

file and retain a copy of the certification on his/her person while driving for presentation to a duly authorized Federal, State, or local enforcement official. Each exemption will be valid for two years unless rescinded earlier by the FMCSA. The exemption will be rescinded if:

(1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31315 and 31136(e).

#### Basis for Renewing Exemptions

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than two years from its approval date and may be renewed upon application for additional two-year periods. In accordance with 49 U.S.C. 31315 and 31136(e), each of the 27 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (65 FR 45817; 65 FR 77066; 68 FR 10300; 68 FR 19598; 68 FR 33570; 68 FR 37197; 68 FR 48989). Each of these 27 applicants has requested timely renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the standard specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past two years indicates each applicant continues to meet the vision exemption standards. These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, the FMCSA concludes that extending the exemption for each renewal applicant for a period of two years is likely to achieve a level of safety equal to that existing without the exemption.

#### Comments

The FMCSA will review comments received at any time concerning a particular driver's safety record and determine if the continuation of the exemption is consistent with the requirements at 49 U.S.C. 31315 and 31136(e). However, the FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by August 24, 2005.

In the past the FMCSA has received comments from Advocates for Highway and Auto Safety (Advocates) expressing continued opposition to the FMCSA's

procedures for renewing exemptions from the vision requirement in 49 CFR 391.41(b)(10). Specifically, Advocates objects to the agency's extension of the exemptions without any opportunity for public comment prior to the decision to renew, and reliance on a summary statement of evidence to make its decision to extend the exemption of each driver.

The issues raised by Advocates were addressed at length in 69 FR 51346 (August 18, 2004). The FMCSA continues to find its exemption process appropriate to the statutory and regulatory requirements.

Issued on: July 19, 2005.

**Pamela M. Pelcovits,**

*Office Director, Policy, Plans, and Regulations.*

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**BILLING CODE 4910-EX-U**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2001-10916]

#### Child Restraint Systems

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Notice; availability of research report.

**SUMMARY:** This notice announces the availability of a research report on child restraint labels. The research was conducted in July of 2003. This notice also announces that NHTSA does not plan to conduct further rulemaking on child restraint labels at this time.

**FOR FURTHER INFORMATION CONTACT:** Mary Versailles of the NHTSA Office of International Policy, Fuel Economy and Consumer Programs, National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC 20590. Phone: 202-366-2057.

**SUPPLEMENTARY INFORMATION:** The Transportation Recall Enhancement, Accountability, and Documentation Act (TREAD; November 1, 2000, Pub.L. 106-414, 114 Stat. 1800) mandated that NHTSA consider whether to prescribe clearer and simpler labels and instructions for child restraint systems. On November 2, 2001 (66 FR 55623), NHTSA published a notice of proposed rulemaking (NPRM) proposing changes to the format, location, and content of some of the existing labeling requirements of the Federal motor vehicle safety standard for child restraint systems (49 CFR 571.213).

Specifically, NHTSA proposed (1) A requirement that some information be molded into or heat embossed to the shell of the child restraint to improve durability, (2) changes to existing location requirements for some labels, (3) a uniform font specified for all labels on all child restraints, (4) a requirement that most labels be white with black text, and (5) color-coding of installation information to distinguish forward-facing from rear-facing information. In addition, with regard to content, NHTSA proposed (6) a reworded warning statement, (7) a requirement that all mandated statements related to use be arranged below that statement in a bulleted form, (8) rewording of some of these statements to simplify their language, and (9) a new diagram showing the child restraint with a new child restraint anchorage system (see 49 CFR 571.225). With regard to written instructions, NHTSA proposed (10) conforming changes with those proposed for labels and (11) a new requirement for information to assist owners in determining the meaning of the term "snugly" used on child restraint labels. Last, NHTSA proposed (12) a new labeling requirement for harness slots.

On October 1, 2002 (67 FR 61523), NHTSA published a final rule<sup>1</sup> amending the requirements for child restraint labels and the written instructions that accompany child restraints. Specifically, NHTSA (1) changed the then existing location requirements for some labels, (2) required most labels to be white with black text, (3) reworded some label statements to simplify their language, (4) required mandated statements on the labels to be in a bulleted list headed by the statement "WARNING! DEATH or SERIOUS INJURY can occur," (5) required a new diagram showing the child restraint secured using the new child restraint anchorage system, and (6) required some additional information defining the term "snugly" to be in the written instructions. The final rule was effective October 1, 2003.

Subsequent to the November 2, 2001 notice of proposed rulemaking for that final rule, Transport Canada had conducted research on child restraint labels. After a review of the Transport Canada study, NHTSA had concerns about the proposals concerning font, color-coding and harness slot labeling. Therefore, the preamble to the October 2002 final rule indicated that NHTSA would conduct further research before

<sup>1</sup> See also 69 FR 11337 (March 10, 2004), response to petitions for reconsideration.

proposing further changes to the requirements for child restraint labels.

