

**Description of Relief Sought:** On April 23, 2002, a summary of this petition was published in the **Federal Register** (67 FR 19795) with the incorrect docket number (FAA-2002-11565). The exemption, if granted, would permit Franklin P. Toups to take a single check ride to obtain his ATP and instrument rating.

Issued in Washington, DC, on May 20, 2002.

**Donald P. Byrne,**

[FR Doc. 02-15982 Filed 6-24-02; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket Number: MARAD-2002-12536]

#### Requested Administrative Waiver of the Coastwise Trade Laws

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel IN THE MOOD.

**SUMMARY:** As authorized by Public Law 105-383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Public Law 105-383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

**DATES:** Submit comments on or before July 25, 2002.

**ADDRESSES:** Comments should refer to docket number MARAD-2002-12536. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW., Washington, DC 20590-0001. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit/>. All comments will become part of this docket and will be available for inspection and copying

at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR-832 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202-366-2307.

**SUPPLEMENTARY INFORMATION:** Title V of Public Law 105-383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

#### Vessel Proposed for Waiver of the U.S. Build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* IN THE MOOD. *Owner:* Don and Judith Ann Durant.

(2) Size, capacity and tonnage of vessel. *According to the Certificate of Documentation:* Gross tonnage: 36; Net tons: 28; Length: 42.3; Breadth: 15; Depth: 8.5.

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* "The intended use is to offer training in the operation of single engine trawler yachts and crewed charters for six passengers or less. The proposed area of navigation is United States Pacific coastal and inland waters from the Mexican border to and including Alaska, no more than 200 miles offshore."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1985. *Place of construction:* Taiwan, ROC.

(5) A statement on the impact this waiver will have on other commercial

passenger vessel operators. *According to the applicant:* "The vessel owners own and operate Club Nautique, a California corporation engaged in offering operator training, bareboat and crewed charters, and other yacht services. Club Nautique currently offers operator training and charters in semi-displacement trawler yachts. The company would like to offer training and charters in full displacement trawlers, but knows of none suitable for the purpose built by U.S. boat yards. The applicant \* \* \* believes the granting of a waiver will have little or no impact on other commercial passenger vessel operators."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "The applicant believes the granting of a waiver will have little or no impact on U.S. shipyards, as no domestic yacht builders are currently offering a vessel of this type."

Dated: June 19, 2002.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 02-15996 Filed 6-24-02; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2001-8677; Notice 2]

#### Reports, Forms, and Recordkeeping Requirements

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Request for public comment on proposed collection of information.

**SUMMARY:** Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on the proposed collection of information.

This document describes a proposed collection of information under the "early warning reporting" provisions of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act and related recordkeeping provisions, for which NHTSA intends to seek OMB approval.

**DATES:** Comments must be received on or before August 26, 2002.

**ADDRESSES:** Comments must refer to the docket and notice numbers cited at the

beginning of this notice and be submitted to Docket Management, Room PL-401, 400 Seventh Street SW., Washington, DC 20590. The Docket is open on weekdays from 9:30 a.m. to 5 p.m.

**FOR FURTHER INFORMATION CONTACT:** Mr. George Person, Office of Defects Investigation, NHTSA, 400 Seventh Street, SW., Room 5326, Washington, DC 20590. Mr. Person's telephone number is (202) 366-5210.

**SUPPLEMENTARY INFORMATION:** Under the Paperwork Reduction Act of 1995 (PRA), before an agency submits a proposed collection of information to OMB for approval, it must publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulations (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

- (i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- (ii) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions;

(iii) How to enhance the quality, utility, and clarity of the information to be collected; and

(iv) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

On December 21, 2001, NHTSA published a Notice of Proposed Rulemaking (NPRM) (66 FR 66190) in which it proposed to implement section 3(b) of the TREAD Act by requiring manufacturers of motor vehicles and motor vehicle equipment to submit certain information to aid NHTSA in promptly identifying possible safety-related defects. NHTSA is currently reviewing and analyzing the comments submitted in response to the NPRM and is developing its final rule, which may include revised requirements.

