

**ADDRESSES:** Written comments on the project scope should be forwarded to: Joni Roeseler, Project Manager, Federal Transit Administration, Region VII, 901 Locust Street, Room 404, Kansas City, Missouri 64106; Telephone: (816) 329-3936; e-mail: [joan.roeseler@fta.dot.gov](mailto:joan.roeseler@fta.dot.gov); or: David Miller, City Engineer, City of Branson, 110 West Maddux Street, Suite 310, Branson, Missouri 65616; Telephone: (417) 337-8559; e-mail: [dmiller@cityofbranson.org](mailto:dmiller@cityofbranson.org).

**FOR FURTHER INFORMATION CONTACT:** If additional information is needed, contact the FTA or the City of Branson personnel identified in **ADDRESSES** above. You can also visit the City of Branson Web site at <http://www.branson.com> where a project page will be established by the time of the open-house meeting.

**Scoping Package:** An information packet, referred to as the Scoping Booklet, will be distributed to interested individuals upon request and will be available at the meeting. (Copies of the Scoping Booklet have also been distributed to resource agencies.) Others may request the Scoping Booklet by contacting the Branson City Engineer as indicated in **ADDRESSES** above. Also contact the Branson City Engineer if you wish to be placed on the mailing list to receive additional information as the study develops.

**SUPPLEMENTARY INFORMATION:**

**I. Scoping**

FTA, in cooperation with the City of Branson and the Missouri department of Transportation (MoDOT), will prepare an EIS to address transit improvements in the City of Branson, Missouri. The EIS will evaluate all reasonable alternatives identified during the scoping process, as required by the National Environmental Policy Act (NEPA) and its implementing regulations. This NEPA alternatives analysis is expected to result in the selection of a locally preferred alternative, which may include a fixed guideway transit improvement.

**II. Description of Corridor and Transportation Needs**

Branson, Missouri, with a populations of about 6,000 accommodates over seven million visitors a year. These visitors make trips to multiple venues (theaters, lodging, restaurants, etc.), which are concentrated along State Route 76. This roadway, referred to as "the Strip," offers a single lane of vehicular flow in each direction divided by a two-way left-turn lane. The roadway is paralleled by narrow paved shoulders used as sidewalks and by

multiple overhead utilities situated adjacent to intensive development. Only a handful of signalized intersections exist along the strip, complicating the ability of pedestrians to get across the street. Options are limited to further expand the roadway network to address the considerable traffic congestion that remains on the Strip from single-occupant autos and tour buses. No public transit service is currently available in the corridor. The problem is expected to grow worse over time as venues continue to grow in popularity and as more venues are added.

Transit needs will be evaluated in this corridor to address the congestion problems along the Strip. The study area involves a roughly ten-mile-long corridor. It is generally bounded: on the north by the Red Route west of Roark Creek and the Missouri and North Arkansas railroad east of Roark Creek; on the east by the rail line; on the south by parkland paralleling Lake Taneycomo and the Yellow Route; and on the west by the Taney/Stone County line. Alternatives to be considered will include: (1) Taking no action (no-build); (2) transportation systems management; (3) fixed guideway transit (including elevated options with park-and-ride facilities and feeder bus/shuttle vans); and (4) other alternatives discovered during the scoping process.

**III. Probable Effects and Potential Impacts for Analysis**

The transportation, social, economic, and environmental effects of the alternatives will be evaluated during the project study. The impact areas to be addressed include: land use effects; visual/aesthetic effects; community, business and economic impacts; traffic and parking; public safety; utilities effects; relocations; water quality; flood plains; natural systems impacts; air quality; noise and vibration; energy impacts; and cultural and historic resources. Potential environmental justice issues and financial considerations will also be addressed along with secondary, cumulative and construction impacts.

**IV. FTA Procedures**

In accordance with FTA policy, all federal laws, regulations, and executive orders affecting project development including but not limited to the regulations of the Council on Environmental Quality and FTA regulations implementing NEPA (40 CFR parts 1500-1508, and 23 CFR part 771), the Clean Air Act, Section 404 of the Clean Water Act, Executive Order 12898 regarding environmental justice, the National Historic Preservation Act,

the Endangered Species Act, and Section 4(f) of the DOT Act, will be addressed. In addition, the FTA New Starts regulation (49 CFR part 611) will be applied, which requires the submission of specific information to FTA from the grant applicant to support an FTA decision on initiating preliminary engineering.

