

### Arguments Presented by Ford as to Why a Temporary Exemption Would Be in the Public Interest and Consistent With Objectives of Motor Vehicle Safety

The windshield of the Lincoln Town Car BPS differs from those of armored vehicles produced by other manufacturers in that it will provide "a bullet resistant environment against rifle level threats," as contrasted with "handgun level" threats. According to Ford, "Customers, including certain agencies of the U.S. Government, have expressed a need for vehicles with this level of protection for vehicle occupants." Ford argued that its product will enhance the safety "for those individuals that are either government officials or certain other high profile individuals that are at a higher level of risk for terrorist attacks or assassination attempts." Orders have already been placed by the General Services Administration (GSA) on behalf of two government entities. To emphasize the minimal nature of the noncompliance, Ford enclosed a copy of its test report indicating passage of S4.2 using washer fluid, which has been placed in the docket.

### Public Comment Received

We received one anonymous comment which recommended that the petition be denied. In the commenter's view, if the petition is granted, the commenter should also be allowed to drive a nonconforming (imported) vehicle whose overall level of safety is at least equal to that of a nonexempted vehicle. The comment did not address the merits of the petition and we have not considered it relevant in our decision to grant Ford's request.

### Our Findings in Granting Ford's Application

Ford has requested a temporary exemption from a Federal motor vehicle safety standard that is intended to assist a vehicle operator in avoiding a crash. Therefore, it is especially important that we consider the possible effect on safety of such an exemption.

Standard No. 103 is, in effect, a de-icing standard rather than a defrosting standard. To provide more uniform and repeatable test results, the SAE specifies that a coating of ice be applied to the windshield before the test begins. The SAE notes (Paragraph 1, SAE Recommended Practice J902a "Passenger Car Windshield Defrosting Systems," March 1967) that "The time element for ice removal, therefore, is longer than that required to remove frost, which is the prime purpose of the defroster system." Frost generally forms

overnight. Considering Ford's argument that the special-purpose BPS is likely to be garaged rather than parked in the open, the likelihood of frost formation on the BPS windshield is less than that on the windshield of a car that is not parked overnight in a garage.

Section 4.2 of FMVSS No. 103 requires that certain windshield areas be defrosted in a compliance test, as set forth in SAE Recommended Practice J902, "Passenger Car Windshield Defrosting Systems," August 1964, incorporated by reference. They are called the "critical area" and "entire windshield." Paragraph S4.2 of Standard No. 103 defines "critical area" as Area C and "entire windshield" as Area A. After 20 minutes of the test, conducted with the defroster system "on full" and the blower "on high," Area C must be at least 80 percent defrosted and, after 40 minutes, the "entire windshield" shall be at least 95 percent defrosted. Ford has not quantified the extent of its noncompliance using the defroster system alone. However, both Area C and Area A on the BPS windshield are 100% defrosted in 20 minutes with the assistance of the windshield washer system. The petition indicates that solvent was not applied for the full 20 minutes, which would raise the question of capacity of the washer system, but only for a limited period. Ford's Engineering Test Report noted that a "Breakthrough occurred at 12 minutes and 15 seconds, 15 seconds after washer solvent was squirted." Although Ford did not present these test results specifically as a safety equivalent argument, we note that use of the washer system simultaneously with the defroster system not only resulted in compliance with the minimum performance requirements of Standard No. 103 but also resulted in a quicker clearance of the windshield than the standard requires. In short, an overall level of safety that may be considered at least equal to that of a nonexempted motor vehicle.

Ford's public interest argument is that the level of protection provided by the Town Car BPS is one that is needed for the protection of government or high profile individuals who are potential targets for terrorist attacks or assassination attempts. We concur and note that the vehicle will afford the same protection to the driver as it does to the passenger. It is critical to safety that the operator of a vehicle under attack, which may be speeding to avoid danger, be uninjured and in control of the vehicle. The fact that the GSA has ordered BPS vehicles on behalf of two U.S. government agencies enhances the

argument that an exemption would be in the public interest.

