

**DEPARTMENT OF TRANSPORTATION****Office of the Secretary; Applications of Servicios Aereos Profesionales, Inc. for Issuance of New Certificate Authority****AGENCY:** Office of the Secretary, DOT.**ACTION:** Notice of Order to Show Cause (Order 2000-7-15). Dockets OST-00-6978 and 00-6979.

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should not issue orders (1) Finding Servicios Aereos Profesionales, Inc., fails to meet the U.S. citizenship requirements of 49 U.S.C. 41102(a)(15), (2) denying it certificates to engage in interstate and foreign scheduled air transportation of persons, property, and mail, and (3) canceling its existing air taxi authority.

**DATES:** Persons wishing to file objections should do so no later than July 28, 2000.

**ADDRESSES:** Objections and answers to objections should be filed in Dockets OST-00-6978 and OST-00-6979 and addressed to Department of Transportation Dockets (SVC-124, Room PL-401), 400 Seventh Street, SW., Washington, DC 20590 and should be served upon the parties listed in Attachment A to the order.

**FOR FURTHER INFORMATION CONTACT:** Ms. Janet A. Davis, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-9721.

Dated: July 12, 2000.

**A. Bradley Mims,***Acting Assistant Secretary for Aviation and International Affairs.*

[FR Doc. 00-18014 Filed 7-14-00; 8:45 am]

**BILLING CODE 4910-62-P****DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Environmental Impact Statement; Crow Wing and Mille Lacs Counties, Minnesota****AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an environmental impact statement (EIS) will be prepared for proposed highway improvements to Trunk Highway (TH) 169 in Crow Wing and Mille Lacs Counties, Minnesota.

**FOR FURTHER INFORMATION CONTACT:**

Cheryl Martin, Federal Highway Administration, Galtier Plaza, Box 75, 175 East Fifth Street, Suite 500, St. Paul, Minnesota 55101-2904, Telephone (651) 291-6120; or Jim Hallgren, Project Manager, Minnesota Department of Transportation—District 3, 1991 Industrial Park, Baxter, Minnesota 56425, Telephone (218) 828-2773; (651) 296-9930 TTY.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Minnesota Department of Transportation, will prepare an EIS on a proposal to improve TH 169 from the north junction of TH 27 near Onamia to the junction of TH 18 in Garrison in Crow Wing and Mille Lacs Counties, Minnesota, a distance of approximately 28.2 kilometers.

The proposed action is being considered to address transportation demand, safety problems, access management, interregional corridor status, design deficiencies and pavement condition. Alternatives under consideration include (1) No build; and (2) variations of "Build" alternatives involving reconstruction and/or realignment and new construction of TH 169, including the expansion of the two lane roadway to a four-lane facility.

The "Trunk Highway 169 Scoping Document/Draft Scoping Decision Document" will be published in the late summer 2000. A press release will be published to inform the public of the document's availability. Copies of the scoping document will be distributed to agencies, interested persons and libraries for review to aid in identifying issues and analyses to be contained in the EIS. A 30-day comment period for review of the document will be provided to afford an opportunity for all interested persons, agencies and groups to comment on the proposed action. A public scoping meeting will also be held during the comment period. Public notice will be given for the time and place of the meeting.

Coordination has been initiated and will continue with appropriate Federal, State and local agencies and private organizations and citizens who have previously expressed or are known to have an interest in the proposed action. To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program)

Issued on: July 6, 2000.

**Alan R. Steger,***Division Administrator, Federal Highway Administration, St. Paul, Minnesota.*

[FR Doc. 00-17955 Filed 7-14-00; 8:45 am]

**BILLING CODE 4910-22-M****DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Environmental Impact Statement; Martin County, FL****AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for a proposed highway project in Martin County, Florida.

**FOR FURTHER INFORMATION CONTACT:** Patrick A. Bauer, Program Operation Engineer, Federal Highway Administration, 227 North Bronough Street, Tallahassee, Florida 32301, Telephone: (850) 942-9650, Extension 3035.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Florida Department of Transportation will prepare an EIS for a proposal to provide an additional crossing of the St. Lucie River in Martin County, Florida. The proposed improvements will involve utilizing existing roadways as footprints for a new corridor. Improvements to the corridor are considered necessary to provide for existing and projected traffic demand.

Alternatives under consideration include (1) taking no action; (2) widening the existing State Road 714 corridor to a six- or eight-lane roadway; (3) an additional four-lane corridor; or (4) two additional two-lane corridors.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens who have expressed interest in the proposal. A series of public meetings will be held in Martin County between October 2000 and January 2001. In addition, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearings. The Draft EIS will be made available for public and agency review and comment. A formal

scoping meeting is planned in the project vicinity site during the latter part of 2000.

To ensure that the full range of issues related to the proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding inter-governmental consultation on Federal programs and activities apply to this program.)

Issued on: July 6, 2000.

