

for the project. Subsequent legal action resulted in a determination that the SEIS must be completed before the project could proceed. Since the approval date for the Draft SEIS was over three years old, the FHWA completed a reevaluation of the Draft document and found that it remains valid. Therefore, the FHWA will reinstate the process to complete the Supplemental Environmental document process.

The FHWA has determined that a formal scoping meeting is not necessary.

**Authority:** 23 U.S.C. 315; 49 CFR 1.48.

**David R. Geiger,**

*P.E., Division Administrator, Kansas Division,  
Federal Highway Administration, Topeka,  
Kansas.*

[FR Doc. 99-5940 Filed 3-9-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Amtrak Reform Council; Notice of Meeting

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of Amtrak Reform Council meeting.

**SUMMARY:** As provided in Section 203 of the Amtrak Reform and Accountability Act of 1997, the Federal Railroad Administration (FRA) gives notice of a meeting of the Amtrak Reform Council ("ARC or Council"). The purpose of the meeting is to receive a briefing from the executive director, continue Amtrak's response to the Department of Transportation's Inspector General's independent assessment report of Amtrak's financial needs, discuss the Council's work program and schedule for the coming year and to take up such other matters as the Council or its members deem appropriate.

**DATES:** The meeting is scheduled from 1:00 p.m. to 4:30 p.m. on Monday, March 15, 1999.

**ADDRESSES:** The meeting will be held in room 9210 at the U.S. Department of Transportation, 400 Seventh Street, S.W., Washington, D.C. The meeting is open to the public on a first-come, first-served basis. Portions of the meeting may be closed to the public at the discretion of the Council if proprietary information is to be discussed. Persons in need of special arrangements should contact the person whose name is listed below.

**FOR FURTHER INFORMATION CONTACT:** Tom Till, Executive Director, Amtrak Reform

Council, JM-ARC, Room 7105, 400 Seventh Street, S.W., Washington, D.C. 20590 or by telephone at (202) 366-0591.

**SUPPLEMENTARY INFORMATION:** The ARC was created by the Amtrak Reform and Accountability Act of 1997 (ARAA) as an independent commission to evaluate Amtrak's performance and make recommendations to Amtrak for achieving further cost containment and productivity improvements, and financial reforms. In addition, the ARAA requires: that the ARC monitor cost savings resulting from work rules established under new agreements between Amtrak and its labor unions; that the ARC provide an annual report to Congress that includes an assessment of Amtrak's progress on the resolution of productivity issues; and that after two years the ARC begin to make findings on whether Amtrak can meet certain financial goals and, if not, to notify the President and the Congress.

The ARAA provides that the ARC consist of eleven members, including the Secretary of Transportation and ten others nominated by the President or Congressional leaders. Each member is to serve a 5 year term.

Issued in Washington, D.C., on March 3, 1999.

**Mark E. Yachmetz,**

*Chief, Passenger Programs Division.*

[FR Doc. 99-5929 Filed 3-9-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-99-5200; Notice 1]

#### Capacity of Texas, Inc.; Application for Temporary Exemption From Federal Motor Vehicle Safety Standard No. 105

We are asking your views on the application by Capacity of Texas, Inc., of Longview, Texas ("Capacity"), for a three-year exemption from requirements of Motor Vehicle Safety Standard No. 105 *Hydraulic and Electric Brake Systems* that are effective March 1, 1999. Capacity has applied on the basis that "compliance would cause substantial economic hardship to a manufacturer that has tried in good faith to comply with the standard." 49 CFR 555.6(a).

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 Capacity's application.

#### *Why Capacity Needs a Temporary Exemption*

On and after March 1, 1999, S5.5 of Standard No. 105 requires any motor vehicle with a gross vehicle weight rating (GVWR) greater than 10,000 pounds, except for a vehicle that has a speed attainable in 2 miles of not more than 33 mph, to be equipped with an antilock brake system. Capacity manufactures bus chassis that it provides to World Trans, Inc., of Hutchinson, Kansas, for completion. However, with respect to the buses that will be covered by the exemption, if granted, Capacity has informed us that, pursuant to the option granted the manufacturer of an incomplete vehicle by 49 CFR 568.7(a), it will assume the responsibilities of the final-stage manufacturer (World Trans), certifying that the completed buses comply with all applicable Federal motor vehicle safety standards, and provide notification and remedy if required. In the meantime, the usual commercial relationship between Capacity and World Trans need not be interrupted; World Trans, as a final-stage manufacturer, may complete the bus in such a manner that it conforms to the standards in effect on the date that the incomplete vehicle was manufactured. Therefore, buses whose manufacture is completed on or after March 1, 1999, are not required to comply with antilock requirements if their chassis was manufactured before March 1, 1999 (see 49 CFR 568.6(a)).

#### *Why Compliance Would Cause Capacity Substantial Economic Hardship*

Capacity produces a limited quantity (100 or less yearly) bus chassis for World Trans, and, as discussed more fully below, has been unable to find a vendor who is willing to provide antilock controllers. Therefore, if Capacity is not granted an exemption, it will have to withdraw the chassis from production, and World Trans's bus production will be diminished. This will cause both Capacity and World Trans to lose income in each of the three years for which exemption has been requested. Capacity's projected net income for its fiscal year ending October 31, 1998, was \$2,631,018. Its projected net income for the year ending October 31, 1999, is \$2,286,617 if an exemption is granted, and \$1,945,087 if it is not. Thus, net income would be reduced by \$341,530 in the absence of an exemption covering production from March 1-October 31, 1999.

