

Grant, 6/9/2004, Exemption No. 5487F.

Docket No.: FAA-2004-18018.

Petitioner: Crossville Memorial Airport.

Section of 14 CFR Affected: 14 CFR 135.251, 135.255, 135.353, and appendices I and J to part 121.

Description of Relief Sought/

Disposition: To permit Crossville Memorial Airport to conduct local sightseeing flights at the Crossville Airport, Crossville, TN, for charity on June 12, 2004, for compensation or hire, without complying with certain anti-drug and alcohol misuse prevention requirements of part 135.

Grant, 6/9/2004, Exemption No. 8340.

Docket No.: FAA-2004-17923.

Petitioner: EAA Warbirds of America Squadron 14, Inc.

Section of 14 CFR Affected: 14 CFR 61.63(d)(5).

Description of Relief Sought/

Disposition: To permit EAA Warbirds of America Squadron 14, Inc. (Squadron 14), pilots to conduct nonstop sightseeing or demonstration flights for compensation or hire within 25 statute miles of the departure airport in Squadron 14's Douglas DC-3 (DC-3) airplane (registration No. N2805J, serial No. 20835) without those pilots having completed the practical test for a DC-3 type rating in actual or simulated instrument conditions.

Denial, 6/8/2004, Exemption No. 8339.

Docket No.: FAA-2004-18021.

Petitioner: Safari Aviation, Inc.

Section of 14 CFR Affected: 14 CFR 135.143(c)(2).

Description of Relief Sought/

Disposition: To permit Safari Aviation, Inc., to operate certain aircraft under part 135 without a TSO-C112 (Mode S) transponder installed on those aircraft.

Grant, 6/8/2004, Exemption No. 8338.

Docket No.: FAA-2004-17389.

Petitioner: Red Baron Flyers, Inc.

Section of 14 CFR Affected: 14 CFR 135.251, 135.255, and 135.353, and appendices I and J to part 121.

Description of Relief Sought/

Disposition: To permit Red Baron Flyers, Inc., a nonprofit organization, to conduct local sightseeing flights at its annual Fly-In Breakfast at the Houston County Airport, during, June 2004, for compensation or hire, without complying with certain anti-drug and alcohol misuse prevention requirements of part 135.

Grant, 6/18/2004, Exemption No. 8346.

Docket No.: FAA-2003-16343.

Petitioner: Angel Flight South Central.

Section of 14 CFR Affected: 14 CFR 61.113(d)(1)(i), (ii), and (6).

Description of Relief Sought/

Disposition: To permit Angel Flight South Central (AFSC) to solicit funds from numerous corporations to support individual missions flown by AFSC pilots.

Denial, 06/21/2004, Exemption No. 8347.

[FR Doc. 04-15550 Filed 7-7-04; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Air Traffic Procedures Advisory Committee

AGENCY: Federal Aviation Administration (FAA), DOT.

SUMMARY: The FAA is issuing this notice to advise the public that a meeting of the Federal Aviation Air Traffic Procedures Advisory Committee (ATPAC) will be held to review present air traffic control procedures and practices for standardization, clarification, and upgrading of terminology and procedures.

DATES: The meeting will be held from Tuesday, July 13, 2004, from 2 p.m. to 4:30 p.m. and Wednesday, July 14, 2004, from 9 a.m. to 4:30 p.m.

ADDRESSES: The meeting will be held at the SeaTac Towers Office Complex, 17930 Pacific Highway S., SeaTac Tower II., Bldg#: 7-181, Seattle, WA 98188.

FOR FURTHER INFORMATION CONTACT: Ms. Sabra Kaulia, Executive Director, ATPAC, System Operations and Safety, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-9205.

SUPPLEMENTARY INFORMATION: Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463; 5 U.S.C. App.2), notice is hereby given of a meeting of the ATPAC to be held Tuesday, July 13, 2004, from 2 p.m. to 4:30 p.m. and Wednesday, July 14, 2004, from 9 a.m. to 4:30 p.m. The agenda for this meeting will cover: a continuation of the Committee's review of present air traffic control procedures and practices for standardization, clarification, and upgrading of terminology and procedures. It will also include:

1. Approval of Minutes.
2. Submission and Discussion of Areas of Concern.
3. Discussion of Potential Safety Items.
4. Report from Executive Director.
5. Items of Interest.
6. Discussion and agreement of location and dates for subsequent meetings.

Attendance is open to the interested public but limited to space available. With the approval of the Chairperson, members of the public may present oral statements at the meeting. Persons desiring to attend and persons desiring to present oral statements should notify the person listed above not later than July 7, 2004. The next quarterly meeting of the FAA ATPAC is planned to be held from October 4-7, 2004, in Washington, DC.

Any member of the public may present a written statement to the Committee at any time at the address given above.

Issued in Washington, DC, on June 28, 2004.

Sabra Kaulia,

Executive Director, Air Traffic Procedures Advisory Committee.

[FR Doc. 04-15558 Filed 7-7-04; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2004-17539; Notice 2]

Delphi Corporation, Grant 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." Pursuant to 49 U.S.C. 30118(d) and 30120(h), Delphi has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." Notice of receipt of the petition was published, with a 30 day comment period, on April 20, 2004 in the **Federal Register** (69 FR 21185). NHTSA received no comments.