**Patrick A. Bauer P.E.,**

*Program Operations Engineer, Tallahassee, Florida.*

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**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-99-6324; Notice 1]

#### **EMB Incorporated; Application for Temporary Exemption From Federal Motor Vehicle Safety Standards Nos. 108 and 120**

We are asking for comments on the application by EMB Incorporated ("EMB") of Sebastopol, California, for a 2-year exemption from portions of Federal Motor Vehicle Safety Standard Nos. 108 *Lamps, Reflective Devices and Associated Equipment*, and 120 *Tire Selection and Rims for Motor Vehicles Other Than Passenger Cars*. The company does business as Electric Motorbike, Inc., and has petitioned on behalf of its Lectra VR24 motorcycle. In the opinion of the company, a temporary exemption "would make the development or field evaluation of a low-emission motor vehicle easier and would not unreasonably lower the safety level of that vehicle" (49 U.S.C. 30113(b)(3)(B)(iii)).

We are publishing this notice of receipt of the application in accordance with our regulations on temporary exemptions. This action does not mean that we have made any judgment about the merits of the application. The discussion that follows is based on information contained in EMB's application.

#### **Why EMB Needs a Temporary Exemption**

The company is developing zero-emission (electric battery-powered) vehicles. Due to a lack of readily-available components for these vehicles needed to comply with Federal Motor Vehicle Safety Standards Nos. 108 and 120, as explained below, EMB must petition for an exemption from portions of them, until July 1, 2001, as explained below.

#### **Why an Exemption Would Make Easier the Development and Field Evaluation of a Low-Emission Motor Vehicle and Would Not Unreasonably Degrade the Safety of That Vehicle**

In order to make the company's products available for wider use, EMB believes that a test and development period is required to optimize product features and functions. During the development stage, it is likely that several design changes will be made "to optimize the product for acceptance by the wider public."

It is important to place a limited number of product in service in order to gain insights into the features, functions and operating characteristics of the product.

In order to do so, the following temporary exemptions are requested:

##### *1. Standard No. 108*

EMB utilizes a 24-volt lighting system which presently creates an incompatibility with available lighting equipment, requiring a temporary exemption from three requirements of Standard No. 108.

Table IV of Standard No. 108 requires motorcycle turn signal lamps to meet the applicable requirements of SAE Standard J588NOV84 *Turn Signal Lamps*. However, S5.1.1.7 of Standard No. 108 provides that "a motorcycle turn signal lamp need meet only one-half of the minimum photometric values specified in Table 1 and Table 3" of SAE J588NOV84. EMB states that "turn signals which operate at this voltage are difficult to locate." However, it has found a supplier in Spain "which offers European-compliant turn signals for 24-volt operation." The turn signal unit that the company has found "meets European requirements 50R E9." EMB believes that the European standard is equivalent to that of S5.1.1.7, e.g., that an exemption would not unduly degrade the safety of the vehicle.

Table III of Standard No. 108 requires motorcycles to be equipped with turn signal lamps and a turn signal operating unit. S5.5.6 requires all vehicles equipped with a turn signal operating

unit to also have an illuminated pilot indicator, which will inform the operator when one or more turn signal lamps fails to operate. However, no indication is required if a variable-load turn signal flasher has been installed on a motor vehicle type specified in S5.5.6. A motorcycle is not one of the vehicle types specified, and the Lectra VR24 incorporates a variable load flasher. As noted above, the company uses a 24-volt DC power source for turn signal lamps. Outage indication is not presently available in 24 volt DC flasher units, therefore, the turn signal indicator on the dash board will not indicate a failed lamp.

EMB argues that the open nature of the motorcycle makes it "easy for an operator to check for proper operation of all lights and signals. \* \* \*"

EMB also seeks exemption from certain portions of S7.9 which specifies headlighting requirements for motorcycles. In pertinent part, EMB has chosen to meet the photometric specifications of Figure 32. At the present time, motorcycle headlamps are not available in 24-volt versions, and the company has chosen "a military vehicle headlamp" manufactured by "Wagner Corporation." This headlamp "does meet requirements for passenger car headlighting systems." The upper beam of the headlamp meets all requirements for motorcycle headlamp upper beams, and complies with all lower beam test points as well, with the exception of Test Point 2D-3L, where there is a shortfall of 7 percent.

EMB argues that the shortfall does not unreasonably degrade safety because the Lectra VR24 is designed for a cruising speed of 30 mph and the headlamp does meet requirements for this equipment on motor driven cycles.

Finally, the lens of the headlamp will not be marked "motorcycle" as required by S7.9.5 for a headlamp of the type intended to be used.

During the exemption period, EMB plans to develop a lighting system that fully complies with Standard No. 108.

##### *2. Standard No. 120*

S5.2 *Rim marking* of Standard No. 120 requires, in pertinent part, that each rim be embossed or debossed with certain specified information. The wheel that EMB has selected was not embossed with the information at time of manufacture but has been subsequently stamped with indelible ink. All the information is present and in the required location. These wheels meet ISO 8644, ISO 8645, and TUV specifications. EMB will work with suppliers to ensure that future rims are properly marked.