

originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

Champagne Imports of Lansdale, Pennsylvania ("Champagne") (Registered Importer 90-009) has petitioned NHTSA to decide whether 1987-1989 Bentley passenger cars are eligible for importation into the United States. The vehicles which Champagne believes are substantially similar are 1987-1989 Bentley passenger cars that were manufactured for importation into, and sale in, the United States and certified by their manufacturer as conforming to all applicable Federal motor vehicle safety standards.

The petitioner claims that it carefully compared non-U.S. certified 1987-1989 Bentley passenger cars to their U.S. certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most Federal motor vehicle safety standards.

Champagne submitted information with its petition intended to demonstrate that non-U.S. certified 1987-1989 Bentley passenger cars, as originally manufactured, conform to many Federal motor vehicle safety standards in the same manner as their U.S. certified counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that non-U.S. certified 1987-1989 Bentley passenger cars are identical to their U.S. certified counterparts with respect to compliance with Standards Nos. 102 *Transmission Shift Lever Sequence* * * * *, 103 *Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 105 *Hydraulic Brake Systems*, 106 *Brake Hoses*, 109 *New Pneumatic Tires*, 113 *Hood Latch Systems*, 116 *Brake Fluid*, 124 *Accelerator Control Systems*, 201 *Occupant Protection in Interior Impact*,

202 *Head Restraints*, 203 *Impact Protection for the Driver from the Steering Control System*, 204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 206 *Door Locks and Door Retention Components*, 207 *Seating Systems*, 209 *Seat Belt Assemblies*, 210 *Seat Belt Assembly Anchorages*, 212 *Windshield Retention*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, and 302 *Flammability of Interior Materials*.

Petitioner also contends that the vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays*: (a) Substitution of a lens marked "Brake" for a lens with a noncomplying symbol on the brake failure indicator lamp; (b) installation of a seat belt warning lamp that displays the appropriate symbol; (c) recalibration of the speedometer/odometer from kilometers to miles per hour.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: (a) Installation of U.S.-model headlamp assemblies that incorporate headlamps with DOT markings; (b) installation of U.S.-model front and rear sidemarker/reflector assemblies; (c) installation of U.S.-model taillamp assemblies; (d) installation of high mounted stop lamps.

Standard No. 110 *Tire Selection and Rims*: installation of a tire information placard.

Standard No. 111 *Rearview Mirror*: replacement of the convex passenger side rearview mirror.

Standard No. 114 *Theft Protection*: installation of a warning buzzer microswitch in the steering lock assembly and a warning buzzer.

Standard No. 118 *Power Window Systems*: rewiring of the power window system so that the window transport is inoperative when the ignition is switched off.

Standard No. 208 *Occupant Crash Protection*: (a) installation of a U.S.-model seat belt in the driver's position, or a belt webbing-actuated microswitch inside the driver's seat belt retractor; (b) installation of an ignition switch-actuated seat belt warning lamp and buzzer; (c) installation of automatic lap and shoulder belts at each front designated seating position. The petitioner states that the vehicles are equipped with combination lap and shoulder restraints that release by means of a single push button at both rear outboard designated seating positions, and with a lap belt in the rear center designated seating position.

Standard No. 214 *Side Impact Protection*: installation of reinforcing beams.

Standard No. 301 *Fuel System Integrity*: installation of a rollover valve in the fuel tank vent line between the fuel tank and the evaporative emissions collection canister.

Additionally, the petitioner states that the bumpers on the non-U.S. certified 1987-1989 Bentley passenger cars must be reinforced or U.S.-model bumper components must be installed to comply with the Bumper Standard found in 49 CFR Part 581.

The petitioner also states that a vehicle identification number plate must be affixed to the vehicle to meet the requirements of 49 CFR Part 565.

Interested persons are invited to submit comments on the petition described above. Comments should refer to the docket number and be submitted to: Docket Management, Room PL-401, 400 Seventh St., SW, Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: April 6, 2000.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.
[FR Doc. 00-8938 Filed 4-10-00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2000-7173]

Notice of Receipt of Petition for Decision that Nonconforming 1988-1990 Jaguar XJS and XJ6 Passenger Cars Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice of receipt of petition for decision that nonconforming 1988-1990 Jaguar XJS and XJ6 passenger cars are eligible for importation.

SUMMARY: This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that 1988-1990

Jaguar XJS and XJ6 passenger cars that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because (1) they are substantially similar to vehicles that were originally manufactured for importation into and sale in the United States and that were certified by their manufacturer as complying with the safety standards, and (2) they are capable of being readily altered to conform to the standards.

DATES: The closing date for comments on the petition is May 11, 2000.

