

carriers providing small hub/non-hub service. Second, it would ensure that there would be a continued finite number of exemption slots available for new entrant service and small hub/non-hub service and represent an opportunity for equitable allocation of exemptions slots between competing categories. Lastly, it puts in place a process to provide opportunity to maintain parity.

Finally, the FAA proposes that a carrier will have three business days from the date of the FAA offer of an available exemption slot to accept or reject offered exemption slots. This procedure would provide a definitive timeframe for decisionmaking and assist in ensuring that exemption slots do not go unused for an extended period of time. From the date of acceptance of an offered exemption slot, a carrier has 120 days to begin using that exemption slot. (See adopted lottery procedures for the August 15, 2001 lottery.)

The reallocation procedures adopted in the August 7, 2001, notice will be followed for the reallocation of returned or withdrawn exemption slots pending a decision on these proposed procedures after the close of the comment period. The proposed, applicable conditions are restated as follows:

1. The cap on AIR-21 exemption slots (7:00 a.m. through 9:59 p.m.) will remain in effect through October 30, 2004.

2. The FAA may approve the transfer of exemption slot times between carriers only on a temporary one-for-one basis for the purpose of conducting the operation in a different time period. Carriers must certify to the FAA that no other consideration is involved in the transfer.

3. Phase I: If any exemption slots are returned to the FAA or are withdrawn for non-use, the FAA would make the first four exemption slots available on a first-come, first serve basis to a carrier that was not operating at LaGuardia as of August 15, 2001, certified to the Department in accordance with the procedures articulated in OST Order 2000-4-10, and has a written request on file with the Slot Office. Any of the first four returned or withdrawn exemption slots that are not selected by such a carrier would be available to the carriers that have less than 20 slots and exemption slots at LaGuardia for selection in accordance with the August 15 established rank order, with each carrier able to select two exemption slots. Any exemption slots not selected during this process then would be made available to the carriers providing small hub/non-hub service using the

December 4 rank order. This concludes Phase I.

4. Phase II: If any subsequent exemption slots become available for reallocation and there is an eligible carrier not conducting service at the airport seeking exemption slots, then the available exemption slots would be offered to that carrier first, provided that the total number of exemption slots allocated to carriers providing small hub/non-hub service is not below 76. If a new, eligible carrier does not select the exemption slots, then they would be offered to the category of carriers that is below parity, up to the level of re-establishing parity (using respective rank order). If the exemption slots are not selected or there are available exemption slots remaining, then they would be offered to carriers in the same category from which the exemption slots came. Any remaining exemption slots not selected would be offered to the other category of carriers, using its respective rank order.

5. A carrier would have three business days after an offer from the Slot Office to accept the offered exemption slot time. Acceptance must be in writing to the Slot Office. If the Slot Office does not receive an acceptance to an offer within three business days, the carrier would be recorded as rejecting the offer and the next carrier on the list would be offered the available exemption slot times.

6. Carriers that are offered exemption slot times by the Slot Office must re-certify to the Department of Transportation in accordance with the procedures articulated in OST Orders 2000-4-10 and 2000-4-11 prior to operations, and provide the Department and the FAA with the markets to be served, the number of exemption slots, the frequency, and the time of operation, before the exemption slot times will be allocated by the FAA to the carrier.

7. All operations allocated under the post-lottery procedures must commence within 120 days of a carrier's acceptance of an available exemption slot.

8. The Chief Counsel will be the final decisionmaker concerning eligibility of carriers to participate in the allocation process.

Issued on July 1, 2002, in Washington, DC.

**David G. Leitch,**

*Chief Counsel.*

[FR Doc. 02-17004 Filed 7-5-02; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

### Federal Highway Administration

#### Designation of Transportation Management Areas

**AGENCIES:** Federal Transit Administration (FTA), Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of designation.

**SUMMARY:** The Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) are announcing that all urbanized areas (UZAs) with populations greater than 200,000 as determined by the 2000 Census, are hereby designated as Transportation Management Areas (TMAs). The FTA and the FHWA are taking this action in compliance with the agencies' authorizing statutes, 23 U.S.C. 134, and 49 U.S.C. 5305. This action supersedes the agencies' designations of TMAs made in the **Federal Register** on May 18, 1992, at 57 FR 21160.

