

DEPARTMENT OF TRANSPORTATION**Maritime Administration****[Docket No. MARAD-2000-6856]****Information Collection Available for Public Comments and Recommendations****ACTION:** Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Maritime Administration's (MARAD) intentions to request approval for three years of an existing information collection entitled "Determination of Fair and Reasonable Rates for the Carriage of Bulk and Packaged Cargoes on U.S.-flag Commercial Vessels."

DATES: Comments should be submitted on or before April 10, 2000.

FOR FURTHER INFORMATION CONTACT:

Thomas Olsen, Office of Financial and Rate Approvals, Maritime Administration, 400 Seventh Street, SW, Room 8117, Washington, DC 20590, telephone number—202-366-2313. Copies of this collection can also be obtained from that office.

SUPPLEMENTARY INFORMATION:

Title of Collection: Determination of Fair and Reasonable Rates for the Carriage of Bulk and Packaged Cargoes on U.S.-flag Commercial Vessels.

Type of Request: Approval of an existing information collection.

OMB Control Number: 2133-0514.

Form Number: None.

Expiration Date of Approval: Three years from the date of approval.

Summary of Collection of Information: This collection of information requires U.S.-flag operators to submit vessel operating costs and capital costs data to MARAD officials on an annual basis. The costs are used by MARAD in determining fair and reasonable guideline rates for the carriage of preference cargoes on U.S.-flag vessels. In addition, U.S.-flag vessel operators are required to submit Post Voyage Reports to MARAD after completion of a cargo preference voyage.

Need and Use of the Information: The information collection is used by MARAD officials to calculate fair and reasonable rates for U.S.-flag vessels engaged in the carriage of preference cargoes.

Description of Respondents: U.S. citizens that own and/or operate U.S.-flag vessels.

Annual Responses: 160 responses.

Annual Burden: 640 hours.

Comments: Comments should refer to the docket number that appears at the top of this document. Written comments may be submitted to the Docket Clerk, U.S. DOT Dockets, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590. Comments may also be submitted by electronic means via the Internet at <http://dmses.dot.gov.submit>. Specifically, address 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. All comments received will be available for examination at the above address between 10 a.m. and 5 p.m., et Monday through Friday, except Federal Holidays. An electronic version of this document is available on the World Wide Web at <http://dms.dot.gov>.

By Order of the Maritime Administrator, P=02
Dated: February 2, 2000.

Joel C. Richard,
Secretary.

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BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION**National Highway Traffic Safety Administration****[Docket No. NHTSA-99-6478; Notice 2]****Advanced Bus Industries, LLC; Grant of Application for Temporary Exemption From Federal Motor Vehicle Safety Standard No. 105**

For the reasons given below, we are granting the application by Advanced Bus Industries, LLC, of Columbus, Ohio, ("ABI") for a temporary exemption for its MSV small bus from the requirement of Motor Vehicle Safety Standard No. 105 *Hydraulic and Electric Brake Systems* that a service brake system be provided on all wheels. ABI applied for the exemption on the basis that it "is otherwise unable to sell a motor vehicle whose overall level of safety is equivalent to or exceeds the overall level of safety of nonexempted motor vehicles." 49 CFR 555.6(d).

We published notice of receipt of the application on November 17, 1999 (64 FR 62740), and received no comments on it.

The discussion that follows is based on information contained in ABI's application.

ABI's Reasons Why it Needs a Temporary Exemption

Paragraph S5.1 of Standard No. 105 requires motor vehicles to which the standard applies to be equipped with a service brake system acting on all wheels. ABI applied on behalf of its "MSV Test and Development Vehicle," a small bus with a GVWR of 13,500 pounds.

ABI described the configuration of the MSV by saying that the four-wheel independent-suspension support is augmented by a small-wheeled tag axle. The tag axle is located behind the two rear-independent suspension wheels. The four independent-suspension wheels are fitted with hydraulic-caliper disc brakes but the two small wheels of the tag axle are not fitted with brakes. ABI asked to be excused from providing brakes for the wheels of the tag axle.

The MSV was originally developed without the tag axle, but pre-production changes increased the gross weight on the two rear wheels beyond the rated load capacity of the rear tires. ABI has added a Dexter tag axle to support the additional weight.

The standard-equipment brakes operate with a low displacement of hydraulic fluid at a pressure of approximately 1,600 psi. The vehicle is equipped with an antilock braking system (ABS). However, "there is no commercially-available tag axle with a braking system that is compatible with the vehicle's main service brake system." Absent an exemption, ABI will not be able to sell the production version of the MSV. While any exemption provided is in effect, ABI intends "to develop a new higher-capacity, rear wheel suspension system that will eliminate the need for the tag axle", and does not anticipate selling more than 75 vehicles for any 12-month period that the exemption is in effect.

ABI's Reasons Why the Overall Level of Safety of the MSV Is at Least Equal to That of a Complying Motor Vehicle

Although the MSV does not contain any safety features other than those required by the Federal motor vehicle safety standards, ABI argued that it otherwise exceeds the requirements of Standard No. 105 "and easily complies with brake-in-turn (stability and control) standards expected to be proposed by NHTSA in the near future."

The company has tested the MSV service brake system to the requirements of Standard No. 105, and enclosed a copy of the test report with its petition. The report stated that "even without brakes on the tag axle, the vehicle was still able to meet all of the performance