### *How Capacity Has Tried To Comply With the Standard in Good Faith*

Capacity contacted four different brake component suppliers. Its search for an anti-lock controller began with Lucas/Varity (formerly Kelsey-Hayes) because of its longtime association with Ford Motor Company and the fact that the bus chassis uses a common Dana drive axle with many Ford light duty trucks. But the company was told that no development could be approached until Capacity could guarantee a purchase order in the range of 10,000 controllers.

Capacity next approached Eaton-Bosch, and found that it is currently producing hydraulic anti-lock brake systems for vehicles up to 12,000 lbs GVWR. Although the company is developing a system for vehicles up to 20,000 lbs GVWR, the system won't be finalized until 2001.

The third vendor that Capacity approached was ITT Automotive-Teves, which expects to have a system ready for installation on vehicles up to 20,000 lbs GVWR by the fourth quarter of 1999. The company told Capacity that it will take a minimum of one winter test season to assure that the controller can be adapted to a vehicle. Thus, Capacity does not foresee that it can use this system and comply before the Fall of 2000.

Finally, Capacity consulted Rockwell/Meritor-Wabco System. This company has a controller that "can be fine tuned on a vehicle to meet different dynamic characteristics." However, "even if this system proves out, it appears that a year's testing will be required to adapt it to our bus chassis."

### *Why Exempting Capacity Would Be Consistent With the Public Interest and Objectives of Motor Vehicle Safety*

Capacity argued that an exemption would be in the public interest and consistent with traffic safety objectives because

many of these vehicles end up serving small cities and rural transit districts. These customers have limited budgets so the availability of an economical low floor bus allows them to prove fee service in areas where large buses are too costly to operate. The low floor feature of this vehicle allows the finished bus to readily serve the handicapped community.

In addition, "these buses operate in shuttle and light transit operations where high speed stops aren't commonly experienced." The company believes that rushing an anti-lock system into production might present a risk to safety.

### *How To Comment on Capacity's Application*

If you would like to comment on Capacity's application, 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.

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.

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

Comment closing date: March 30, 1999.

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

Issued on: March 4, 1999.

**L. Robert Shelton,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 99-5971 Filed 3-9-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### Announcement of University Transportation Centers Program Grant Solicitation

**Authority:** 49 U.S.C. 5505.

**ACTION:** Announcement of grant solicitation for University Transportation Centers (UTC) Program.

**SUMMARY:** The US Department of Transportation (DOT) plans to establish and maintain one University Transportation Center in each of the ten standard federal regions. The mission of the Centers is to advance U.S. technology and expertise in the many disciplines comprising transportation through the mechanisms of education, research and technology transfer at university-based centers of excellence.

To accomplish this purpose, DOT will provide up to \$1 million per Center for each of the five consecutive academic years starting in 1999. Each Center is required to obtain matching funds from non-federal sources in an amount at least equal to the DOT grant. DOT funding will be awarded in annual increments, on the basis of each Center's success in attaining the goals of the

program and subject to the availability of funding.

**APPLICATION INSTRUCTIONS:** Documents providing general program information and instructions for applying for a UTC grant are posted on the Internet at <http://utc.dot.gov/fy1999.html>. If you are unable to access the documents electronically, you may request a hard copy from the office designated below.

**DATES:** Applications must be received at the office designated below by 5:00 p.m. on Thursday, April 15, 1999.

**ADDRESSES:** Applications must be submitted to the following address: UTC Competition (Mail Code DRA-2), Research and Special Programs Administration, US Department of Transportation, 400 Seventh Street, SW, Room 8417, Washington, DC 20590-0001.

**FOR FURTHER INFORMATION:** Contact the UTC Program office by e-mail at [utc@rspa.dot.gov](mailto:utc@rspa.dot.gov); by phone at 202/366-4434; or by Fax at 202/366-3671.

Dated: March 3, 1999.

**E. Fenton Carey,**

*Associate Administrator for Research, Technology and Analysis.*

[FR Doc. 99-5938 Filed 3-9-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33407]

#### Dakota, Minnesota & Eastern Railroad Corporation; Construction Into the Powder River Basin <sup>1</sup>

#### AGENCIES:

Lead: Surface Transportation Board.  
Cooperating:

U.S.D.A. Forest Service.

U.S.D.I. Bureau of Land Management.

U.S. Army Corps of Engineers.

**ACTION:** Notice of availability of final scope of study for the Environmental Impact Statement (EIS); Request for

<sup>1</sup> This case was formerly entitled Dakota, Minnesota & Eastern Railroad Corporation—Construction and Operation—in Campbell, Converse, Niobrara, and Weston Counties, WY, Custer, Fall River, Jackson, and Pennington Counties, SD, and Blue Earth, Nicollet, and Steele Counties, MN. By decision served May 7, 1998, the Surface Transportation Board shortened the title for the sake of simplicity. As discussed below, the environmental review of this project will also include the section of the line DM&E proposes to rebuild as part of this project. Environmental review of the rebuild portion of the line would include the counties of Winona, Olmsted, Dodge, Steele, Waseca, Blue Earth, Brown, Redwood, Lincoln, and Lyon in Minnesota; Brookings, Kingsbury, Beadle, Hand, Hyde, Hughes, Stanley, Haakon, Jackson, Pennington, and Fall River in South Dakota.