

not exceed three months; however, additional time may be requested through a second petition for relief.

A petition for relief from administrative requirements will be conditionally granted for a period of three (3) business days from the date it is submitted to the Emergency Relief Docket. FTA will review the petition after the expiration of the three business days and review any comments submitted thereto. FTA may contact the grantee or subgrantee that submitted the request for relief, or any party that submits comments to the docket, to obtain more information prior to making a decision. FTA shall then post a decision to the Emergency Relief Docket. FTA's decision will be based on whether the petition meets the criteria for use of these emergency procedures, the substance of the request, and the comments submitted regarding the petition. If FTA does not respond to the request for relief to the docket within three business days, the grantee or subgrantee may assume its petition is granted for a period not to exceed three months until and unless FTA states otherwise.

Pursuant to section 604.2(f) of FTA's charter rule (73 FR 2325, Jan. 14, 2008), grantees and subgrantees may assist with evacuations or other movement of people that might otherwise be considered charter transportation when that transportation is in response to an emergency declared by the President, governor, or mayor, or in an emergency requiring immediate action prior to a formal declaration, even if a formal declaration of an emergency is not eventually made by the President, governor or mayor. Therefore, a request for relief is not necessary in order to provide this service. However, if the emergency lasts more than 45 calendar days, the grantee or subgrantee shall follow the procedures set out in this notice.

FTA reserves the right to reopen any docket and reconsider any decision made pursuant to these emergency procedures based upon its own initiative, based upon information or comments received subsequent to the three business day comment period, or at the request of a grantee or subgrantee upon denial of a request for relief. FTA shall notify the grantee or subgrantee if it plans to reconsider a decision. FTA decision letters, either granting or denying a petition, shall be posted in the Emergency Relief Docket and shall reference the document number of the petition to which it relates.

Issued in Washington, DC, this 9th day of January, 2009.

**Severn E.S. Miller,**

*FTA Chief Counsel.*

[FR Doc. E9-858 Filed 1-15-09; 8:45 am]

**BILLING CODE 4910-57-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[USCG-2007-28535]

#### Atlantic Sea Island Group LLC, Safe Harbor Energy Liquefied Natural Gas Deepwater Port License Application

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Notice of public meeting; change in location.

**SUMMARY:** On January 9, 2009, the Maritime Administration published a notice of intent for the Atlantic Sea Island Group LLC, Safe Harbor Energy Liquefied Natural Gas Deepwater Port, with request for comments in the **Federal Register**, which included locations and times of open houses and public meetings. Subsequent events have required a change in the location of the open house and public meeting to be held on January 29, 2009. This notice provides the information on the new location.

**Change:** The **Federal Register** published on January 9, 2009 (Volume 74, Number 6, pages 982-984) indicated that the open house and public meeting on January 29, 2009 would be held at the Jackson by the Beach Hotel in Long Beach, New York. The location has been changed and the open house and public meeting on January 29, 2009 will be held at: Long Beach Public Library, 111 West Park Avenue, Long Beach, NY 11561; 516-432-7200. The date, location, and time for the public meeting and open house in Eatontown, New Jersey remains as originally announced.

**DATES:** Public meetings will be held in Eatontown, New Jersey on January 27, 2009; and in Long Beach, New York on January 29, 2009. The public meetings will be held from 6 p.m. to 8 p.m. and will be preceded by an open house from 4:30 p.m. to 6 p.m. The public meetings may end later than the stated time, depending on the number of persons wishing to speak.

**ADDRESSES:** The open house and public meeting on January 27, 2009 will be held at: The Sheraton of Eatontown, 6 Industrial Way East, Eatontown, NJ 07724; 732-542-6500.

The open house and public meeting on January 29, 2009 will be held at:

Long Beach Public Library, 111 West Park Avenue, Long Beach, NY 11561; 516-432-7200.

#### FOR FURTHER INFORMATION CONTACT:

Mark Prescott, U.S. Coast Guard, telephone: 202-372-1440, e-mail: [Mark.A.Prescott@uscg.mil](mailto:Mark.A.Prescott@uscg.mil); or LT Hannah Kawamoto, U.S. Coast Guard, telephone: 202-372-1438, e-mail: [Hannah.K.Kawamoto@uscg.mil](mailto:Hannah.K.Kawamoto@uscg.mil); or Yvette Fields, U.S. Maritime Administration, telephone: 202-366-0926, e-mail: [Yvette.Fields@dot.gov](mailto:Yvette.Fields@dot.gov). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-493-0402.

By order of the Maritime Administrator.

Dated: January 14, 2009.

