Comments are Invited On: Whether the proposed collection information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be 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: February 3, 2005.

Ann M. Linnertz,

Deputy Associate Administrator for Administration.

[FR Doc. 05–2472 Filed 2–8–05; 8:45 am]

BILLING CODE 4910–57–M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Reports, Forms and Record Keeping Requirements Agency Information Collection Activity Under OMB Review

AGENCY: National Traffic Administration, DOT.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collections and their expected burden. The **Federal Register** Notice with a 60-day comment period was published on August 6, 2004 [FR Doc. 04–17991, Vol. 69, No. 151, Page 47980].

DATES: Comments must be submitted on or before March 11, 2005.

FOR FURTHER INFORMATION CONTACT: Marcia Tarbet at the National Highway Traffic Safety Administration, Office of Planning, Evaluation, and Budget (NOP–321), 202–366–2570, 400 Seventh Street, NW., 5208N, Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

National Highway Traffic Safety Administration

Title: Highway Crash Data Collection for the Evaluation of Antilock Brake Systems (ABS) and Rear Impact Guards on Heavy Vehicles.

OMB Number: 2127–0614.

Type of Request: Request for public comment on proposed collection of information.

Abstract: As required by the Government Performance and Results Act of 1993 and Executive Order 12866 (58 FR 51735), NHTSA reviews existing regulations to determine if they are achieving policy goals. Federal Motor Vehicle Safety Standards (FMVSS) 105 (49 CFR 571.105) and FMVSS 121 (49 CFR 571.12) require ABS and a malfunction indicator lamp (MIL) on all new heavy vehicles with a Gross Vehicle Weight Rating (GVWR) of 10,000 pounds or more. Implementation of the standards was performed over a three-year period; air-brake truck tractors manufactured on or after March 7, 1997, air-brake trailers and single-unit trucks manufactured on or after March 1, 1998, and hydraulic brake trucks manufactured on or after March 1, 1999.

FMVSS 223 (49 CFR 571.223) and 224 (49 CFR 571.224) set minimum requirements for the geometry, configuration, strength and energy absorption capability of rear impact guards on full trailers and semi-trailers over 10,000 pounds GVWR manufactured on or after January 26, 1998. NHTSA's Office of Planning, Evaluation, and Budget is planning a highway crash data collection effort that will provide adequate information to perform an evaluation of the effectiveness of ABS and rear impact guards for heavy trucks. This study will estimate the actual safety benefits (crashes, injuries, and fatalities avoided) achieved by the standards and provide a basis for assessing whether the standards are functioning as intended. Highway crash data will be analyzed to the extent that the experiences of heavy trucks equipped with ABS and rear impact guards can be compared with the experiences of heavy trucks not so equipped.

Affected Public: State and Local Governments in North Carolina.

Estimated Total Annual Burden: The annual burden is estimated to be 4,036 hours.

Addresses: Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be 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. A comment to OMB is most effective if OMB receives it within 30 days of publication.

Issued in Washington, DC, February 2, 2005.

Noble N. Bowie,

Associate Administrator for Planning, Evaluation, and Budget.

[FR Doc. 05–2468 Filed 2–8–05; 8:45 am]

BILLING CODE 4910–59–M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA 2005–20046; Notice 1]

Bridgestone/Firestone North America Tire, LLC. Receipt of Application for Decision of Inconsequential Noncompliance

Bridgestone/Firestone North America Tire, LLC has determined that approximately 323 size 445/50R22.5 20 Ply, Load Range 'L', Bridgestone S892 tires do not meet the labeling requirements mandated by Federal Motor Vehicle Safety Standard (FMVSS) No. 109, ''New Pneumatic Tires.''

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Bridgestone/Firestone has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR Part 573, ''Defect and Noncompliance Reports.'' FMVSS No. 109 (S4.3(c)) requires that each tire shall have permanently molded into or onto both sidewalls the maximum load rating of the tire.

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.

The noncompliance with S4.3(c) relates to the sidewall markings. Bridgestone/Firestone Tochigi, Japan Plant produced approximately 323 tires with incorrect markings. The noncompliant tires were marked: ''Max Load 4540 Kg (10,000 lbs.)@ 790 kPa (115 psi).'' The correct marking required by FMVSS No. 109 is as follows: ''Max Load 4625 Kg (10,200 lbs.)@ 830 kPa (120 psi).''

Bridgestone/Firestone believes that the noncompliance described herein is inconsequential as it relates to motor

vehicle safety because these tires are typically used on vehicles with tandem axles having a maximum load carrying capacity of 8,500 lbs. per tire (one side of the axle). Thus the tires can easily accommodate the load they will likely carry. The difference between actual and correct stampings is minimal compared to the practical 8,500 lbs. per tire application. Therefore, Bridgestone/Firestone believes this noncompliance is particularly unlikely to have an adverse affect on motor vehicle safety and is clearly inconsequential in that regard. The noncompliant tires meet or exceed all performance requirements of FMVSS No. 109 and will have no impact on the operational performance or safety of vehicles on which these tires are mounted.

