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Issued in Washington, DC, on August 9, 2000.

**Paul R. Dykeman,**

*Deputy Director of Environment and Energy.*

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**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA 2000-7645]

#### Developing and Implementing a Long-Term Strategy and Performance Plan for Improving Commercial Motor Vehicle, Operator, and Carrier Safety

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

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

**SUMMARY:** To comply with section 104 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA), the FMCSA is developing a long-term strategy and performance plan for the period between fiscal years 2001 and 2010. Both the Congress and the Department of Transportation have stated long-term goals for improving commercial motor vehicle safety. This notice asks for public comment on the means by which the goals can be achieved and on the process to develop the plan.

**DATES:** You should submit your comments to this notice no later than December 15, 2000. We will consider late comments if we can within our tight deadline for action.

**ADDRESSES:** Mail or hand deliver comments to the U.S. Department of Transportation, Dockets Management Facility, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590, or submit electronically at <http://dmses.dot.gov/submit>. Please include the docket number that appears in the heading of this document. You can examine and copy comments at the above address from 9 a.m. to 5 p.m., e.t., Monday through Friday, except Federal Holidays. If you want notification of receipt of comments, you must include a self-addressed, stamped postcard or you may print the acknowledgment page that appears after submitting comments electronically.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bob Proferes, Chief, Strategic Planning and Program Evaluation Division, Telephone (202) 366-9220, Office of

Policy Plans and Regulations, Federal Motor Carrier Safety Administration, 400 Seventh Street, SW., Washington, DC 20590-0001. Office hours are from 7:30 a.m. to 4:00 p.m., et, Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access and Filing

You may submit or retrieve comments online through the Document Management System (DMS) at: <http://dmses.dot.gov/submit>. Acceptable formats include: MS Word (versions 95 to 97), MS Word for Mac (versions 6 to 8), Rich Text File (RTF), American Standard Code Information Interchange (ASCII)(TXT), Portable Document Format (PDF), and WordPerfect (versions 7 to 8). The DMS is available 24 hours each day, 365 days each year. Electronic submission and retrieval help and guidelines are available under the help section of the web site.

Internet users also may find this document on the FMCSA web site at <http://www.fmcsa.dot.gov/sap/stratplan.htm>.

##### Background

Section 104 of the MCSIA, Public Law 106-159, 113 Stat. 1748, at 1754, requires that the Secretary of Transportation (Secretary) develop a long-term strategy for improving commercial motor vehicle, operator, and carrier safety. The strategy shall include an annual plan and a schedule of achieving, at a minimum, the following goals:

(1) Reducing the number and rates of crashes, injuries, and fatalities involving commercial motor vehicles;

(2) Improving the consistency and effectiveness of commercial motor vehicle, operator, and carrier enforcement and compliance programs;

(3) Identifying and targeting enforcement efforts at high-risk commercial motor vehicles, operators, and carriers; and

(4) Improving research efforts to enhance and promote commercial motor vehicle, operator, and carrier safety and performance.

The strategy and annual plans shall include, at a minimum, specific numeric or measurable goals designed to achieve the strategic goals, and estimates of the funds and staff resources needed to accomplish each activity.

In 1999, the Secretary established a Departmental goal for improving motor carrier safety of reducing large truck-related fatalities by 50 percent by the end of fiscal year 2009. Based on this goal, a long-term strategy will be developed for the planning period

between fiscal years 2001 and 2010. The long term strategy will be aligned with the Department's 5-year strategic plan and annual performance plans, which are mandated by the Government Performance and Results Act of 1993, Public Law 103-62, 107 Stat. 285. A strategy and performance plan framework consisting of the Agency goals, strategies, measures, and resources will be prepared by the FMCSA and submitted to the Congress by the end of calendar year 2000.

A more detailed description of the planning process that the FMCSA will use to prepare the strategy and performance plan is available in this public docket and on the Internet at <http://www.fmcsa.dot.gov/sap/stratplan.htm>. A series of project deliverables will be developed and placed in the public docket and on the Internet as soon as they become available. The deliverables will include: (1) Assessment of the truck and bus-related crash problem; (2) a statement of the FMCSA mission, vision, values, and goals; (3) a series of papers on trends impacting truck and bus safety; (4) a series of issues papers outlining the key commercial vehicle safety challenges and potential solutions; (5) FMCSA and Department long-term strategies and discussion of current and future resource requirements; and (6) program performance model, including an outcome monitoring and evaluation plan.

This request offers the opportunity for any comments on the means by which the Agency and Department can achieve the stated goals, as well as comments on the planning process.

(AUTHORITY: 49 U.S.C. 322; 49 CFR 1.73)

Issued on: August 4, 2000.

