

passenger cars manufactured before September 1, 2006 to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most FMVSS.

WETL submitted information with its petition intended to demonstrate that non-U.S. certified 2006 Ferrari 599 passenger cars manufactured before September 1, 2006, as originally manufactured, conform to many FMVSS in the same manner as their U.S. certified counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that non-U.S. certified 2006 Ferrari 599 passenger cars manufactured before September 1, 2006 are identical to their U.S. certified 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*, 106 *Brake Hoses*, 109 *New Pneumatic Tires*, 113 *Hood Latch System*, 116 *Motor Vehicle Brake Fluids*, 118 *Power-Operated Window, Partition, and Roof Panel Systems*, 124 *Accelerator Control Systems*, 135 *Passenger Car Brake 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*, 212 *Windshield Mounting*, 214 *Side Impact Protection*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, 302 *Flammability of Interior Materials*, and 401 *Interior Trunk Release*.

In addition, the petitioner claims that the vehicles comply with the Bumper Standard found in 49 CFR Part 581.

The 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*: Inspection of all vehicles and installation of a U.S.-model instrument cluster with associated hardware and software, or modification of the existing instrument cluster to meet the requirements of this standard on vehicles not already so equipped.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: Inspection of all vehicles and installation, on vehicles that are not already so equipped, of U.S.-model components to meet the requirements of this standard.

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

placard on all vehicles not already so equipped.

Standard No. 111 *Rearview Mirrors*: Inspection of all vehicles and installation of a U.S.-model passenger side rearview mirror, or inscription of the required warning statement on the face of that mirror on all vehicles not already so equipped.

Standard No. 114 *Theft Protection*: Inspection of all vehicles and installation of a supplemental key warning buzzer, or installation of U.S.-version software on all vehicles not already so equipped.

Standard No. 208 *Occupant Crash Protection*: Inspection of all vehicles and replacement of any non U.S.-model seat belts, air bag control units, air bags, and sensors with U.S.-model components on vehicles that are not already so equipped; and (b) installation of U.S.-version software to ensure that the seat belt warning system meets the requirements of this standard.

The petitioner states that the crash protection system used in these vehicles consists of dual front airbags, knee bolsters, and combination lap and shoulder belts at the front outboard seating positions. The seat belt systems are described as being self-tensioning, and capable of being released by means of a single red push-button.

Standard No. 209 *Seat Belt Assemblies*: Inspection of all vehicles and replacement of any non U.S.-model seat belts with U.S.-certified model seat belts.

Standard No. 210 *Seat Belt Assembly Anchorages*: Inspection of all vehicles and replacement of any non U.S.-model seat belts anchorage components with U.S.-model components.

Standard No. 225 *Child Restraint Anchorage Systems*: Installation of U.S.-model child restraint systems.

Standard No. 301 *Fuel System Integrity*: Inspection of all vehicles and replacement of any non U.S.-model fuel system components with U.S.-model components.

The petitioner additionally states that a vehicle identification plate must be affixed to the vehicles near the left windshield post to meet the requirements of 49 CFR Part 565.

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 addresses 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.

Issued on: May 19, 2009.

**Harry Thompson,**

*Acting Director, Office of Vehicle Safety Compliance.*

[FR Doc. E9-12154 Filed 5-22-09; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35164; STB Docket No. AB-6 (Sub-No. 430X)]

### BNSF Railway Company-Petition for Declaratory Order; BNSF Railway Company—Abandonment Exemption—in Oklahoma County, OK

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice of board action.

**SUMMARY:** The Surface Transportation Board (Board) hereby gives notice that, on its own motion, it granted BNSF Railway Company (BNSF) exemptions under 49 U.S.C. 10502 from the provisions of 49 U.S.C. 10903 (filing and procedure for application to abandon or discontinue service), 49 U.S.C. 10904 (offers of financial assistance to avoid abandonment and discontinuance), and 49 U.S.C. 10905 (offering abandoned rail properties for sale for public purposes) for a segment of track on the Chickasha Line in Oklahoma City, OK, between milepost 541.69 and milepost 540.15 (the middle segment). The Board took this action in a decision served earlier in which it also found that a BNSF eastern segment project was a relocation that did not require prior agency authorization.

