

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 July 19, 2004.

**ADDRESSES:** Comments should refer to docket number MARAD-2004-18071. 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 WILLIAM H ALBURY is:

*Intended Use:* "Sail training/Private sailing charters."

*Geographic Region:* "Southeast Florida."

Dated: June 10, 2004.

By order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 04-13646 Filed 6-16-04; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Reports, Forms and Record Keeping Requirements; Agency Information Collection Activity Under OMB Review

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collections and their expected burden. The **Federal Register** notice with a 60-day comment period was published on February 26, 2004 (69 FR 9015).

*Comments:* Comments should be directed to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

*Type of Request:* Extension of a currently approved collection.

*Form Number:* This collection of information uses no standard forms.

**DATES:** Comments must be submitted on or before July 19, 2004.

**FOR FURTHER INFORMATION CONTACT:** Michael Kido, National Highway Traffic Safety Administration, Office of the Chief Counsel (NCC-111), (202) 366-5263, 400 Seventh Street, SW., Room 5219, Washington, DC 20590.

#### SUPPLEMENTARY INFORMATION:

##### National Highway Traffic Safety Administration

*Title:* Criminal Penalty Safe Harbor Provision.

*OMB Control Number:* 2127-0609.

*Frequency:* We believe that there will be very few criminal prosecutions under section 30170, given its elements. Accordingly, it is not likely to be a substantial motivating force for a submission of a corrected report in response to an agency request for information. See Summary of the Collection of Information below. Based on our experience to date, we estimate that no more than 1 person per year would be subject to this collection of information, and we do not anticipate receiving more than one report a year from any particular person.

*Affected Public:* This collection of information would apply to any person who seeks a "safe harbor" from potential criminal liability under 49 U.S.C. 30170. Thus, the collection of information could apply to the manufacturers, any officers or employees thereof, and other persons who respond or have a duty to respond to an information provision requirement pursuant to 49 U.S.C. 30166 or a regulation, requirement, request or order issued thereunder.

*Abstract:* NHTSA has published a final rule related to "reasonable time"

and sufficient manner of "correction," as they apply to the safe harbor from criminal penalties, as required by Section 5 of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act (Pub. L. 106-414), which was enacted on November 1, 2000. 65 FR 38380 (July 24, 2001).

*Estimated Annual Burden:* Using the above estimate of 1 affected person a year, with an estimated two hours of preparation to collect and provide the information, at an assumed rate of \$25 an hour, the annual, estimated cost of collecting and preparing the information necessary for 1 complete "safe harbor" corrections is about \$50. Adding in a postage cost of \$0.37 (1 report at a cost of 37 cents to mail each one), we estimate that it will cost \$50.37 a year for persons to prepare and submit the information necessary to satisfy the safe harbor provision of 49 U.S.C. 30170.

Since nothing in this rule would require those persons who submit reports pursuant to this rule to keep copies of any records or reports submitted to us, the cost imposed to keep records would be zero hours and zero costs.

*Number of Respondents:* We estimate that there will be no more than 1 per year.

*Summary of the Collection of Information:* Any person seeking protection from criminal liability under 49 U.S.C. 30170 related to an improper report or failure to report pursuant to 49 U.S.C. 30166, or a regulation, requirement, request or order issued thereunder, will be required to report the following information to NHTSA: (1) Each previous improper item of information or document and each failure to report that was required under 49 U.S.C. 30166, or a regulation, requirement, request or order issued thereunder, (2) the specific predicate under which each improper or omitted report should have been provided, and (3) the complete and correct reports, including all information that was improperly submitted or that should have been submitted and all relevant documents that were not previously submitted to NHTSA or, if the person cannot provide this, then a full detailed description of that information or of the content of those documents and the reason why the individual cannot provide them to NHTSA.

**ADDRESSES:** Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

*Comments are invited on:* Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. A Comment to OMB is most effective if OMB receives it within 30 days of publication.

Issued on June 10, 2004.

**Jacqueline Glassman,**  
Chief Counsel.

[FR Doc. 04-13610 Filed 6-16-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Discretionary Cooperative Agreement To Support the Demonstration of a Model Impaired Driving Records Information System

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

**ACTION:** Announcement of a discretionary cooperative agreement opportunity to support the demonstration of a model impaired driving records information system and to evaluate its efficiency and effectiveness.