**DATES:** This notice is effective July 8, 2002.

**FOR FURTHER INFORMATION CONTACT:** For FTA related questions, Paul L. Verchinski, Office of Planning Operations (TPL-11), (202) 366-1626, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590. e-mail: [Paul.verchinski@fta.dot.gov](mailto:Paul.verchinski@fta.dot.gov). Scott Biehl, Office of Chief Counsel (TCC), (202) 366-4063, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590. e-mail: [scott.biehl@fta.dot.gov](mailto:scott.biehl@fta.dot.gov). Office hours for the FTA are from 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

For FHWA related questions, Sheldon Edner, Office of Metropolitan Planning (HEPM), (202) 366-4066, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590. e-mail: [sheldon.edner@fhwa.dot.gov](mailto:sheldon.edner@fhwa.dot.gov). Reid Alsop, Office of Chief Counsel (HCC), (202) 366-1371, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590. e-mail: [reid.alsop@fhwa.dot.gov](mailto:reid.alsop@fhwa.dot.gov). Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** Titles 23 and 49 of the United States Code (23 U.S.C. 134 (i), and 49 U.S.C. 5305, respectively) require the Secretary of Transportation to designate urbanized areas over 200,000 population as Transportation Management Areas

(TMAs). A number of Census Bureau defined areas across the United States have recently exceeded 200,000 in population as determined by the 2000 Census. Accordingly, this notice hereby designates such areas as TMAs. Designated TMAs are subject to special planning and programming requirements. The FTA and the FHWA have developed a series of "Questions and Answers" related to applying 2000 Census data to Urbanized and Urban areas in the FTA and FHWA planning processes. More information can be found at <http://www.fhwa.dot.gov/planning/census/faq2cdt.htm> or <http://www.fta.dot.gov/library/planning/census/qa.html>. These requirements apply to the metropolitan planning area that must be determined jointly under 23 U.S.C. 134(c), and 49 U.S.C 5303(d).

Additional areas shall be designated as TMAs upon request of the Governor and the MPO or affected local officials. Notification of any additional TMAs will be issued through a Secretarial Memorandum to the appropriate State Governors and MPOs, not as a notice published in the **Federal Register**. The UZAs with populations over 200,000, which are hereby designated as TMAs, are listed below. Three areas were

previously designated TMAs at gubernatorial request; Santa Barbara, California; Southern New Jersey, New Jersey; and Petersburg, Virginia. Of these three areas, only Santa Barbara, California did not meet the statutory population threshold for formal designation. However, Santa Barbara continues to be designated as a TMA as a result of the previous request.

There have been significant changes in the Census 2000 universe of urbanized areas from those defined, based on the 1990 census and criteria. These changes include new areas, areas formed by splits or mergers, name changes, and areas with significant boundary changes.

For multi-state urbanized areas over 200,000 population, the urbanized area is listed under the State with the largest share of the population. However, the TMA designation applies to the entire multi-state urbanized area. Montgomery, Alabama was previously designated a TMA, but fell below 200,000 in population and thus no longer meets the minimum population threshold to be classified as a TMA and is not included in the list of TMAs. Lorain-Elyria, Ohio was also previously designated as a TMA but is not included in the current

list, since its Census designated population no longer meets the 200,000 threshold after a portion of the area has been absorbed by another, larger TMA (Cleveland).

The Census Bureau defined the Census 2000 urbanized areas using the criteria published in the **Federal Register** on March 15, 2002 (67 FR 11663). As a result of using these definitions, there were significant changes in the Census 2000 universe of urbanized areas from those defined, based on the 1990 census and criteria. A detailed description of the terminology and changes noted in the column entitled "Area Comparison to 1990 Census TMAs" is presented in the Census Bureau's notice of "Qualifying Urban Areas for Census 2000" in the **Federal Register** on May 1, 2002 (67 FR 21961).

**Authority:** 23 U.S.C. 315; 23 U.S.C. 134(i), 49 U.S.C. 5305, 49 CFR 1.48 and 1.51.

Issued on: July 1, 2002.

