

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:**National Highway Traffic Safety Administration**

Title: Criminal Penalty Safe Harbor Provision.

OMB Number: 2127-0609.

Type of Request: Extension of a currently approved collection.

Abstract: Section 5 of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act (Pub. L. 106-414) establishes 49 U.S.C. 30170, which provides for criminal liability in circumstances where a person had the intention of misleading the Secretary of Transportation (Secretary) regarding safety-related defects in motor vehicles or motor vehicle equipment that caused death or serious bodily injury. It also contains a "safe harbor" that allows a person to avoid criminal penalties if that person lacked knowledge at the time of the violation that the violation would result in an accident causing death or serious bodily injury and if that person corrects any improper reports or failure to report to the Secretary within a reasonable time.

Affected Public: Foreign manufacturers of motor vehicles and motor vehicle equipment located outside of the United States, which are importing these items into the United States.

Estimated Total Annual Burden: 18.

ADDRESSES: Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th

Street, NW, Washington, DC 20503, Attention NHTSA Desk Officer.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Departments estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. A comment to OMB is most effective if OMB receives it within 30 days of publication.

Issued in Washington, DC, on June 7, 2001.

Herman L. Simms,

Associate Administrator for Administration.

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DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[STB Finance Docket No. 34049]

The Burlington Northern and Santa Fe Railway Company—Trackage Rights Exemption—The Kansas City Southern Railway Company

The Kansas City Southern Railway Company (KCS) has agreed to grant limited overhead trackage rights to The Burlington Northern and Santa Fe Railway Company (BNSF) over KCS's rail line (1) between KCS milepost 220.28 in Tenneson, TX, and KCS milepost 201.89 in Wylie, TX, and (2) between KCS Engineering Station HB 43+59' in Wylie and KCS Engineering

Station 1097+80' in Wylie, a total distance of approximately 21.14 miles.

The transaction is scheduled to be consummated on or after June 5, 2001, the effective date of the exemption.

The purpose of the trackage rights is to allow BNSF to move Norfolk Southern Railway Company haulage trains over the subject trackage to and from KCS's Wylie Yard.

Any employees affected by the subject transaction will be protected by the labor conditions prescribed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it 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.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34049 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 Michael E. Roper, The Burlington Northern and Santa Fe Railway Company, P.O. Box 961039, Fort Worth, TX 76161-0039.

Board decisions and notices are available on our website at www.stb.dot.gov.

Decided: June 4, 2001.

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

Vernon A. Williams,

Secretary.

[FR Doc. 01-14468 Filed 6-12-01; 8:45 am]

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