**Christine S. Gurland,**

*Acting Secretary, Maritime Administration.*

[FR Doc. E9-1077 Filed 1-15-09; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Petition for Exemption From the Federal Motor Vehicle Motor Theft Prevention Standard; General Motors Corporation

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

**ACTION:** Grant of petition for exemption.

**SUMMARY:** This document grants in full the petition of General Motors Corporation (GM), for an exemption in accordance with § 543.9(c)(2) of 49 CFR Part 543, *Exemption from the Vehicle Theft Prevention Standard*, for the GMC small crossover vehicle line beginning with model year (MY) 2010. This petition is granted because the agency has determined that the antitheft device to be placed on the line as standard equipment 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.

**DATES:** The exemption granted by this notice is effective beginning with model year (MY) 2010.

**FOR FURTHER INFORMATION CONTACT:** Ms. Deborah Mazyck, Office of International Policy, Fuel Economy and Consumer Standards, NHTSA, 1200 New Jersey Avenue, SE., Washington, DC 20590. Ms. Mazyck's phone number is (202) 366-0846. Her fax number is (202) 493-2290.

**SUPPLEMENTARY INFORMATION:** In a petition dated September 25, 2008, GM requested an exemption from the parts-marking requirements of the theft prevention standard (49 CFR part 541) for the GMC small crossover vehicle line beginning with MY 2010. The petition requested an exemption from parts-marking pursuant to 49 CFR 543, *Exemption from the Vehicle Theft Prevention Standard*, based on the installation of an antitheft device as standard equipment for the entire vehicle line.

Under § 543.5(a), a manufacturer may petition NHTSA to grant an exemption for one vehicle line per model year. GM has petitioned the agency to grant an exemption for its small crossover vehicle line beginning with MY 2010. On November 18, 2008, the agency contacted GM by telephone to obtain additional information. GM's submission is considered a complete petition as required by 49 CFR 543.7, in that it meets the general requirements contained in § 543.5 and the specific content requirements of § 543.6.

GM's petition provided a detailed description and diagram of the identity, design, and location of the components of the antitheft device for the new vehicle line. GM will install its passive, transponder-based, electronic immobilizer device (PASS-Key III+) as standard equipment on its GMC small crossover vehicle line beginning with MY 2010. GM stated that the device will provide protection against unauthorized use (i.e., starting and engine fueling), but will not provide any visible or audible indication of unauthorized vehicle entry (i.e., flashing lights or horn alarm).

The PASS-Key III+ device is designed to be active at all times without direct intervention by the vehicle operator. The system is fully armed immediately after the ignition has been turned off and the key removed. Components of the antitheft device include an electronically-coded ignition key, a PASS-Key III+ controller module and an engine control module. The ignition key contains electronics molded into the key head, providing billions of possible electronic combinations. The electronics receive energy and data from the antenna module. Upon receipt of the data, the key will calculate a response to the data using secret information and an internal encryption algorithm, and transmit the response back to the vehicle. The antenna module translates the radio frequency signal received from the key into a digital signal and compares the received response to an internally calculated value. If the values match, the key is recognized as valid

and one of 65,534 "Vehicle Security Passwords" is transmitted to the engine control module to enable fueling and starting of the vehicle. If an invalid key code is received, the PASS-Key III+ controller module will send a "Disable Password" to the engine control module and starting, ignition, and fuel will be inhibited.

GM indicated that the theft rates, as reported by the Federal Bureau of Investigation's National Crime Information Center (NCIC), are lower for exempted GM models equipped with the "PASS-Key"-like systems than the theft rates for earlier, similarly constructed models which were parts-marked. Based on the performance of the PASS-Key, PASS-Key II, and PASS-Key III systems on other GM models, and the advanced technology utilized by the modification, GM believes that the PASS-Key III+ antitheft device will be more effective in deterring theft than the parts-marking requirements of 49 CFR Part 541.

In addressing the specific content requirements of 543.6, GM provided information on the reliability and durability of the proposed device. To ensure reliability and durability of the device, GM conducted tests based on its own specified standards. GM provided its own test information on the reliability and durability of its device, and believes that the device is reliable and durable since it complied with the specified requirements for each test. GM stated that the PASS-Key III+ system has been designed to enhance the functionality and theft protection provided by GM's first, second and third generation PASS-Key, PASS-Key II, and PASS-Key III systems. GM also stated that since the authorization code is not handled or contacted by the vehicle operator, the reliability of the PASS-Key III+ is significantly improved over the PASS-Key and PASS-Key II devices. According to GM, this reliability allows the system to return to the "Go/No Go" based system, eliminating the "fail enabled" mode of operation.