Comments and suggestions are invited from all interested parties to assist in addressing the full range of alternatives and to identify any significant potential project impacts. In addition, a public hearing will be held after the draft EIS has been circulated for public and agency review and comment. Comments or questions concerning the proposed action and the scope of the EIS should be directed to the FTA as described in **ADDRESSES** above.

Issued on August 6, 2004.

**Mokhtee Ahmad,**

*FTA Regional Administrator.*

[FR Doc. 04-18486 Filed 8-11-04; 8:45 am]

BILLING CODE 4910-57-M

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

[Docket No. NHTSA-2004-18849]

**Notice of Receipt of Petition for Decision That Nonconforming 1994-1997 Right Hand Drive (RHD) Honda Accord Sedan and Wagon Passenger Cars Are Eligible for Importation**

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

**ACTION:** Notice of receipt of petition for decision that nonconforming 1994-1997 Right Hand Drive (RHD) Honda Accord sedan and wagon passenger cars are eligible for importation.

**SUMMARY:** This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that 1994-1997 RHD Honda Accord sedans and wagons that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because (1) they are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards, and (2) they are capable of being readily altered to conform to the standards.

**DATES:** The closing date for comments on the petition is September 27, 2004.

**ADDRESSES:** Comments should refer to the docket number and notice 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.) Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, *etc.*). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78), or you may visit <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202) 366-3151).

**SUPPLEMENTARY INFORMATION:**

**Background**

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

American Auto Dream of Costa Mesa, California ("AAD") (Registered Importer 02-224) has petitioned NHTSA to decide whether 1994-1997 RHD Honda Accord sedans and wagons are eligible for importation into the United States. The vehicles that AAD believes are substantially similar are 1994-1997 left hand drive (LHD) Honda Accord sedans and wagons that were manufactured for sale in the United States and certified by their manufacturer as conforming to all

applicable Federal motor vehicle safety standards.

The petitioner claims that it carefully compared non-U.S. certified 1994-1997 RHD Honda Accord sedans and wagons to their U.S.-certified LHD counterparts (which the petitioner states are manufactured in the same plant and on the same assembly line), and found the vehicles to be substantially similar with respect to compliance with most Federal motor vehicle safety standards.

AAD submitted information with its petition intended to demonstrate that non-U.S. certified 1994-1997 RHD Honda Accord sedans and wagons, as originally manufactured, conform to many Federal motor vehicle safety standards in the same manner as their U.S.-certified LHD counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that non-U.S. certified 1994-1997 RHD Honda Accord sedans and wagons are identical to their U.S.-certified LHD counterparts with respect to compliance with Standard Nos. 102 *Transmission Shift Lever Sequence, Starter Interlock, and Transmission Braking Effect*, 103 *Windshield Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 105 *Hydraulic and Electric Brake Systems*, 106 *Brake Hoses*, 109 *New Pneumatic Tires*, 113 *Hood Latch System*, 114 *Theft Protection*, 116 *Motor Vehicle Brake Fluids*, 118 *Power-Operated Window, Partition, and Roof Panel Systems*, 124 *Accelerator Control Systems*, 201 *Occupant Protection in Interior Impact*, 202 *Head Restraints*, 204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 206 *Door Locks and Door Retention Components*, 207 *Seating Systems*, 208 *Occupant Crash Protection*, 209 *Seat Belt Assemblies*, 210 *Seat Belt Assembly Anchorages*, 212 *Windshield Mounting*, 214 *Side Impact Protection*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, and 302 *Flammability of Interior Materials*.

Additionally, the petitioner states that non-U.S. certified 1994-1997 RHD Honda Accord sedans and wagons comply with the Bumper Standard found in 49 CFR part 581.

Petitioner also contends that the vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays*: (a) Substitution of a lens marked "Brake" for a lens with a noncomplying symbol on the brake failure indicator lamp; (b) recalibration of the speedometer/odometer from kilometers to miles per hour.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: (a) Installation of U.S.-model headlamp assemblies, and (b) installation of front sidemarker lamp assemblies that incorporate side reflex reflectors.

Standard No. 110 *Tire Selection and Rims*: Installation of a tire information placard.

Standard No. 111 *Rearview Mirrors*: Inscription of the required warning statement on the passenger side rearview mirror.

Standard No. 301 *Fuel System Integrity*: Installation of a rollover valve in the fuel tank vent line between the fuel tank and the evaporative emissions collection canister.

