

the mirror with one that is already so marked.

Standard No. 118 *Power Window Systems*: Inspection of all vehicles and modification of the wiring system, where necessary, to ensure compliance with the standard.

Standard No. 119 *New Pneumatic Tires for Vehicles other than Passenger Cars*: Inspection of all vehicles to ensure compliance with the standard.

Standard No. 120 *Tire Selection and Rims for Vehicles other than Passenger Cars*: Inspection of all vehicles to ensure compliance with the standard. The petitioner asserts that the tires and rims on the non-U.S. certified vehicle it has examined are properly marked.

Standard No. 201 *Occupant Protection in Interior Impact*: Inspection of all vehicles and replacement of any components subject to the standard that are not identical to those found on the vehicle's U.S.-certified counterpart. The petitioner asserts that those components on the non-U.S. certified vehicle it has examined are identical to those found on the vehicle's U.S.-certified counterpart.

Standard No. 208 *Occupant Crash Protection*: Inspection of all vehicles and modification, as necessary, to ensure compliance with the standard. The petitioner asserts that the occupant crash protection system on the non-U.S. certified vehicle it has examined is identical to that found on the vehicle's U.S.-certified counterpart.

Standard No. 209 *Seat Belt Assemblies*: Inspection of all vehicles and modification, as necessary, to ensure compliance with the standard. The petitioner asserts that the seat belt assemblies on the non-U.S. certified vehicle it has examined are in compliance with the standard.

Standard No. 214 *Side Impact Protection*: Inspection of all vehicles and modification, as necessary, to ensure compliance with the standard. The petitioner asserts that the door beams on the non-U.S. certified vehicle it has examined are identical to those found on the vehicle's U.S.-certified counterpart.

Standard No. 301 *Fuel System Integrity*: Installation of an OEM rollover valve to meet the requirements of the standard.

The petitioner states that a certification label must be affixed to the driver's side door pillar to meet the requirements of the vehicle certification regulations in 49 CFR part 567.

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 a.m. to 5 p.m.]. 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 February 9, 2004.

Kenneth N. Weinstein,

Associate Administrator for Enforcement.

[FR Doc. 04-3118 Filed 2-11-04; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34460]

Eyal Shapira—Continuance in Control Exemption—Pennsylvania & Southern Railway, LLC

Eyal Shapira (Shapira), has filed a verified notice of exemption to continue in control of Pennsylvania & Southern Railway, LLC (P&S), upon P&S becoming a Class III rail carrier.

The transaction was expected to be consummated on February 1, 2004.

This transaction is related to the concurrently filed verified notice of exemption in STB Finance Docket No. 34461, *Pennsylvania & Southern Railway, LLC—Operation Exemption—Franklin County General Authority*. In that proceeding, P&S seeks to operate approximately 25 miles of track and right-of-way and associated property (occupying approximately 1,200 acres of land) located inside the Cumberland Valley Business Park and the Letterkenny Army Depot in Chambersburg, PA, which is owned by the Franklin County General Authority, a municipal authority in the Commonwealth of Pennsylvania.

Shapira currently controls two Class III rail carriers: New York & Eastern Railway LLC and Raritan Central Railway, LLC, operating in Dutchess County, NY, and Middlesex County, NJ, respectively.

Shapira states that: (1) The railroads do not connect with each other or any railroad in their corporate family; (2) the

continuance in control is not part of a series of anticipated transactions that would connect the railroads with each other or any railroad in their corporate family; and (3) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

If the verified notice 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. 34460, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on John D. Heffner, 1920 N Street, NW., Suite 800, Washington, DC 20036.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: February 5, 2004.

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

Vernon A. Williams,

Secretary.

[FR Doc. 04-2938 Filed 2-11-04; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34461]

Pennsylvania & Southern Railway, LLC—Operation Exemption—Franklin County General Authority

Pennsylvania & Southern Railway, LLC (P&S), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to operate, pursuant to an agreement with the Franklin County General Authority, a municipal authority in the Commonwealth of Pennsylvania, approximately 25 miles of track and right-of-way and associated property (occupying approximately