Integrity*: installation of a rollover valve in the fuel tank vent line between the fuel tank and the evaporative emissions collection canister.

The petitioner also states that a vehicle identification number plate must be affixed to the vehicle to meet the requirements of 49 CFR Part 565.

Interested persons are invited to submit comments on the petition described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 Seventh Street, S.W., Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141 (a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: November 24, 1998.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-98-3869; Notice 02]

Western Star Trucks, Inc.; Grant of Application for Decisions of Inconsequential Noncompliance

Western Star Trucks Inc. (Western Star) of Kelowna, British Columbia,

Canada, has determined that some of its vehicles fail to comply with the labeling requirements of 49 CFR 571.205, Federal Motor Vehicle Safety Standard (FMVSS) No. 205, "Glazing Materials," and has filed an appropriate report pursuant to 49 CFR Part 573 "Defect and Noncompliance Reports." Western Star has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—"Motor Vehicle Safety" on the basis that the noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the application was published with a 30-day comment period, on June 12, 1998, in the **Federal Register** (63 FR 33434). NHTSA received no comments on this application.

FMVSS 205, paragraph S6 *Certification and marking*, requires that each piece of glazing material shall be marked in accordance to section 6 of the American National Standard "Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highways" Z-26.1-1977, January 26, 1977, as supplemented by Z26.1a July 3, 1980 (ANS Z26). This specifies all safety glazing materials shall be legibly and permanently marked in letters and numerals at least 0.070 inch (1.78 mm) in height, with the words "American National Standard" or the characters "AS" and, in addition, with a model number that will identify the type of construction of the glazing material. They shall also be marked with the manufacturer's distinctive designation or trademark. In addition, FMVSS 205, paragraph S6.2 requires that each piece of glazing material be marked with the symbol "DOT."

From January 17, 1996, to February 3, 1998, Western Star Trucks manufactured approximately 891 Western Star Constellation series truck/tractors equipped with 58 inches or 72 inches sleeper windows which were not marked per the requirements of S6 of FMVSS 205.

Western Star supports its application for inconsequential noncompliance with the following:

1. All performance requirements of FMVSS 205 are met or exceeded.
2. The sleeper window is located out of the truck/tractor driver's compartment in an area not requisite for driver visibility.

NHTSA has reviewed Western Star's application and, for the reasons discussed below, concludes that the noncompliance of the Western Star windows is inconsequential to motor vehicle safety. Western Star has provided documentation that the windows do comply with all other

safety performance requirements of the standard, except the labeling. This documentation is a surrogate for the certification labeling. NHTSA believes that the lack of labeling would not result in inadvertent replacement of the windows with the wrong glazing. Broken tempered glass can readily be identified as tempered glass, rather than plastic or laminated glass. Anyone who intended to replace the window with an identical tempered glass window would have to contact Western Star for the proper part, since tempered glass windows cannot be easily manufactured by small field facilities. At that point, Western Star, or their representative, would be able to provide the correct replacement window by use of their parts system.

In consideration of the foregoing, NHTSA has decided that the applicant has met its burden of persuasion that the noncompliance it describes is inconsequential to safety.

Accordingly, its application is granted, and the applicant is exempted from providing the notification of the noncompliance that is required by 49 U.S.C. 30118, and from remedying the noncompliance, as required by 49 U.S.C. 30120.

Authority: 49 U.S.C. 30118, delegations of authority at 49 CFR 1.50 and 501.8.

Issued: November 24, 1998.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

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DEPARTMENT OF THE TREASURY

Customs Service

Privacy Act of 1974; System of Records

AGENCY: Customs Service, Treasury.

ACTION: Notice of proposed new Privacy Act system of records.

SUMMARY: The Treasury Department, Customs Service, gives notice of a proposed new system of records which is subject to the Privacy Act of 1974, as amended, (5 U.S.C. 552a).

DATES: Comments must be received no later than December 31, 1998. This new system of records will be effective January 11, 1999, unless comments are received which result in a contrary determination.

ADDRESSES: Comments (preferably in triplicate) may be submitted to the Office of Regulations and Rulings, Disclosure Law Branch, U.S. Customs