

were 149 reported theft for 1997 compared to 500 reported thefts in 1995.

As part of its submission, Ford also provided a Highway Loss Data Institute (HLDI) Injury, Collision & Theft Losses publication, dated September 2004, which evaluated the 2002–2003 Ford Thunderbird models equipped with the SecuriLock device. On a scale where one hundred (100) represents the average result for all cars in each loss category, the results as reported by HLDI indicated an average theft loss of eighty-seven convertible Thunderbirds over a two model year period. Results are based on the loss experience of 2001–2003 models from their first sales through 2004. HLDI loss results for 2001–2003 models are stated in relative terms. Since the reintroduction of the Ford Thunderbird equipped with the SecuriLock anti-theft device and Perimeter alarm system as standard equipment, it has seen a very low theft rate. Ford also presented information from NHTSA's Final Theft Data report (69 FR 53354, September 1, 2004) on thefts of 2002 model year passenger motor vehicles that occurred in calendar year 2002. The report showed the Ford Thunderbird having only fourteen thefts out of a production of 28,639 vehicles for the 2002 model year, with a theft rate of 0.4888.

Additionally, Ford stated that its SecuriLock device has been demonstrated to various insurance companies, and as a result AAA Michigan and State Farm now give an antitheft discount for all Ford vehicles equipped with the SecuriLock device.

On the basis of comparison, Ford has concluded that the antitheft device proposed for its vehicle line is no less effective than those devices in the lines for which NHTSA has granted full exemptions from the parts-marking requirements.

Based on the evidence submitted by Ford, the agency believes that the antitheft device for the Ford Thunderbird vehicle line is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the theft prevention standard (49 CFR part 541).

The agency concludes that the device will provide the types of performance listed in 49 CFR 543.6(a)(3): Promoting activation; attracting attention to the efforts of unauthorized persons to enter or operate a vehicle by means other than a key; preventing defeat or circumvention of the device by

unauthorized persons; preventing operation of the vehicle by unauthorized entrants; and ensuring the reliability and durability of the device.

As required by 49 U.S.C. 33106 and 49 CFR 543.6(a)(4) and (5), the agency finds that Ford has provided adequate reasons for its belief that the antitheft device will reduce and deter theft. This conclusion is based on the information Ford provided about its antitheft device.

For the foregoing reasons, the agency hereby grants in full Ford Motor Company's petition for an exemption for the MY 2006 Ford Thunderbird vehicle line from the parts-marking requirements of 49 CFR part 541.

If Ford decides not to use the exemption for this line, it must formally notify the agency, and, thereafter, must fully mark the line as required by 49 CFR 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if Ford wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Section 543.7(d) states that a part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the antitheft device on which the line's exemption is based. Further, § 543.9(c)(2) provides for the submission of petitions to modify an exemption to permit the use of an antitheft device similar to but differing from the one specified in that exemption. The agency wishes to minimize the administrative burden that § 543.9(c)(2) could place on exempted vehicle manufacturers and itself. The agency did not intend in drafting part 543 to require the submission of a modification petition for every change to the components or design of an antitheft device. The significance of many such changes could be *de minimis*. Therefore, NHTSA suggests that if the manufacturer contemplates making any changes, the effects of which might be characterized as *de minimis*, it should consult the agency before preparing and submitting a petition to modify.

Authority: 49 U.S.C. 33106; delegation of authority at 49 CFR 1.50.

Issued on: March 9, 2005.

H. Keith Brewer,

Director, Office of Crash Avoidance Standards.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Office of Hazardous Materials Safety; Notice of Application for Exemptions

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of applications for exemption.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Material Regulations (49 CFR part 107, subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular exemption is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

DATES: Comments must be received on or before April 14, 2005.

Address Comments To: Record Center, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the exemption number.

FOR FURTHER INFORMATION CONTACT:

Copies of the applications are available for inspection in the Records Center, Nassif Building, 400 7th Street, SW., Washington DC or at <http://dms.dot.gov>.

This notice of receipt of applications for modification of exemption is published in accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on March 9, 2005.