In compliance with PRA requirements, NHTSA is asking for public comment on the collections of information proposed in the NPRM, including proposed recordkeeping

provisions. If the final rule is issued before the end of the 60-day comment period for this notice, it would be helpful if the comments in response to this notice addressed the requirements adopted in the final rule.

**Reporting of Information and Documents About Potential Defects; Retention of Records That Could Indicate Defects**

*Type of Request*—New Collection.  
*OMB Clearance Number*—None.

*Requested Expiration Date of Approval*—Three years from effective date of final rule.

*Summary of Collection of Information*—Section 3(b) of the TREAD Act, codified at 49 U.S.C. 30166(m), provides for NHTSA to adopt rules that will require manufacturers of motor vehicles and motor vehicle equipment to submit certain information to NHTSA, including information about claims and notices about deaths and serious injuries, property damage data, communications to customers and others, and information on incidents resulting in fatalities or serious injuries from possible defects in vehicles or equipment in the United States or in identical or substantially similar vehicles or equipment in foreign countries. The statute also authorizes NHTSA to require the submission of other data that may assist in the identification of safety-related defects in vehicles and equipment. The agency issued an NPRM on December 21, 2001 (66 FR 66190) in which it proposed reporting and recordkeeping requirements to implement this section of the statute.

*Description of the Need for the Information and Proposed Use of the Information*—The intent of the legislation is to provide NHTSA with “early warning” of potential safety-related defects in motor vehicles and motor vehicle equipment. NHTSA will rely on the information provided under this rule (as well as other relevant information) in deciding whether to open defect investigations.

*Description of the Likely Respondents (Including Estimated Number and Proposed Frequency of Responses to the Collection of Information)*—All manufacturers of motor vehicles and motor vehicle equipment would be required to comply with quarterly reporting requirements. As discussed in detail in the NPRM, larger manufacturers of vehicles (those that produce, import, or sell 500 or more units annually in the United States), and all manufacturers of child restraint systems and tires, would be required to provide information about incidents

identified in claims and notices involving deaths (and injuries in the United States). They would also have to report the number of property damage claims, consumer complaints, warranty claims, and field reports that address certain specified systems and components of their products. We estimate that 87 manufacturers fall within this group of relatively large manufacturers.

All other motor vehicle and motor vehicle equipment manufacturers would only have to report information about incidents identified in claims and notices involving deaths. We estimate that 23,500 manufacturers would fall within this group of smaller vehicle manufacturers and equipment manufacturers (other than tire or child restraint manufacturers).

All manufacturers (in both categories) would be required to submit copies of all documents sent or made available to more than one dealer, distributor, or owner in the United States with respect to consumer advisories, recalls, or activities involving the repair or replacement of vehicles or equipment. However, almost all of these documents must already be submitted to NHTSA under an existing regulation. See 49 CFR 573.8, which implements 49 U.S.C. 30166(f).

**Estimate of the Total Annual Reporting and Recordkeeping Burden of the Collection of Information in the NPRM**

The first group of approximately 87 manufacturers with relatively extensive quarterly reporting requirements would consist of 16 light vehicle manufacturers, 12 medium and heavy vehicle manufacturers, 19 bus manufacturers, 8 trailer manufacturers, 12 motorcycle manufacturers, 10 tire manufacturers, and 10 child restraint system manufacturers.

The second group of approximately 23,500 manufacturers would rarely, if ever, have to report information to the agency. This group includes manufacturers of motor vehicles that sold fewer than 500 vehicles in the United States, manufacturers of original motor vehicle equipment, and manufacturers of replacement motor vehicle equipment other than child restraint systems or tires. This second group would be only required to report information in the rare event that they received a claim or notice about an incident involving a death alleging or proving that the death was caused by a possible defect in the manufacturer's product. We estimated only 8 such incidents would need to be reported per year from that entire group.

NHTSA estimated the annual hours of burden under the NPRM proposals to be 957,004 hours in the first year and 18,041 hours in the second and third years. The first-year total consists of 938,963 first year start-up hours plus 18,041 first year reporting hours. Of the 938,963 hours, 596,760 hours are associated with computer start-up activities and 342,203 hours are to provide the historical data. The average burden over the first three years would be 331,030 hours.