**SUMMARY:** The National Highway Traffic Safety Administration (NHTSA) announces a discretionary cooperative agreement opportunity to solicit support for the demonstration of a model impaired driving records information system and to evaluate its efficiency and effectiveness. NHTSA is concerned that without a current and accurate record of driver information, it is difficult for law enforcement agencies, licensing agencies, the criminal justice system, and others to make sound decisions on how to respond to and take the appropriate action against drivers demonstrating unsafe behavior on the roadways. NHTSA solicits applicable State agencies (*i.e.*, law enforcement agencies, the judiciary (judges, probation officers and prosecutors), Motor Vehicle Administrations or Departments of Motor Vehicles (DMVs), highway safety offices, and others, or a consortium of the above.

**DATES:** Applications must be received no later than July 20, 2004, at 1 p.m., eastern standard time.

**ADDRESSES:** Applications must be submitted to the U.S. Department of Transportation, National Highway Traffic Safety Administration, Office of Contracts and Procurement (NPO-220), ATTN: April L. Jennings, 400 Seventh Street, SW., Room 5301, Washington, DC 20590. All applications must include reference to NHTSA Cooperative Agreement Number DTNH22-04-H-05110.

**FOR FURTHER INFORMATION CONTACT:**

Questions may be directed to Ms. April L. Jennings, Office of Contracts and Procurement, NPO-220, 400 Seventh Street, SW., 20590 by e-mail (preferred method) at [April.Jennings@NHTSA.DOT.GOV](mailto:April.Jennings@NHTSA.DOT.GOV) or by phone at (202) 366-9571. Interested parties are advised that no separate application packages exist beyond the contents of this announcement.

**SUPPLEMENTARY INFORMATION:**

#### Background

The mission of the National Highway Traffic Safety Administration (NHTSA) is to reduce deaths, injuries, and economic losses resulting from motor vehicle crashes. Each year, more than 1.4 million drivers are arrested for alcohol-impaired driving in the U.S. States bear the primary responsibility for enacting impaired driving laws and enforcing, adjudicating, and imposing sanctions against offenses. The driver license and licensing process provides a basis for driver control measures. During the 1950's, all States implemented an examination with road test as a condition of obtaining a driver license. License actions have become a central component of efforts to deter drinking and driving. Driver license sanctions are now almost universally used either administratively or through the judicial system. The effects of license suspension/revocation are short and long-term. The loss of the offender's privilege to drive by suspending or revoking a license for driving while intoxicated (DWI) has proven successful in reducing drinking and driving behavior. Although vehicle-based sanctions (*e.g.*, ignition interlock devices and the forfeiture, or impoundment of offenders' vehicles) hold great promise as deterrent measures, States rely heavily on removal of the offender's license as a primary penalty for DWI, because it is the most cost-effective sanction available, particularly when applied to first-time offenders.

There are also instances in some States where license withdrawal is required as a penalty for offenses that lie outside the ambit of typical motor vehicle laws (*e.g.*, use of a motor vehicle in the commission of a felony, motor vehicle theft, discharging a firearm from a motor vehicle, committing an immoral act in which a motor vehicle was used, advocating the overthrow of the government, defacing public or private property, non-payment of child support, withdrawal from high school, and illegal use of alcohol and other drugs). Often these violations and other driver history information are not transmitted to relevant agencies within state jurisdictions or between the States. This omission hinders roadside enforcement, the identification of problem drivers, and ultimately, the safety of others.

While the transmission of this type of information is critical, it must be timely, accurate, reliable, and complete to be effective. Timely and accurate information is essential to the adjudication process. Decisions regarding licensing actions and penalties need to be based on an individual's complete driving history. Persons previously convicted of a variety of traffic offenses and violations should be sanctioned differently than those with no or otherwise minor traffic offenses. A fully developed driver history records information system for impaired driving would be a powerful tool for States to assist in developing an effective system of deterrence for the impaired driver. Yet, few States have such a system. For example, delays in reporting or exchanging information regarding the disposition of traffic citations between the courts and licensing agencies commonly last six months or longer—sufficient time for a driver to commit additional traffic offenses. “At-risk” drivers continue to drive virtually undetected, putting others at risk of death, injury, or loss of property.

NHTSA is concerned that without a current and accurate record of driver information, it is difficult for law enforcement agencies, licensing agencies and others in the criminal justice system to make sound decisions on how to respond to drivers demonstrating unsafe behavior on the roadways. To correct this deficiency, NHTSA developed a model for an Impaired Driving Records Information System and an implementation guide that allows for accurate, reliable, and timely exchange and transmission of data between the law enforcement agencies, the courts, and the DMVs. In addition, model requirements identify core and essential data elements,