GM compared the device proposed for its small crossover vehicle line with other devices which NHTSA has determined to be as effective in reducing and deterring motor vehicle theft as would compliance with the parts-marking requirements. GM stated that the theft rates for the 2003 and 2004 Cadillac CTS and the MY 2004 Cadillac SRX currently installed with the PASS-Key III+ antitheft device exhibit theft rates that are lower than the median theft rate (3.5826) established by the agency. The Cadillac CTS introduced as a MY 2003 vehicle line has been equipped with the PASS-Key III+ device

since the start of production. The theft rates for the MY 2003 and 2004 Cadillac CTS are 1.0108 and 0.7681 respectively. Similarly, the Cadillac SRX, introduced as a MY 2004 vehicle, has been equipped with the PASS-Key III+ device since production. The theft rate for MY 2004 Cadillac SRX is 0.7789. GM stated that the theft rates experienced by these lines with installation of the PASS-Key III+ device demonstrate the effectiveness of the device. GM also stated that its crossover vehicle is a corporate twin to the Chevrolet Equinox which is equipped with the PASS-Key III+ device and already exempt from the parts-marking requirements. The average theft rate for the Chevrolet Equinox using two model years' data is 1.2073. The agency agrees that the device is substantially similar to devices for which the agency has previously approved exemptions.

Based on comparison of the reduction in the theft rates of GM vehicles using a passive theft deterrent device with an audible/visible alarm system to the reduction in theft rates for GM vehicle models equipped with a passive antitheft device without an alarm, GM finds that the lack of an alarm or attention attracting device does not compromise the theft deterrent performance of a system such as PASS-Key III+.

GM's proposed device lacks an audible or visible alarm. Therefore, this device cannot perform one of the functions listed in 49 CFR part 543.6(a)(3), that is, to call attention to unauthorized attempts to enter or move the vehicle. However, theft data have indicated a decline in theft rates for vehicle lines equipped with comparable devices that have received full exemptions from the parts-marking requirements. In these instances, the agency has concluded that the lack of an audible or visible alarm has not prevented these antitheft devices from being effective protection against theft.

Based on the evidence submitted by GM, the agency believes that the antitheft device for the GM small crossover 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 541).

The agency concludes that the device will provide four of the five types of performance listed in § 543.6(a)(3): promoting activation; 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.

Pursuant to 49 U.S.C. 33106 and 49 CFR 543.7 (b), the agency grants a petition for exemption from the parts-marking requirements of part 541, either in whole or in part, if it determines that, based upon substantial evidence, the standard equipment antitheft device is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of part 541. The agency finds that GM has provided adequate reasons for its belief that the antitheft device for the GMC small crossover 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). This conclusion is based on the information GM provided about its device.

For the foregoing reasons, the agency hereby grants in full GM's petition for exemption for the GMC small crossover vehicle line from the parts-marking requirements of 49 CFR part 541. The agency notes that 49 CFR part 541, Appendix A-1, identifies those lines that are exempted from the Theft Prevention Standard for a given model year. 49 CFR part 543.7(f) contains publication requirements incident to the disposition of all part 543 petitions. Advanced listing, including the release of future product nameplates, the beginning model year for which the petition is granted and a general description of the antitheft device is necessary in order to notify law enforcement agencies of new vehicle lines exempted from the parts marking requirements of the Theft Prevention Standard.

If GM decides not to use the exemption for this line, it should formally notify the agency. If such a decision is made, the line must be fully marked according to the requirements under 49 CFR Parts 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if GM 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. Part 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, part 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 part

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: January 12, 2009.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. E9-947 Filed 1-15-09; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[U.S. DOT Docket Number NHTSA-2008-0215]

#### Reports, Forms, and Recordkeeping Requirements

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

**ACTION:** Request for public comment on proposed collection of information.

**SUMMARY:** Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections.

This document describes one collection of information for which NHTSA intends to seek OMB approval.

**DATES:** Comments must be received on or before March 17, 2009.

**ADDRESSES:** Comments must refer to the docket notice numbers cited at the beginning of this notice and be submitted to Docket Management, Room W12-140, Ground level, 1200 New Jersey Ave., SE., Washington, DC 20590 by any of the following methods.

• *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

• *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

• *Hand Delivery/Courier:* 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590, between 9 am and 5 pm, Monday through Friday, except Federal Holidays. Telephone: 1-800-647-5527.

• *Fax:* (202) 493-2251.

**Instructions:** For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Participation heading of the **SUPPLEMENTARY INFORMATION** section of this document. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

**Privacy Act:** 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 (65FR 19477-78) or you may visit <http://DocketInfo.dot.gov>.

**Docket:** For access to the docket to read background documents or comments received, go to the street address listed above. The internet access to the docket will be at <http://www.regulations.gov>. Follow the online instructions for accessing the dockets.

#### FOR FURTHER INFORMATION CONTACT:

Complete copies of each request for collection of information may be obtained at no charge from Rosalind Proctor, NHTSA 1200 New Jersey Ave., SE., West Building, Room W43-302, NVS-131, Washington, DC 20590. Ms. Proctor's telephone number is (202) 366-0846. Please identify the relevant collection of information by referring to its OMB Control Number.

**SUPPLEMENTARY INFORMATION:** Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5 CFR 1320.8(d)), an