

regulations. The individual petition is described below including, the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

Norfolk Southern Corporation

[Waiver Petition Docket Number FRA-2000-8045]

Norfolk Southern Corporation (NS) seeks to amend temporary waiver PB-98-1 by extending the expiration date to December 31, 2001.

Part 232.21(a) requires that "An emergency brake application command from the front unit of the device shall activate the emergency air valve at the rear of the train within one second." According to NS, their front unit sends an emergency brake command in 1.675 seconds, of which a significant portion of this time is involved in coding the unique signal that provides a security barrier against an attempted malicious emergency command from an outside source, or an accidental transmission from another front unit that may have an erroneous rear number inputted. The NS system is designed to code a unique message between the individual devices. These messages are separate from the rear unit number and are coded and initialized only during a five minute window at the initial terminal setup and testing of the system. NS believes this function provides a higher level of security than the two-way systems currently used by other Class I railroads.

Part 232.21(f) requires "the availability of the front-to-rear communications link shall be checked automatically at least every ten minutes." The system used by NS does not have front-to-rear communications checked automatically every ten minutes. NS claims their system communications failure warning is linked to the rear-to-front portion of the messaging. If five minutes elapse, since a good message was received by the front unit, a "STANDBY" message is displayed on the front unit. This message informs the engineer that communication is lost.

Part 232.23(d) permits NS to use these devices because "Each two-way end-of-train device purchased by any person prior to promulgation of these regulations shall be deemed to meet the design and performance requirements contained in § 232.21."

It is NS's desire to redesign all of their devices to comply with § 232.21. In order to facilitate a smooth transition from the existing NS mode to the mode that is currently being used by the rest of the Class I railroads, NS requested

and on June 8, 1998, was granted a temporary waiver of § 232.21(a) and (f) for the procurement and operation of a dual mode device for three years. The dual mode device is a dual frequency, two-way system which will operate in both the NS and the current compliant mode. When these devices are operated in the complaint mode, they will comply with current regulations.

However, when they are operated in the NS mode, they will be compatible with existing NS devices as described above.

NS would like to modify existing waiver PB-98-1 by extending the expiration date to December 31, 2001, at which time they believe the entire NS locomotive fleet will be compliant with the current design and operating standards.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2000-8045) and must be submitted to the Docket Management Facility, Room PL-401, (Plaza level) 400 Seventh Street, SW, Washington, D.C. 20590-0001. Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9:00 a.m.-5:00 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's web site at <http://dms.dot.gov>.

Issued in Washington, DC on November 3, 2000.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 00-28730 Filed 11-8-00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket MARAD-2000-8246]

U.S. Ship Management, Inc.; Notice of Application To Replace the Container Vessel "Newark Bay" in Maritime Security Program Operating Agreement MA/MSP-31

By letter dated October 27, 2000, U.S. Ship Management, Inc. (USSMI) has advised that the container vessel *Newark Bay* has been sold to Maersk Line, Limited on October 23, 2000, and will be utilized by that company as an ammunition carrier under long-term charter with the Military Sealift Command. As a result of this sale, that vessel is no longer eligible to receive benefit payments under Maritime Security Program (MSP) Operating Agreement MA/MSP-31.

Pursuant to the terms of MSP Operating Agreement MA/MSP-31, failure to operate the vessel named therein for more than 180 days in any fiscal year may constitute a default. Accordingly, if USSMI fails to resume operations under MA/MSP-31 by April 24, 2001, USSMI can, at the discretion of the Maritime Administration (MARAD) (we, our, or us), be declared in default of the terms of MSP Operating Agreement MA/MSP-31. USSMI has requested our approval to replace the *Newark Bay* with the container vessel *Sealand Pride* in order to remedy that potential default, and continue receiving benefits under the contract.

The *Newark Bay* is a container vessel of approximately 4,600 TEU capacity built in 1985. The *Sealand Pride* is a former Sea-Land Service Atlantic Class container vessel also built in 1985, and converted to an SL-31 Class vessel of approximately 3,700 TEU capacity in 1994. The vessel was extensively modernized during its conversion.

Due to the policy considerations involved in USSMI's request, we have decided to exercise our discretionary options and seek comments concerning this proposed substitution of vessels from interested parties. A copy of USSMI's request will be available for inspection at the Department of Transportation (DOT) Dockets Facility and on the DOT Dockets website (address information follows).

Any person, firm or corporation having an interest in this proposal, and desiring to submit comments concerning this matter, may file comments as follows. You should mention the docket number that appears at the top of this notice. Written comments should be submitted to the

Docket Clerk, U.S. DOT Dockets, Room PL-401, Nassif Building, Department of Transportation, 400 Seventh Street, SW, Washington, D.C. 20590.

Comments may also be submitted by electronic means via the internet at <http://dms.dot.gov/submit/>. You may call Docket Management at (202) 366-9324. You may visit the Docket Room to inspect and copy comments at the address above between 10 a.m. and 5 p.m. EST, Monday through Friday, except holidays. An electronic version of this document is available on the World Wide Web at <http://dms.dot.gov>. Comments must be received by close of business November 24, 2000.