**FOR FURTHER INFORMATION CONTACT:**

Joseph Dettmar, (202) 245-0395. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at: (800) 877-8339.]

**SUPPLEMENTARY INFORMATION:** By petition filed on July 15, 2008, BNSF asked the Board to issue a declaratory order finding that what it characterized as two track relocation projects in Oklahoma City, OK did not require Board approval.

The Board granted the requested declaratory relief as to the eastern segment. On the middle segment, Board concluded that the evidence before it in the two related dockets had provided ample support for authorizing abandonment of that segment. The evidence indicates that: the three

existing shippers on adjoining segments will continue to receive local service; all overhead service can be rerouted; no one has requested local service on the middle segment in over 10 years; and there is no indication of any need for service on the middle segment in the future. Finally, because any traffic that might need to move over the middle segment could move over a refurbished BNSF Line (the Packingtown Lead), the public convenience and necessity does not require BNSF to keep the middle segment in the national rail system. Accordingly, the Board on its own motion granted BNSF an exemption from the provisions of 49 U.S.C. 10903 for the middle segment.

In seeking a declaratory order, BNSF also asked the Board for an expedited decision so that the relocation project to facilitate the construction of the I-40 highway could go forward. The Board, on its own motion, exempted the abandonment of the middle segment from the statutory offer of financial assistance (OFA) program so that the highway project may proceed and because applying the OFA provisions under 49 U.S.C. 10904 is not necessary to carry out the rail transportation policy.

Lastly, the Board granted an exemption on its own motion from the public use provisions under 49 U.S.C. 10905. BNSF has already agreed to make the right-of-way available to Oklahoma Department of Transportation (ODOT) for public use, *i.e.*, the construction of I-40. Therefore, the purpose sought to be achieved by section 10905—to provide an opportunity to public bodies to negotiate for the acquisition of abandoned rail properties—has already been fulfilled by the agreement reached between BNSF and ODOT.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Decided: May 19, 2009.

By the Board, Acting Chairman Mulvey, and Vice Chairman Nottingham.

**Andrea Pope-Matheson,**  
Clearance Clerk.

[FR Doc. E9-12099 Filed 5-22-09; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE-2009-15]

#### Petition for Exemption; Summary of Petition Received

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petition for exemption received.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number involved and must be received on or before June 15, 2009.

**ADDRESSES:** You may send comments identified by Docket Number FAA-2009-0250 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.

- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Privacy:* We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

*Docket:* To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Laverne Brunache (202) 267-3133 or Tyneka Thomas (202) 267-7626, Office

of Rulemaking, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on May 20, 2009.

**Pamela Hamilton-Powell,**  
Director, Office of Rulemaking.

#### Petition for Exemption

*Docket No.:* FAA-2009-0250.

*Petitioner:* Ameristar Air Cargo, Inc.

*Section of 14 CFR Affected:* 14 CFR 121.434(h)(3).

*Description of Relief Sought:* Ameristar Air Cargo, Inc. (Ameristar), has petitioned the Federal Aviation Administration to permit a pilot that meets certain conditions outlined in its petition, but not the requirements of 14 CFR 121.434(g), to serve as a pilot in an airplane for which the pilot has newly qualified. Additionally, Ameristar wishes to operate under such an exemption outside the United States, specifically: Canada, Mexico, Central America, South America, and the Caribbean nations or areas of operations authorized in its operations specifications.

[FR Doc. E9-12091 Filed 5-22-09; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

#### Purpose, Use and Effect of Field Operations Training Manual.

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of Interpretation of Internal Agency Document.

**SUMMARY:** The purpose of this notice is to restate and confirm the Agency's policy regarding the purpose, use and effect of the paper and electronic versions of FMCSA's Field Operations Training Manual (FOTM and eFOTM).  
**DATES:** *Effective Date:* This interpretation restates policy already in effect.

**FOR FURTHER INFORMATION CONTACT:** Peter Snyder, Trial Attorney, Office of the Chief Counsel, Enforcement Division, 19900 Governors Drive, Suite 210, Olympia Fields, IL 60461, telephone (708) 283-3515; or Genevieve Sapir, Attorney-Advisor, Office of the Chief Counsel, Regulatory Affairs Division, 1200 New Jersey Avenue, SE., Washington, DC 20590, telephone (202) 366-7056.