

component on vehicles that are not already so equipped; (c) replacement and initialization of the system to accept the new instrument cluster; and (d) activation of the warning system.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: (a) Installation of U.S.-model headlamps and front sidemarker lamps; (b) installation of U.S.-model taillamp assemblies and sidemarker lights; and (c) modification of the high mounted stop lamp if necessary.

Standard No. 111 *Rearview Mirror*: Inscription of the required warning statement on the passenger side rearview mirror or replacement of that mirror with one on which the required statement is already etched.

Standard No. 114 *Theft Protection*: Programming the vehicles to activate the key warning and belt warning systems.

Standard No. 120 *Tire Selection and Rims for Motor Vehicles other than Passenger Cars*: Installation of a tire information placard.

Standard No. 208 *Occupant Crash Protection*: (a) Reprogramming the seat belt warning systems to activate in the proper manner; (b) inspection of all vehicles upon importation and replacement of the driver's and passenger's side airbags, knee bolsters, control units, sensors, and seat belts with U.S.-model components on vehicles that are not already so equipped. The petitioner stated that the vehicles are equipped at the front and rear outboard seating positions with combination lap and shoulder belts that are automatic, self-tensioning, and released by means of a single red push-button, and with a lap belt in the rear center seating position.

Standard No. 301 *Fuel System Integrity*: The petitioner states that compliance with the standard will be achieved through modifications, made only with U.S.-model components, to meet Environmental Protection Agency (EPA) onboard diagnostics (OBDII), onboard vapor recovery (ORVR), fuel spit back, and enhanced fuel evaporation tests. According to the petitioner, these systems will control all fuel leaks in the event of an impact.

The petitioner states that a vehicle identification plate must be affixed near the left windshield post and a reference and certification label must be affixed in the area of the left door post to meet the vehicle identification number (VIN) requirements of 49 CFR Part 565.

Interested persons are invited to submit comments on the petition described above. Comments should refer to the docket number and be submitted to: Docket Management, Room PL-401, 400 Seventh St., SW., Washington, DC

20590. (Docket hours are from 9 am to 5 pm). It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: August 23, 2002.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 02-21979 Filed 8-27-02; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34079]

San Jacinto Rail Limited Construction Exemption and The Burlington Northern and Santa Fe Railway Company Operation Exemption—Build-Out To The Bayport Loop Near Houston, Harris County, TX

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice of exemption.

SUMMARY: Under 49 U.S.C. 10502, the Board conditionally exempts from the prior approval requirements of 49 U.S.C. 10901 the construction by San Jacinto Rail Limited and the operation by The Burlington Northern and Santa Fe Railway Company of a 12.8-mile line of railroad serving the Bayport Industrial District in southeast Houston, Harris County, TX, near Galveston Bay. The line will connect the Bayport Loop with the former Galveston, Henderson and Houston Railroad line now owned by Union Pacific Railroad Company near the southeast corner of Ellington Field.

DATES: The exemption is subject to our further consideration of the anticipated environmental impacts of the proposal and will not become effective until the environmental review process is completed. Once that process is completed, the Board will issue a further decision addressing the environmental issues and making the exemption effective at that time, if appropriate, subject to any necessary

conditions. Petitions to reopen must be filed by September 17, 2002.

ADDRESSES: Send comments (an original and 10 copies) referring to STB Finance Docket No. 34079, to: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, send one copy of comments to applicants' representatives: (1) Richard E. Weicher, The Burlington Northern and Santa Fe Railway Company, 2500 Lou Menk Drive, Third Floor, Fort Worth Texas, 76131-0039; and (2) Erika Z. Jones, Mayer, Brown, Rowe & Maw, 1909 K Street, NW., Washington, DC 20006.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 565-1600. [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Da 2 Da Legal Copy Service, Room 405, 1925 K Street, NW., Washington, DC 20006. Telephone: (202) 293-7776. [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.]

Board decisions and notices are available on our Web site at WWW.STB.DOT.GOV.

Decided: August 19, 2002.

By the Board, Chairman Morgan and Vice Chairman Burkes.

Vernon A. Williams,
Secretary.

[FR Doc. 02-21548 Filed 8-27-02; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Transportation Security Administration

[Docket No. TSA-2002-11604]

Security Programs for Aircraft 12,500 Pounds or More

AGENCY: Transportation Security Administration (TSA), DOT.

ACTION: Notice.

SUMMARY: This action establishes a schedule for comments on a security program for operators of aircraft with a maximum certificated takeoff weight of 12,500 or more pounds, and the date on which operators must comply with the security program once it is issued in final form.

DATES: Comments to the proposed security program may be submitted to TSA from August 30 through September 30, 2002.

Security program compliance date: December 1, 2002.

ADDRESSES: Address all comments concerning this action to Nouri Larbi, Aviation Security Regulations and Policy, Room 323, Transportation Security Administration, 800 Independence Avenue, SW., Washington, DC 20591. Please be sure to submit two copies of your comments.

FOR FURTHER INFORMATION CONTACT: Nouri Larbi, telephone: (202) 267-8543, facsimile (202) 267-5359, nouri.larbi@faa.gov.

