

collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued: November 4, 1999.

Dorrie Y. Aldrich,

Associate Administrator for Administration.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-99-6478; Notice 1]

Advanced Bus Industries, LLC; Application for Temporary Exemption From Federal Motor Vehicle Safety Standard No. 105

We are asking your views on the application by Advanced Bus Industries, LLC, of Columbus, Ohio, ("ABI") for a temporary exemption for its MSV small bus from the requirement of Motor Vehicle Safety Standard No. 105 *Hydraulic and Electric Brake Systems* that a service brake system be provided on all wheels. ABI has applied on the basis that it "is otherwise unable to sell a motor vehicle whose overall level of safety is equivalent to or exceeds the overall level of safety of nonexempted motor vehicles." 49 CFR 555.6(d).

We are publishing this notice of receipt of the application in accordance with our regulations on temporary exemptions. This action does not represent any judgment by us about the merits of the application. The discussion that follows is based on information contained in ABI's application.

ABI's Reasons Why it Needs a Temporary Exemption

Paragraph S5.1 of Standard No. 105 requires motor vehicles to which the standard applies to be equipped with a service brake system acting on all wheels. ABI has applied on behalf of its "MSV Test and Development Vehicle," a small bus with a GVWR of 13,500 pounds.

ABI describes the configuration of the MSV by saying that the four-wheel independent-suspension support is augmented by a small-wheeled tag axle. The tag axle is located behind the two rear-independent suspension wheels. The four independent-suspension wheels are fitted with hydraulic-caliper disc brakes but the two small wheels of the tag axle are not fitted with brakes.

ABI asks to be excused from providing brakes for the wheels of the tag axle.

The MSV was originally developed without the tag axle, but pre-production changes increased the gross weight on the two rear wheels beyond the rated load capacity of the rear tires. ABI has added a Dexter tag axle to support the additional weight.

The standard-equipment brakes operate with a low displacement of hydraulic fluid at a pressure of approximately 1,600 psi. The vehicle is equipped with an antilock braking system (ABS). However, "there is no commercially-available tag axle with a braking system that is compatible with the vehicle's main service brake system." Absent an exemption, ABI will not be able to sell the production version of the MSV. While any exemption provided is in effect, ABI intends "to develop a new higher-capacity, rear wheel suspension system that will eliminate the need for the tag axle", and does not anticipate selling more than 75 vehicles for any 12-month period that the exemption is in effect.

ABI's Reasons Why the Overall Level of Safety of the MSV Is at Least Equal to That of a Complying Motor Vehicle

Although the MSV does not contain any safety features other than those required by the Federal motor vehicle safety standards, ABI argues that it otherwise exceeds the requirements of Standard No. 105 "and easily complies with brake-in-turn (stability and control) standards expected to be proposed by NHTSA in the near future."

The company has tested the MSV service brake system to the requirements of Standard No. 105, and enclosed a copy of the test report with its petition. The report stated that "even without brakes on the tag axle, the vehicle was still able to meet all of the performance requirements of FMVSS 105 by a significant margin." (Test No. RAI-ABI-01, Radlinski & Associates, Inc., August 1999, p. 2). The report also concluded that the results demonstrated "that the tag axle, which only carries 1,500 lb (11 percent of the total weight), does not really need brakes in order for the vehicle to provide safe stopping performance as defined by the requirements of the standard" (id., p. 2).

ABI's Reasons Why an Exemption Would Be Consistent With the Public Interest and Objectives of Motor Vehicle Safety

ABI argued that an exemption would be in the public interest and consistent with traffic safety objectives because granting the exemption "will permit public-transit use of the advanced

features of the MSV bus while fulfilling the letter, and the intent, of the FMVSS standards." These advanced features are "significantly improved ride and handling characteristics compared to existing small buses and the MSV's stainless steel frame and FRP body will be more durable than conventionally-constructed buses in this class." In addition, the company believes that test report shows that the braking performance, even without brakes on the tag axle, significantly exceeds the requirements of Standard No. 105.

How To Comment on ABI's Application

If you would like to comment on ABI's petition, please send two copies of your comments, in writing, to: Docket Management, National Highway Traffic Safety Administration, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590, in care of the docket and notice number shown at the top of this document.

Comments may also be submitted electronically by logging onto the Docket Management System website at <http://dms.dot.gov>. Click on "Help & Information" or "Help/Info" to obtain instructions.

We shall consider all comments received before the close of business on the comment closing date stated below. To the extent possible, we shall also consider comments filed after the closing date. You may examine the docket in Room PL-401, both before and after that date, between 10 a.m. and 5 p.m., or by accessing the docket at its website.

When we have reached a decision, we shall publish it in the **Federal Register**.

Comment closing date: December 17, 1999.

Authority: 49 U.S.C. 30113; delegations of authority at 49 CFR 1.50 and 501.4.

Issued on: November 10, 1999.

Stephen R. Kratzke,

Acting Associate Administrator for Safety Performance Standards.

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DEPARTMENT OF THE TREASURY

Fiscal Service

Financial Management Service; Proposed Collection of Information: Voucher for Payment of Awards

AGENCY: Financial Management Service, Fiscal Service, Treasury.

ACTION: Notice and request for comments.