ADDRESSES: Comments should refer to the docket number and notice number, and be submitted to: Docket Management, Room PL-401, 400 Seventh St., SW, Washington, DC 20590. [Docket hours are from 9 am to 5 pm].

FOR FURTHER INFORMATION CONTACT: George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

J.K. Technologies of Baltimore, Maryland ("J.K.") (Registered Importer 90-006) has petitioned NHTSA to decide whether 1988-1990 Jaguar XJS and XJ6 passenger cars are eligible for importation into the United States. The vehicles which J.K. believes are

substantially similar are 1988-1990 Jaguar XJS and XJ6 passenger cars that were manufactured for importation into, and sale in, the United States and certified by their manufacturer as conforming to all applicable Federal motor vehicle safety standards.

The petitioner claims that it carefully compared non-U.S. certified 1988-1990 Jaguar XJS and XJ6 passenger cars to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most Federal motor vehicle safety standards.

J.K. submitted information with its petition intended to demonstrate that non-U.S. certified 1988-1990 Jaguar XJS and XJ6 passenger cars, as originally manufactured, conform to many Federal motor vehicle safety standards in the same manner as their U.S. certified counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that non-U.S. certified 1988-1990 Jaguar XJS and XJ6 passenger cars are identical to their U.S. certified counterparts with respect to compliance with Standard Nos. 102 *Transmission Shift Lever Sequence . . .*, 103 *Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 105 *Hydraulic Brake Systems*, 106 *Brake Hoses*, 109 *New Pneumatic Tires*, 113 *Hood Latch Systems*, 116 *Brake Fluid*, 124 *Accelerator Control Systems*, 201 *Occupant Protection in Interior Impact*, 202 *Head Restraints*, 203 *Impact Protection for the Driver from the Steering Control System* (for all vehicles except the 1990 Jaguar XJS, to which the standard is inapplicable because the vehicle meets the frontal barrier crash test requirements in paragraph S5.1 of Standard No. 208), 204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 206 *Door Locks and Door Retention Components*, 207 *Seating Systems*, 209 *Seat Belt Assemblies*, 210 *Seat Belt Assembly Anchorages*, 212 *Windshield Retention*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, 301 *Fuel System Integrity*, and 302 *Flammability of Interior Materials*.

Additionally, the petitioner states that non-U.S. certified 1988-1990 Jaguar XJS and XJ6 passenger cars comply with the Bumper Standard found in 49 CFR Part 581.

Petitioner also contends that the vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays*: (a) substitution of a lens marked "Brake" for a lens with a noncomplying symbol on the brake

failure indicator lamp; (b) replacement of the speedometer with one calibrated in miles per hour. The petitioner states that owing to a shortage of dealer available parts for earlier models, these parts may be purchased from aftermarket Jaguar suppliers, and that in some cases the instrument clusters will be replaced with complete units as opposed to individual parts.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: Inspection of all vehicles, and, where necessary, (a) installation of U.S.-model headlamps and front sidemarker lamps; (b) installation of U.S.-model taillamp assemblies which incorporate rear sidemarker lights; (c) installation of a U.S.-model high mounted stop lamp.

Standard No. 110 *Tire Selection and Rims*: installation of a tire information placard on vehicles that are not already so equipped.

Standard No. 111 *Rearview Mirror*: replacement of the passenger side rearview mirror with a U.S.-model component on vehicles that are not already so equipped.

Standard No. 114 *Theft Protection*: installation of a warning buzzer and a warning buzzer microswitch in the steering lock assembly on vehicles that are not already so equipped.

Standard No. 118 *Power Window Systems*: installation, on vehicles that are not already so equipped, of a relay in the power window system so that the window transport is inoperative when the ignition is switched off.

Standard No. 208 *Occupant Crash Protection*:

All vehicles: installation of a safety belt warning buzzer, wired to the driver's seat belt latch.

1988-1989 Jaguar XJS and the 1988-1990 Jaguar XJS: replacement of the motorized automatic belts with U.S.-model components on vehicles that are not already so equipped. The petitioner states that these vehicles are equipped with combination lap and shoulder belts at the rear outboard seating positions and with a lap belt at the rear center seating position.

1990 Jaguar XJS: replacement of the driver's side air bag and knee bolster with U.S.-model components on vehicles that are not already so equipped. The petitioner states that these vehicles are equipped with combination lap and shoulder belts at the front and rear outboard seating positions, and "with rear center seat lap belt."

Standard No. 214 *Side Impact Protection*: installation of U.S.-model doorbars in vehicles that are not already so equipped.

The petitioner states that all vehicles will be inspected prior to importation to ensure that they comply with the parts marking requirements of the Theft Prevention Standard at 49 CFR Part 541, and that these markings will be embossed or engraved on any required parts from which they are missing.

