

provide adequate coverage and financial protection for the commercial space transportation industry as well as the Government?

5. U.S. and foreign air carriers operating in the United States are required to maintain insurance coverage in certain minimum amounts covering liability to passengers and persons and property on the ground. For aircraft with more than 60 seats or more than 18,000 pounds of capacity, carriers must maintain third-party accident liability coverage in the minimum amount of \$300,000 for any one person other than a passenger and a total of \$20 million per involved aircraft for each occurrence. There is no government indemnification in the event claims exceed that amount, nor does the U.S. Government accept treaty-based liability in the event of such damage. At what stage of development and under what circumstances should the airline liability regime become a model for commercial reusable launch vehicles (RLVs) that will routinely take-off and land?

6. The Federal Government's current indemnification policy does not cover risks associated with commercial spaceport operations that do not involve launch vehicles. Do commercial spaceports require a liability risk-sharing regime comparable to that utilized for licensed launches and reentries, even when there is no vehicle-related activity taking place at the spaceport?

7. What factors should the U.S. Congress consider in determining whether to continue as-is, or modify, existing laws in terms of liability risk-sharing for commercial space launch and reentry activities?

8. What suggestions do you have for modifying the existing liability risk-sharing laws applicable to commercial launch and reentry activities?

The public can join the on-line public forum by clicking the "On-Line Public Forum" hyperlink on the AST Internet home page, <http://ast.faa.gov>. The docket and the on-line public forum will close on May 11, 2001, so that the FAA can evaluate responses from the public to these questions and incorporate them in the further development of the report. However, the FAA will continue to welcome public views and information on issues associated with liability risk-sharing provisions for commercial space transportation under current law.

Persons wishing to present a prepared statement at the public meeting should reserve time for doing so by contacting AST directing at (202) 267-7793.

Issued in Washington, DC, on April 5, 2001.

Patricia Grace Smith,

Associate Administrator for Commercial Space Transportation.

[FR Doc. 01-8916 Filed 4-6-01; 1:24 pm]

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Weber County, UT

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared to address operational, infrastructure, and geometrical deficiencies along I-15 from 31st Street to 2700 North in Weber County, Utah.

FOR FURTHER INFORMATION CONTACT:

Gregory Punske, P.E., Project Development Engineer, FHWA, Utah Division, 2520 West 4700 South, Suite 9-A, Salt Lake City, UT 84118, Telephone: (801) 963-0182; or Rex Harris, Utah Department of Transportation (UDOT), 169 North Wall Avenue, Ogden, UT 84412, Telephone: (801) 399-5921, extension 267.

SUPPLEMENTARY INFORMATION: The FHWA in cooperation with the UDOT will prepare an EIS in accordance with the National Environmental Policy Act (NEPA) for a proposed action to address operational, infrastructure, and geometrical deficiencies along I-15 from 31st Street to 2700 North in Weber County, Utah, approximately 13.7 km (8.5 miles) in length. The proposed study intends to consider no-build, transit, transportation system management, and build alternatives to address the need for improvements along this interstate corridor. Build alternatives will consider upgrading the existing facility. The project limits for the build alternatives are expected to be SR-79 (31st Street in Ogden) as the southern terminus and SR-134 (2700 North in North Ogden) as the northern terminus.

A project steering committee and also an advisory committee will be established to encourage early and on-going participation from interested parties. Letters describing the proposed action and soliciting comment will be sent to the appropriate Federal, State, and local agencies, and the private organizations and citizens who have expressed or are known to have an

interest in this project. A public scoping meeting will be held. Other public meetings to assist in project scoping efforts are also planned. Additionally, a public hearing will be held. Public notice will be published giving the time and place of these meetings and hearing. The draft environmental document will be available for public and agency review and comment before the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program)

Issued on: April 5, 2001.

David C. Gibbs,

Division Administrator.

[FR Doc. 01-8883 Filed 4-10-01; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Denial of Motor Vehicle Defect Petition

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Denial of motor vehicle defect petition.

SUMMARY: This notice sets forth the reasons for the denial of a September 13, 2000 petition submitted to NHTSA under 49 U.S.C. 30162 by Beverly Mulder, requesting that the agency commence a proceeding to determine the existence of a defect related to motor vehicle safety in certain multi-axle trailers manufactured by the Fruehauf Trailer Corporation (Fruehauf) in 1995 and 1996. After reviewing the petition and other information, NHTSA has concluded that further expenditure of the agency's investigative resources on the issues raised by the petition does not appear to be warranted. The agency accordingly has denied the petition.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Boyd, Chief, Vehicle Control Division, Office of Defects Investigation (ODI), Office of Safety Assurance, NHTSA, 400 Seventh Street, SW.,

Washington, DC 20590. Telephone: (202) 366-1690.