This notice is published as a matter of discretion, and the fact of its publication should in no way be considered a favorable or unfavorable decision on the application, as filed, or as may be amended. We will consider all comments submitted in a timely fashion, and will take such action thereto as may be deemed appropriate.

Dated: November 6, 2000.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 00-28827 Filed 11-8-00; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Announcing the Third Quarterly Meeting of the Crash Injury Research and Engineering Network

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Meeting announcement.

SUMMARY: This notice announces the Third Quarterly Meeting of members of the Crash Injury Research and Engineering Network. CIREN is a collaborative effort to conduct research on crashes and injuries at nine Level 1 Trauma Centers which are linked by a computer network. Researchers can review data and share expertise, which could lead to a better understanding of crash injury mechanisms and the design of safer vehicles.

DATE AND TIME: The meeting is scheduled from 9 a.m. to 5 p.m. on November 30, 2000.

ADDRESSES: The meeting will be held in Room 6200-04 of the U.S. Department of Transportation Building, which is located at 400 Seventh Street, SW, Washington, DC.

SUPPLEMENTARY INFORMATION: The CIREN System has been established and

crash cases have been entered into the database by each Center. NHTSA has held three Annual Conferences (two in Detroit and one in conjunction with STAPP in San Diego) where CIREN research results were presented. Further information about the three previous CIREN conferences is available through the NHTSA website at: http://www-nrd.nhtsa.dot.gov/include/bio_and_trauma/ciren-final.htm. NHTSA held the first quarterly meeting on May 5, 2000, with a topic of lower extremity injuries in motor vehicle crashes and the second quarterly meeting on July 21, 2000, with a topic of side impact crashes. Information from the May 5 and July 21 meetings are also available through the NHTSA website.

NHTSA plans to continue holding quarterly meetings on a regular basis to disseminate CIREN information to interested parties. This is the third such meeting. The topic for this meeting is thoracic injuries in motor vehicle crashes. Subsequent meetings have tentatively been scheduled for March and June 2001. These quarterly meetings will be in lieu of an annual CIREN conference.

FOR FURTHER INFORMATION CONTACT: Mrs. Donna Stemski, Office of Human-Centered Research, 400 Seventh Street, SW., Room 6206, Washington, DC 20590, telephone: (202) 366-5662.

Issued on: November 2, 2000.

Raymond P. Owings,

Associate Administrator for Research and Development, National Highway Traffic Safety Administration.

[FR Doc. 00-28700 Filed 11-8-00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA 2000-6947, Notice 2]

Subaru of America, Inc.; Grant of Application for Decision of Inconsequential Non-Compliance

This notice grants the application by Subaru of America, Inc. (Subaru) to be exempted from the notification and remedy requirements of 49 U.S.C. 30118 and 30120 with respect to a noncompliance with Federal Motor Vehicle Safety Standard (FMVSS) No. 209, "Seat Belt Assemblies." Subaru has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." Pursuant to 49 CFR Part 556, Subaru has also applied to be exempted from the notification and remedy requirements of

49 U.S.C. Chapter 301, "Motor Vehicle Safety." The basis of the grant is that the noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the application was published March 9, 2000, and an opportunity afforded for comment (65 FR 12615). The closing date was April 10, 2000. No comments were received.

Description of Noncompliance

Replacement seat belt assemblies were packaged without instruction sheets required by FMVSS No. 209 S4.1(k) and (l). All of the seat belt assemblies involved meet all other requirements of FMVSS No. 209.

Approximately 522 sets of replacement seat belt assemblies manufactured and sold were involved.

Subaru Submitted the Following in Support of Its Application

In accordance with FMVSS No. 209, S4.1(k) replacement seat belt assemblies must be accompanied by installation instructions for installing the assembly in a motor vehicle. These instructions "shall state whether the assembly is for universal installation or for installation only in specifically stated motor vehicles and shall include at least those items specified in SAE Recommended Practice J800c, Motor Vehicle Seat Belt Installation, November 1973.

Subaru understands SAE Recommended Practice J800c, it deals primarily with the threading of webbing and location and drilling of anchorage holes and is not relevant here since all affected Subaru vehicles have pre-existing anchorage holes. All of the affected replacement seat belt assemblies are supplied ready for use with fully threaded webbing.

Subaru believes that S4.1(k) is intended to prevent the mismatch of a seat belt assembly in the wrong model vehicle or the wrong seating position and prevent improper installation of a seat belt at the correct position.

In accordance with FMVSS No. 209, S4.1(l) requires instructions addressing the importance of warning seat belts "snugly and properly located on the body" and information about seat belt maintenance. Subaru believes that since the owner's manual already provides proper usage and maintenance information to the vehicle owner and operator, incorrect usage and maintenance by the vehicle owner is highly unlikely.

Subaru has corrected all the replacement seat belt assembly inventory for shipment to dealers and will provide additional instruction documents to dealers with inventory subject to the noncompliance.

Replacement seat belt assemblies sold at retail to customers has not resulted in owner complaints as a result of this inconsequential noncompliance.

Subaru believes that, based upon the information described above, this is an inconsequential noncompliance.

NHTSA has reviewed Subaru's application and, for the reasons