

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****Environmental Impact Statement:
Montgomery and Prince George's
Counties, MD**

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that a Draft Environmental Impact Statement (EIS)/ Draft Section 4(f) Evaluation will be prepared for a proposed roadway improvement project in Montgomery and Prince George's Counties, Maryland.

FOR FURTHER INFORMATION CONTACT: Mr. Daniel W. Johnson, Environmental Program Specialist, Federal Highway Administration, Maryland Division, The Rotunda, Suite 220, 711 W. 40th Street, Baltimore, Maryland 21211, Telephone: (410) 962-4342, extension 145.

SUPPLEMENTARY INFORMATION: The FHWA along with the Maryland State Highway Administration will prepare a Draft EIS with a draft Section 4(f) Evaluation for transportation improvements along the MD 28/MD 198 Corridor in Montgomery and Prince George's Counties. The U.S. Army Corps of Engineers and U.S. Environmental Protection Agency will be invited to be cooperating agencies. The proposed project includes widening improvements along MD 28 (Norbeck Road), Norbeck Road Extended and MD 198 (Spencerville Road/Sandy Spring Road) from the vicinity of MD 97 (Georgia Avenue) to the vicinity of I-95 (approximately 10.6 miles).

Proposed improvements along this corridor are necessary because MD 28 and MD 198 are currently operating near capacity in some areas between MD 97 in Montgomery County and I-95 in Prince George's County. The 2002 completion of Montgomery County's Norbeck Road Extended project provides a direct connection of MD 28 and MD 198, reducing travel time between MD 182 (Layhill Road) and MD 650 (New Hampshire Avenue). Traffic operations in the study corridor are expected to worsen as planned and future development occurs and congestion increases. The local roadway network will reach capacity and will be unable to accommodate this increased travel demand leading to stop-and-go conditions at locations along the corridor. Improvements within the corridor will accommodate existing and projected travel demand, while addressing safety concerns.

The alternates under consideration include (1) No-Build Alternate—taking no action, (2) Transportation Systems Management Alternate—providing a wide range of spot improvements throughout the corridor that address the most serious concerns at specific location or segments of roadway (e.g., intersection improvements, geometric improvements, access management strategies, and center turn lanes) and (3) Master Plan Features Alternate—incorporating roadway improvements, including roadway widening, to MD 28, Norbeck Road Extended and MD 198 within the study limits as called for in the local area master plans.

Other transportation projects within the vicinity of the MD 28/MD 198 Corridor Improvement Study are under way or under study; including the MD 28/MD 97 interchange, the MD 198/US 29 interchange and the Intercountry Connector (ICC). A Public Hearing was held for the MD 28/MD 97 interchange in December 2002. The MD 198/US 29 interchange is currently under construction, anticipated to be complete in the Fall 2004. The Public Hearing for the ICC is tentatively scheduled for the Fall 2004.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, local agencies, private organizations, and citizens who have previously expressed or are known to have an interest in this project. A Public Hearing is tentatively scheduled for the Winter 2003/2004. The Draft EIS/Draft Section 4(f) Evaluation will be available for public and agency review and comment prior to a Public Hearing. Public notice will be given of the availability of the Draft EIS/4(f) for review and of the time and place of this 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 these proposed actions and EIS should be directed to the FHWA at the address 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 of Federal programs and activities apply to this program).

Issued on: August 14, 2003.

Daniel W. Johnson,
Environmental Program Manager, Baltimore, Maryland.

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DEPARTMENT OF TRANSPORTATION**National Highway Traffic Safety
Administration**

[Docket No. NHTSA-2003-14229; Notice 2]

**Kawasaki Motors Corporation, U.S.A.;
Grant of Application for Decision of
Inconsequential Noncompliance**

Kawasaki Motors Corporation U.S.A. of Irvine, California (KMC) has determined that some 2002 and 2003 model year Kawasaki motorcycles produced for sale in the U.S. fail to comply with a requirement in Federal Motor Vehicle Safety Standard (FMVSS) No. 123, "Motorcycle Controls and Displays". The motorcycles in question have ignition switches that are not labeled with the word "ignition". Pursuant to 49 U.S.C. 30118(d) and 30120(h), KMC has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports".

Notice of receipt of the application was published, with a 30-day comment period, on February 3, 2003, in the **Federal Register** (67 FR 72026). NHTSA received no comment on this application.

Federal Motor Vehicle Safety Standard No. 123 standardizes motorcycle controls to minimize the risk of crashes resulting from operator errors in the use of controls. In FMVSS No. 123, paragraph S5.2.3 specifies that the ignition shall be labeled with the word "ignition" as well as the word "off" at the appropriate ignition switch position. Proper labeling of the ignition helps to ensure that a rider who needs to quickly turn off a motorcycle for safety reasons will be able to locate, identify, and operate the ignition control.

Kawasaki Motors Corporation described the operation of the motorcycles with the noncompliance as follows:

The ignition switch is located in a pod positioned immediately in front of the operator, just ahead of the fuel filler opening on the top of the fuel tank. The switch is operated by an ignition key and has three positions, sequentially in a clockwise direction: "off" where the ignition is disabled; "on" where the ignition is enabled; and "park" where the ignition is disabled but minimal lighting functions are enabled. These ignition switch positions are labeled on a metal plate that surrounds the ignition switch and which also contains the turn signal indicator lamps, neutral and high beam indicators. Unlike standard automotive practice, the ignition switch does not operate the starter motor—the starter button is located on the handlebar. Starting the