

rules in § 393.67, respectively. The exemptions were granted for two years.

On November 2, 2001, (66 FR 55727) the FMCSA published a notice of its intent to renew these exemptions. The FMCSA received one comment, from Ford. Ford requested that the FMCSA renew its exemption for the fuel tanks covered in that notice. On December 27, 2001 (66 FR 66970), the agency published a notice granting the application for renewing these exemptions.

In its comment to the November 2, 2001, notice, Ford also advised the agency that it sought additional exemptions to cover the fuel tanks of additional models of E-series vehicles that were not in production at the time of the original 1999 petition, and for certain F-series vehicles.

In a second notice, also published December 27, 2001 (66 FR 66971), the FMCSA announced its intent to grant exemptions for these additional vehicles. The FMCSA received no comments to that notice.

FMCSA Decision

The FMCSA has decided to grant the exemptions for the additional Ford vehicles specified in the second December 27, 2001, notice. The commercial motor vehicles covered by the exemptions are still in operation, and the agency is not aware of any information, anecdotal or otherwise, that would suggest that the level of safety for the exempted vehicles is not equivalent to the level of safety that would have been achieved if the vehicles complied with §§ 393.67(c)(7)(ii), 393.67(f)(2), and 393.67(f)(3)(ii). No interested parties have submitted comments to the docket indicating that any aspects of the exemptions have had an adverse effect on highway safety. Accordingly, the agency is granting the exemptions that were the subject of the December 27 notice for a two-year period.

Terms and Conditions for the Exemption

The FMCSA is continuing to provide exemptions to §§ 393.67(c)(7)(ii), 393.67(f)(2), and 393.67(f)(3)(ii) for motor carriers operating the Ford vehicles specified in the next paragraph. The exemptions are effective upon publication in the **Federal Register** pursuant to 5 U.S.C. 553(d)(1) and are valid until March 29, 2004, unless revoked earlier by the FMCSA. Ford, or any of the affected motor carriers, may apply to the FMCSA for another renewal of the exemption. The exemption continues to preempt inconsistent State

or local requirements applicable to interstate commerce.

As with the other exemption granted to Ford, the motor carriers operating these vehicles would not be required to maintain documentation concerning the exemption because the vehicles and fuel tanks have markings that would enable enforcement officials to identify them. The vehicles covered by the exemptions can be identified by their vehicle identification numbers (VINs). The VINs for the additional E-series vehicles contain E35 or E55 codes in the fifth, sixth, and seventh positions. The fuel tanks are marked with Ford part numbers F3UA-9002-G*, F3UA-9002-H*, F4UA-9002-V*, F4UA-9002-X*, F5UA-9002-V*, F5UA-9002-X*, F6UA-9002-Y*, F6UA-9002-Z*, F7UA-9002-C*, F7UA-9002D*, YC25-9002-D* (a new fuel tank for E37 series vehicles), or 2C24-9002-E* (a new fuel tank for E55 series vehicles) where the asterisk (*) represents a "wild card" character (any character of the alphabet). The VINs for the F-series vehicles contain an F53 code in the fifth, sixth, and seventh positions. The fuel tanks are marked with part numbers 1C34-9K007-F*, 1C34-9K007-G*, and 1C34-9K007-H* where the asterisk (*) represents a "wild card" character (any character of the alphabet).

Authority: 49 U.S.C. 31136 and 31315; and 49 CFR 1.73.

Issued on: March 22, 2002.

Joseph M. Clapp,
Administrator.

[FR Doc. 02-7363 Filed 3-26-02; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration, DOT.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and its implementing regulations, the Federal Railroad Administration (FRA) hereby announces that it is seeking renewal of the following currently approved information collection activities. Before submitting these information collection requirements (ICRs) for clearance by the Office of Management and Budget (OMB), FRA is soliciting public comment on specific aspects of the activities identified below.

DATES: Comments must be received no later than May 28, 2002.

ADDRESSES: Submit written comments on any or all of the following proposed activities by mail to either: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW, Mail Stop 17, Washington, DC 20590, or Ms. Dian Deal, Office of Information Technology and Productivity Improvement, RAD-20, Federal Railroad Administration, 1120 Vermont Ave., NW, Mail Stop 35, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, "Comments on OMB control number 2130-0533." Alternatively, comments may be transmitted via facsimile to (202) 493-6265 or (202) 493-6170, or e-mail to Mr. Brogan at robert.brogan@fra.dot.gov, or to Ms. Deal at dian.deal@fra.dot.gov. Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW, Mail Stop 17, Washington, DC 20590 (telephone: (202) 493-6292) or Dian Deal, Office of Information Technology and Productivity Improvement, RAD-20, Federal Railroad Administration, 1120 Vermont Ave., NW, Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6133). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Pub. L. 104-13, sec. 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days notice to the public for comment on information collection activities before seeking approval for reinstatement or renewal by OMB. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding (i) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii)

the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses). See 44 U.S.C. 3506(c)(2)(A)(i)-(iv); 5 CFR 1320.8(d)(1)(i)-(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated

by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) Reduce reporting burdens; (ii) ensure that it organizes information collection requirements in a "user friendly" format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

