at the northeast and southwest quadrants, relocation of the east end of siding at Slinger to the west out of the curve, and conversion of the east and west siding switches to hand operation, equipped with electric locks.

The reason given for the proposed changes is to eliminate the blockage of a state highway and traffic in the town of Slinger, associated with interchange switching movements. The proposed new alignment and construction of a set out track at Ackerville will remove switching moves from Slinger.

BS–AP–No. 3475

Applicant: Burlington Northern and Santa Fe Railway Company, Mr. William G. Peterson, Director Signal Engineering, 4515 Kansas Avenue, Kansas City, Kansas 66106

Burlington Northern and Santa Fe Railway Company seeks approval of the proposed modification of the traffic control system, on the north main track, at milepost 55.7, near Lincoln, Nebraska, on the Nebraska Division, Creston Subdivision, consisting of the discontinuance and removal of Holding Signal N55.71

The reason given for the proposed changes is that the upgrade of the highway crossing warning devices at milepost 55.8 has eliminated the need for Holding Signal N55.71.

BS–AP–No. 3476

Applicant: Union Pacific Railroad Company, Mr. Phil Abaray, Chief Engineer—Signals/Quality, 1416 Dodge Street, Room 1000, Omaha, Nebraska 68179–1000

Union Pacific Railroad Company seeks approval of the proposed discontinuance and removal of the automatic block signal system, on the single main track, between milepost 185 and milepost 195, near Houston, Texas, on the Houston Subdivision, consisting of the removal of Signals: D (milepost 185.7), 21, 32, 37, 38, 52, 56, 59, 69, 78, 79, 88, 89, 98, 99, and 108; conversion of Signal 25 to a D signal; installation of a new D signal at milepost 188.2; and the establishment of Yard Limits as the method of operation.

The reason given for the proposed changes is that signals are no longer required under train operating practices.

BS–AP–No. 3477

Applicant: Paducah & Louisville Railway, Incorporated, Mr. C. D. Edwards, General Supervisor of Signals and Structures, 1500 Kentucky Avenue, Paducah, Kentucky 42003

Paducah & Louisville Railway, Incorporated seeks approval of the proposed discontinuance and removal of the automatic block signal system, on the single main track, between Charolais, milepost J154.18 and Dawson Springs, milepost J163.73, in Hopkins County, Kentucky, consisting of the removal of all existing signals in the area, and installation of an operative approach signal near milepost J163.8.

BS–AP–No. 3478

Applicant: CSX Transportation, Incorporated, Mr. R. M. Kadlick, Chief Engineer Train Control, 500 Water Street (S/C J–350), Jacksonville, Florida 32202

CSX Transportation, Incorporated seeks approval of the proposed discontinuance and removal of the automatic block signal system, on the single main track, between Ames, Indiana, milepost 00Q–148.4 and Greencastle, Indiana, milepost 00Q–176.7, on the Monon Subdivision, Chicago Service Lane, and operate exclusively under a Direct Traffic Control Block System. The proposal includes the installation of operative approach signals at Ames and Greencastle.

The reason given for the proposed changes is to eliminate facilities no longer needed in present day operation.

BS–AP–No. 3479

Applicant: South Orient Railroad Company, LTD., Mr. Roy D. Williams, Chief Operating Officer, 210 South Main Street, Brownwood, Texas 76801

The South Orient Railroad Company, LTD. seeks approval of the proposed permanent discontinuance and removal of the traffic control system, on the single main track, between Birds Siding, milepost 1.3 near Fort Worth, Texas, and Rickers, milepost 134.5, near Brownwood, Texas, on the Dublin Subdivision.

The reason given for the proposed changes is that the railroad's operation does not warrant a signal system.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the Protestant in the proceeding. The original and two copies of the protest shall be filed with the Associate Administrator for Safety, FRA, 400 Seventh Street, S.W., Mail Stop 25, Washington, D.C. 20590 within 30 calendar days of the date of publication of this notice. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, D.C. on June 9, 1998.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 98–16177 Filed 6–17–98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–98–3813; Notice 1]

Application for Determination of Inconsequential Noncompliance to Federal Motor Vehicle Safety Standard 108—Lamps, Reflective Devices and Associated Equipment

General Motors Corporation (GM), has determined that blackout paint on the rear window of the 1997 GM EV1 (electric vehicle) may cause the center high-mounted stop lamp (CHMSL) to fail to meet the photometric requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 108—*Lamps, Reflective Devices and Associated Equipment.* Pursuant to 49 U.S.C. 30118 and 30120, GM has applied to the National Highway Traffic Safety Administration (NHTSA) for a decision that the noncompliance is inconsequential as it relates to motor vehicle safety. GM has submitted a noncompliance notification to the agency pursuant to 49 CFR Part 573, ''Defects and Noncompliance Reports.''

This notice of receipt of an application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the application.

During the inclusive manufacturing dates from August 1996 to June 1997, GM produced 624 model year 1997 EV1 electric cars, that may have CHMSLs that fail to meet FMVSS No. 108.

GM claims that only 290 of the vehicles in the field are covered by this application, and that the other vehicles are within GM's control, and will be remedied before delivery to retail customers.

GM states that the EV1 CHMSL meets the requirements of FMVSS No. 108 Figure 10—Photometric Requirements for Center High-Mounted Stop Lamps. However, when the CHMSL is mounted in the vehicle, the blackout paint on the rear window may inadvertently obscure

a portion of the CHMSL's photometric output. GM states that if the worst case build condition were present on a vehicle, blackout paint would obscure the portion of the CHMSL corresponding to the 5D (5 degrees below horizontal) photometric requirements .

