

60966). *Contact:* John Conklin (202) 493-6318.

*Task 96-7—Developing Roadway Maintenance Machine (On-Track Equipment) Safety Standards.* This task was assigned to the existing Track Standards Working Group on October 31, 1996, and a Task Force was established. The Task Force finalized a proposed rule which was approved by the full RSAC in a mail ballot in August. The NPRM was published 1/10/01 (66 FR 1930). *Contact:* Al MacDowell (202) 493-6236.

*Task 96-8—This Planning Task Evaluated the need for action responsive to recommendations contained in a report to Congress entitled, Locomotive Crashworthiness & Working Conditions.* This Planning Task was accepted on October 31, 1996. A Planning Group was formed and reviewed the report, grouping issues into categories, and prepared drafts of the task statements for Task 97-1 and 97-2.

*Task 97-1—Developing crashworthiness specifications to promote the integrity of the locomotive cab in accidents resulting from collisions.* This Task was accepted on June 24, 1977. A Task Force on engineering issues was established by the Working Group on Locomotive Crashworthiness to review collision history and design options and additional research was commissioned. The Working Group reviewed results of the research and is drafting performance-based standards for freight and passenger locomotives to present to the RSAC for consideration. An NPRM is being prepared, with the Working Group meeting to review the draft. *Contact:* Sean Mehrvazi (202) 493-6237.

*Task 97-2—Evaluating the extent to which environmental, sanitary, and other working conditions in locomotive cabs affect the crew's health and the safe operation of locomotives, proposing standards where appropriate.* This Task was accepted June 24, 1997. A draft sanitation NPRM was circulated to the Working Group on Cab Working Conditions with ballot requested by 11/3/00. The NPRM on sanitation was discussed during the full RSAC meeting on September 14, 2000 and published 1/02/01 (66 FR 136). A public hearing is scheduled April 2, 2001, to discuss the Locomotive Sanitation Standards. A Task Force has assisted in identifying options for strengthening the occupational noise exposure standard, and the Cab Working Group met in October and November and reached tentative agreement on most of the significant issues related to the noise NPRM. The Cab Working Group has

scheduled a meeting April 3-5 to discuss Noise Standards. The Cab Working Group has also considered issues related to cab temperature, and is expected to consider additional issues (such as vibration) in the future. *Contact:* Brenda Hattery (202) 493-6326.

*Task 97-3—Developing event recorder data survivability standards.* This Task was accepted on June 24, 1997. An event Recorder Working Group and Task Force have been established and are actively meeting. A draft proposed rule is being reviewed. *Contact:* Edward Pritchard (202) 493-6247.

*Task 97-4 and Task 97-5—Defining Positive Train Control (PTC) functionalities, describing available technologies, evaluating costs and benefits of potential systems, and considering implementation opportunities and challenges, including demonstration and deployment.*

*Task 97-6—Revising various regulations to address the safety implications of processor-based signal and train control technologies, including communications-based operating systems.*

These three tasks were accepted on September 30, 1997, and assigned to a single Working Group. A Data and Implementation Task Force, formed to address issues such as assessment of costs and benefits and technical readiness, completed a report on the future of PTC systems. The report was accepted as RSAC's Report to the Administrator at the September 8, 1999, meeting. The Standards Task Force, formed to develop PTC standards, is developing draft recommendations for performance-based standards for processor-based signal and train control standards. The NPRM was approved by consensus at the full RSAC meeting held on September 14, 2000. The NPRM will be published in the **Federal Register**. Task forces on Human Factors and the Axiomatic Safety-Critical Assessment Process (risk assessment) continue to work. A meeting of the Working Group is scheduled for March 26, 2001, in Las Vegas to discuss updates on the projects. *Contact:* Grady Cothen (202) 493-6302.

*Task 97-7—Determining damages qualifying an event as a reportable train accident.* This Task was accepted on September 30, 1997. A working group was formed to address this task and conducted their initial meeting on February 8, 1999. The working group designed a survey form to collect specific data about damages to railroad equipment. The survey started on August 1 and ended January 31, 2001. A statistical analysis, using the survey data, is currently being done to see if a

method can be used to calculate property damages. The report is scheduled for completion by the last week of April, 2001. A meeting is scheduled for May 21-23, 2001 to review the report. *Contact:* Robert Finkelstein (202) 493-6280.

*Task 00-1—Determining the need to amend regulations protecting persons who work on, under, or between rolling equipment and persons applying, removing or inspecting rear end markings devices (Blue Signal Protection).* A working group has been formed and held its first meeting on October 16-18, 2000. A second meeting was held from February 27-March 1, 2001. The next meeting is scheduled for March 19-21, 2001. *Contact:* Doug Taylor (202) 493-6255.

Please refer to the notice published in the **Federal Register** on March 11, 1996 (61 FR 9740) for more information about the RSAC.

Issued in Washington, DC on March 25, 2001.

**George A. Gavalla,**

*Associate Administrator for Safety.*

[FR Doc. 01-8437 Filed 4-5-01; 8:45 am]

**BILLING CODE 4910-06-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From Requirements

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. 20502(a), the following railroads have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

#### Union Pacific Railroad Co.

[Docket No. FRA-2001-8962]

*Applicant:* Union Pacific Railroad Company, Mr. Phil Abaray, Chief Engineer—Signals, 1416 Dodge Street, Room 1000, Omaha, Nebraska 68179-1000.