Delphi produced approximately 1534 aftermarket brake hose assemblies between January 2001 and February 2004 that did not have the manufacturer's logo embossed on the fitting. 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 S5.2.4.1.

S5.2.4.1 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 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.

The agency agrees that the noncompliance of the brake hose assemblies is inconsequential to motor vehicle safety. Because the manufacturer of the hose and the fitting are the same, and the manufacturer's logo that should be on the fitting is printed on all of the hose that is part of the assembly, in this particular case the label on the brake hose fitting is redundant to the label on the brake hose itself. Delphi has corrected the problem.

In consideration of the foregoing, NHTSA has decided that the petitioner has met its burden of persuasion that the noncompliance described is inconsequential to motor vehicle safety. Accordingly, Delphi's petition is granted and the petitioner is exempted from the obligation of providing notification of, and a remedy for, the noncompliance.

Authority: (49 U.S.C. 30118, 30120; delegations of authority at CFR 1.50 and 501.8).

Issued on: July 1, 2004.

Kenneth N. Weinstein,
Associate Administrator for Enforcement.
[FR Doc. 04-15563 Filed 7-7-04; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA 2004-17439; Notice 2]

Kia Motors America, Inc. and Kia Motors Corp., Grant of Petition for Decision of Inconsequential Noncompliance

Kia Motors America, Inc. and Kia Motors Corp. (Kia) have determined that certain vehicles that Kia produced do not comply with provisions of Federal Motor Vehicle Safety Standard (FMVSS) Nos. 101, "Controls and displays," 105, "Hydraulic and electric brake systems," and 135, "Passenger car brake systems." Pursuant to 49 U.S.C. 30118(d) and 30120(h), Kia has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." Notice of receipt of the petition was published with a 30 day comment period on April 20, 2004 in the **Federal Register** (69 FR 21188). NHTSA received no comments.

A total of approximately 496,058 vehicles are affected. These vehicles do not meet the letter height requirements for brake system warning lights for the abbreviation "ABS" and in some cases the word "brake." FMVSS No. 101, "Controls and displays," Table 2, Column 3, "Identifying Words or Abbreviation," with regard to brake systems says, "* * * see FMVSS 105 and 135." S5.3.5 of FMVSS No. 105, "Hydraulic and electric brake systems," requires that "Each indicator lamp shall display word, words or abbreviation * * * which shall have letters not less than 1/8 -inch high." S5.5.5 of FMVSS No. 135 requires that "Each visual indicator shall display a word or words * * * [which] shall have letters not less than 3.2 mm (1/8 inch) high."

A total of 460,792 vehicles do not meet the letter height requirements for the word "brake" and abbreviation "ABS" for brake warning systems. These noncompliant vehicles are 143,046 MY 2000-2001 Sephias with a "brake" letter height of 2.2 mm and an "ABS" letter height of 1.7 mm, 128,565 MY 2002-2004 Sedonas with a "brake" letter height of 1.9 mm and an "ABS" letter height of 1.9 mm, and 189,181 MY

2000-2004 Spectras with a "brake" letter height of 2.2 mm and an "ABS" letter height of 1.7 mm.

An additional 35,266 vehicles do not meet the letter height requirements for the abbreviation "ABS." These noncompliant vehicles are 957 MY 1995-1999 Sephias with an "ABS" letter height of 2.8 mm, 33,023 MY 2003-2004 Sorentos with an "ABS" letter height of 1.9 mm, and 1286 MY 2001-2004 Rios with an "ABS" letter height of 2.0 mm.

Kia believes that the noncompliance is inconsequential to motor vehicle safety, and that no corrective action is warranted. Kia states that the brake and ABS system warning lights are positioned for ready viewing by the driver, and that they are illuminated in red (brake warning light) or yellow (ABS light), colors that are generally understood by vehicle users to be indicators of unsafe condition.

Kia further states that the brake and antilock system warning lights in all the Kia vehicles involved in this petition include an International Standards Organization (ISO) symbol combined with the word "brake" or the abbreviation "ABS." Kia states that it believes the ISO symbols which it uses in conjunction with the word "brake" and abbreviation "ABS" are commonly understood by the driving public. Kia says that, although the "brake" or "ABS" lettering within the warning light is less than the minimum letter height standard of 3.2 mm, the combined height of the entire brake or ABS warning light symbol and lettering ranges from a low of 6 mm for the brake light in the Kia Sephia to a high of 6.8 mm for the ABS light in the Kia Sedona, which significantly exceeds the 3.2 mm standard of FMVSS Nos. 101, 105, and 135.

Kia asserts that all these factors combine to assure an easily identifiable and readable display. In this regard, Kia points out that in 1982, NHTSA granted a Subaru of America, Inc. petition involving passenger vehicles where the lettering of "brake" was only 2.2 mm high, but which used the ISO symbol in conjunction with the word "brake" (47 FR 31347). In 1986, NHTSA granted an Alfa Romeo, Inc. petition involving passenger vehicles which used the ISO symbol instead of the word "brake" (51 FR 36769). In 1994, NHTSA granted a Ford Motor Company petition involving passenger vehicles which similarly used the ISO symbol instead of the word "brake" (59 FR 40409).

The agency agrees with Kia this noncompliance will not have an adverse effect on vehicle safety. Due to the positioning, color, use of the ISO