

Federal Highway Administration, 227 North Bronough Street, Tallahassee, Florida 32301, (850) 942-9650 extension 3011.

**SUPPLEMENTARY INFORMATION:** The FRA and FHWA in cooperation with the Florida High Speed Rail Authority, will prepare an EIS for a proposal being considered by the Authority to construct a high speed rail project between Orlando, and Tampa, Florida. The project would be approximately 90 miles long. The proposed project may include acquisition of right of way and construction of guide way structures and track, stations, park and ride lots, storage and maintenance facilities, and other ancillary facilities. The facilities would be build to allow trains to operate at speeds in excess of 120 miles per hour. The proposed high speed rail system would provide a new mode of intercity travel to link major metropolitan areas and interface with airports, mass transit and highways to provide added capacity to meet increases in intercity travel demand in a manner sensitive to, and protective of Florida's unique natural resources.

Alternatives under consideration include: (1) The "no build alternative"; (2) build alternatives in a variety of corridors between Orlando and Tampa; and, (3) a variety of high speed rail technology. The corridor alternatives traverse areas where various social, economical, and environmental resources and issues are believed to exist. The social, economical and environmental resources and issues may include but are not limited to: community and neighborhood, noise, wetlands, cultural resources, water quality, safety, residential and business relocations, wildlife and habitat, land use planning, parklands, economic, and floodplains.

Notice describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies and to private organizations and citizens who have expressed an interest in this proposal. The Federal agencies and The Authority will hold interagency and public meetings and public hearings in several locations in the project area. Information on the time and place of the public meetings and hearings will be provided in the appropriate local news media. There are plans to hold a scoping meeting on April 30, 2002 in the Orlando/Tampa, Florida area.

Comments and suggestions are invited from all interested parties to insure the full range of issues related to the proposed action and alternatives are addressed and all significant issues are

identified. Comments and questions concerning the proposed action should be directed to the addresses provided above.

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

Issued on: March 19, 2002.

**James E. St. John,**

*FHWA Division Administrator, Tallahassee, Florida.*

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**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-99-6285]

#### Parts and Accessories Necessary for Safe Operation; Renewal of Fuel Tank Exemptions for Vehicles Manufactured by the General Motors Corporation

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Grant of applications for exemptions.

**SUMMARY:** The FMCSA is granting the application from the General Motors Corporation (GM) for exemptions for the vehicles specified in this notice. Those exemptions are from certain fuel tank design and certification labeling requirements in the Federal Motor Carrier Safety Regulations (FMCSRs). Renewal of the exemptions enables motor carriers to continue operating commercial motor vehicles (CMVs) manufactured by GM which are equipped with fuel tanks that do not meet the FMCSA's requirements that fuel tanks be capable of receiving fuel at a rate of at least 20 gallons per minute and be labeled or marked by the manufacturer to certify compliance with the design criteria. The FMCSA believes the terms and conditions of the exemptions have ensured a level of safety that is equivalent to the level of safety that would be achieved by complying with the regulations, and that renewing the exemptions would not adversely affect highway safety. The exemptions continue to preempt inconsistent State and local requirements applicable to interstate commerce.

**DATES:** The exemptions are effective on March 27, 2002. The exemptions expire on March 29, 2004.

**SUPPLEMENTARY INFORMATION:**

### Electronic Access

You can mail or deliver comments to the U.S. Department of Transportation, Dockets Management Facility, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. You can also submit comments as well as see the submissions of other commenters at <http://dms.dot.gov>. Please include the docket number that appears in the heading of this document. You can examine and copy this document and all comments received at the same Internet address or at the Dockets Management Facility from 9 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you want to know that we received your comments, please include a self-addressed, stamped postcard or include a copy of the acknowledgment page that appears after you submit comments electronically.

**FOR FURTHER INFORMATION CONTACT:** Ms. Deborah M. Freund, Office of Bus and Truck Standards and Operations, (202) 366-4009, Federal Motor Carrier Safety Administration, 400 Seventh Street, SW., Washington, DC 20590-0001. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

### Background

#### *GM's Application for Exemptions*

GM applied for exemptions from 49 CFR 393.67(c)(7)(ii), which requires that certain fuel tank systems on CMVs be designed to permit a fill rate of at least 20 gallons (75.7 liters) per minute, and 49 CFR 393.67(f)(2) and (f)(3), which require that liquid fuel tanks be marked with the manufacturer's name and a certification that the tank conforms to all applicable rules in § 393.67, respectively.

On December 20, 1999 (64 FR 71186), the Federal Highway Administration (FHWA) published a notice of intent to grant GM's applications. The FHWA requested public comment on GM's applications and the agency's safety analysis, and presented other relevant information known to the agency. After considering all the comments received, the agency granted the exemptions on April 26, 2000 (65 FR 24531). In that notice (at 65 FR 24532-24533), the agency noted that the 20 gallon per minute rate referenced in the FMCSA's regulations, while appropriate for diesel fuel-powered vehicles, mandates that fill pipes on gasoline-powered vehicles be capable of receiving fuel at twice the maximum rate gasoline pumps are designed to dispense fuel. The vehicles in question are gasoline-fueled and are

capable of receiving fuel at a rate of approximately 10 gallons per minute.

The exemptions covered § 393.67(c)(7)(ii), Construction of liquid fuel tanks; fill pipe, and § 393.67(f)(2) and (f)(3)(ii) which require that liquid fuel tanks be marked with the manufacturer's name, and a certification that the tank conforms to all applicable rules in "§ 393.67, respectively.