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: U.S. Department of Transportation, Docket Management, Room PL–401, 400 Seventh Street, SW., Washington, DC 20590. It is requested that two copies be submitted.

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: March 11, 2005.

(49 U.S.C. 301118, 301120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: February 2, 2005.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.

[FR Doc. 05–2470 Filed 2–8–05; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2005–20288, Notice 1]

Cross Lander USA; Receipt of Application for a Temporary Exemption From Federal Motor Vehicle Safety Standard No. 208

In accordance with the procedures of 49 CFR part 555, Cross Lander USA (''Cross Lander'') has applied for a Temporary Exemption from the automatic restraint requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 208, ''Occupant crash protection.'' The basis of the application is that compliance would cause substantial economic hardship to a manufacturer that has tried in good faith to comply with the standard.

We are publishing this notice of receipt of the application in accordance with the requirements of 49 U.S.C. 30113(b)(2), and have made no judgment on the merits of the application.

I. Background

Cross Lander seeks to import and distribute a multipurpose passenger vehicle, the Cross Lander 244X, manufactured in Romania. According to the petitioner, the 244X was previously known as ''ARO,'' and was ''built for extreme off road use and such were used by many armies and NATO forces.'' Over 360,000 ARO vehicles were manufactured from 1957 until 1989. The petitioner describes the 244X as similar in off-road capability to Hummer H–1 vehicles manufactured by General Motors. Although Cross Lander has negotiated with an air bag manufacturer for the design and testing of an air bag system for its vehicle, completion of the air bag development is not economically viable without additional revenue generated through immediate sales of the 244X in the United States.

A description of the 244X is set forth in the petition (Docket No. NHTSA–2005–20288). For additional information on the 244X, please go to *http://www.crosslander4x4.com/.*

II. Why Cross Lander Needs a Temporary Exemption

Because of an unexpected change in the choice of engine equipped on the 244X, the Gross Vehicle Weight Rating (GVWR) of the 244X is less than 5,500 pounds. However, in preparing the 244X for sale in the United States, the petitioner anticipated that the vehicle would have a higher GVWR. Because a heavier vehicle would not have been subject to the applicable automatic restraint requirements of FMVSS No. 208, the petitioner was not prepared to equip the 244X with a suitable air bag system.

According to the petitioner, the cost of making the 244X compliant with FMVSS No. 208 on short notice is beyond the company's current capabilities. Thus, Cross Lander requests a two-year exemption in order to develop a compliant automatic restraint system.

The petition indicates that Cross Lander has invested over $2 million into the company. The petitioner's draft financial statements indicate a net loss of $653,307 for the fiscal year ending 12/31/2002, and a net loss of $383,633 for the for the fiscal year ending 12/31/2003.[1] Additionally, a 2004 cash flow analysis projects a net loss of $1,602,433.[2] The agency requested that Cross Lander provide updated financial statements for years 2002 through 2004 and will examine this information before arriving at our decision on this application.

The petitioner expected to derive initial revenue from sales of dealership licenses. However, if the Cross Lander MPV cannot be sold in the United States, no additional dealership licenses will be sold, and existing dealers would be entitled to a full refund. In short, the company would cease operations unless it is able to begin selling their product in the immediate future.

III. Why Compliance Would Cause Substantial Economic Hardship and How Cross Lander Has Tried in Good Faith To Comply With FMVSS No. 208 and the Bumper Standard

As previously discussed, the petitioner contends that failure to obtain a two-year exemption from the requirements of FMVSS No. 208 would result in Cross Lander closing its operations because it would not be able to sell any vehicles or maintain its dealer network.

Cross Lander examined several air bag manufacturers and chose Siemens to develop its air bag system. The estimated cost of developing an advanced air bag system to meet FMVSS No. 208 is $1.2 million. The project would take approximately 18 months.[3] Because Cross Lander has no current vehicles for sale in the United States, it is impossible to finance this project without a source of revenue. The petitioner contends that a two-year exemption would allow the Cross Lander to successfully develop a suitable air bag system.

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

The petitioner put forth several arguments in favor of a finding that the requested exemption is consistent with the public interest and the objectives of the Safety Act. Specifically:

1. The petitioner argues that the 244X is likely to be used extensively off-road and would not travel frequently on

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[1] *See* Petition Attachment Draft Financial Statements (Docket No. NHTSA–2005–20288).

[2] *See* Petition Attachment 1 (Docket No. NHTSA–2005–20288).

[3] *See* Siemens Report, Attachment 2 (Docket No. NHTSA–2005–20288).