R. Ryan Posten,

Exemptions Program Officer, Office of Hazardous Materials Safety Exemptions & Approvals.

NEW EXEMPTIONS

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of exemption thereof
14149-N	Digital Wave Corporation, Englewood, CO.	49 CFR 180.205, 180.209	To authorize the transportation in commerce of certain DOT-3AL seamless aluminum cylinders that have been alternatively ultrasonically retested for use in transporting Division 2.1, 2.2, 2.3 materials. (modes 1, 2, 4).
14150-N	Eli Lilly & Company, Indianapolis, IN.	49 CFR 177.834	To authorize an alternative attendance method for cargo tanks during loading and unloading of Class 3 and 8 hazardous materials. (mode 1).
14151-N	ChevronTexaco, Houston, TX.	49 CFR 173.302	To authorize the transportation in commerce of certain non-DOT specification cylinders for obtaining core samples of naturally occurring methane. (modes 1, 3).
14151-N	Saes Pure Gas, Inc, San Luis Obispo, CA.	49 CFR 173.187	To authorize the transportation of certain quantities of metal catalyst, classed as Division 4.2, in non-DOT specification packaging that exceed the maximum net quantity allowed per package (mode 4).
14154-N	Careton Technologies, Inc.	49 CFR 173.302a, 173.304a, 180.209.	To authorize the manufacture, marking and sale of non-DOT specification fully wrapped carbon fiber reinforced aluminum lined cylinders for shipment of certain Division 2.2 gases (modes 1, 2, 3, 4, 5).
14155-N	American Promotional Events, Inc., Florence, AL.	49 CFR 173.60	To authorize the transportation in commerce of certain fireworks in non-DOT specification packagings when returned to the distributor (mode 1).
14156-N	Piper Metal Forming Corporation, New Albany, MS.	49 CFR 173.302a, 173.304a.	To authorize the manufacture, marking, sale and use of non-DOT specification cylinders similar to DOT-3AL cylinders except the alloy used in 6069 grade. (modes 1, 2, 3, 4, 5).
14157-N	Worthington Cylinders of Canada Corp., Tilbury, Ontario NOP, 2L0.	49 CFR 173.302a	To authorize the manufacture, marking, sell and use of non-DOT specification cylinders similar to DOT 3AA for use in transporting certain nonflammable gases. (modes 1, 4).
14158-N	UTC Fuel Cells, LLC, South Windsor, CT.	49 CFR 176.83	To authorize the transportation by vessel of a fuel cell power plant containing hazardous materials that are not segregated as required by 49 CFR 176.83. (mode 3).
14159-N	ChevronTexaco, Richmond, CA.	49 CFR 173.187	To authorize the one-time one-way transportation in commerce of 8 non-DOT specification cylinders containing a Division 4.2 material. (mode 1).
14162-N	BSCO Incorporated, Forest Hills, MD.	49 CFR 173.310(f)	To authorize the transportation in commerce of certain DOT specification cylinders for use in fire suppression systems containing Division 2.2 materials with an alternative thermal relief device. (modes 1, 3, 5).
14163-N	Air Liquide America L.P., Houston, TX.	49 CFR 173.301(g)(1)(ii) ..	To authorize the transportation in commerce of certain Division 2.2 materials in DOT specification cylinders that are manifolded and are not equipped with an individual shut off valve. (modes 1, 2, 3).
14164-N	Sigma-Aldrich Corporation, Milwaukee, WI.	49 CFR 173.181	To authorize the transportation in commerce of non-DOT specification cylinders, similar to DOT 4B2 cylinders, containing Trimethylaluminum. (modes 1, 2, 3).
14166-N	Presidential Airways, Melbourne, FL.	49 CFR 172.101 Column (9B).	To authorize the transportation in commerce of certain Division 1.1, 1.2, 1.3 and 1.4 explosives which are forbidden or exceed quantities authorized for transportation by cargo aircraft only. (mode 4).
14167-N	Trinityrail, Dallas, TX	49 CFR 173.26, 173.314(c), 179.13 and 179.100-12(c).	To authorize the manufacture, mark and sell DOT 105J600W specification tank cars having a maximum gross weight on rail of 286,000 in chlorine service. (mode 2).
14168-N	Matheson Tri-Gas, East Rutherford, NJ.	49 CFR 173.3(d)	To authorize the transportation in commerce of salvage cylinders by cargo vessel. (mode 3).

