

DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration****[Waiver Petition Docket Number FRA-2003-16306]****Union Pacific Railroad Company; Notice of Postponement of Public Hearing**

On December 11, 2003, FRA published a notice in the **Federal Register** announcing the Union Pacific Railroad Company's (UP) intent to be granted a waiver of compliance from certain provisions of the Railroad Locomotive Safety Standards, 49 CFR Part 229. See 68 FR 69123. Specifically, UP requests relief from the requirements of 49 CFR 229.27(a)(2) Annual Tests and 49 CFR 229.29(a) Biennial Tests, applicable to all existing and future installations of electronic air brake equipment furnished by Wabtec Corporation of Wilmerding, Pennsylvania on UP locomotives.

As a result of the comments received by FRA concerning this waiver petition, FRA determined that a public hearing was necessary before a final decision could be made on this petition.

Accordingly, on June 14, 2004, FRA issued a notice in the **Federal Register** announcing that a public hearing was set to begin at 10 a.m. on July 13, 2004, at the Washington Plaza Hotel, 10 Thomas Circle, NW., Washington DC 20005. See 69 FR 33097. Subsequent to the issuance of that notice, FRA was informed by UP that it would like to postpone the scheduled public hearing in order to engage in additional outreach with the involved labor organizations. The commenter in this matter has informally agreed to postponement of the scheduled public hearing. Consequently, FRA is postponing the public hearing in this matter until further notice. A new public hearing will be rescheduled if any interested party notifies FRA, in writing, within 45 days of the date of this notice of its desire to have an opportunity for oral comment and specifies the basis for their request.

Furthermore, no decision will be rendered in this matter without conducting a public hearing unless the party or parties originally requesting the public hearing formally withdraws that request. FRA will issue a notice in the **Federal Register** at least 30 days prior to the date of any new public hearing scheduled in this matter. All communications concerning these proceedings should identify the appropriate docket number (FRA-2003-16306) and must be submitted to the Docket Clerk, DOT Docket Management

Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 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>.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC on June 29, 2004.

Grady C. Cothen, Jr.,

Acting Associate Administrator for Safety.

[FR Doc. 04-15252 Filed 7-2-04; 8:45am]

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DEPARTMENT OF TRANSPORTATION**Federal Transit Administration****[FTA Docket No. FTA-2004-18530]****Notice of Request for Extension of a Currently Approved Collection**

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice of request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Federal Transit Administration (FTA) to request the Office of Management and Budget (OMB) to extend the following currently approved information collection: United We Ride State Coordination Grants.

DATES: Comments must be submitted before September 7, 2004.

ADDRESSES: All written comments must refer to the docket number that appears at the top of this document and be submitted to the United States Department of Transportation, Central Dockets Office, Pub. L. 401, 400 Seventh Street, SW., Washington, DC 20590. All comments received will be available for examination at the above address from 10 a.m. to 5 p.m., e.t., Monday through Friday, except federal holidays. Those desiring notification of receipt of

comments must include a self-addressed, stamped postcard/envelope.

FOR FURTHER INFORMATION CONTACT: Elizabeth Solomon, United We Ride Initiative, (202) 366-0242.

SUPPLEMENTARY INFORMATION: Interested parties are invited to send comments regarding any aspect of this information collection, including: (1) The necessity and utility of the information collection for the proper performance of the functions of the FTA; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the collected information; and (4) ways to minimize the collection burden without reducing the quality of the collected information. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection.

Title: United We Ride State Coordination Grants.

Background: The U.S. Departments of Transportation (DOT), Health and Human Services (HHS), Labor (DOL) and Education (DoED), have launched United We Ride (UWR), a five part initiative to enhance the coordination on human service transportation. UWR intends to break down the barriers between programs and set the stage for local and state partnerships that generate common sense solutions and deliver A-plus performance for those individuals who depend on transportation services to participate fully in community life. The UWR five initiatives include: (1) The Framework for Action, (2) A National Leadership Forum on Human Service Transportation Coordination, (3) State Leadership Awards, (4) State Coordination Grants, and (5) Help Along the Way.

The Congress and the Executive Branch are interested in ensuring that various human service transportation activities funded by various federal programs are better coordinated. The General Accounting Office (GAO) issued a report on "Transportation Disadvantaged Populations" (June 2003) that identified 62 different federal programs across eight federal agencies that provide funding that may be used to support community transportation services. The report points out that there are multiple public and private agencies that provide human service transportation in any one community, and services vary greatly in terms of eligibility requirements, hours or scope of operation, specific destinations and quality. Given the multiplicity of programs and the significant dollar amounts spent, more effective

coordination is needed to ensure better service to more people. This is especially true when federal, state, and local budgets for human service activities are under extreme financial pressure.