**Jennifer L. Dorn,**  
Federal Transit Administrator.

**Mary E. Peters,**  
Federal Highway Administrator.

State/urbanized area (UZA)	UZA 2000 population	Area comparison to 1990 Census TMAs; population
<b>Alabama</b>		
Birmingham, AL .....	663,615	No change.
Mobile, AL .....	317,605	No change.
Huntsville, AL .....	213,253	New TMA.
State Total .....	1,194,473	
<b>Alaska</b>		
Anchorage, AK .....	225,744	Reduced in Geographic Area.
State Total .....	225,744	
<b>Arizona</b>		
Phoenix—Mesa, AZ .....	2,907,049	No change.
Tucson, AZ .....	720,425	Reduced in Geographic Area.
State Total .....	3,627,474	
<b>Arkansas</b>		
Little Rock, AR .....	360,331	Name Change.
State Total .....	360,331	
<b>California</b>		
Los Angeles—Long Beach—Santa Ana, CA .....	11,789,487	TMA formed by UA split.
San Francisco—Oakland, CA .....	2,995,769	Increased in Geographic Area.
San Diego, CA .....	2,674,436	No change.
San Jose, CA .....	1,538,312	Reduced in Geographic Area.
Riverside—San Bernardino, CA .....	1,506,816	No change.
Sacramento, CA .....	1,393,498	No change.
Fresno, CA .....	554,923	No change.
Concord, CA .....	552,624	TMA formed by UA split.
Mission Viejo, CA .....	533,015	TMA formed by UA split.
Bakersfield, CA .....	396,125	No change.
Oxnard, CA .....	337,591	TMA formed by UA split.
Stockton, CA .....	313,392	No change.
Modesto, CA .....	310,945	No change.
Santa Rosa, CA .....	285,408	New TMA.
Lancaster—Palmdale, CA .....	263,532	New TMA.
Indio—Cathedral City—Palm Springs, CA .....	254,856	TMA formed by UA merger with Name Change.
San Rafael—Novato, CA .....	232,836	TMA formed by UA split.

State/urbanized area (UZA)	UZA 2000 population	Area comparison to 1990 Census TMAs; population
Temecula—Murrieta, CA .....	229,810	No change.
Antioch, CA .....	217,591	New TMA with Name Change.
Thousand Oaks, CA .....	210,990	TMA formed by UA split.
Victorville—Hesperia—Apple Valley, CA .....	200,436	New TMA with Name Change.
State Total .....	26,792,392	
Colorado		
Denver—Aurora, CO .....	1,984,887	Name Change.
Colorado Springs, CO .....	466,122	No change.
Fort Collins, CO .....	206,633	New TMA.
State Total .....	2,657,642	
Connecticut		
Bridgeport—Stamford, CT—NY .....	888,890	TMA formed by UA merger with Name Change.
Hartford, CT .....	851,535	TMA formed by UA merger with Name Change.
New Haven, CT .....	531,314	Name Change.
State Total .....	2,271,739	
Delaware		
State Total .....		
District of Columbia		
Washington, DC—VA—MD .....	3,933,920	Name Change.
State Total .....	3,933,920	
Florida		
Miami, FL .....	4,919,036	TMA formed by UA merger with Name Change.
Tampa—St. Petersburg, FL .....	2,062,339	Name Change.
Orlando, FL .....	1,157,431	Reduced in Geographic Area.
Jacksonville, FL .....	882,295	No change.
Sarasota—Bradenton, FL .....	559,229	No change.
Palm Bay—Melbourne, FL .....	393,289	No change.
Cape Coral, FL .....	329,757	Name Change.
Pensacola, FL—AL .....	323,783	Name Change.
Port St. Lucie, FL .....	270,774	TMA formed by UA merger with Name Change.
Daytona Beach—Port Orange, FL .....	255,353	Name Change.
Bonita Springs—Naples, FL .....	221,251	New TMA with Name Change.
Tallahassee, FL .....	204,260	New TMA.
State Total .....	11,578,797	
Georgia		
Atlanta, GA .....	3,499,840	No change.
Augusta—Richmond County, GA—SC .....	335,630	Name Change.
Columbus, GA—AL .....	242,324	No change.
Savannah, GA .....	208,886	New TMA, Reduced in Geographic Area.
State Total .....	4,286,680	
Hawaii		
Honolulu, HI .....	718,182	No change.
State Total .....	718,182	
Idaho		
Boise City, ID .....	272,625	New TMA.
State Total .....	272,625	
Illinois		
Chicago, IL—IN .....	8,307,904	TMA formed by UA merger with Name Change.
Rockford, IL .....	270,414	Increased in Geographic Area.
Peoria, IL .....	247,172	No change.
Round Lake Beach—McHenry—Grayslake, IL—WI .....	226,848	New TMA.
State Total .....	9,052,338	
Indiana		
Indianapolis, IN .....	1,218,919	No change.
Fort Wayne, IN .....	287,759	No change.
South Bend, IN—MI .....	276,498	Name Change.
Evansville, IN—KY .....	211,989	New TMA.
State Total .....	1,995,165	
Iowa		
Des Moines, IA .....	370,505	No change.
Davenport, IA—IL .....	270,626	Name Change.
State Total .....	641,131	
Kansas		