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Notice of Applications for Modification of Exemption

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of applications for modification of exemption.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Material Regulations (49 CFR part 107, subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. This

notice is abbreviated to expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier **Federal Register** publications, they are not repeated here. Request of modifications of exemptions (*e.g.*, to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) are described in footnotes to the application number. Application numbers with the suffix "M" denote a modification request. There applications have been separated from the new application for exemption to facilitate processing.

DATES: Comments must be received on or before March 30, 2005.

Address Comments To: Record Center, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the exemption number.

FOR FURTHER INFORMATION CONTACT:

Copies of the applications are available for inspection in the Records Center, Nassif Building, 400 7th Street SW., Washington, DC or at <http://dms.dot.gov>.

This notice of receipt of applications for modification of exemption is published in accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on March 9, 2005.

R. Ryan Posten,

Exemptions Program Officer, Office of Hazardous Materials Exemptions & Approvals.

MODIFICATION EXEMPTIONS

Application No.	Docket No.	Applicant	Regulation(s) affected	Modification of exemption	Nature of exemption thereof
7465-M .....	.....	State of Alaska Department of Transportation & Public Facilities, Juneau, AK.	49 CFR part 172; 173.220.	7465	To modify the exemption to authorize the addition of a new ferry vessel to the existing passenger ferry fleet.
7928-M .....	.....	State of Alaska Department of Transportation & Public Facilities, Juneau, AK.	49 CFR part 172.101; 176.905(L).	7928	To modify the exemption to authorize the addition of a new ferry vessel to the existing passenger ferry fleet.
9659-M .....	.....	Kaiser Compositex Inc. Brea, CA.	49 CFR 173.302a(a)(1); 173.304a(a), (d); 175.3; 177.812.	9659	To modify the exemption to authorize a design change of the non-Dot specification fiber reinforced plastic (FRP) full wrapped composite cylinder transporting Division 2.1 and Division 2.2 materials.
9830-M .....	.....	Worthington Cylinder Corporation, Columbus, OH.	49 CFR 173.201; 173.202; 173.203; 173.302a(a); 173.304a(a) & (d); 175.3.	9830	To modify the exemption to authorize the transportation of certain Class 8 materials in non-DOT specification steel cylinders by motor vehicle only.
10590-M .....	.....	ITW/SEXTON (formerly Sexton Can Company, Inc.), Decatur, AL.	49 CFR 173.304a(d)(3)(ii); 178.33.	10590	To modify the exemption to authorize a design change to the nonrefillable, non-DOT specification, inside container and the transportation of a Class 3 and additional Division 2.1 material.
11606-M .....	.....	Safety-Kleen Systems, Inc., Humble, TX.	49 CFR 173.28(b)(2)	11606	To modify the exemption to authorize the transportation of an additional Division 6.1 and Class 8 material in UN Standard 1A1 and 1A2 drums and non-DOT specification metal drums.
12844-M	RSPA-01-10753.	Delphi Automotive Systems, Vandalia, OH.	49 CFR 173.301(a)(1); 173.302a(a); 175.3.	12844	To modify the exemption to authorize an increase of the maximum service pressure to 7,200 psig for the non-DOT specification pressure vessels.
12995-M	RSPA-02-12220.	Dow Chemical Company, Midland, MI.	49 CFR 173.306(a)(3)(v).	12995	To modify the exemption to authorize the use of the DOT 2Q specification container with an increased container pressure not to exceed 180 psig at 55 degrees C.
13229-M	RSPA-03-15235.	Matheson Tri-Gas, East Rutherford, NJ.	49 CFR 173.304(b) ...	13229	To modify the exemption to authorize importation of phosphine in non-DOT specification cylinders.