Issued in Washington, DC on March 16, 1999.

Eric Gabler,

Manager, Passenger Facility Charge Branch.

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA–99–5219]

Notice of Request for Clearance of a New Information Collection: National Ferry Study

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the requirements of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, this notice announces the intention of the FHWA to request the Office of Management and Budget's (OMB) approval for a new information collection related to the Nation's ferry operations. The information to be collected will be used to: (1) Inventory existing ferry operations; (2) determine the potential for new ferry routes; (3) determine the potential for alternative fuel ferries; and (4) determine the potential for high speed ferries.

DATES: Comments must be submitted on or before May 21, 1999.

ADDRESSES: All signed, written comments should refer to the docket number that appears in the heading of this document and must be submitted to the Docket Clerk, U.S. DOT Dockets, Room PL–401, 400 Seventh Street, SW, Washington, DC 20590–0001. All comments received will be available for examination at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed stamped envelope or postcard.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Gorman, (202) 366–5001, Office of Intermodal and Statewide Planning, Federal Highway Administration, Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590. Office hours are from 7:30 a.m. to 5 p.m., E.T., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title: National Ferry Study.

Background: The Transportation Equity Act for the 21st Century (TEA–21), section 1207(c), directs the Secretary of Transportation to conduct a study of ferry transportation in the United States and its possessions. The FHWA's Office of Intermodal and Statewide Planning will conduct a survey of approximately 250 operators of existing ferry services to identify: (1) The existing ferry operations including the location and routes served; (2) the source and amount, if any, of funds derived from Federal, State, or local governments supporting ferry construction or operations; (3) the potential domestic ferry routes in the United States and its possessions and to develop information on those routes; and (4) the potential for use of high speed ferry services and alternative-fueled ferry services. The information will be collected by telephone from approximately 250 operators of ferry services. Before the telephone surveys begin, the Passenger Vessel Association and the American Association of State Highway and Transportation Officials will mail letters to their respective members advising them of the purpose of the survey and encouraging their participation. The survey will request the respondents to provide information such as: (1) The points served; (2) the amount and source of Federal, State, and/or local funds used in the past three years; (3) the type of ownership; (4) the number of passengers and vehicles carried in the past year; (5) any new routes expected to be added within the next five years; and (6) the highways that are connected by the ferries.

Respondents: The respondents to the survey will be 250 operators of existing ferry services in the United States.

Estimated Average Burden per Response: The estimated average burden per response is 20 minutes.

Estimated Total Annual Burden: The estimated total annual burden is 83 hours.

Frequency: This is a one-time survey.

Public Comments Invited: Interested parties are invited to send comments regarding any aspect of this information collection, including, but not limited to: (1) The necessity and utility of the information collection for the proper performance of the functions of the FHWA; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the collected information; and (4) ways to minimize the collection burden without reducing the quality of the collected information. Comments submitted in response to this notice will be summarized and/or included in the request for OMB's clearance of this information collection.

Electronic Access: Internet users can access all comments received by the U.S. DOT Dockets, Room PL–401, by using the universal resource locator (URL): *http://dms.dot.gov*. It is available 24 hours each day, 365 days each year. Please follow the instructions online for more information and help. An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office Electronic Bulletin Board Service at telephone number 202–512–1661. Internet users may reach the **Federal Register**'s home page at *http://www.nara.gov/fedreg* and the Government Printing Office's database at *http://www.access.gpo.gov/nara*.

Authority: The Transportation Equity Act for the 21st Century, (Pub. L. 105–178), section 1207(c); and 49 CFR 1.48.

Issued on: March 15, 1999.

Michael J. Vecchietti,

Director, Office of Information and Management Services.

[FR Doc. 99–6848 Filed 3–19–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA 99–5287; Notice 1]

Dailey Body Company; Application for Temporary Exemption From Federal Motor Vehicle Safety Standard No. 121

We are asking comments from the public on the application by Dailey Body Company of Oakland, California, that five trailers be exempted from Motor Vehicle Safety Standard No. 121 *Air Brake Systems.* The statutory basis for this request is that ''compliance would cause substantial economic hardship to a manufacturer that has tried in good faith to comply with the standard.'' 49 U.S.C. 30113.

We are publishing this notice of receipt of the application in accordance with our regulations on temporary exemptions. This does not represent any judgment by us about the merits of the application.

The discussion below is based upon the information that Dailey provided in its application.

Why Dailey Needs an Exemption

Dailey is requesting an exemption for five ''special reel hauling'' trailers that it was unable to complete before March 1, 1998, because of changes requested by its customer, Pacific Gas & Electric Co., (PG&E) during construction of the trailers. On March 1, 1998, an amendment to Federal Motor Vehicle Safety Standard No. 121 *Air Brake*

Systems became effective, requiring these trailers to be equipped with an anti-lock brake system. According to the company, there is no after market kit available to convert the air-over-hydraulic brake system to meet the new requirements of S5.1.6.