In late 2001, NHTSA made some preliminary estimates of the burdens associated with the NPRM proposals. These were discussed in the preamble to the NPRM and in a Preliminary Regulatory Evaluation (PRE), which was issued at the same time and was available to the public. Several interested persons commented on those estimates in their comments on the NPRM. In addition, the Alliance of Automobile Manufacturers (Alliance), which represents most of the large light vehicle manufacturers, submitted supplemental estimates of the costs and burden hours associated with the NPRM requirements. The estimates in this notice have taken these comments into account.

The hours of burden were estimated based on three primary factors. First, NHTSA considered the specific burden hour estimates associated with the various NPRM requirements that were provided by the Alliance and modified them where appropriate. Second, based on the average number of vehicles involved in recalls in 1996–2001, and a

comparison of the number of recalled vehicles by the Alliance members with non-Alliance manufacturers, we extrapolated the Alliance-based numbers to estimate the number of documents that the non-Alliance manufacturers would have to report on each year. Third, the agency estimated the number of minutes per document that the manufacturers would spend determining what category a particular item belonged in and entering that data into their data systems. The agency assumed 5 minutes per document, except for foreign reports on deaths, which were assumed to take 15 minutes per document. Burden hours were determined by multiplying the minutes per document times the number of documents.

The total burden varied by manufacturer depending upon the number of documents that would have to be reviewed. Because the second group of manufacturers would be reporting so infrequently, we assumed that the report of each incident would be prepared manually, and that it would take four hours to determine what was required and to prepare the report. Thus, we estimated that the second group of manufacturers would spend 32 burden hours per year to report information on 8 incidents per year.

#### Estimate of the Total Annual Costs of the Collection of Information in the NPRM

The annual costs associated with the NPRM are estimated to be \$88,580,141 in the first year and \$1,721,877 in the

second and third years. The average cost over the first three years would be \$30,674,631. In the first year, start-up costs (including reprogramming computers) are estimated to be \$65,300,000, the costs to report on historical information are estimated to be \$21,558,264, and the costs to report on information for the first year are estimated to be \$1,721,877.

The costs were estimated based on the factors discussed in the prior section, using estimates for the wage rates per hour for the skill levels for each type of activity that would be required. Wage rates, including overhead, were provided by the Alliance in a docket submission.

The total cost varied by manufacturer depending upon the number of documents that must be reviewed. Based on the assumptions described above, we estimated that the second group of manufacturers would spend \$3,642 per year to report information on 8 incidents per year.

#### Summary Tables for Burdens and Costs Under the Requirements Proposed in the NPRM

The following tables show the burden hours and costs under the NPRM proposals by type of manufacturer. First year start-up burden/costs include computer start-up costs as well as the costs of gathering and reporting historical information. Total first year burden/costs can be calculated by adding the start-up burden/costs and the annual burden/costs.

#### ESTIMATED BURDEN HOURS UNDER THE NPRM

	First year start-up	First year	Second year	Third year	Average for the first 3 years
Light Vehicles .....	441,251	10,463	10,463	10,463	157,547
Medium/Heavy Vehicles .....	254,432	1,440	1,440	1,440	86,251
Buses .....	69,981	1,830	1,830	1,830	25,157
Trailers .....	7,520	715	715	715	3,222
Motorcycles .....	59,153	1,261	1,261	1,261	20,979
Tires .....	52,186	1,189	1,189	1,189	18,584
Child Restraints .....	54,440	1,111	1,111	1,111	19,258
Equipment Manufacturers .....	0	20	20	20	20
Manufacturers with under 500 vehicle sales per year .....	0	12	12	12	12
<b>Total .....</b>	<b>938,963</b>	<b>18,041</b>	<b>18,041</b>	<b>18,041</b>	<b>331,030</b>