Below is a brief summary of the currently approved ICRs that FRA will submit for clearance by OMB as required under the PRA:

Title: Qualifications For Locomotive Engineers.

OMB Control Number: 2130-0533.

Abstract: Section 4 of the Rail Safety Improvement Act of 1988 (RSIA), Public Law 100-342, 102 Stat. 624 (June 22,

1988), later amended and re-codified by Public Law 103-272, 108 Stat. 874 (July 5, 1994), required that FRA issue regulations to establish any necessary program for certifying or licensing locomotive engineers. The collection of information is used by FRA to ensure that railroads employ and properly train qualified individuals as locomotive engineers and designated supervisors of locomotive engineers. The collection of information is also used by FRA to verify that railroads have established required certification programs for locomotive engineers and that these programs fully conform to the standards specified in the regulation.

Affected Public: Businesses.

Respondent Universe: 685 railroads.

Frequency of Submission: On occasion; annually; tri-annually.

REPORTING BURDEN

CFR Section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden cost
240.9—Waivers	685 railroads	5 waivers	1 hour	5	\$170
240.101/103—Certification Prog	685 railroads	10 programs	200 hours/40 hours ...	1,840	62,560
240.101/103—Cert. Prog.—Final Rev ..	685 railroads	10 reviews	1 hour	10	340
240.105(a)—Selection Criteria for DSLEs.	685 railroads	10 reports	1 hour	10	490
240.105(b)—DSLE Approval Plan—Amendments.	685 railroads	75 amendments	1 hour	75	2,550
240.111—Duty to Furnish Data on Prior Safety Conduct—Car Drvr.	685 railroads	400 calls	10 minutes	67	3,149
240.111—Driver's License Data	13,333 candidates	13,333 requests	15 minutes	3,333	156,651
240.111/App. C—RR Notification to candidate—NDR Match.	685 railroads	267 requests	30 minutes	134	5,427
240.111(g)—Notice to RR of Absence of License.	40,000 candidates	4 letters	15 minutes	1	47
240.111/App. C—Written Response from candidate on Driver's Lic Data.	685 railroads	40 comments	15 minutes	10	470
240.113—Notice to RR Furnishing Data on Prior Safety Conduct—Diff. RR.	13,333 candidates	534 requests/resp	15 min./30 min	200	7,671
240.115—Candidate's Comments on Prior Saf. Conduct Data.	13,333 candidates	133 responses	30 minutes	67	3,149
240.117—Criteria—Oper. Rules Compl. Data.	685 railroads	3 violations/appeals ...	12 hours	36	1,764
240.121—Criteria—Vision/Hearing Acuity Data—New Railroads.	10 railroads	10 copies	15 minutes	3	102
240.121—Criteria—Vision/Hearing Acuity Data—Cond. Certification.	685 railroads	17 reports	1 hour	17	578
240.121—Criteria—Vision/Hearing Acuity Data—Not Meeting Standards.	685 railroads	10 notifications	15 minutes	3	141
240.201/221—List of Certified Loco. Engineers.	685 railroads	685 updates	15 minutes	171	5,814
240.201/221—List of Qualified DSLEs	685 railroads	685 updates	15 minutes	171	5,814
240.201/223/301—Loco. Engineers Certificate.	40,000 candidates	13,333 certificates	5 minutes	1,111	37,774
240.201/223—List of Des. Persons Authorized to Sign DSLE Certificate.	685 railroads	20 lists	15 minutes	5	170
240.205—Data to EAP Counselor	685 railroads	267 records	5 minutes	22	1,034
240.207—Medical Certificate	40,000 candidates	13,333 certificates	70 minutes	15,555	528,870
240.209/213—Written Test	40,000 candidates	13,333 tests	2 hours	26,666	906,644
240.211/213—Perf. Test	40,000 candidates	13,333 tests	2 hours	26,666	906,644
240.215—Record Keeping—Loc. Eng ..	685 railroads	13,333 records	10 minutes	2,222	75,548
240.219—Denial of Certification	13,333 candidates	150 letters/resp.	1 hour	150	6,075
240.219—Denial of Certification—Notices.	685 railroads	75 notifications	1 hour	75	2,550
240.227—Canadian Certification Data	Canadian railroads	200 certifications	15 minutes	50	1,700