SUPPLEMENTARY INFORMATION: On February 22, 2002, TSA published a final rule in the **Federal Register** (67 FR 8205), known as the "Twelve-Five Rule," that, in part, required new security measures for operators of aircraft with a maximum certificated takeoff weight of 12,500 pounds or more. Under the rule, these operators must adopt and carry out certain security measures approved by TSA, generally known as the "Twelve-Five Security Program."

As published, the effective date of the Twelve-Five Rule was June 24, 2002. This document does not alter that date. As discussed below, it is now necessary to establish a date for comments on a proposed security program and a date on which aircraft operators must implement the final TSA-approved Twelve-Five Security Program. Security programs constitute sensitive security information (SSI), which are disclosed only to persons with a need to know, in accordance with 49 CFR part 1520. Therefore, the Twelve-Five Security Program will be distributed for comment only to affected operators.

The twelve-five rule was issued as a no-notice final rule, and so the amount of time allotted for operators to comment on a proposed security plan and for TSA to revise it if necessary has been shorter than usual. In addition, many of the aircraft operators subject to the rule have not been subject to security program requirements in the past, and so they may need more time to develop compliant internal procedures.

TSA has developed a proposed Twelve-Five Security Program and is in the process of providing the proposed Twelve-Five Security Program to these operators. These operators will have thirty days, from August 30 to September 30, to comment on the proposed security program. TSA will consider all comments, revise the program as needed, and issue a final security program by October 31, 2002. The operators must adopt and

implement the final security program by December 1, 2002.

It is important to note that the compliance dates established for the other requirements in Docket No. TSA-2002-11604 published in February 2002, are not changed. The compliance date for 49 CFR 1544.230, regarding criminal history records checks for flightcrew members, remains December 6, 2002. *See* § 1544.230(k). The compliance date for § 1544.237, regarding flight deck privileges, remains June 24, 2002.

Issued in Washington, DC, on August 21, 2002.

J.M. Loy,

Acting Under Secretary of Transportation for Security.

[FR Doc. 02-21978 Filed 8-27-02; 8:45 am]

BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Transportation Security Administration

[Docket No. TSA-2002-12394]

Security Program for Certain Private Charter Operations

AGENCY: Transportation Security Administration (TSA), DOT.

ACTION: Notice.

SUMMARY: This notice establishes dates for submission of comments on and implementation of a security program for operators of aircraft engaged in private charter passenger operations with a maximum certificated takeoff weight of 95,000 pounds or more.

DATES: Comments may be submitted to TSA from August 30 through September 30, 2002.

Security program compliance date: December 1, 2002.

ADDRESSES: Address all comments concerning this action to Nouri Larbi, Aviation Security Regulations and Policy, Room 323, Transportation Security Administration, 800 Independence Avenue, SW., Washington, DC 20591. Please be sure to submit two copies of your comments.

FOR FURTHER INFORMATION CONTACT: Nouri Larbi, telephone (202) 267-8543, facsimile (202) 267-5359, e-mail nouri.larbi@faa.gov.

SUPPLEMENTARY INFORMATION: On June 19, 2002, TSA published a no-notice final rule in the **Federal Register** (67 FR 41635) that, in part, requires new security measures for private charter passenger operators using aircraft with a maximum certificated takeoff weight of 95,000 pounds or more. Under the rule, these operators must adopt and carry

out a security program approved by TSA to address passenger and accessible property screening. As published, the effective date of the rule is August 19, 2002, and this document does not change that effective date. For the reasons explained below, it is now necessary to establish a comment period for the proposed program and a date on which affected operators must implement the approved security program.

Security programs constitute sensitive security information (SSI), which can be disclosed only to persons with a need to know, in accordance with 49 CFR part 1520. Therefore, the private charter security program will be distributed for comment only to the affected operators.

Since publication of the rule in June, TSA has received comments and inquiries concerning passenger and accessible property screening on private charter operations. The commenters state that there are a variety of unique characteristics among passenger charter operations that make typical passenger and property screening in an airport terminal difficult or impracticable. For instance, some charters must depart at odd hours when airport terminals are closed. Some charters transport passengers with medical conditions that require equipment that would not be permitted aboard the cabin of a non-2 charter passenger aircraft. Many charters depart from remote locations where screening checkpoints do not exist.

As a result of these comments, TSA will develop a final security program that accommodates the unique characteristics of charter operations and effectively addresses aviation security. Additional time is needed to adequately assess alternative programs and many charter operators will need time to establish appropriate internal screening procedures. The affected operators may comment on TSA's proposed security program from August 30 through September 30, 2002. TSA will review all comments received, revise the program as needed, and issue the final security program on or before October 30, 2002. The affected charter operators will have 30 days, until December 1, 2002, to implement the final security program.

Issued in Washington, DC, on August 21, 2002.

J.M. Loy,

Acting Under Secretary of Transportation for Security.

[FR Doc. 02-21977 Filed 8-27-02; 8:45 am]

BILLING CODE 4910-62-P