SUPPLEMENTARY INFORMATION: On September 13, 2000, Ms. Beverly Mulder submitted a petition requesting that the agency investigate certain alleged defects in multi-axle trailers that were custom-built for the petitioner by Fruehauf in late 1995 and early 1996. The petitioner owns four of these trailers. The petitioner alleged that the trailers "sway violently side to side when they are loaded. They cannot be held on the road when there is a curve and when there is a heavy side wind. The units will be blown off the road or across the road if hit with (sic) by a wind gust."

The petitioner had four trailers custom-built by Fruehauf in anticipation of obtaining a contract to haul drywall. The trailers were purchased through Michigan Trailer Sales (MTS) located in Grand Haven, Michigan. Two trailers were purchased in late 1995 and the remaining two were purchased in 1996. ODI was unable to contact Fruehauf directly due to bankruptcy and judicial dissolution in 1998. However, information obtained by ODI indicates that only six trailers were built to these particular technical specifications.

The trailers are referred to as "sled six axle trailers." They are approximately 50 feet long and 102 inches wide. The units have six axles, with the front four axles using a Granning Air Ride Air Lift Suspension system. (The vast majority of trailers used in Class 8 tractor/trailer combinations are semi-trailers, with only two axles, which are located at the rear of the vehicle.) The trailers were built to carry 90,000 to 95,000 pounds and, therefore, require a special permit to operate when fully loaded, since the maximum load for a tractor/trailer combination in the United States is normally 80,000 pounds. The trailers were originally intended to carry loads of drywall stacked 13.5 feet high. This would result in a relatively high center of gravity.

Ms. Mulder and her husband alleged that the trailers do not handle well. Specifically, she stated that "the loads shift and that the trailers wobble and lean dangerously going into curves, any amount of wind will blow them off the road altogether." There are no allegations of any crashes as a result of this problem.

ODI has obtained and reviewed numerous written communications between the Mulders and MTS concerning the handling allegations, demands for corrective action, and demands that the trailers be re-

purchased. NHTSA's authority lies with Fruehauf, the trailer manufacturer. We have no authority over disputes with dealers or buy-back issues.

During the course of our investigation we found that the manufacturer of the subject trailers, Fruehauf, was judicially dissolved by the United States Bankruptcy Court for the District of Delaware on October 27, 1998. Although Fruehauf sold its domestic trailer manufacturing and domestic sales and distribution business to Wabash National Corporation (Wabash) in the course of the bankruptcy proceeding, the Bankruptcy Court's Order of May 26, 1999, declared that Wabash was not to be subject to any claims asserting successor liability for products made by Fruehauf. Therefore, there is no entity to which NHTSA could issue a recall order, even if a safety-related defect were found to exist.

In view of the fact that it would require extensive resources to fully evaluate the alleged problem, the fact that there are very few vehicles at issue, and the fact that we would be unable to compel any entity to conduct a recall even if we were to determine that a defect exists, further expenditure of the agency's investigative resources on the allegations in the petition is not warranted. Therefore, the petition is denied.

Authority: 49 U.S.C. 30162(d); delegation of authority at CFR 1.50 and 501.8.

Issued on April 4, 2001.

Kenneth N. Weinstein,
Associate Administrator for Safety Assurance.

[FR Doc. 01-8944 Filed 4-10-01; 8:45 am]

BILLING CODE 4910-59-M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-33 (Sub-No. 169X);
STB Docket No. AB-6 (Sub-No. 389X)]

Union Pacific Railroad Company— Abandonment Exemption—in Marion and Polk Counties, OR; The Burlington Northern and Santa Fe Railway Company—Discontinuance of Service Exemption—in Marion and Polk Counties, OR

Union Pacific Railroad Company (UP) and The Burlington Northern and Santa Fe Railway Company (BNSF) have filed a notice of exemption under 49 CFR 1152 subpart F—*Exempt Abandonments and Discontinuances of Service* for UP to abandon and BNSF to discontinue service over a 0.76-mile line of railroad known as the Dallas Branch from

milepost 719.74 to milepost 720.50 in Salem, Marion and Polk Counties, OR. The line traverses United States Postal Service Zip Codes 97301 and 97304.

UP and BNSF have certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic moving over the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment or discontinuance shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on May 11, 2001, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29 must be filed by April 23, 2001. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by May 2, 2001, with: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicants' representatives: James P. Gatlin, General Attorney, Union Pacific Railroad Company, 1416 Dodge Street, Room 830, Omaha, NE 68179; and Sarah

¹ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

² Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$1000. See 49 CFR 1002.2(f)(25).