GM believes that this noncompliance is inconsequential to motor vehicle safety for the following reasons:

The EV1 sits low to the ground, so light provided by the CHMSL is visible to drivers of other vehicles, even with the bottom of the CHMSL obscured.

The specified range of photometric output for a CHMSL, from 10U to 5D, was developed from SAE J186a and is presumably intended to allow manufacturers latitude in locating CHMSLs for the myriad of vehicle designs, while assuring sufficient signal light to drivers of following vehicles. Because the EV1 CHMSL is so low to the ground, the 5D angle is far less significant to following drivers than it would be if mounted higher.

A perceived benefit of the CHMSL is the ability it provides following drivers to see through intervening vehicles. Because the EV1 and its CHMSL are low to the ground, a following driver's ability to see the CHMSL through intervening vehicles is not compromised by the lost light at the lower portion of the CHMSL.

To reduce aerodynamic drag, the EV1 was designed to be extremely narrow. As a consequence of its narrow profile, the stop lamps are in close proximity to the CHMSL (510 mm from the center of the brake lamp to the center of the CHMSL). This minimizes the effect of the obscured portion of the CHMSL.

Except for 5D, the EV1 CHMSL meets all other requirements of FMVSS No. 108, and the photometric output of the stop lamps, which are supplemented by the CHMSL, far exceed the FMVSS No. 108 minimum requirements.

GM is not aware of any accidents, injuries, owner complaints or field reports related to this issue.

Additionally GM provided two figures (which are available in the application filed in the public docket) that illustrate rear stop lamp visibility to following vehicle drivers, to support the claims for inconsequentiality.

Interested persons are invited to submit written data, views, and arguments on the application described above. Comments should refer to the docket number and be submitted to: Docket Management, Room PL–401, 400 Seventh Street, SW, Washington, DC 20590. It is requested but not required that six copies be submitted. Docket hours are 10:00 A.M. to 5:00 P.M.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: July 20, 1998.

(49 U.S.C. 30118 and 30120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: June 12, 1998.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

[FR Doc. 98–16230 Filed 6–17–98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–98–3869]

Western Star Trucks, Inc.; Receipt of Application for Determination of Inconsequential Noncompliance

Western Star Trucks, Inc. of Kelowna, British Columbia, Canada, has applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301 ''Motor Vehicle Safety'' for noncompliance with 49 CFR 571.205, Federal Motor Vehicle Safety Standard No. 205, ''Glazing Materials,'' on the basis that the noncompliance is inconsequential to motor vehicle safety. Western Star Trucks has filed an appropriate report pursuant to 49 CFR Part 573 ''Defect and Noncompliance Information Reports.''

This notice of receipt of an application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgement concerning the merits of the application.

Paragraph S6.2 of Standard No. 205 specifies that a number designating the material used, the symbol ''DOT,'' and the manufacturer's code mark, shall be marked on all glazing materials by the prime glazing material manufacturer.

Vehicles Involved

Western Star Constellation Series truck/tractor manufactured between January 17, 1996 and February 3, 1998 equipped with 58″ or 72″ sleepers with side windows. The serial numbers of the affected vehicles fall with the range, 944129 to 953410.

Number of Vehicles

Eight hundred ninety-one (891) vehicles manufactured as of February 3, 1998, potentially contain the noncompliance.

Description of the Noncompliance

Certain Western Star Constellation truck/tractors were equipped with 58″ or 72″ sleepers with side windows which were not marked per the requirements of S6 of Federal Motor Vehicle Safety Standard (FMVSS) 205. The window glazing is not marked per the requirements of Section 6 of ANS Z26. They also were not marked with the symbol ''DOT'' or the manufacturer's code mark per S6.2 of FMVSS 205. The window glazing does, however, meet the physical requirements of FMVSS 205 and is located out of the truck/tractor driver's compartment in an area where highway visibility is not required.

Supporting Information

Although the glazing is not marked per the requirements of FMVSS 205, the glazing has been tested and complies to Item AS–2 of ANSIZ26.1 per the attached report 1/95, from Inchcape Testing Test Services.

The sleeper windows, Western Star Trucks part numbers 63320–3562 and 63320–3563, were purchased from Sun-view Industries Ltd., 15915 Bentley Pl., Box 1079, Summerland, British Columbia, Canada, VOH 1ZO. Sun-view in turn purchased the 3 mm glazing from Wescan Glass—Burnaby, 3153 Thunderbird Cres., Burnaby, British Columbia, V5A 3G2 (A division HGP Industries, Inc., Moorestown, NJ). The attached test report was provided by Inchcape Testing for the test performed on the glass that Wescan provides to Sun-view.

The test report 1/95 indicates that the 3 mm glazing meets the requirements for AS–2 (Safety Glazing Material for Use Anywhere in Motor Vehicle Except Windshields). However, the sleeper windows only need meet AS–5 as they are at a height not requisite with highway visibility, and are ''glazing to the rear of the driver in trucks or truck tractor cabs where other means of affording visibility of the highway to the side and rear of the vehicle are provided.''

Interested persons are invited to submit written data, views and arguments on the application of Western Star, described above. Comments should refer to the Docket Number and be submitted to: Docket Management, Room PL 401, 400 Seventh Street, SW., Washington, DC, 20590. It is requested but not required that six copies be submitted.