State/urbanized area (UZA)	UZA 2000 population	Area comparison to 1990 Census TMAs; population
Wichita, KS .....	422,301	No change.
State Total .....	422,301	
Kentucky		
Louisville, KY—IN .....	863,582	No change.
Lexington—Fayette, KY .....	250,994	No change.
State Total .....	1,114,576	
Louisiana		
New Orleans, LA .....	1,009,283	No change.
Baton Rouge, LA .....	479,019	No change.
Shreveport, LA .....	275,213	No change.
State Total .....	1,763,515	
Maine		
State Total.		
Maryland		
Baltimore .....	2,076,354	TMA formed by UA merger with Name Change.
State Total .....	2,076,354	
Massachusetts		
Boston, MA—NH—RI .....	4,032,484	TMA formed by UA merger with Name Change.
Springfield, MA—CT .....	573,610	No change.
Worcester, MA—CT .....	429,882	No change.
Barnstable Town, MA .....	243,667	New TMA.
State Total .....	5,279,643	
Michigan		
Detroit, MI .....	3,903,377	No change.
Grand Rapids, MI .....	539,080	No change.
Flint, MI .....	365,096	No change.
Lansing, MI .....	300,032	Name Change.
Ann Arbor, MI .....	283,904	No change.
State Total .....	5,391,489	
Minnesota		
Minneapolis—St. Paul, MN .....	2,388,593	No change.
State Total .....	2,388,593	
Mississippi		
Jackson, MS .....	292,637	Reduced in Geographic Area.
Gulfport—Biloxi, MS .....	205,754	New TMA.
State Total .....	498,391	
Missouri		
St. Louis, MO—IL .....	2,077,662	No change.
Kansas City, MO—KS .....	1,361,744	TMA formed by UA split.
Springfield, MO .....	215,004	New TMA.
State Total .....	3,654,410	
Montana		
State Total.		
Nebraska		
Omaha, NE—IA .....	626,623	No change.
Lincoln, NE .....	226,582	New TMA.
State Total .....	853,205	
Nevada		
Las Vegas, NV .....	1,314,357	No change.
Reno, NV .....	303,689	No change.
State Total .....	1,618,046	
New Hampshire		
State Total.		
New Jersey		
Atlantic City, NJ .....	227,180	New TMA.
Trenton, NJ .....	268,472	Name Change.
State Total .....	495,652	
New Mexico		
Albuquerque, NM .....	598,191	No change.
State Total .....	598,191	
New York		

State/urbanized area (UZA)	UZA 2000 population	Area comparison to 1990 Census TMAs; population
New York—Newark, NY—NJ—CT .....	17,799,861	Name Change, Reduced in Geographic Area.
Buffalo, NY .....	976,703	Name Change.
Rochester, NY .....	694,396	No change.
Albany, NY .....	558,947	Name Change.
Syracuse, NY .....	402,267	No change.
Poughkeepsie—Newburgh, NY .....	351,982	TMA formed by UA merger with Name Change.
State Total .....	20,784,156	
North Carolina		
Charlotte, NC—SC .....	758,927	Name Change, Increased in Geographic Area.
Raleigh, NC .....	541,527	No change.
Winston-Salem, NC .....	299,290	New TMA.
Durham, NC .....	287,796	No change.
Fayetteville, NC .....	276,368	No change.
Greensboro, NC .....	267,884	New TMA.
Asheville, NC .....	221,570	New TMA.
State Total .....	2,653,362	
North Dakota		
State Total.		
Ohio		
Cleveland, OH .....	1,786,647	No change.
Cincinnati, OH—KY—IN .....	1,503,262	Name Change, Increased in Geographic Area.
Columbus, OH .....	1,133,193	No change.
Dayton, OH .....	703,444	Increased in Geographic Area.
Akron, OH .....	570,215	Reduced in Geographic Area.
Toledo, OH—MI .....	503,008	No change.
Youngstown, OH—PA .....	417,437	TMA formed by UA merger with Name Change.
Canton, OH .....	266,595	No change.
State Total .....	6,883,801	
Oklahoma		
Oklahoma City, OK .....	747,003	No change.
Tulsa, OK .....	558,329	No change.
State Total .....	1,305,332	
Oregon		
Portland, OR—WA .....	1,583,138	Name Change.
Eugene, OR .....	224,049	New TMA.
Salem, OR .....	207,229	New TMA.
State Total .....	2,014,416	
Pennsylvania		
Philadelphia, PA—NJ—DE—MD .....	5,149,079	TMA formed by UA merger with Name Change.
Pittsburgh, PA .....	1,753,136	No change.
Allentown—Bethlehem, PA—NJ .....	576,408	Name Change.
Scranton, PA .....	385,237	Name Change.
Harrisburg, PA .....	362,782	No change.
Lancaster, PA .....	323,554	New TMA.
Reading, PA .....	240,264	New TMA.
State Total .....	8,790,460	
Rhode Island		
Providence, RI—MA .....	1,174,548	TMA formed by UA merger with Name Change.
State Total .....	1,174,548	
South Carolina		
Charleston—North Charleston, SC .....	423,410	Name Change.
Columbia, SC .....	420,537	No change.
Greenville, SC .....	302,194	No change.
State Total .....	1,146,141	
South Dakota		
State Total.		
Tennessee		
Memphis, TN—MS—AR .....	972,091	Name Change.
Nashville-Davidson, TN .....	749,935	Name Change.
Knoxville, TN .....	419,830	No change.
Chattanooga, TN—GA .....	343,509	No change.
State Total .....	2,485,365	
Texas		
Dallas—Fort Worth—Arlington, TX .....	4,145,659	Name Change.
Houston, TX .....	3,822,509	Increased in Geographic Area.