The petitioner also states that a vehicle identification plate must be affixed to the vehicle near the left windshield post and a reference and certification label must be affixed in the area of the left front door post to meet the requirements of 49 CFR Part 565.

Interested persons are invited to submit comments on the petition described above. Comments should refer to the docket number and be submitted to: Docket Management, Room PL-401, 400 Seventh St., SW, Washington, DC 20590. [Docket hours are from 9 am to 5 pm]. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: April 6, 2000.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.
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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Research and Special Programs Administration

Results of a Departmentwide Program Evaluation of the Hazardous Materials Transportation Programs (HMPE)

AGENCY: Office of Inspector General (OIG) and Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of Findings and Recommendations.

SUMMARY: This notice announces the completion of a Departmentwide Program Evaluation of the Hazardous Materials Transportation Programs. The program evaluation found that the Department's hazardous materials

program is working reasonably well, but could be improved through Departmentwide strategic planning and program coordination, more focused delivery, and better data. To address these findings, the program evaluation recommended that DOT establish a focal point to administer and deliver a Departmentwide hazardous materials program, aimed at intermodal and cross-modal issues, to provide for more effective deployment of its resources. DOT should also place more emphasis on hazardous materials safety in its Strategic and Performance Plan(s) to better guide program delivery and measure results. Furthermore, the program evaluation recommended that the Department develop DOT-wide strategies to focus more on high-risk or problem shippers through targeted outreach activities and inspections, and strengthen its training standards to improve industry safety practices and compliance with the hazardous materials regulations to reduce incidents. The program evaluation also recommended that DOT take steps to improve its hazardous materials data Departmentwide and develop ways to increase data availability and usefulness. The results of the Hazardous Materials Program Evaluation (HMPE) are intended to improve the effectiveness and efficiency of the Department's hazardous materials program. Copies of the Executive Summary and full report are available electronically through DOT at: <http://hazmat.dot.gov/hmpe.htm>.

FOR FURTHER INFORMATION CONTACT: Jackie A. Goff, Esq., 202-493-0326, or George A. Whitney, 202-366-4831, HMPE Co-Chairs, U.S. Department of Transportation; 400 Seventh Street SW, Washington, DC 20590-0001.

SUPPLEMENTARY INFORMATION:

I. Background

On March 9, 1999, DOT published a Notice in the **Federal Register** (64 FR 11528) announcing the initiation of an internal Departmentwide Program Evaluation of the Hazardous Materials Transportation Programs. In that Notice it was announced that the HMPE team was being jointly lead by the Office of Inspector General (OIG) and the Research and Special Programs Administration (RSPA). The HMPE team was staffed by 10 full-time persons, including at least one full-time person from the OIG and RSPA and each of the following DOT Operating Administrations: the United States Coast Guard; the Federal Aviation Administration; the Federal Motor

Carrier Safety Administration; and the Federal Railroad Administration.

The HMPE team examined the Federal hazardous materials transportation law, the program structure defined by the delegation of authority within DOT, and assessed program delivery. The HMPE was intended to determine the effectiveness of DOT's current hazardous material programs, including the division of responsibilities across and within modes, and the allocation of resources dedicated to specific functions. The HMPE focused on cross-modal issues, including an analysis and critique of DOT's current program intervention tools (regulation, education, training, outreach, inspection, and enforcement).

The scope of the HMPE included those activities covered by 49 CFR parts 106 (Rulemaking Procedures) and 107 (Hazardous Materials Program Procedures), and the Hazardous Materials Regulations (HMR), 49 CFR parts 171-180. International shipments of hazardous materials were also included in the scope of the HMPE to permit a review of the International Maritime Dangerous Goods Code (IMDG) and the International Civil Aviation Organization's Technical Instructions on the Transportation of Dangerous Goods by Air (ICAO), both of which are authorized by HMR as alternative standards for many of the requirements in the HMR for shipments destined for import export.

II. Findings

There are roughly 300 million hazardous materials shipments in the nation each year and the vast majority of these shipments arrive at their destinations safely. In 1998, there were 15,322 reported hazardous materials incidents, including 429 serious incidents; 13 deaths; and 198 injuries. Although this is a relatively good safety record, given the total amount of shipments and movements, there remains the potential for catastrophic incidents in the transportation of hazardous materials where multiple fatalities, serious injuries, large-scale evacuations, and other costs to society could result.

Total tons of hazardous materials produced are forecast to grow by 2 percent per year. Growth in the amount of hazardous materials transported by air and intermodally could be 4 times and 3 times faster, respectively, than the overall production growth. Therefore, the potential risk to the public may also increase unless effective safeguards are in place. The Department has responsibility for protecting the public