As also indicated by GAO, many objectives have been achieved; however, the fragmentation and lack of coordination within supporting agencies continue to be a challenge. On February 24, 2004, President Bush signed an Executive Order Number 13330 on Human Service Transportation Coordination establishing the Federal Interagency Coordinating Council on Access and Mobility and requiring attention to the obstacles outlined by GAO. The President's Executive Order requires agencies to identify and implement strategies for enhancing coordinated services within a one-year period. The United We Ride initiative includes a State Coordination Grant that provides support to help states address the issues outlined both by GAO and by the President in the Executive Order.

FTA requested an emergency approval from OMB for the United We Ride State Coordination Grant Initiative in a **Federal Register** Notice dated May 21, 2004. OMB approved the request on June 22, 2004. The OMB Control Number is 2132-0562. FTA will publish a **Federal Register** Notice soliciting proposals for the State Coordination Grants shortly.

Respondents: State government.

Estimated Annual Burden on

respondents: 10 hours for each of the 50 respondents.

Estimated Total Annual Burden: 500 hours.

Frequency: Annual.

Issued: June 29, 2004.

Rita L. Wells,

Associate Administrator for Administration.

[FR Doc. 04-15120 Filed 7-2-04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2004-18541; Notice 1]

Michelin North America, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

Michelin North America, Inc. (Michelin) has determined that certain tires it manufactured in 2004 do not comply with S6.5(f) of Federal Motor Vehicle Safety Standard (FMVSS) No. 119, "New pneumatic tires for vehicles other than passenger cars." Michelin

has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Michelin has petitioned for an exemption from the notification and remedy requirements of 49 U.S.C. chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of Michelin's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Michelin produced approximately 278 Uniroyal Laredo HD/H Load Range D size LT215/85R16 tires during the period from March 30, 2004, to April 30, 2004, that do not comply with FMVSS No. 119, S6.5(f). These tires were marked "tread plies: 2 polyester + 2 steel + 1 nylon; sidewall plies: 2 polyester." They should have been marked "tread plies: 2 polyester + 2 steel; sidewall plies: 2 polyester."

S6.5(f) of FMVSS No. 119 requires that each tire shall be marked on each sidewall with "the actual number of plies and the composition of the ply cord material in the sidewall and, if different, in the tread area."

Michelin believes that the noncompliance is inconsequential to motor vehicle safety and that no corrective action is warranted. Michelin cites a number of cases in which NHTSA granted exemption petitions for similar ply labeling noncompliances, located at 66 FR 63009 (actually 66 FR 63090) (12/04/2001), 66 FR 49254 (09/26/2001), 66 FR 47518 (02/12/2001), 66 FR 41931 (08/02/2001), 67 FR 1399 (01/10/2002), and 69 FR 12195 (03/15/2004). Michelin states:

The Agency has reviewed the impact of tire label information on safety in the context of its rulemaking efforts under the Transportation Recall, Enhancement, Accountability and Documentation (TREAD) Act. This analysis concluded that tire construction information is not relied upon by dealers and consumers in the purchasing or selling of tires and has an inconsequential impact on motor vehicle safety * * * [Comments on the Agency's NPRM] indicated that the tire construction labeling requirements * * * provide little or no safety value to the general public since most consumers do not understand tire construction technology * * * The Agency concluded * * * that it is likely that few consumers are influenced by the tire construction labeling information when making a motor vehicle or tire purchase decision, and that such information is not relied upon by consumers in evaluating the strength and durability of tires.

Michelin also states that, because the tire sidewalls are not of steel cord

construction, but are actually polyester, there is no potential safety concern for people working in the tire retread, repair, and recycling industries.

Michelin asserts that the tires meet or exceed all performance requirements of FMVSS No. 119, and that the noncompliance has no effect on the performance of the tires or motor vehicle safety. Michelin has corrected the problem.

Interested persons are invited to submit written data, views, and arguments on the petition described above. Comments must refer to the docket and notice number cited at the beginning of this notice and be submitted by any of the following methods. Mail: Docket Management Facility, U.S. Department of Transportation, Nassif Building, Room Pub. L. 401, 400 Seventh Street, SW., Washington, DC 20590-0001. Hand delivery: Room Pub. L. 401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC. It is requested, but not required, that two copies of the comments be provided. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal holidays. Comments may be submitted electronically by logging onto the Docket Management System Web site at <http://dms.dot.gov>. Click on "Help" to obtain instructions for filing the document electronically. Comments may be faxed to 1-202-493-2251, or may be submitted to the Federal eRulemaking Portal: go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

The petition, supporting materials, and all comments received before the close of business on the closing date indicated below will be filed and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: August 5, 2004.

Authority: 49 U.S.C. 30118, 30120; delegations of authority at CFR 1.50 and 501.8.

Issued on: June 28, 2004.

Kenneth N. Weinstein,

Associate Administrator for Enforcement.

[FR Doc. 04-15160 Filed 7-2-04; 8:45 am]

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