State/urbanized area (UZA)	UZA 2000 population	Area comparison to 1990 Census TMAs; population
San Antonio, TX .....	1,327,554	No change.
Austin, TX .....	901,920	No change.
El Paso, TX .....	674,801	No change.
McAllen, TX .....	523,144	Name Change.
Denton—Lewisville, TX .....	299,823	TMA formed by UA merger with Name Change.
Corpus Christi, TX .....	293,925	No change.
Lubbock, TX .....	202,225	New TMA.
State Total .....	12,191,560	
Utah		
Salt Lake City, UT .....	887,650	Reduced in Geographic Area.
Ogden—Layton, UT .....	417,933	Name Change, Increased in Geographic Area.
Provo—Orem, UT .....	303,680	No change.
State Total .....	1,609,263	
Vermont		
State Total .....		
Virginia		
Virginia Beach, VA .....	1,394,439	Name Change, Reduced in Geographic Area.
Richmond, VA .....	818,836	TMA formed by UA merger with Name Change.
State Total .....	2,213,275	
Washington		
Seattle, WA .....	2,712,205	TMA formed by UA split with UA merger.
Spokane, WA—ID .....	334,858	Name Change.
State Total .....	3,047,063	
West Virginia		
State Total .....		
Wisconsin		
Milwaukee, WI .....	1,308,913	No change.
Madison, WI .....	329,533	No change.
State Total .....	1,638,446	
Wyoming		
State Total .....		
Puerto Rico		
San Juan, PR .....	2,216,616	TMA formed by UA merger with Name Change.
Aguadilla—Isabela—San Sebastian, PR .....	299,086	New TMA with Name Change.
State Total .....	2,515,702	
U.S. Totals .....	163,700,187	
U.S. & Puerto Rico Totals .....	166,215,889	

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 BILLING CODE 4910-22-P

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

[Docket No. NHTSA 2002-11420, Notice 2]

**DaimlerChrysler Corporation, Inc., Grant of Application for Decision of Inconsequential Noncompliance**

DaimlerChrysler Corporation, Inc., (DaimlerChrysler) has determined that approximately 28,265 of its model year 2002 RS vehicles (Dodge and Chrysler mini-vans) do not meet the labeling requirements of paragraph S5.3 of Federal Motor Vehicle Safety Standard (FMVSS) No. 120 "Tire Selection and Rims for Motor Vehicles Other than Passenger Cars." Pursuant to 49 U.S.C. 30118(d) and 30120(h), DaimlerChrysler

has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR section 573, "Defect and Noncompliance Reports."

Notice of receipt of the application was published, with a 30-day comment period, on February 6, 2002, in the **Federal Register** (67 FR 5640). NHTSA received no comments.

DaimlerChrysler determined that the rim size was inadvertently omitted from the tire size designation included on the certification label affixed to 28,265 of its model year 2002 RS vehicles. The recommended tire size designation for these vehicles is P215/65R16. Due to an error in the printing process, the rim size designation number, specifically the number 16, was inadvertently omitted from the certification label. As a result, the recommended tire size designation on the vehicle's certification

label reads as "P215/65R," rather than "P215/65R16."

DaimlerChrysler believes that the noncompliance is inconsequential to motor vehicle safety for several reasons. First, the noncompliant 2002 RS vehicles were constructed with P215/65R16 tires. DaimlerChrysler believes that most vehicle owners, dealers, and tire service technicians would refer to the vehicles' existing tires (specifically P215/65 R16 tires) to determine the appropriate size for a replacement tire rather than to the certification label. Second, the certification label lists the complete designated rim size, including the rim diameter, appropriate for the P215/65 R16 tires.

The agency believes the true measure of inconsequentiality with respect to the noncompliance with FMVSS No. 120, paragraph S5.3, is whether the tire rim size information is indicated to the consumer on the certification label. Normally, both the tire size and rim