

launch range support and modernization. Responses to this announcement should include the following:

1. A detailed explanation of the requirement;
2. Technical and economic rationale, as well as, overall importance; and
3. Key dimensions of performance, with threshold and objective requirements if possible.

A threshold requirement is a minimum acceptable value for a system capability or characteristic, which, in the user's judgment, is necessary to provide an operational capability. An objective requirement is a value beyond the threshold that could have a measurable and beneficial impact on the system capability, supportability, or operational concept of employment. (For example, "The imaging subsystem must be capable of maintaining coverage on space launch vehicles from first motion through powered flight as a threshold and orbital insertion as an objective.")

Subsequent to collecting these requirements, DOT and DOC will consolidate and prioritize requirements, with consultation from the commercial sector, and prepare a report. This report will contain commercial requirements for EWR support and modernization, and will be provided to the Air Force such that commercial sector requirements for range support and modernization can be considered in the Department of Defense (DOD) requirements process.

This request is applicable to requirements for EWR support and modernization only, and not to mission specific requirements that may be appropriately handled via the Universal Documentation System (UDS), per Air Force Space Command Instruction 21-104.

Dated: March 27, 2003.

**Patricia G. Smith,**

*Associate Administrator for Commercial Space Transportation, Federal Aviation Administration.*

Dated: March 28, 2003.

**Benjamin H. Wu,**

*Deputy Under Secretary for Technology, Department of Commerce.*

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Agency Information Collection Activities: Submission for OMB Review

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** The FHWA has forwarded the information collection request described in this notice to the Office of Management and Budget (OMB) for review and approval. We published a Federal Register Notice with a 60-day public comment period on this information collection on August 6, 2002. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

**DATES:** Please submit comments by June 2, 2003.

**ADDRESSES:** You may send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention: DOT Desk Officer. You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FHWA's performance; (2) the accuracy of the estimated burden; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information.

#### SUPPLEMENTARY INFORMATION:

*Title:* Survey of Drivers' Attitudes on Speeding and Speed Limits.

*Abstract:* The FHWA plans to enter into a cooperative agreement with the State of Massachusetts to initiate a project entitled "Demonstration and Evaluation of Rational Speed Limits," to be performed by the Governor's Highway Safety Bureau of the Commonwealth of Massachusetts. As part of this cooperative agreement, information on local drivers' attitudes towards speeding, speed limits and enforcement will be gathered through a survey. A survey will be performed both before and after engineering, enforcement and educational measures to reduce speeding are implemented. The information obtained from the survey will help the FHWA understand the effectiveness of the measures and drivers' responses to them. The responses to the survey will be voluntary and will not involve information that is required by

regulations. There will be not direct costs to the respondents other than their time.

*Respondents:* Drivers in Natick, Massachusetts.

*Estimated Total Annual Burden:* The burden hours per response will be approximately 10 minutes. We estimate that a total of 800 drivers (400 "before" and 400 "after") will be involved in the survey. Therefore, the total estimate is 133 burden hours.

**FOR FURTHER INFORMATION CONTACT:** Ms. Elizabeth Alicandri, 202-366-6409, Office of Highway Safety, Federal Highway Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday, except Federal holidays.

*Electronic Access:* Internet users may access all comments received by the U.S. DOT Dockets, Room PL-401, by using the universal resource locator (URL): <http://dms.dot.gov>. It is available 24 hours each day, 365 days each year. Please follow the instructions online for more information and help. An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office Electronic Bulletin Board Service at telephone number 303-512-1661. Internet users may reach the **Federal Register** home page at <http://www.nara.gov/fedreg> and the Government Printing Office's database at <http://www.access.gpo.gov/nara>.

**Authority:** The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.48.

Issued on: February 7, 2003.

**James R. Kabel,**

*Chief, Management Programs and Analysis Division.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2002-13356; Notice 2]

#### Cooper Tire & Rubber Company, Grant of Application for Decision That Noncompliance Is Inconsequential to Motor Vehicle Safety

Cooper Tire & Rubber Company (Cooper) has determined that approximately 956 Cooper Lifeliner Touring SLE tires in the 185/70R14 size do not meet the labeling requirements mandated by Federal Motor Vehicle

Safety Standard (FMVSS) No. 109, "New Pneumatic Tires." Pursuant to 49 U.S.C. 30118(d) and 30120(h), Cooper 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 October 7, 2002, in the **Federal Register** (67 FR 62522). NHTSA received no comment on this application.

FMVSS No. 109 (S4.3.2) requires that each tire be labeled with the name of the manufacturer, or the brand name and number assigned to the manufacturer in the manner specified in part 574 (S574.6, Identification mark).

Cooper's Texarkana, Arkansas, tire manufacturing facility had one mold involved in production during the twelfth and thirteenth production weeks of 2002, in which the identification mark was incorrectly stated. The subject tires were molded "DOT VT." The correct identification mark for the

Texarkana, Arkansas, plant identification code should have been "DOT UT." The incorrect identification mark was removed from the mold and the correct plant identification code inserted.

Cooper supports its application for inconsequential noncompliance by stating that all of the subject tires meet all requirements of FMVSS No. 109, except the for the correct manufacturer's assigned identification mark. The purpose of NHTSA's tire identification mark is to identify a tire so that, if necessary, the appropriate action can be taken in the interest of public safety—such as, a safety recall notice.

The agency believes that in the case of a tire labeling noncompliance, the true measure of its inconsequentiality to motor vehicle safety is whether the mislabeling would affect the manufacturer's ability to locate them, if the tires were to be recalled for a performance-related noncompliance or safety-related defect. Cooper can identify the involved tires with the incorrect manufacturer's assigned

identification mark of "VT." The tires have a unique DOT identification that would permit Cooper to notify the purchasers of these tires, if registered, should they be recalled for safety reasons. The involved tires produced from this mold during the aforementioned production period comply with all other requirements of 49 CFR 571.109.

In consideration of the foregoing, NHTSA has decided that the applicant has met its burden of persuasion that the noncompliance is inconsequential to motor vehicle safety. Accordingly, its application is granted and the applicant is exempted from providing the notification of the noncompliance as required by 49 U.S.C. 30118, and from remedying the noncompliance, as required by 49 U.S.C. 30120.

Issued on: March 21, 2003.

**Roger A. Saul,**

*Acting Associate Administrator for Rulemaking.*

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