#### ESTIMATED COSTS UNDER THE NPRM

	First year start-up	First year	Second year	Third year	Average for the first 3 years
Light Vehicles .....	\$53,559,321	\$885,653	\$885,653	\$885,653	\$18,738,760
Medium/Heavy Vehicles .....	12,744,973	153,203	153,203	153,203	4,401,527
Buses .....	5,799,669	206,305	206,305	206,305	213,528
Trailers .....	1,819,016	81,145	81,145	81,145	687,484
Motorcycles .....	7,710,608	141,899	141,899	141,899	2,712,102

## ESTIMATED COSTS UNDER THE NPRM—Continued

	First year start-up	First year	Second year	Third year	Average for the first 3 years
Tires .....	2,046,836	127,203	127,203	127,203	809,482
Child Restraints .....	3,177,531	122,781	122,781	122,781	1,181,958
Equipment Manufacturers .....	193	2,305	2,305	2,305	2,369
Manufacturers with under 500 vehicle sales per year .....	116	1,383	1,383	1,383	1,422
<b>Total .....</b>	<b>86,858,263</b>	<b>1,721,877</b>	<b>1,721,877</b>	<b>1,721,877</b>	<b>30,674,631</b>

As stated above, the final rule implementing the early warning reporting requirements may be issued before the end of the 60-day comment period for this collection of information. If this should occur, it would be helpful if the public comments in response to this notice reflect the requirements adopted in the final rule. All comments will be taken into account in NHTSA's Supporting Statement to OMB (that accompanies OMB Form 83-I) to request clearance for this collection of information.

**Authority:** 44 U.S.C. 3506(c); delegations of authority at 49 CFR 1.50 and 501.3(c).

Issued on: June 19, 2002.

**Kenneth N. Weinstein,**

*Associate Administrator for Safety Assurance.*

[FR Doc. 02-15904 Filed 6-24-02; 8:45 am]

**BILLING CODE 4910-59-P**

During the period of the 8th through the 10th and the 12th through the 14th weeks of 2002, the Ardmore, Oklahoma plant of Uniroyal Goodrich Tire Manufacturing produced and cured a number of tires with erroneous marking.

FMVSS No. 109 (S4.3(d)) requires that each tire shall have permanently molded the generic name of each cord material used in the plies (both sidewall and tread area) of the tire. (S4.3(e)) requires that each tire shall have permanently molded into or onto both sidewalls the actual number of plies in the sidewall, and the actual number of plies in the tread area if different.

The noncompliance with S4.3(d) and (e) relates to the mold number. The tires were marked: Tread Plies: 2 Polyester + 2 Steel + 1 Nylon, instead of the required marking of: Tread Plies: 2 Polyester + 2 Steel.

Uniroyal states that of the total (3,023) tires produced, 1,460 have been isolated and will be brought into compliance or scrapped. Uniroyal does not believe that this marking error will impact motor vehicle safety because the tires meet all applicable Federal Motor Vehicle Safety performance standards, conform to the original specifications, and the noncompliance is one solely of labeling.

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 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: (30 days after Publication Date).

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

Issued on: June 20, 2002.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 02-15998 Filed 6-24-02; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### Office of Hazardous Materials Safety; Notice of Applications for Exemptions

**AGENCY:** Research and Special Programs Administration, DOT.

**ACTION:** List of applicants for exemptions.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR part 107, subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the applications described herein. Each mode of transportation for which a particular exemption is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor Vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

**DATES:** Comments must be received on or before July 25, 2002.

**ADDRESS COMMENTS TO:** Records Center, Research, and Special Programs, Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the exemption application number.

**FOR FURTHER INFORMATION:** Copies of the applications (See Docket Number) are available for inspection at the New Docket Management Facility, PL-401, at

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2002-12528; Notice 1]

### Uniroyal Goodrich Tire Manufacturing, Receipt of Application for Decision of Inconsequential Noncompliance

Uniroyal Goodrich Tire Manufacturing (Uniroyal) has determined that approximately 3,023 P235/70R16 BFGoodrich Radial Long Trail do not meet the labeling requirements mandated by Federal Motor Vehicle Safety Standard (FMVSS) No. 109, "New Pneumatic Tires."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Uniroyal has petitioned for a determination that this noncompliance 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.