

Title 49 CFR part	Subject of rule	Likely treatment	Comments
214 .....	Roadway Worker Safety.	Comply.	
217 .....	Operating Rules .....	Waive .....	State safety oversight.
218 .....	Operating Practices .....	Waive, except for prohibition on tampering with safety devices related to signal system.	State safety oversight.
219 .....	Alcohol and Drug .....	Waive if FTA rule otherwise applies .....	FTA rule may apply.
220 .....	Radio communications	Waive, except to extent communications with freight trains and roadway workers are necessary.	State safety oversight.
225 .....	Accident reporting and investigation.	Comply with regard to train accidents and crossing accidents; waive as to injuries.	Employee injuries would be reported under FTA or OSHA rules.
228** .....	Hours of service recordkeeping.	Waive (in concert with waiver of statute); waiver not likely for personnel who dispatch conventional RR or maintain signal system on shared use track.	See note below on possible waiver of statutory requirements.
239 .....	Passenger train emergency preparedness.	Waive .....	State safety oversight.
240 .....	Engineer certification ..	Waive .....	State safety oversight.

\* Certain safety appliance requirements (e.g., automatic couplers) are statutory and can only be waived under the conditions set forth in 49 U.S.C. 20306, which permits exemptions if application of the requirements would "preclude the development or implementation of more efficient railroad transportation equipment or other transportation innovations." If consistent with employee safety, FRA could probably rely on this provision to address most light rail equipment that could not meet the standards.

\*\* Currently, 49 U.S.C. 21108 permits FRA to waive substantive provisions of the hours of service laws based upon a joint petition by the railroad and affected labor organizations, after notice and an opportunity for a hearing. This is a "pilot project" provision, so waivers are limited to two years but may be extended for additional two-year periods after notice and an opportunity for comment.

[FR Doc. 99-13038 Filed 5-24-99; 8:45 am]  
 BILLING CODE 4910-06-P

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

[Docket No. NHTSA-99-5681]

**American Transportation Corp.,  
 Receipt of Application for Decision of  
 Inconsequential Noncompliance**

American Transportation Corporation (AmTran) has determined certain air brake systems on AmTran buses were built with air tank volumes that are not in full compliance with Federal Motor Vehicle Safety Standard (FMVSS) No. 121, "Air brake systems," and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." AmTran 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.

This notice of receipt of an application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the application.

FMVSS No. 121 establishes the performance and equipment requirements for the braking systems on vehicles equipped with air brake systems. Paragraph S5.1.2.1. of FMVSS No. 121 states that the combined volume of all service reservoirs and supply reservoirs shall be at least 12 times the combined volume of all service brake chambers.

From October 27, 1995 through November 5, 1998, AmTran produced 122 units with an air reservoir combined volume of 3,630 cubic inches or 11.6 times the combined volume of all service brake chambers. AmTran supports its application for inconsequential noncompliance by stating the following:

"The combined air reservoir capacity of 3,630 cubic inches is only 114 cubic inches under the required volume of the system to meet FMVSS [No.] 121 S5.1.2.1. The 12 times

formula was established at a time when automatic slack adjusters were not common in the industry. Today, they are standard [and provide] improved brake adjustment. Properly adjusted brakes require less air volume for application. A driver of a unit with a volume shortage of 114 cubic inches more than likely would never experience any difference in braking capability. [A] previous test conducted by NHTSA indicated that the 12 times volume provided sufficient reserve volume to stop an air-braked vehicle equipped with antilock brakes even under the worst-case conditions. The table below adds further credibility when theoretical calculations supporting our statement that [a] driver would not experience any significant effect on stopping distance due to air pressure differentials. The calculations were based on SAE J1911, a test procedure for air reservoir capacity. SAE J1609 gives the criteria that after the eighth brake application, the pressure in the air reservoir shall not be less than 45 psi. The calculations also assume no split between the wet, secondary and primary for simplicity. [Note: For the Hard Stop—full application in traction limited condition] Pressure in the system assumes worst case of full on, full off eight times. Somewhat simulates a crude antilock system."

Type of stop	Initial reservoir pressure (psi)	Pressure in system (psi)	
		Compliant reservoir volume (3,744 in <sup>3</sup> )	Non-compliant reservoir volume (3,630 in <sup>3</sup> )
Normal Application (30 psi or less) .....	120	117.5	117.4
	110	107.5	107.4
Hard Stop (Full application in non-traction limited condition) .....	120	110.8	110.5
	110	101.5	101.3
Hard Stop (Full application in traction limited condition) .....	120	63.3	62.0
	110	58.0	56.9

Interested persons are invited to submit written data, views, and arguments on the application described above. Comments should refer to the docket number and be submitted to: U.S. Department of Transportation, Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC, 20590. It is requested that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: June 24, 1999.

(49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: May 19, 1999.

**L. Robert Shelton,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 99-13160 Filed 5-24-99; 8:45 am]

BILLING CODE 4910-59-P

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**Proposed Collection; Comment Request for Form 730**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting

comments concerning Form 730, Tax on Wagering.

**DATES:** Written comments should be received on or before July 26, 1999 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Garrick R. Shear, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form and instructions should be directed to Faye Bruce, (202) 622-6665, Internal Revenue Service, room 5577, 1111 Constitution Avenue NW, Washington, DC 20224.

**SUPPLEMENTARY INFORMATION:**

*Title:* Tax on Wagering.  
*OMB Number:* 1545-0235.  
*Form Number:* 730.

*Abstract:* Form 730 is used to identify taxable wagers under Internal Revenue Code section 4401 and collect the tax monthly. The information is used to determine if persons accepting wagers are correctly reporting the amount of wagers and paying the required tax.

*Current Actions:* Form 730 has been reformatted to be scannable. New entry boxes have been added for a daytime telephone number, and to indicate a final return. Lines 4a and 4b each have a new entry to allow for the separate computation of tax amounts for wagers authorized under state law (line 4a) and for all other wagers (line 4b).

*Type of Review:* Revision of a currently approved collection.

*Affected Public:* Businesses or other for-profit organizations and individuals.

*Estimated Number of Responses:* 51,082.

*Estimated Time Per Response:* 7 hrs., 25 min.

*Estimated Total Annual Burden Hours:* 378,518.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number.

Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

**Request for Comments**

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: May 13, 1999.

**Garrick R. Shear,**

*IRS Reports Clearance Officer.*

[FR Doc. 99-13102 Filed 5-24-99; 8:45 am]

BILLING CODE 4830-01-U

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**Proposed Collection; Comment Request for Form 843**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and