Union Pacific Railroad Company seeks approval of the proposed discontinuance and removal of the two power-operated switches and 5 controlled signals, on the Mainline and Wye tracks, at the North End of Osawatomie, Kansas, milepost V334 and milepost V335, on the Coffeyville Subdivision, associated with the installation of replacement hand-operated switches.

The reason given for the proposed changes is that the branch track that once served the Wye track has been abandoned, and is now only occasionally used to store cars and turn equipment.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI-401, Washington, DC 20590-0001.

Communications received within 45 days of the date of this notice will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) at DOT Central Docket Management Facility, Room PI-401 (Plaza Level), 400 Seventh Street, SW., Washington, DC 20590-0001. All documents in the public docket are also available for inspection and copying on the internet at the docket facility's Web site at <http://dms.dot.gov>.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC on March 26, 2001.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. 01-8434 Filed 4-5-01; 8:45 am]

BILLING CODE 4910-06-P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2000-8201; Notice 2]

#### Subaru of America, Inc.; Grant of Application for Decision of Inconsequential Noncompliance

Subaru of America, Inc. (Subaru) has determined that certain headlamp assemblies manufactured by North American Lighting, Inc., do not comply

with requirements contained in Federal Motor Vehicle Safety Standard (FMVSS) No. 108, "Lamps, Reflective Devices, and Associated Equipment," and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." Subaru 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.

Notice of receipt of the application was published in the **Federal Register** (65 FR 66584) on November 6, 2000. Opportunity was afforded for public comment until December 6, 2000. No comments were received.

Paragraph S7.5(g) of FMVSS No. 108 states that "the lens of each replaceable bulb headlamp shall bear permanent marking in front of each replaceable light source with which it is equipped that states the HB Type."

Paragraph S7.8.5.3(f)(1) of FMVSS No. 108 states that the lens shall have "a mark or markings identifying the optical axis of the headlamp visible from the front of the headlamp when installed on the vehicle, to assure proper horizontal and vertical alignment of the aiming screen or optical aiming equipment with the headlamp being aimed."

Subaru installed approximately 87 headlamp lens assemblies on model year 2000 Subaru Legacy and Outback vehicles from October 5, 1999, through December 5, 1999, which were incorrectly marked. Lenses marked for two-bulb lamp assemblies were placed on one-bulb assemblies, while lenses marked for one-bulb lamp assemblies were placed on two-bulb assemblies.

Subaru supports its application for inconsequential noncompliance with the following statements:

Headlamp aiming performed during the manufacturing process does not rely on lens marking for beam pattern alignment. The result is proper alignment regardless of the mismatch in headlamp assembly lens.

The rate of replacement for headlamp bulbs within the 3/36 warranty period is 0.6 percent. The remaining parts demand for headlamp bulbs is due to collision which results in purchase and installation of new headlamp assemblies not containing the noncompliance.

Installation of replacement headlamp bulbs is outlined in the Service Manual for Subaru Legacy vehicles. The Service Manual procedure for alignment of the headlamp does not rely on the markings found in noncompliance, but rather references the center marking on the bulb.

Incorrect lens assembly installation results in the following light performance variations:

Two-bulb lens on one-bulb assembly: slight decrease in long range visibility, but within FMVSS performance requirements

One-bulb lens on two-bulb assembly: slight broadening of the beam pattern. Vertical alignment specification variation does not exceed 0.57 degrees plus/minus specified aiming.

There is a small possibility that consumers would purchase replacement bulbs for non-dealer installation based on the incorrect marking. However, the incorrect bulb will not install in the headlamp assembly irrespective of the incorrect marking. Additionally, the owner's manual provides the correct specification for replacement bulbs required.

Subaru also submitted data which show the difference in beam patterns of the four possible bulb combinations in the two lamp housings. The data are in the docket.

The petitioner states that the noncompliances will not result in any safety, reliability or serviceability concern for the operator of a subject motor vehicle.

We have reviewed the application and agree with Subaru that the noncompliance is inconsequential to motor vehicle safety. The lamps are fully compliant with the performance requirements of the standard regardless of which lens is used. Further, the bulbs for the one-bulb assembly cannot be used in the two-bulb assembly and vice versa. Therefore, even if a vehicle owner purchases a bulb based on the incorrect information given on the lens, it will not fit.

Regarding the marking of the optical axis for aiming, because headlamp aiming during the vehicle manufacturing process does not rely on this mark, the lamps will be correctly aimed when the vehicle is delivered for sale. Further, the service manual procedure for aim alignment does not rely on this mark. It references the center of the bulb. If the lamps are vertically aimed by consumers, Subaru states that there can be a 0.57 degree error, given the unintended vertical displacement of the lens' optical axis mark. If a person attempts to aim a subject headlamp using the incorrectly placed mark, the lamp will be aimed upward or downward by that angular amount, depending on which lamp and which lens is installed. Because field aiming is more often done using the Society of Automotive Engineers (SAE) recommended aiming tolerance of  $\pm 4$  inches at 25 feet (about 0.75 degree), the misaim caused by the incorrect location of the aiming mark on the lens should be within the recommended field aiming tolerance. As a result, there should be no consequence to safety.