DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number 2004 17759]

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 SOJOURN.

SUMMARY: As authorized by Pub. L. 105–383 and Pub. L. 107–295, 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 brief description of the proposed service, is listed below. The complete application is given in DOT docket 2004–17559 at *http://dms.dot.gov.* 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, in accordance with Pub. L. 105–383 and MARAD's regulations at 46 CFR part 388 (68 FR 23084; April 30, 2003), 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 in that business, a waiver will not be granted. 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.

DATES: Submit comments on or before May 20, 2004.

ADDRESSES: Comments should refer to docket number MARAD–2004 17559. 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: Michael Hokana, U.S. Department of Transportation, Maritime Administration, MAR–830 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202–366–0760.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel SOJOURN is:

Intended Use: "Minor chartering for private individuals."

Geographic Region: "Narraganset Bay-Block Island Sound."

Dated: April 14, 2004.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 04–8853 Filed 4–19–04; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number 2004–17556]

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 STV UNICORN.

SUMMARY: As authorized by Public Law 105–383 and Public Law 107–295, 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 brief description of the proposed service, is listed below. The complete application is given in DOT docket 2004–17556 at *http://dms.dot.gov.* 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, in accordance with Public Law 105–383 and MARAD's regulations at 46 CFR Part 388 (68 FR 23084; April 30, 2003), 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 in that business, a waiver will not be granted. 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.

DATES: Submit comments on or before May 20, 2004.

ADDRESSES: Comments should refer to docket number MARAD–2004 17556. 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: Michael Hokana, U.S. Department of Transportation, Maritime Administration, MAR–830 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202–366–0760.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel STV UNICORN is:

Intended Use: "Executive leadership development, sail training on traditional wind ship, tall ship event vessel."

Geographic Region: "East Coast, New England including Long Island Sound."

Dated: April 13, 2004.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 04–8849 Filed 4–19–04; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number 2004 17553]

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 WHISPER.

SUMMARY: As authorized by Pub. L. 105–383 and Pub. L. 107–295, 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 brief description of the proposed service, is listed below. The complete application is given in DOT docket 2004–17553 at *http://dms.dot.gov.* 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, in accordance with Pub. L. 105–383 and MARAD's regulations at 46 CFR part 388 (68 FR 23084; April 30, 2003), 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 in that business, a waiver will not be granted. 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.

DATES: Submit comments on or before May 20, 2004.

ADDRESSES: Comments should refer to docket number MARAD–2004–17553. 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: Michael Hokana, U.S. Department of Transportation, Maritime Administration, MAR–830 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202–366–0760.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel *WHISPER* is:

Intended Use: "Sailing charters."

Geographic Region: "Great Lakes and U.S. inland waters."

Dated: April 14, 2004.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 04–8852 Filed 4–19–04; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2004–17539; Notice 1]

Delphi Corporation, Receipt of Petition for Decision of Inconsequential Noncompliance

Delphi Corporation (Delphi), has determined that at least one of the fittings on the ends of certain brake hose assemblies that it produced between January 2001 and February 2004 do not comply with S5.2.4 and S5.2.4.1 of 49 CFR 571.106, Federal Motor Vehicle Safety Standard (FMVSS) No. 106, "Brake hoses." Delphi has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Delphi has petitioned for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of Delphi's petition 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 petition.

Affected are a total of approximately 1534 aftermarket brake hoses produced between January 2001 and February 2004. S5.2.4 requires that:

> Each hydraulic brake hose assembly, except those sold as part of a motor vehicle, shall be labeled by means of a band around the brake hose assembly as specified in this paragraph or, at the option of the manufacturer, by means of labeling as specified in S5.4.1.

S5.4.1 states that:

> At least one end fitting of a hydraulic brake hose assembly shall be etched, stamped or embossed with a designation at least one-sixteenth of an inch high that identifies the manufacturer of the hose assembly.

Delphi believes that the noncompliance is inconsequential to motor vehicle safety, and that no corrective action is warranted. Delphi states that the subject brake hose assemblies meet the functional performance requirements of the standard for the hose, the fittings, and the assembly, and therefore will perform exactly as intended in the vehicle and will not in any way affect the safety of the vehicle. Delphi further states that the label on the brake hose fitting is redundant to the label on the brake hose itself when the manufacturer of the hose and the fitting are the same, and in this case the same manufacturer's logo that should be on the fittings is printed on all of the hose that is part of the same assembly.

Delphi states that, since S5.2.4 allows a band to be placed around the hose as an alternative to embossing the logo on one of the fittings, if the S5.2.4 option had been used, the band would be placed on top of the brake hose which already contains the same logo, which appears to be redundant. Delphi also asserts that, since the brake hose assemblies at issue are only sold by the vehicle manufacturer's parts division, if the vehicle owner desired to know the brake hose assembly manufacturer, the vehicle manufacturer could provide this information. Delphi states that since these brake hoses are specific to a specific vehicle, and are not sold at normal consumer automotive retail outlets, the person desiring to replace the brake hose assembly could only find them at the vehicle manufacturer's authorized outlet.

Delphi also states:

> There is precedence [sic] for finding that label requirements that are required by Crash Avoidance Standards (the 100 series) do not rise to the level of an unreasonable risk to motor vehicle safety. For example, in the tire standards it often happens that the tire is either not labeled or even mislabeled. NHTSA has consistently found that knowledgeable mechanics would not be misled in such cases and would install the proper tires even if the tire on the vehicle were mislabeled. In this case the vehicle manufacturer's outlet in most cases * * * is the automotive dealer [who] would look up the part number based on the model, the model year, and perhaps with specific equipment. The identification of the brake hose assembly manufacturer would not even come into play.
>
> The Motor Vehicle Safety Act S30117(b) requires manufacturers of motor vehicles and tires to maintain records of purchasers; however, no such requirement exists for other types of equipment. In those cases where a brake hose is replaced in a dealership, it might be possible to identify the owners of those vehicles; assuming that the vehicle was not sold after the brake hose assembly was replaced. In other cases where someone replaces the brake hose assembly oneself or after the warranty period has expired using a garage or body shop to replace them, it is not likely that the owner could be determined. This means that a percentage of the owners of the total brake hose assemblies replaced could not be identified for a recall.

Delphi also states that it is not aware of any vehicle customer complaints or any vehicle crashes that are a result of the absence of the logo in question.

Interested persons are invited to submit written data, views, and arguments on the petition described above. Comments must refer to the