In July of 2003, NHTSA conducted further research on child restraint labels. NHTSA followed similar procedures as that used by Transport Canada in their research. The research report is available in docket NHTSA-2001-10916. After reviewing this research, NHTSA has decided that it will not conduct further rulemaking at this time.

The major issue that the research examined was color-coding. In the November 2001 NPRM, NHTSA proposed to require forward-facing instructions to be outlined in red and rearward-facing instructions to be outlined in blue. These colors were chosen to harmonize with a European requirement. The Transport Canada study found a large number of child restraints incorrectly installed forward-facing, rather than rearward-facing, for the infant dummy for all label configurations. Transport Canada theorized that one source of the confusion was the red color-coding attracting attention towards the forward-facing instructions and away from the rearward-facing instructions. Therefore, Transport Canada recommended color-coding with red for rearward-facing and blue for forward-facing. This color combination was used in our 2003 research and did not show a significant improvement in correct installations.

In the October 2002 final rule, NHTSA also indicated it would conduct further passive analysis research at the next stage of the rulemaking. On further consideration, NHTSA has decided that it will not conduct this or any other follow-on research at this time. NHTSA has not received any comments or petitions expressing concern with the labels since the effective date in October 2003. Therefore, given the limited resources of the agency, NHTSA does not feel further research is warranted at this time. NHTSA will concentrate its efforts in areas with greater potential payoffs.

Issued on: July 19, 2005.

**Stephen R. Kratzke,**  
Associate Administrator for Rulemaking.  
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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Ex Parte No. 333]

#### Sunshine Act Meeting

TIME AND DATE: 10 a.m., July 27, 2005.

**PLACE:** The Board's Hearing Room, Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423.

**STATUS:** The Board will meet to discuss among themselves the following agenda items. Although the conference is open for public observation, no public participation is permitted.

**MATTERS TO BE CONSIDERED:** Docket No. 38302S, *United States Department of Energy and the United States Department of Defense v. Baltimore & Ohio Railroad, et al.*

*Embraced Case:* Docket No. 38376S, *United States Department of Energy and the United States Department of Defense v. Aberdeen & Rockfish Railroad Company, et al.*

STB Finance Docket No. 32760 (Sub-No. 44), *Union Pacific Corporation, Union Pacific Railroad Company and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp. and The Denver and Rio Grande Western Railroad Company (Arbitration Review).*

STB Docket No. 42087, *Groome & Associates, Inc. and Lee K. Groome v. Greenville County Economic Development Corporation.*

STB Finance Docket No. 34487, *Greenville County Economic Development Corporation—Petition for Declaratory Order.*

STB Finance Docket No. 34337, *Michael H. Meyer, Trustee in Bankruptcy for California Western Railroad, Inc. v. North Coast Railroad Authority, d/b/a Northwestern Pacific Railroad.*

*Embraced Case:* STB Ex Parte No. 346 (Sub-No. 25B), *Rail General Exemption Authority—Lumber or Wood Products—Petition for Partial Revocation.*

STB Finance Docket No. 34649, *New York & Greenwood Lake Railway—Feeder Line Acquisition—A Line of Norfolk Southern Railway Company.*

STB Docket No. AB-55 (Sub-No. 568X), *CSX Transportation, Inc.—Abandonment Exemption—in Franklin County, PA.*

#### CONTACT PERSON FOR MORE INFORMATION:

A. Dennis Watson, Office of Congressional and Public Services, Telephone: (202) 565-1596 FIRS: 1-800-877-8339.

Dated: July 20, 2005.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 05-14721 Filed 7-21-05; 12:38 pm]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Form 8621

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 8621, Return by a Shareholder of a Passive Foreign Investment Company or Qualified Electing Fund.

**DATES:** Written comments should be received on or before September 23, 2005 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Glenn P. Kirkland, Internal Revenue Service, room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form and instructions should be directed to R. Joseph Durbala, (202) 622-3634, Internal Revenue Service, room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224, or through the Internet at [RJoseph.Durbala@irs.gov](mailto:RJoseph.Durbala@irs.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* Return by a Shareholder of a Passive Foreign Investment Company or Qualified Electing Fund.

*OMB Number:* 1545-1002.

*Form Number:* 8621.

*Abstract:* Form 8621 is filed by a U.S. shareholder who owns stock in a foreign investment company. The form is used to report income, make an election to extend the time for payment of tax, and to pay an additional tax and interest amount. The IRS uses Form 8621 to determine if these shareholders have correctly reported amounts of income, made the election correctly, and have correctly computed the additional tax and interest amount.

*Current Actions:* There are no changes being made to the form at this time.

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

*Affected Public:* Businesses or other for-profit organizations and individuals.

*Estimated Number of Respondents:* 2,000.