

controller module. Upon energization, the key will transmit its unique code via low frequency transmission. The controller module translates the low frequency signal received from the key into a digital signal and transmits the signal to the Body Control Module (BCM). The BCM compares the received signal to an internally stored value. If the values match, the key is recognized as valid, and a Vehicle Security Password, is transmitted via serial data link to the ECM to enable fuel and starting. If an invalid key code is received, the BCM will send a disable password to the ECM and starting, ignition, and fuel will be inhibited. The PASS-Key III system will provide protection against unauthorized starting and fueling of the vehicle engine. The anti-theft device is designed to be active at all times without direct intervention by the vehicle operator. No intentionally specific or discrete security system action is necessary to achieve protection. The system is fully functional (armed) immediately after the vehicle has been turned off.

GM stated that its modified anti-theft device does not provide any visible or audible indication of unauthorized entry by means of flashing vehicle lights or sounding of the horn. To substantiate its belief that an alarm system is not a necessary feature to effectively deter the theft of a vehicle, GM compared the reduction in theft rates of Chevrolet Corvettes using a passive theft deterrent system ("VATS/PASS-Key") along with an audible/visible alarm system to the reduction in theft rates for Chevrolet Camaro and Pontiac Firebird vehicles equipped with a passive theft-deterrent system ("PASS-Key") without an alarm. GM finds that the lack of an alarm or attention attracting device does not compromise the theft deterrent performance of a system such as the modified anti-theft device system. Based on the declining theft rate experience of other vehicles equipped with devices that do not have an audio or visual alarm for which NHTSA has already exempted from the parts-marking requirements, the agency has concluded that the absence of a visual or audio alarm has not prevented these anti-theft devices from being effective protection against theft.

In order to ensure the reliability and durability of the device, GM conducted tests based on its own specified standards. GM provided a detailed list of tests conducted and believes that its device is reliable and durable since the device complied with its specified requirements for each test. The tests conducted included high and low temperature storage, thermal shock,

humidity frost, salt fog, flammability, altitude, drop, shock, random vibration, dust, potential contaminants, connector retention/strain relief, terminal retention, connector insertion, crush, ice, immersion and tumbling.

GM compared the MY 2005 device with devices which NHTSA has already determined to be as effective in reducing and deterring motor vehicle theft as would compliance with the parts-marking requirements. To substantiate its beliefs as to the effectiveness of the new device, GM compared the MY 2005 modified device to its "PASS-Key"-like systems. GM indicated that the theft rates, as reported by the Federal Bureau of Investigation's National Crime Information Center, are lower for GM models equipped with the "PASS-Key"-like systems which have exemptions from the parts-marking requirements of 49 CFR Part 541, than the theft rates for earlier models with similar appearance and construction which were parts-marked. Based on the performance of the PASS-Key, PASS-Key II, and PASS-Key III systems on other GM models, and the advanced technology utilized by the modification, GM believes that the MY 2005 modified anti-theft device will be more effective in deterring theft than the parts-marking requirements of 49 CFR Part 541.

On the basis of this comparison, GM believes that the anti-theft system (PASS-Key III) for model years 2005 and later will provide essentially the same functions and features as found on its MY 1987–2004 system and therefore, its modified system will provide at least the same level of theft prevention as parts-marking. GM believes that the anti-theft system proposed for installation on its MY 2005 Buick Regal/LaCrosse vehicle line is likely to be as effective in reducing thefts as compliance with the parts-marking requirements of Part 541.

The agency has evaluated GM's MY 2005 petition to modify the exemption for the Buick Regal/LaCrosse vehicle line from the parts-marking requirements of 49 CFR Part 541, and has decided to grant it. It has determined that the PASS-Key III system is likely to be as effective as parts-marking in preventing and deterring theft of these vehicles, and therefore qualifies for an exemption under 49 CFR Part 543. The agency believes that the modified device will continue to provide four of the five types of performance listed in Section 543.6(b)(3): promoting activation; preventing defeat or circumventing of the device by unauthorized persons; preventing operation of the vehicle by

unauthorized entrants; and ensuring the reliability and durability of the device.

NHTSA suggests that if the manufacturer contemplates making any changes the effects of which might be characterized as *de minimis*, it should consult the agency before preparing and submitting a petition to modify.

**Authority:** 49 U.S.C. 33106; delegation of authority at 49 CFR 1.50.

Issued on: July 21, 2004.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. 04–17023 Filed 7–26–04; 8:45 am]

**BILLING CODE 4910–59–P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2004–17339]

#### Data Integrated Project Team (IPT) Report

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

**ACTION:** Request for comments.

**SUMMARY:** This notice announces the availability of a planning document describing the agency's current and planned activities and recommendations to improve traffic safety data. The agency is seeking public review and comment on the document.

