

How Capacity Has Tried To Comply With the Standard in Good Faith

Capacity contacted four different brake component suppliers. Its search for an anti-lock controller began with Lucas/Varity (formerly Kelsey-Hayes) because of its longtime association with Ford Motor Company and the fact that the bus chassis uses a common Dana drive axle with many Ford light duty trucks. But the company was told that no development could be approached until Capacity could guarantee a purchase order in the range of 10,000 controllers.

Capacity next approached Eaton-Bosch, and found that it is currently producing hydraulic anti-lock brake systems for vehicles up to 12,000 lbs GVWR. Although the company is developing a system for vehicles up to 20,000 lbs GVWR, the system won't be finalized until 2001.

The third vendor that Capacity approached was ITT Automotive-Teves, which expects to have a system ready for installation on vehicles up to 20,000 lbs GVWR by the fourth quarter of 1999. The company told Capacity that it will take a minimum of one winter test season to assure that the controller can be adapted to a vehicle. Thus, Capacity does not foresee that it can use this system and comply before the Fall of 2000.

Finally, Capacity consulted Rockwell/Meritor-Wabco System. This company has a controller that "can be fine tuned on a vehicle to meet different dynamic characteristics." However, "even if this system proves out, it appears that a year's testing will be required to adapt it to our bus chassis."

Why Exempting Capacity Would Be Consistent With the Public Interest and Objectives of Motor Vehicle Safety

Capacity argued that an exemption would be in the public interest and consistent with traffic safety objectives because

many of these vehicles end up serving small cities and rural transit districts. These customers have limited budgets so the availability of an economical low floor bus allows them to prove fee service in areas where large buses are too costly to operate. The low floor feature of this vehicle allows the finished bus to readily serve the handicapped community.

In addition, "these buses operate in shuttle and light transit operations where high speed stops aren't commonly experienced." The company believes that rushing an anti-lock system into production might present a risk to safety.

How To Comment on Capacity's Application

If you would like to comment on Capacity's application, send two copies of your comments, in writing, to: Docket Management, National Highway Traffic Safety Administration, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590, in care of the docket and notice number shown at the top of this document.

We shall consider all comments received before the close of business on the comment closing date stated below. To the extent possible, we shall also consider comments filed after the closing date. You may examine the docket in Room PL-401, both before and after that date, between 10 a.m. and 5 p.m.

When we have reached a decision, we shall publish it in the **Federal Register**. Comment closing date: March 30, 1999.

Authority: 49 U.S.C. 30113; delegations of authority at 49 CFR 1.50 and 501.4.

Issued on: March 4, 1999.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Announcement of University Transportation Centers Program Grant Solicitation

Authority: 49 U.S.C. 5505.

ACTION: Announcement of grant solicitation for University Transportation Centers (UTC) Program.

SUMMARY: The US Department of Transportation (DOT) plans to establish and maintain one University Transportation Center in each of the ten standard federal regions. The mission of the Centers is to advance U.S. technology and expertise in the many disciplines comprising transportation through the mechanisms of education, research and technology transfer at university-based centers of excellence.

To accomplish this purpose, DOT will provide up to \$1 million per Center for each of the five consecutive academic years starting in 1999. Each Center is required to obtain matching funds from non-federal sources in an amount at least equal to the DOT grant. DOT funding will be awarded in annual increments, on the basis of each Center's success in attaining the goals of the

program and subject to the availability of funding.

APPLICATION INSTRUCTIONS: Documents providing general program information and instructions for applying for a UTC grant are posted on the Internet at <http://utc.dot.gov/fy1999.html>. If you are unable to access the documents electronically, you may request a hard copy from the office designated below.

DATES: Applications must be received at the office designated below by 5:00 p.m. on Thursday, April 15, 1999.

ADDRESSES: Applications must be submitted to the following address: UTC Competition (Mail Code DRA-2), Research and Special Programs Administration, US Department of Transportation, 400 Seventh Street, SW, Room 8417, Washington, DC 20590-0001.

FOR FURTHER INFORMATION: Contact the UTC Program office by e-mail at utc@rspa.dot.gov; by phone at 202/366-4434; or by Fax at 202/366-3671.

Dated: March 3, 1999.

E. Fenton Carey,

Associate Administrator for Research, Technology and Analysis.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33407]

Dakota, Minnesota & Eastern Railroad Corporation; Construction Into the Powder River Basin¹

AGENCIES:

Lead: Surface Transportation Board.
Cooperating:

U.S.D.A. Forest Service.

U.S.D.I. Bureau of Land Management.

U.S. Army Corps of Engineers.

ACTION: Notice of availability of final scope of study for the Environmental Impact Statement (EIS); Request for

¹ This case was formerly entitled Dakota, Minnesota & Eastern Railroad Corporation—Construction and Operation—in Campbell, Converse, Niobrara, and Weston Counties, WY, Custer, Fall River, Jackson, and Pennington Counties, SD, and Blue Earth, Nicollet, and Steele Counties, MN. By decision served May 7, 1998, the Surface Transportation Board shortened the title for the sake of simplicity. As discussed below, the environmental review of this project will also include the section of the line DM&E proposes to rebuild as part of this project. Environmental review of the rebuild portion of the line would include the counties of Winona, Olmsted, Dodge, Steele, Waseca, Blue Earth, Brown, Redwood, Lincoln, and Lyon in Minnesota; Brookings, Kingsbury, Beadle, Hand, Hyde, Hughes, Stanley, Haakon, Jackson, Pennington, and Fall River in South Dakota.