On December 27, 2001 (66 FR 66972) the FMCSA announced its intent to renew GM's exemption. The FMCSA received no comments to that notice.

#### *FMCSA Decision*

The FMCSA has decided to renew the exemptions because the commercial motor vehicles covered by the exemptions are still in operation, and the agency is not aware of any information, anecdotal or otherwise, that would suggest that the level of safety for the exempted vehicles is not equivalent to the level of safety that would have been achieved if the vehicles complied with §§ 393.67(c)(7)(ii), 393.67(f)(2), and 393.67(f)(3)(ii). No interested parties have submitted comments to the docket since April 26, 2000, the date the original exemption was granted, indicating that any aspects of the exemptions have had an adverse effect on highway safety. Accordingly, the agency is granting the exemptions that were the subject of the December 27, 2001, notice for another two-year period.

#### *Terms and Conditions for the Exemption*

The FMCSA is continuing to provide exemptions to §§ 393.67(c)(7)(ii), 393.67(f)(2), and 393.67(f)(3)(ii) for motor carriers operating GM G-Vans (Chevrolet Express and GMC Savanna) and full-sized C/K trucks (Chevrolet Silverado and GMC Sierra) with gross vehicle weight ratings over 10,000 pounds. The exemptions are effective upon publication in the **Federal Register** pursuant to 5 U.S.C. 553(d)(1) and are valid for two years from the date of approval, unless revoked earlier by the FMCSA. GM, or any of the affected motor carriers, may apply to the FMCSA for another renewal of the exemption. The exemption continues to preempt inconsistent State or local requirements applicable to interstate commerce.

As with the original exemption, the motor carriers operating these vehicles are not required to maintain documentation concerning the exemption because the vehicles have markings that would enable enforcement officials to identify them. The vehicles covered by the exemptions

can be identified by their vehicle identification numbers (VINs). The VINs contain either a "J" or a "K" in the fourth position of the VIN. In addition, the seventh position of the VINs on the G-Van would contain a "1."

**Authority:** 49 U.S.C. 31136 and 31315; and 49 CFR 1.73.

Issued on: March 22, 2002.

**Joseph M. Clapp,**

*Administrator.*

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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-99-5867]

#### **Parts and Accessories Necessary for Safe Operation; Fuel Tank Exemptions for Vehicles Manufactured by the Ford Motor Company**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Grant of applications for exemptions.

**SUMMARY:** The FMCSA is granting the application from the Ford Motor Company (Ford) for exemptions for the vehicles specified in this notice. The exemptions sought are from certain fuel tank design and certification labeling requirements in the Federal Motor Carrier Safety Regulations (FMCSRs). These exemptions enable motor carriers to continue operating commercial motor vehicles (CMVs) manufactured by Ford which are equipped with fuel tanks that do not meet the FMCSA's requirements that fuel tanks be capable of receiving fuel at a rate of at least 20 gallons per minute and be labeled or marked by the manufacturer to certify compliance with the design criteria. The FMCSA believes the terms and conditions of the current exemptions for similarly-equipped Ford CMVs have ensured a level of safety that is equivalent to the level of safety that would be achieved by complying with the regulations, and that granting the exemptions would not adversely affect highway safety. The exemptions continue to preempt inconsistent State and local requirements applicable to interstate commerce.

**DATES:** The exemptions are effective on March 27, 2002. The exemptions expire on March 29, 2004.

**FOR FURTHER INFORMATION CONTACT:** Ms. Deborah M. Freund, Office of Bus and Truck Standards and Operations, (202) 366-4009, Federal Motor Carrier Safety Administration, 400 Seventh Street,

SW., Washington, DC 20590-0001. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

#### **SUPPLEMENTARY INFORMATION:**

##### **Electronic Access**

Internet users may access all comments that were submitted to this docket in response to the previous notice by using the universal resource locator (URL) <http://dms.dot.gov>, and by requesting the docket referenced at the beginning of this notice. You can examine and copy this document and all comments received at the U.S. Department of Transportation, Dockets Management Facility, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001 from 9 a.m. to 5 p.m. e.t., Monday through Friday, except Federal holidays.

##### **Background**

##### *Ford's Applications for Exemptions*

Ford first applied in April 1999, for exemptions from 49 CFR 393.67(c)(7)(ii), which requires that certain fuel tank systems on CMVs be designed to permit a fill rate of at least 20 gallons (75.7 liters) per minute, and 49 CFR 393.67(f)(2) and (f)(3), which require that liquid fuel tanks be marked with the manufacturer's name and a certification that the tank conforms to all applicable rules in § 393.67, respectively.

On August 10, 1999 (64 FR 43417), the Federal Highway Administration (FHWA) published a notice of intent to grant Ford's applications. The FHWA requested public comment on Ford's applications and the agency's safety analysis, and presented other relevant information known to the agency. After considering all the comments received, the agency granted the exemptions on December 20, 1999 (64 FR 71184). In that notice (at 64 FR 71185), the agency noted that the 20 gallon per minute rate referenced in the FMCSA's regulations, while appropriate for diesel fuel-powered vehicles, mandates that fill pipes on gasoline-powered vehicles be capable of receiving fuel at twice the maximum rate gasoline pumps are designed to dispense fuel. The vehicles in question are gasoline-fueled and are capable of receiving fuel at a rate of 17 gallons per minute.

The exemptions covered § 393.67(c)(7)(ii), Construction of liquid fuel tanks; fill pipe, and § 393.67(f)(2) and (f)(3)(ii) which require that liquid fuel tanks be marked with the manufacturer's name, and a certification that the tank conforms to all applicable