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Lawrence D. Tucker,

*Planning and Program Development
Manager, Federal Highway Administration,
Indianapolis, Indiana.*

Joel P. Ettinger,

*Region 5 Administrator, Federal Transit
Administration, Chicago, Illinois.*

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Amtrak Reform Council; Notice of Meeting

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of Amtrak Reform Council meeting.

SUMMARY: As provided in Section 203 of the Amtrak Reform and Accountability Act of 1997, the Federal Railroad Administration (FRA) gives notice of a meeting of the Amtrak Reform Council ("ARC"). The purpose of the meeting is to receive Amtrak's response to the Department of Transportation's Inspector General's independent assessment report of Amtrak's financial needs, discuss possible selection of an executive director, receive a briefing from representatives of rail labor and to take up such other matters as the Council or its members deem appropriate.

DATES: The meeting is scheduled from 9:00 a.m. to 1:00 p.m. on Tuesday, January 19, 1999.

ADDRESSES: The meeting will be held in the Kriebler Center, Free Congress Foundation, 717 Second Street, N.E., Washington, D.C. The meeting is open to the public on a first-come, first-served basis. Portions of the meeting may be closed to the public at the discretion of the Council if proprietary information is to be discussed. Persons in need of special arrangements should contact the person whose name is listed below.

FOR FURTHER INFORMATION CONTACT: Alexander Chavrid, Passengers Programs Division, Office of Railroad Development, FRA, RDV-13, Mail Stop 20, 1120 Vermont Avenue, NW., Washington, DC 20590 (mailing address only) or by telephone at (202) 493-6380.

SUPPLEMENTARY INFORMATION: The ARC was created by the Amtrak Reform and Accountability Act of 1997 (ARAA) as an independent commission to evaluate Amtrak's performance and make recommendations to Amtrak for achieving further cost containment and

productivity improvements, and financial reforms. In addition, the ARAA requires: that the ARC monitor cost savings resulting from work rules established under new agreements between Amtrak and its labor unions; that the ARC provide an annual report to Congress that includes an assessment of Amtrak's progress on the resolution of productivity issues; and that after two years the ARC begin to make findings on whether Amtrak can meet certain financial goals and, if not, to notify the President and the Congress.

The ARAA provides that the ARC consist of eleven members, including the Secretary of Transportation and ten others nominated by the President or Congressional leaders. Each member is to serve a 5 year term.

Issued in Washington, D.C. on January 7, 1999.

Mark E. Yachmetz,

Chief, Passenger Programs Division.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-98-4453; Notice 2]

Dorsey Trailers, Inc., Grant of Application for Decision of Inconsequential Noncompliance

Dorsey Trailers, Inc. (Dorsey), a manufacturer of trailers, is a corporation organized under the laws of the State of Delaware with headquarters in Atlanta, Georgia and manufacturing facilities in Elba, Alabama; Cartersville, Georgia; and Dillon, South Carolina. Dorsey has determined that its tire and rim label information, on some units, was not in full compliance with 49 CFR 571.120, Federal Motor Vehicle Safety Standard (FMVSS) No. 120, "Tire Selection and Rims for Vehicles Other Than Passenger Cars," and has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." Dorsey 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 October 2, 1998, in the **Federal Register** (63 FR 53123). NHTSA received two comments on this application during the 30-day comment period. Both commenters recommended that NHTSA grant the application.

Paragraph S5.3 of FMVSS No. 120 states that each vehicle shall show the information specified on the tire information label in both English and metric units. The standard also shows an example of the prescribed format.

After the requirement went into effect on March 14, 1996, Dorsey manufactured and/or distributed 18,816 trailers that do not meet the requirements stated in the standard. Of these 18,816 units, 16,788 were produced in Elba between March 14, 1996 and August 27, 1998; 1,713 units were produced in Cartersville between March 14, 1996 and October 31, 1997; and 315 were produced in Dillon between July 1, 1996 and December 9, 1997. The certification label affixed to Dorsey's trailers pursuant to Part 567 failed to comply with S5.3 of FMVSS No. 120 because of the omission of metric measurements, and Dorsey did not separately provide the metric measurements on another label, an alternative allowed by FMVSS No. 120. The use of metric measurements is required by FMVSS No. 120, pursuant to Federal Motor Vehicle Safety Standards: Metric Conversion, 60 FR 13639, published on March 14, 1995, and effective on March 14, 1996.

Dorsey supports its application for inconsequential noncompliance with the following statements:

1. The certification label contains the correct English unit information and has headings for the required metric data with voids in the area of the required data;

2. The omission of the metric data from Dorsey's 49 CFR 571.120 and 49 CFR 567 certification label is highly unlikely to have any effect whatsoever on motor vehicle safety since the correct English units are included on the label and since the nonconforming vehicles will probably be out of service before the American general public ceases to be familiar with the English system of measurement;

3. The metric requirements of 49 CFR 571.120 S5.3 were not mandated for safety reasons and, the second regulation governing certification label data, 49 CFR 567, has not yet been changed to require that metric data be shown and still states that GVWR and GAWR data be stated in pounds;

4. Each Dorsey manufacturing facility has now begun to provide all the required data on certification labels since appropriate people at each location have been made aware of the requirement; and

5. Dorsey has not received any complaints from customers on the omission of the metric data from the certification labels and has not received