

**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration**

[Docket No. NHTSA-2000-7524]

**Notice of Receipt of Petition for Decision That Nonconforming 1978-1987 Honda CMX250C Motorcycles Are Eligible for Importation****AGENCY:** National Highway Traffic Safety Administration, DOT.**ACTION:** Notice of receipt of petition for decision that nonconforming 1978-1987 Honda CMX250C motorcycles are eligible for importation.

**SUMMARY:** This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that 1978-1987 Honda CMX250C motorcycles that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because (1) they are substantially similar to vehicles that were originally manufactured for importation into and sale in the United States and that were certified by their manufacturer as complying with the safety standards, and (2) they are capable of being readily altered to conform to the standards.

**DATES:** The closing date for comments on the petition is July 24, 2000.**ADDRESSES:** Comments should refer to the docket number and notice number, and be submitted to: Docket Management, Room PL-401, 400 Seventh St., SW, Washington, DC 20590. [Docket hours are from 9 am to 5 pm]**FOR FURTHER INFORMATION CONTACT:** George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).**SUPPLEMENTARY INFORMATION:****Background**

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

G&K Automotive Conversion, Inc. of Santa Ana, California ("G&K") (Registered Importer 90-007) has petitioned NHTSA to decide whether non-U.S. certified 1978-1987 Honda CMX250C motorcycles are eligible for importation into the United States. The vehicles which G&K believes are substantially similar are 1978-1987 Honda CMX250C motorcycles that were manufactured for importation into, and sale in, the United States and certified by their manufacturer, Honda Motor Corporation, as conforming to all applicable Federal motor vehicle safety standards.

The petitioner claims that it carefully compared non-U.S. certified 1978-1987 Honda CMX250C motorcycles to their U.S. certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most Federal motor vehicle safety standards.

G&K submitted information with its petition intended to demonstrate that non-U.S. certified 1978-1987 Honda CMX250C motorcycles, as originally manufactured, conform to many Federal motor vehicle safety standards in the same manner as their U.S. certified counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that non-U.S. certified 1978-1987 Honda CMX250C motorcycles are identical to their U.S. certified counterparts with respect to compliance with Standard Nos. 106 *Brake Hoses*, 111 *Rearview Mirrors*, 116 *Brake Fluid*, 119 *New Pneumatic Tires for Vehicles other than Passenger Cars*, and 122 *Motorcycle Brake Systems*.

Petitioner additionally contends that the vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: inspection of all vehicles and replacement of all lamps, reflective devices, and associated equipment with

U.S.-model components on vehicles that are not already so equipped.

Standard No. 120 *Tire Selection and Rims for Vehicles other than Passenger Cars*: (a) inspection of all vehicles for required U.S. rim markings and replacement of rims or addition of markings on vehicles on which they are lacking; (b) installation of a tire information label with the recommended tire size, rim size, and cold inflation pressure.

Standard No. 123 *Motorcycle Controls and Displays*: recalibration of the speedometer/odometer to measure distance in miles and speed in miles per hour or replacement of the speedometer/odometer with a U.S. model component that is so calibrated.

Comments should refer to the docket number and be submitted to: Docket Management, Room PL-401, 400 Seventh Street, S.W., Washington, DC 20590. It is requested but not required that 10 copies be submitted.

**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: June 19, 2000.

**Marilynne Jacobs,***Director, Office of Vehicle Safety Compliance.*  
[FR Doc. 00-15928 Filed 6-22-00; 8:45 am]

BILLING CODE 4910-59-P

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

[STB Ex Parte No. 290 (Sub No. 5) (2000-3)]

**Quarterly Rail Cost Adjustment Factor****AGENCY:** Surface Transportation Board.**ACTION:** Approval of rail cost adjustment factor.

**SUMMARY:** The Board has approved the third quarter 2000 rail cost adjustment factor (RCAF) and cost index filed by the Association of American Railroads. The third quarter 2000 RCAF (Unadjusted) is 1.050. The third quarter 2000 RCAF (Adjusted) is 0.588. The third quarter 2000 RCAF-5 is 0.569.

**EFFECTIVE DATE:** July 1, 2000.**FOR FURTHER INFORMATION CONTACT:** H. Jeff Warren, (202) 565-1533. TDD for the hearing impaired: (202)565-1695.**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DA•TO•DA OFFICE SOLUTIONS, Suite 210, 1925 K Street, NW, Washington, DC 20423-0001, telephone (202) 289-4357.

[Assistance for the hearing impaired is

available through TDD services (202) 565-1695.]

This action will not significantly affect either the quality of the human environment or energy conservation.