**DATES:** Comments must be received no later than September 10, 2004.

**ADDRESSES:** Interested persons may obtain a copy of the plan by downloading a copy of the document from the Docket Management System, U.S. Department of Transportation, at the address provided below, or from NHTSA's Web site at <http://www.nhtsa.dot.gov>. Alternatively, interested persons may obtain a copy of the document by contacting the agency officials listed in the section titled, "For Further Information Contact," immediately below.

Submit written comments to the Docket Management System, U.S. Department of Transportation, PL 401, 400 Seventh Street, SW., Washington, DC 20590–0001. Comments should refer to the Docket Number (NHTSA–2004–17339) and be submitted in two copies. If you wish to receive confirmation of receipt of your written comments, include a self-addressed, stamped postcard.

Comments may also be submitted to the docket electronically by logging onto the Docket Management System Web site at <http://dms.dot.gov>. Click on "Help & Information" to obtain

instructions for filing comments electronically. In every case, the comment should refer to the docket number (NHTSA–2004–17339).

The Docket Management System is located on the Plaza level of the Nassif Building at the Department of Transportation at the above address. You can review public dockets there between the hours of 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You can also review comments on-line at the DOT Docket Management System Web site at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Joseph Carra, National Highway Traffic Safety Administration, Room 6125, 400 Seventh Street, SW., Washington, DC 20590, Telephone: 202–366–5375.

**SUPPLEMENTARY INFORMATION:** Despite significant gains since the enactment of Federal motor vehicle and highway safety legislation in the mid 1960's, the annual toll of traffic crashes remains tragically high. In 2003, 43,220 people were killed on the nation's highways and an additional 2.89 million people suffered serious injuries. Motor vehicle crashes are responsible for 95 percent of all transportation-related deaths and 99 percent of all transportation-related injuries, and are the leading cause of death for Americans age 2 and every age 4 through 33. Furthermore, traffic crashes are not only a grave public health problem for our nation, but also a significant economic burden. In 2000, traffic crashes cost our economy approximately \$230 billion, or 2.3 percent of the U.S. Gross Domestic Product. The average cost for a critically injured survivor of a motor vehicle crash is estimated at \$1.1 million over a lifetime.

Therefore, in order to address these safety problems, good data are required. Traffic safety data is the primary source of knowledge about the traffic safety environment, human behavior and vehicle performance. NHTSA has made improving traffic safety data one of the agency's highest priorities.

In the fall of 2003, NHTSA formed a multidisciplinary integrated project team (IPT) to address the role of data in achieving U.S. DOT's Safety Strategic Objective: "Enhance public health and safety by working toward the elimination of transportation-related deaths and injuries." The team—composed of representatives from NHTSA headquarters and the regions, the Bureau of Transportation Statistics, Federal Highway Administration, and the Federal Motor Carrier Safety Administration—was to recommend priorities to NHTSA's Administrator on

the best methods for obtaining the information needed to promote traffic safety and to identify how data could be improved to address the increasing complexity of traffic safety and vehicle issues. The report focuses on data that are routinely collected, accessible, and widely used to meet traffic safety data needs. Improving these data will benefit the traffic safety community and the public at large.

The effectiveness of informed decision making at the national, state and local levels, involving sound research, programs and policies, is directly dependent on data availability and quality. Accurate and comprehensive, standardized data provided in a timely manner, would allow the agency or decision-making entities at the state or local levels to:

- Determine the causes of crashes and their outcomes
- Evaluate strategies for preventing crashes and improving crash outcomes
- Support traffic safety data operations
- Measure progress in reducing crash frequencies and severities
- Update traffic safety policies

This report presents an in-depth look at routinely collected and accessible traffic safety data and provides initiatives and recommendations for federal and state stakeholders to improve traffic safety data needed to reduce deaths, injuries, injury severity and costs. The recommendations were grouped into the following categories:

1. Coordination and Leadership
2. Data Quality and Availability
3. Electronic Technologies and Methods
4. Uniform and Integrated Data
5. Facilitated Data Use (including training)

NHTSA believes its own initiatives, the Report's recommendations for both a U.S. DOT Highway Safety Traffic Records Coordinating Committee and for the States, will lead to both short term and long term solutions to improve data and maximize its use to achieve key DOT safety objectives.