Why Compliance Would Cause Dailey Substantial Economic Hardship

Since there is no aftermarket kit available to convert the trailers to a conforming brake system, Dailey would be unable to sell them absent an exemption. It has $250,000 of its operating capital tied up in the trailers, and would have to absorb the loss. This figure is almost equal to its combined net income for the years 1996 and 1997, $252,519.

How Dailey Tried in Good Faith to Comply With Standard No. 121

Dailey's total trailer production in the 12-month period preceding the filing of its application was 43. It was also the final-stage manufacturer and certifier of 938 ''chassis with bodies.'' Other than the five trailers for which it requests exemption, its trailers manufactured since March 1, 1998, comply with Standard No. 121.

Why an Exemption for Dailey Would Be in the Public Interest and Consistent With the Objectives of Motor Vehicle Safety

Dailey believes that it would be in the public interest ''to keep from imposing a hardship, that could adversely affect employment, on a company that has been successfully building truck body equipment for over 50 years.'' Because only five trailers will be exempted, the risk to the public will be small. The trailers were manufactured to conform with regulations that existed at the time production was scheduled.

How To Comment on Dailey's Application

We invite written comments on Dailey's application. Please send them in two copies, referring to the docket and notice number, to: Docket Management, National Highway Traffic Safety Administration, room PL–401, 400 Seventh Street, SW, Washington, DC 20590. We shall consider all comments received before the close of business on the comment closing date below. Comments will be available for examination in the docket at the above address both before and after that date, between the hours of 10 a.m. and 5 p.m. To the extent possible, we will also consider comments filed after the closing date. When the Administrator has made a decision, we shall publish it in the **Federal Register**.

Comment closing date: April 21, 1999.

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

Issued on: March 16, 1999.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

[FR Doc. 99–6845 Filed 3–19–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–99–4966; Notice 2]

TarasPort Trailers, Inc.; Grant of Application for Temporary Exemption From Federal Motor Vehicle Safety Standard No. 224

We are granting the application by TarasPort Trailers, Inc., of Sweetwater, Tennessee, for a temporary exemption from Motor Vehicle Safety Standard No. 224 *Rear Impact Protection*, as provided by 49 CFR part 555, finding that ''compliance would cause substantial economic hardship to a manufacturer that has tried in good faith to comply with the standard.'' Sec. 555.6(a).

On January 13, 1999, we published a notice inviting comment on TarasPort's application (64 FR 2273). The salient points of the application are set out below.

Why TarasPort Needs a Temporary Exemption

Located in the Sweetwater Industrial Park in Monroe County, Tennessee, TarasPort has manufactured trailers since April 1988. Standard No. 224 requires, effective January 26, 1998, that all trailers with a GVWR of 4536 Kg or more be fitted with a rear impact guard that conforms to Standard No. 223 *Rear impact guards*. TarasPort manufactured a total of 237 trailers in 1997, including ''two models of drop decks equipped with rear deck extenders.'' The extenders deploy in 1-foot increments, up to 3 feet, from the rear of the trailer. S5.1.3 of Standard No. 224 requires that the horizontal member of the rear impact guard must be as close as practicable to the rear extremity of the vehicle, but in no case farther than 305 mm. from it. TarasPort had asked NHTSA to exclude its two trailer models as ''special purpose vehicles,'' but we denied its request. We also determined that the trailers' rear extremity, with the extenders deployed ''would be the rearmost surface on the extenders themselves.'' In order to meet S5.1.3, TarasPort must redesign these models so that the rear face of the horizontal member of the guard will never be more than 305 mm forward of the rearmost surface on the extenders, when the extenders are in any position in which they can be placed when in transit. It has asked for a 2-year exemption in order to do so.

Why Compliance Would Cause TarasPort Substantial Economic Hardship

TarasPort employs 16 people, including its two working owners. An increasing amount of its sales is comprised of the two extended-deck trailers, from 55% in 1997 to 63% in the first two quarters of 1998. Using its existing staff, the company estimates that it needs 18 to 24 months of design and testing to bring the trailers into compliance with S5.1.3, and that the modifications required will cost $1800 to $2000 per trailer.

If the application is denied, TarasPort would have to discontinue production for 18 to 24 months, or hire an engineering consulting firm to possibly reduce that time, at a fee of $80 to $120 an hour. It would be forced to lay off a majority of its employees, and it would lose the market and established customer base that it has achieved as a niche producer over the 10 years of its existence.

According to its financial statements, TarasPort has had a small net income in each of its past three fiscal years, though the income each year has been substantially less than the year before. The net income for 1997 was $87,030.

How TarasPort Has Tried To Comply With the Standard in Good Faith

Most of TarasPort's trailers have low deck heights and rear ramp compartments ''which only compound rear impact compliance problems.'' Nevertheless, the company was able to bring its designs into compliance by Standard No. 224's effective date, with the exception of the two extender designs. These trailers comply when the extenders are not in use. The company tested mounting the guard directly on the extenders ''so it would move out and thus comply,'' but found that this method of mounting ''would not absorb the level of energy'' required by Standard No. 223. TarasPort hoped that we would consider the extenders to be load overhang or exempt as a special purpose vehicle, but we denied this request on May 22, 1998.