Pursuant to 5 U.S.C. 605(b), we conclude that our action will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Decided: June 19, 2000.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 00-15968 Filed 6-22-00; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33838]

#### Metro Regional Transit Authority— Acquisition Exemption—CSX Transportation, Inc.

Metro Regional Transit Authority (METRO) has filed a notice of exemption under 49 CFR 1150.31 to acquire from CSX Transportation, Inc. (CSXT) certain railroad assets between approximately milepost 16.38 in Canton, OH, and approximately milepost 40.42 in Akron, OH, a distance of approximately 24.58 rail miles in Stark and Summit Counties, OH.<sup>1</sup>

The transaction is scheduled to take place as soon as possible after the May 31, 2000 effective date of the exemption.<sup>2</sup>

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance

<sup>1</sup> METRO will not acquire the right or obligation to conduct any rail freight operations on the subject line. CSXT will retain a freight easement on the line, pursuant to which it will conduct rail operations between Akron and Krumroy, OH. The southern portion of the line, between Valuation Station 2637+1± at Aultman, OH, and Valuation Station 3120+64.5 near Canton, OH, is subject to a lease and operated by The Wheeling & Lake Erie Railway Company (W&LE). In a letter filed on June 8, 2000, W&LE indicates that it intends to file in the near future for discontinuance authority over the southern segment.

<sup>2</sup> METRO simultaneously filed a motion to dismiss this notice of exemption. The Board will address the jurisdictional issue raised by the motion to dismiss in a subsequent decision.

Docket No. 33838, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Kevin M. Sheys, Oppenheimer Wolff & Donnelly LLP, 1350 Eye Street, NW., Suite 200, Washington, DC 20005.

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Decided: June 16, 2000.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 00-15980 Filed 6-22-00; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33888]

#### Tri-City Railroad Company, L.L.C.— Lease and Operation Exemption—Rail Line of the Port of Benton in Richland, WA

Tri-City Railroad Company, L.L.C. (Tri-City), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from the Port of Benton (POB) and operate approximately 17 miles of rail line currently owned by the POB,<sup>1</sup> known as the Hanford Site Rail System, Southern Connection extending from milepost 46.6 at the junction with the Union Pacific rail line in Richland, WA, to milepost 28.3 at the border to the U.S. Department of Energy's Hanford Site, connecting with the Hanford Site Rail System, Northern Connection (north of the City of Richland). Tri-City will become a Class III rail carrier.<sup>2</sup>

Tri-City indicates that it has entered into a maintenance and operation contract with the POB, which provides for Tri-City's operation of the rail line on behalf of the POB.

The transaction is scheduled to be consummated on or after June 21, 2000.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

<sup>1</sup> See *Port of Benton—Acquisition and Operation Exemption—U.S. Department of Energy Rail Line in Richland, WA*, STB Finance Docket No. 33653 (STB served Oct. 6, 1998).

<sup>2</sup> Tri-City states that its projected revenues will not exceed those that would qualify it as a Class III carrier.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33888, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on John Hawkenson, 2579 Stevens Drive, Building 1171, P.O. Box 1700, Richland, WA 99352.

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Decided: June 16, 2000.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 00-15981 Filed 6-22-00; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33879 (Sub-No. 1)]

#### Union Pacific Railroad Company— Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of Exemption.

**SUMMARY:** The Board, under 49 U.S.C. 10502, exempts the trackage rights described in STB Finance Docket No. 33879<sup>1</sup> to permit the trackage rights to expire on June 25, 2000, in accordance with the agreement of the parties.

**DATES:** This exemption will be effective on June 25, 2000.

**ADDRESSES:** An original and 10 copies of all pleadings referring to STB Finance Docket No. 33879 (Sub-No. 1) must be filed with the Office of the Secretary, Surface Transportation Board, Case Control Unit, 1925 K Street, NW, Washington, DC 20423-0001. In addition, a copy of all pleadings must be

<sup>1</sup> On June 2, 2000, UP filed a notice of exemption under the Board's class exemption procedures at 49 CFR 1180.2(d)(7). The notice covered the agreement by The Burlington Northern and Santa Fe Railway Company (BNSF) to grant temporary overhead trackage rights to UP over 143.1 miles of BNSF's rail line between BNSF milepost 117.4 near Shawnee, Junction, WY, and BNSF milepost 0.0 near Northport, NE. See *Union Pacific Railroad Company—Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company*, STB Finance Docket No. 33879 (STB served June 14, 2000). The trackage rights agreement is scheduled to expire June 25, 2000. The trackage rights operations under the exemption were scheduled to be consummated on June 10, 2000.