NHTSA also assembled IPTs to address four other highway safety programs of special interest: safety belt use; impaired driving; vehicle rollover and vehicle compatibility. For each program of special interest, the agency is seeking public review and comment. Each of the four planning documents can be found on NHTSA's Web site at <http://www.nhtsa.dot.gov/IPTRports.html> and also on DOT's docket management system (DMS) at <http://dms.dot.gov/>. The docket numbers for each of the respective reports are as follows:

- Safety Belt Use—NHTSA–2003–14620;
- Impaired Driving—NHTSA–2003–14621;
- Rollover Mitigation—NHTSA–2003–14622;
- Vehicle Compatibility—NHTSA–2003–14623; and
- Data—NHTSA–2004–17339

Each document describes the safety problem and provides strategies the agency plans to pursue in addressing vehicle compatibility, increasing safety belt use, reducing impaired driving, and mitigating vehicle rollover, and improving traffic safety data. While the first four are closed, comments received about the Data document will be evaluated and incorporated, as appropriate, into planned agency activities.

### How Do I Prepare and Submit Comments?

Your comments must be written and in English. To ensure that your comments are correctly filed in the Docket, please include the Docket number of this document (NHTSA–2004–17339) in your comments.

Please send two paper copies of your comments to Docket Management or submit them electronically. The mailing address is U.S. Department of Transportation Docket Management, Room PL–401, 400 Seventh Street, SW., Washington, DC 20590. If you submit your comments electronically, log onto the Docket Management System Web site at <http://dms.dot.gov> and click on "Help & Information" or "Help/Info" to obtain instructions.

### How Can I Be Sure That My Comments Were Received?

If you wish Docket Management to notify you upon its receipt of your comments, enclose a self-addressed, stamped postcard in the envelope containing your comments. Upon receiving your comments, Docket Management will return the postcard by mail.

### How Do I Submit Confidential Business Information?

If you wish to submit any information under a claim of confidentiality, send three copies of your complete submission, including the information you claim to be confidential business information, to the Chief Counsel, NCC–01, National Highway Traffic Safety Administration, Room 5219, 400 Seventh Street, SW., Washington, DC 20590. Include a cover letter supplying the information specified in our confidential business information regulation (49 CFR Part 512).

In addition, send two copies from which you have deleted the claimed confidential business information to Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590.

### Will the Agency Consider Late Comments?

In our response, NHTSA will consider all comments that Docket Management receives before the close of business on the comment closing date indicated above under DATES. To the extent possible, the agency will also consider comments that Docket Management receives after that date.

Please note that even after the comment closing date, NHTSA will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late comments. Accordingly, NHTSA recommends that you periodically check the Docket for new material.

### How Can I Read the Comments Submitted by Other People?

You may read the comments by visiting Docket Management in person at Room PL-401, 400 Seventh Street, SW., Washington, DC from 10 a.m. to 5 p.m., Monday through Friday.

You may also see the comments on the Internet by taking the following steps:

- Go to the Docket Management System (DMS) Web page of the Department of Transportation (<http://dms.dot.gov>).
- On that page, click on "search."
- On the next page (<http://dms.dot.gov/search/>) type in the five-digit Docket number shown at the beginning of this document (17339). Click on "search."
- On the next page, which contains Docket summary information for the Docket you selected, click on the desired comments. You may also download the comments.

**Authority:** 49 U.S.C. 30111, 30117, 30168; delegation of authority at 49 CFR 1.50 and 501.8.

**Noble N. Bowie,**

*Associate Administrator for Planning, Evaluation & Budget.*

[FR Doc. 04-16902 Filed 7-26-04; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Ex Parte No. 647]

### Class Exemption for Expedited Abandonment Procedure for Class II and Class III Railroads

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of public hearing.

**SUMMARY:** The Surface Transportation Board (Board) will hold a public hearing on Wednesday, August 11, 2004, at its offices in Washington, DC, to provide interested persons an opportunity to express their views on the subject of the Board's abandonment regulations for Class II and Class III rail carriers.<sup>1</sup> Persons wishing to speak at the hearing should notify the Board in writing.

**DATES:** The public hearing will take place on Wednesday, August 11, 2004. Any person wishing to speak at the hearing should file with the Board a written notice of intent to participate, and should indicate a requested time allotment, as soon as possible but no later than July 26, 2004. Each speaker should also file with the Board any written testimony by August 3, 2004.