**Clyde J. Hart, Jr.,**

*Acting Deputy Administrator.*

[FR Doc. 00-20523 Filed 8-11-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2000-7739; Notice 1]

#### Utilimaster Corporation; Receipt of Application for Decision of Inconsequential Noncompliance

Utilimaster Corporation has determined that some of the 2730 walk-in van trucks that it manufactured during the period September 30, 1997 through October 6, 1999, contain a noncompliance with Federal Motor Vehicle Safety Standard (FMVSS) 108,

“Lamps, Reflective Devices, and Associated Equipment.”

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Utilimaster has petitioned for a determination that this condition is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR Part 573, “Defect and Noncompliance Reports.”

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.

The noncompliant trucks, supplied to fleet accounts, have light emitting diode (LED) front clearance and identification lamps mounted at a 30-degree set-back position. At least a portion of these lamps do not comply with the 0.62 candela requirement at 20-degrees down. The noncompliance involves two of the required test points of Standard 108.

Utilimaster believes that this noncompliance with FMVSS 108 is inconsequential to motor vehicle safety. Its reasoning is that the lighting array and coverage of the clearance, identification, sidemarker and parking lamps on the subject vehicles provide (and even exceed) the requisite outboard visibility under FMVSS 108. Although the clearance and identification lamps on the subject walk-in van vehicles do not meet two requirements of FMVSS 108, Utilimaster believes that the system of lighting as installed on these vehicles meets the intent of FMVSS 108 for the purpose of providing a visually safe vehicle. Utilimaster bases its position on the fact that the company is using a front turn signal and parking lamp which is actually designed to meet the greater photometric angles required of turn signal and clearance lamp applications.

More specifically, the front turn signal and parking lamps mounted on each side of the front of the walk-in vans provide light out to a 45-degree angle both left and right instead of the 20-degree angle left and right required for parking lamps. The light intensity at these greater angles (45 degrees) is 50 percent greater than that required for clearance lamps (0.93 cd min. compared with 0.62 cd min. required). In addition, these front turn signal/parking lamps are mounted low on the subject vehicles so that the light output covers the lower angles where the clearance and identification lamps are deficient. Further, the front sidemarker lamps cover the 45 degree to the front to 45 degree to the rear low angles of light, so that there is not any degradation of visibility to the side of the vehicle. The

light from the sidemarker lamps exactly parallels the outboard light from the parking lamps.

The petitioner believes that the noncompliance in no way compromises the safety of vehicles on which the clearance and identification lamps have been installed as original equipment. The lighting system as a whole on these vehicles provides functionally equivalent lighting to FMVSS 108 requirements.

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, D.C., 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: September 13, 2000.

(49 U.S.C. 301118, 301120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: August 8, 2000.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 00-20600 Filed 8-11-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2000-7744; Notice 1]

#### General Motors Corporation, Receipt of Application for Decision of Inconsequential Noncompliance

General Motors Corporation (GM) has determined that certain headlamps on 1999 Buick Century and Buick Regal models may not meet the photometric requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 108, “Lamps, Reflective Devices, and Associated Equipment.” GM’s testing indicates that some photometric locations above the horizon, which are intended to provide light for reading overhead signs, are below the minimum candela requirements specified in FMVSS No. 108.

Pursuant to 49 U.S.C. 30118(d) and 30120(h), GM has petitioned for a determination that this condition is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR Part 573, “Defect and Noncompliance Reports.”

This notice of receipt of this 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.

To evaluate the condition, 10 pairs of lamps were randomly collected from production and photometrically tested. Additionally, GM tested the same 10 pairs of lamps using accurate rated bulbs. The test results indicate that 5 test points (production bulbs) and 3 test points (accurate rated bulbs), respectively, failed to meet the minimum candela requirements.

The tests results indicate that the amount of light below the minimum required was generally less than 10 percent, with the maximum variation being 24.4 percent at one point with a production bulb. Transport Canada conducted tests on the same headlamps and all the test points in question met the requirements, indicating the non-complying results were related to manufacturing variations and were present in only a portion of the lamps.

The petitioner believes that this noncompliance in inconsequential to motor vehicle safety for the following reasons:

The test points at issue are all above the horizon and are intended to measure illumination of overhead signs. They do not represent areas of the beam that illuminate the road surface, and the headlamps still fulfill applicable Federal Motor Vehicle Safety Standard 108 requirements regarding road illumination.

For years the rule of thumb has been that a 25 percent difference in light intensity is not significant to most people for certain lighting conditions.

GM has not received any complaints from owners of the subject vehicles about their ability to see overhead signs.

GM is not aware of any accidents, injuries, owner complaints or field reports related to this condition for these vehicles.

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