

**DEPARTMENT OF TRANSPORTATION****Maritime Administration****[Docket No. MARAD 2004 18618]****Information Collection Available for Public Comments and Recommendations****ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Maritime Administration's (MARAD's) intention to request extension of approval for three years of a currently approved information collection.

**DATES:** Comments should be submitted on or before September 17, 2004.

**FOR FURTHER INFORMATION CONTACT:** Michael Ferris, Maritime Administration, 400 Seventh St., SW., Washington, DC 20590. Telephone: (202) 366-2324; FAX: (202) 366-9580; or e-mail: [michael.ferris@marad.dot.gov](mailto:michael.ferris@marad.dot.gov). Copies of this collection also can be obtained from that office.

**SUPPLEMENTARY INFORMATION:**

*Title of Collection:* Subsidy Voucher—"Operating Differential Subsidy (Bulk & Liner Cargo Vessels).

*Type of Request:* Extension of currently approved information collection.

*OMB Control Number:* 2133-0024.

*Form Numbers:* MA-790, SF-1034 and Supporting Schedules.

*Expiration Date of Approval:* Three years from date of approval by the Office of Management and Budget.

*Summary of Collection of Information:* The Merchant Marine Act, 1936, authorizes the Secretary of Transportation to provide financial aid in the operation of contract vessels for bulk or liner cargo carrying services that help promote, develop, expand and maintain the foreign commerce of the United States. Vessel owners must submit documentation requesting the financial assistance to the Maritime Administration (MARAD).

*Need and Use of the Information:* MARAD will review the documentation to determine subsidies payable to operators for voyages performed in accordance with the Operating-Differential Subsidy (ODS) Agreements.

*Description of Respondents:* Operators of bulk and liner vessels.

*Annual Responses:* One.

*Annual Burden:* Two hours.

*Comments:* Comments should refer to the docket number that appears at the top of this document. Written comments may be submitted to the Docket Clerk,

U.S. DOT Dockets, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. Comments also may be submitted by electronic means via the Internet at <http://dms.dot.gov/submit>. Specifically address whether this information collection is necessary for proper performance of the functions of the agency and will have practical utility, accuracy of the burden estimates, ways to minimize this burden, and ways to enhance the quality, utility, and clarity of the information to be collected. All comments received will be available for examination at the above address between 10 a.m. and 5 p.m. e.d.t. (or e.s.t.), Monday through Friday, except Federal holidays. An electronic version of this document is available on the World Wide Web at <http://dms.dot.gov>.

*Privacy Act:* 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) or you may visit <http://dms.dot.gov>.

(Authority: 49 CFR 1.66.)

Dated: July 14, 2004.

By Order of the Maritime Administrator,  
**Joel C. Richard,**  
*Secretary, Maritime Administration.*  
[FR Doc. 04-16312 Filed 7-16-04; 8:45 am]  
**BILLING CODE 4910-81-P**

**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration****[Docket No. NHTSA-2004-18640, Notice 1]****InterModal Technologies, Inc.; Receipt of Application for a Temporary Exemption From Federal Motor Vehicle Safety Standard No. 121**

Pursuant to the procedures of 49 CFR part 555, InterModal Technologies, Inc. ("InterModal") has applied for a Temporary Exemption from the requirements of S5.2.3.2 *Antilock Malfunction Signal*, and S5.2.3.3 *Antilock Malfunction Indicator* in Federal Motor Vehicle Safety Standard ("FMVSS") No. 121, *Air brake systems*. The basis of the application is that the exemption would facilitate the development or field evaluation of a new motor vehicle safety feature providing a safety level at least equal to that of the standard, and that the

applicant is otherwise unable to sell a vehicle whose overall level of safety is at least equal to that of a non-exempted vehicle.

We are publishing this notice of receipt of the application in accordance with the requirements of 49 U.S.C. 30113(b)(2). This notice makes no judgment on the merits of the application. Similarly, this notice does not address the merits of InterModal's statements that the MSQR-5000 is an antilock braking system. The merits may be addressed in comments and in the agency's resolution of this matter.

**I. Background**

InterModal is a manufacturer of semi-trailers incorporated in the State of Colorado. InterModal intends to manufacture semi-trailers equipped with a device, which it refers to as "MSQR-5000 pneumatic antilock braking system" ("MSQR-5000").<sup>1</sup> The MSQR-5000 does not incorporate electrical circuits to transmit or receive electrical signals.

The trailers equipped with MSQR-5000 would not comply with the requirements of S5.2.3.2 and S5.2.3.3 of FMVSS No. 121. Petitioner seeks a temporary exemption from the requirements of S5.2.3.2 and S5.2.3.3 because an exemption would facilitate the development or field evaluation of MSQR-5000, which petitioner contends offers a safety level at least equal to that of antilock brake systems ("ABS") that comply with FMVSS No. 121. Further, petitioner contends that it is otherwise unable to sell a vehicle whose overall level of safety is at least equal to that of non-exempted vehicles. If the petition is granted, InterModal intends to produce not more than 2,500 trailers annually. For additional information on InterModal, please go to <http://www.intermodaltechnologies.com>.

**II. Why InterModal Needs a Temporary Exemption**

Petitioner contends that the MSQR-5000 device, installed on trailers manufactured by InterModal, operates as a conventional ABS. However, a trailer equipped with the MSQR-5000 does not comply with the requirements of S5.2.3.2 and S5.2.3.3 of FMVSS No. 121.

S5.2.3.2 requires that:

" \* \* \* each trailer \* \* \* manufactured on or after March 1, 2001, that is equipped with an antilock brake system shall be equipped with an electrical circuit that is capable of signaling a malfunction in the trailer's

<sup>1</sup> For additional information on this petition, please see Docket No. NHTSA-2004-18640 at <http://dms.dot.gov/search/searchFormSimple.cfm>.