The petitioner states that a vehicle identification number plate must be affixed to all non-U.S. certified 1994-1997 RHD Honda Accord sedans and wagons to meet the requirements of 49 CFR part 565.

The petitioner additionally states that all vehicles will be inspected prior to importation to assure compliance with the Theft Prevention Standard at 49 CFR part 541, and that vehicles will be modified, if necessary, to comply with that standard.

Interested persons are invited to submit comments on the petition described above. In addition, NHTSA specifically requests comments addressing the issue of whether an RHD vehicle can be properly considered "substantially similar" to an LHD vehicle of the same make, model, and model year.

While there is no specific prohibition on the importation of an RHD vehicle, our policy has been that such vehicles may not be imported under eligibility decisions that cover only the LHD version of the vehicle. We have taken this position because our experience has shown that the safety performance of an RHD vehicle is not necessarily the same as that of an apparently similar LHD vehicle that is offered for sale in this country. However, we will consider an RHD vehicle to be "substantially similar" to a U.S.-certified LHD vehicle (and therefore eligible for importation under a decision covering the LHD version) if the manufacturer advises us that the RHD vehicle would perform the same as the U.S.-certified LHD vehicle in dynamic crash tests. Absent such a showing, which indicates to us that the manufacturer has conducted a due care assessment of compliance of a RHD version with all applicable FMVSS, the RI must petition the agency under 49 CFR 593.5(2) to determine the vehicle eligible for importation. To be granted, the petition must demonstrate that the vehicle, when modified, would comply

with all applicable Federal motor vehicle safety standards, including those for which dynamic crash testing is prescribed.

By submitting the petition at issue, AAS is requesting that NHTSA reevaluate this policy for an RHD vehicle that is manufactured in the same plant, and on the same assembly line, as its U.S.-certified counterpart. In processing this petition, we have decided that a comment period of 45 days is necessary to afford interested parties an opportunity to respond to the issues that it raises. We are particularly interested in comments concerning the likelihood that the RHD vehicle at issue, which is assembled on the same assembly line as its U.S.-certified LHD counterpart, would, by virtue of that fact, perform the same as the U.S.-certified vehicle in dynamic crash tests as well as crash avoidance tests.

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.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 04-18483 Filed 8-11-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34526]

#### Union Pacific Railroad Company— Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company

The Burlington Northern and Santa Fe Railway Company (BNSF) has agreed to a modified trackage rights agreement governing Union Pacific Railroad Company's (UP) <sup>1</sup> overhead trackage

<sup>1</sup> UP submitted, as Exhibit 2 to the notice of exemption, a draft agreement. On August 5, 2004,

rights over a BNSF line of railroad between BNSF milepost 1406.3 near Dover, ID, and BNSF milepost 1402.41 near Sandpoint, ID, including to ES 49+88.2, a total distance of approximately 5.24 miles.<sup>2</sup> The modified agreement will change the compensation and maintenance terms of an existing 1992 Agreement.

The transaction was scheduled to be consummated on July 30, 2004.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it 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. 34526, 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 Robert T. Opal, General Commerce Counsel, 1400 Douglas Street, Stop 1580, Omaha, NE 68179.

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

Decided: August 6, 2004.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 04-18447 Filed 8-11-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-307 (Sub-No. 5X)]

#### Wyoming and Colorado Railroad Company, Inc.—Abandonment Exemption—in Carbon County, WY

On July 23, 2004, Wyoming and Colorado Railroad Company, Inc. (WYCO) filed with the Board a petition under 49 U.S.C. 10502 for exemption

UP filed a copy of the final agreement, dated July 30, 2004, as executed by the parties.

<sup>2</sup>The trackage rights were originally exempted in *Union Pacific Railroad Company and Burlington Northern Railroad Company—Joint Relocation Project Exemption*, Finance Docket No. 32081 (ICC served July 2, 1992).

from the provisions of 49 U.S.C. 10903 to abandon a 23.71-mile line of railroad between milepost 0.57, near Walcott and milepost 24.28, at Saratoga, in Carbon County, WY. The line traverses United States Postal Service Zip Codes 82331 and 82335 and includes no stations.

The line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interests of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by November 10, 2004.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,100 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than September 1, 2004. Each trail use request must be accompanied by a \$200 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-307 (Sub-No. 5X) and must be sent to: (1) Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001, and (2) Karl Morell, Of Counsel, Ball Janik LLP, 1455 F Street, NW., Suite 225, Washington, DC 20005. Replies to the WYCO petition are due on or before September 1, 2004.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and