**ADDRESSES:** All notices of intent to participate and testimony may be submitted either via the Board's e-filing format or in the traditional paper format. Any person using e-filing should comply with the instructions found on the Board's <http://www.stb.dot.gov> Web site, at the "E-FILING" link. Any person submitting a filing in the traditional paper format should send an original and 10 paper copies of the filing (referring to STB Ex Parte No. 647) to: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

### FOR FURTHER INFORMATION CONTACT:

Joseph Dettmar, (202) 565-1609. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** On May 15, 2003, sixty-five short-line and regional carriers (petitioners)<sup>2</sup> filed a

<sup>1</sup> The Board's regulations divide railroads into three classes based on annual carrier operating revenues. Class I railroads are those with annual carrier operating revenues of \$250 million or more (in 1991 dollars); Class II railroads are those with annual carrier operating revenues of more than \$20 million but less than \$250 million (in 1991 dollars); and Class III railroads are those with annual carrier operating revenues of \$20 million or less (in 1991 dollars). See 49 CFR Part 1201, General Instruction 1-1(a).

<sup>2</sup> The sixty-five carriers are: Allegheny & Eastern Railroad, Inc.; Bradford Industrial Rail, Inc.; Buffalo

petition to institute a proceeding under 49 U.S.C. 10502 to exempt a class of small carriers from the prior approval abandonment requirements of 49 U.S.C. 10903. Petitioners included a detailed proposal including revised rules for 49 CFR 1152.50 (exempt abandonments) and 1152.27 (offers of financial assistance). The Board will hold a public hearing to provide a forum for the expression of views by rail shippers, railroads, and other interested persons, on this and other proposed changes to the Board's abandonment regulations as they relate to Class II and Class III rail carriers. This hearing will provide a forum for the oral discussion of the proposed class exemption and any proposals that interested persons might wish to offer to amend the abandonment regulations.

**Date Of Hearing.** The hearing will begin at 10 a.m. on Wednesday, August 11, 2004, in the 7th floor hearing room at the Board's headquarters in Washington, DC, and will continue, with short breaks if necessary, until every person scheduled to speak has been heard.

& Pittsburgh Railroad, Inc.; Carolina Coastal Railway, Inc.; Commonwealth Railway, Inc.; Chicago South Shore & South Bend Railroad; Chattanooga & Gulf Railroad Co., Inc.; Connecuh Valley Railroad Co., Inc.; Corpus Christi Terminal Railroad, Inc.; The Dansville & Mount Morris Railroad Company; Eastern Idaho Railroad, Inc.; Genesee & Wyoming Railroad Company; Golden Isles Terminal Railroad, Inc.; H&S Railroad Co., Inc.; Illinois Indiana Development Company, LLC; Illinois & Midland Railroad Company, Inc.; Kansas & Oklahoma Railroad, Inc.; Knoxville & Holston River Railroad Co., Inc.; Lancaster and Chester Railway Company; Laurinburg & Southern Railroad Co., Inc.; Louisiana & Delta Railroad, Inc.; Louisville & Indiana Railroad Company; Minnesota Prairie Line, Inc.; Montana Rail Link, Inc.; New York & Atlantic Railway Company; Pacific Harbor Line, Inc.; Palouse River & Coulee City Railroad, Inc.; Pennsylvania Southwestern Railroad, Inc.; Piedmont & Atlantic Railroad Inc.; Pittsburgh & Shawmut Railroad, Inc.; Portland & Western Railroad, Inc.; Rochester & Southern Railroad, Inc.; Rocky Mount & Western Railroad Co., Inc.; St. Lawrence & Atlantic Railroad Company; Salt Lake City Southern Railroad Company; Savannah Port Terminal Railroad, Inc.; South Buffalo Railway Company; South Kansas & Oklahoma Railroad Company; Stillwater Central Railroad; Talleyrand Terminal Railroad, Inc.; Three Notch Railroad Co., Inc.; Timber Rock Railroad, Inc.; Twin Cities & Western Railroad Company; Utah Railway Company; Willamette & Pacific Railroad, Inc.; Wiregrass Central Railroad Company, Inc.; York Railway Company; AN Railway, LLC; Atlantic and Western Railway, Limited Partnership; Bay Line Railroad, LLC; Central Midland Railway; Copper Basin Railway, Inc.; East Tennessee Railway, L.P.; Galveston Railroad, L.P.; Georgia Central Railway, L.P.; The Indiana Rail Road Company; KWT Railway, Inc.; Little Rock & Western Railway, L.P.; M & B Railroad, L.L.C.; Tomahawk Railway, Limited Partnership; Valdosta Railway, L.P.; Western Kentucky Railway, LLC; Wheeling & Lake Erie Railway Company; Wilmington Terminal Railroad, L.P.; and Yolo Shortline Railroad Company.