REPORTING BURDEN—Continued

CFR Section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden cost
240.229—Requirement For Joint Operations Territory.	685 railroads	184 calls	5 minutes	15	705
240.303—Annual Op. Monitoring Obs ..	40,000 candidates	40,000 tests	2 hours	80,000	3,920,000
240.303—Annual Operational Observ ..	40,000 candidates	40,000 tests	1 hour	40,000	1,960,000
240.305—Eng. Notification of Non-Qualification.	40,000 candidates	10 notifications	5 minutes	1	47
240.305—Engineer Notice of Loss of Qualification.	40,000 candidates	2 letters	30 minutes	1	47
240.307—Rev. of Certification—Notice of Eng. Disqualification.	685 railroads	500 letters	1 hour	500	17,000
240.309—RR Oversight Resp.—RR Annual Review.	42 railroads	42 reviews	80 hours	3,360	188,160
240.309—RR Oversight Resp	15 railroads	10 annotations	15 minutes	3	147
240.401—Engineer Appeal to FRA	40,000 Engineers	97 petitions	12 hours	1,164	54,708
240.405—RR's Response to Appeal	685 railroads	97 responses	6 hours	582	28,518
240.407—Request For a Hearing	685 railroads and 40,000 Engineers.	16 Hearing requests ..	30 minutes	8	376
240.411—Appeals	685 railroads and 40,000 Engineers.	2 Appeal notices	2 hours	4	94

Total Responses: 164,568.

Estimated Total Annual Burden: 204,313 hours.

Status: Regular Review.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Issued in Washington, DC on March 19, 2002.

Kathy A. Weiner,

Director, Office of Information Technology and Support Systems, Federal Railroad Administration.

[FR Doc. 02–7351 Filed 3–26–02; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petitions for Waivers of Compliance

In accordance with Title 49 Code of Federal Regulations (CFR) § 211.41, and 49 U.S.C. 20103, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for waiver of compliance with certain requirements of the Federal railroad safety regulations. See also 49 CFR 211.7 and 211.9. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, and the nature of the relief being sought.

North County Transit District

[Docket Number FRA–2002–11809]

The North County Transit District (“NCTD”), located in Oceanside, California, seeks a permanent waiver of compliance from certain CFR Parts of Title 49, specifically: Part 210, Railroad Noise Emission Compliance Regulations; Part 217, Railroad Operating Rules; Part 218, Railroad Operating Practices; Part 219, Control of Alcohol and Drug Use; Part 221, Rear End Marking Devices—Passenger, Commuter and Freight Trains; Part 223, Safety Gazing Standards—Locomotives, Passenger Cars and Caboose; Part 225, Railroad Accidents/Incidents: Report Classification, and Investigations; Part 229, Railroad Locomotive Safety Standards; Part 231 Railroad Safety Appliance Standards; Part 238, Passenger Equipment Safety Standards; Part 239, Passenger Train Emergency Preparedness; and Part 240, Qualification and Certification of Locomotive Engineers.

NCTD seeks approval of shared track usage and waiver of certain FRA regulations involving planned light rail passenger operations on the same track with freight trains between Oceanside, CA and Escondido, CA (Oceanside-Escondido Rail Project). FRA will have jurisdiction over the 22-mile portion of the NCTD Oceanside-Escondido Rail Project that is also used for freight rail carrier service. The freight operator is The Burlington Northern and Santa Fe Railway Company (BNSF), and BNSF currently conducts operations over this trackage. NCTD proposes to operate light rail vehicles on the same track as

BNSF freight trains, but under temporal separation. See *Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment*, 65 FR 42529 (July 10, 2000). See also *Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems*, 65 FR 42626 (July 10, 2000).

Since FRA has not yet completed its investigation of NCTD’s petition, the agency takes no position at this time on the merits of NCTD’s stated justifications. As part of FRA’s review of the petition, the Federal Transit Administration will appoint a representative to advise FRA’s Safety Board, and that person will participate in the board’s consideration of NCTD’s waiver petition.

All communications concerning these proceedings should identify the appropriate docket number (Docket Number FRA 2002–11809) and must be submitted to the DOT Docket Management Facility, Room PL–401 (Plaza level) 400 Seventh Street, SW., Washington, DC 20590. All documents in the public docket, including NCTD’s detailed waiver request, are also available for inspection and copying on the Internet at the docket facility’s Web site at <http://dms.dot.gov>. Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered to the extent