In consideration of the foregoing, we hereby find that to require compliance with S4.2 of Standard No. 103 would prevent the applicant from selling a motor vehicle whose overall level of safety is at least equal to that of a non-exempted vehicle, and that a temporary exemption is in the public interest and consistent with objectives of motor vehicle safety. Accordingly, Ford Motor Company is hereby granted NHTSA Temporary Exemption No. EX 03-3 from Paragraph S4.2 of 49 CFR 571.103, Standard No. 103, "Windshield Defrosting and Defogging Systems." The exemption covers only the Lincoln Town Car Ballistic Protection Series (BPS) and expires on September 1, 2005.

**Authority:** 49 U.S.C. 30113; delegation of authority at 49 CFR 1.50.

Issued on: October 28, 2003.

**Jeffrey W. Runge,**  
Administrator.

[FR Doc. 03-27506 Filed 10-31-03; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34417]

### Union Pacific Railroad Company— Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company

The Burlington Northern and Santa Fe Railway Company (BNSF), pursuant to a written trackage rights agreement entered into between BNSF and Union Pacific Railroad Company (UP), has agreed to grant local trackage rights to UP over a BNSF line of railroad between BNSF milepost 114.5 and BNSF milepost 117.0 near Endicott, NE, a distance of approximately 2.5-miles.<sup>1</sup>

Although UP indicates that the transaction was scheduled to be consummated on October 20, 2003, the earliest the transaction could be

<sup>1</sup> UP submits that the trackage rights are only temporary rights, but, because they are "local" rather than "overhead" rights, they do not qualify for the Board's new class exemption for temporary trackage rights at 49 CFR 1180.2(d)(8). See *Railroad Consolidation Procedures—Exemption for Temporary Trackage Rights*, STB Ex Parte No. 282 (Sub-No. 20) (STB served May 23, 2003). Therefore, UP and BNSF concurrently have filed a petition for partial revocation of this exemption in STB Finance Docket No. 34417 (Sub-No. 1), *Union Pacific Railroad Company—Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company*, wherein UP and BNSF request that the Board permit the proposed local trackage rights arrangement described in the present proceeding to expire on October 15, 2004. That petition will be addressed by the Board in a separate decision.

consummated was October 21, 2003 (7 days after the filing of the notice).

The purpose of the trackage rights is to permit UP to serve the shipper at Endicott until BNSF's trackage can be repaired or other arrangements can be made for continued rail service to this shipper, following severe washouts on BNSF's line in this area.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34417 must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Robert T. Opal, 1416 Dodge Street, Room 830, Omaha, NE 68179.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: October 24, 2003.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 03-27357 Filed 10-31-03; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Fiscal Service

#### **Financial Management Service; Proposed Collection of Information: Direct Deposit Sign-Up Form**

**AGENCY:** Financial Management Service, Fiscal Service, Treasury.

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

**SUMMARY:** The Financial Management Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing information collection. By this notice, the Financial Management Service solicits comments concerning

the Form 1199A "Direct Deposit Sign-Up Form."

**DATES:** Written comments should be received on or before January 2, 2004.

**ADDRESSES:** Direct all written comments to Financial Management Service, 3700 East West Highway, Records and Information Management Program Staff, Room 135, Hyattsville, Maryland 20782.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Susan Alvarez, Room 304-D, 401 14th Street, SW., Washington, DC 20227, (202) 874-6908.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Paperwork Reduction Act of 1995, (44 U.S.C. 3506(c)(2)(A)), the Financial Management Service Solicits comments on the collection of information described below.

*Title:* Direct Deposit Sign-Up Form.

*OMB Number:* 1510-0007.

*Form Number:* 1199A.

*Abstract:* This form is used by recipients to authorize the deposit of Federal payments into their accounts at financial institutions. The information on the form routes the direct deposit payment to the correct account at the financial institution.

*Current Actions:* Extension of currently approved collection.

*Type of Review:* Regular.

*Affected Public:* Individuals or households, Business or other for-profit, Federal Government.

*Estimated Number of Respondents:* 604,000.

*Estimated Time Per Respondent:* 10 minutes.

*Estimated Total Annual Burden Hours:* 102,680.

*Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation,

maintenance and purchase of services to provide information.

**Betsy H. Lane,**

*Assistant Commissioner, Federal Finance.*

[FR Doc. 03-27516 Filed 10-31-03; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Fiscal Service

#### **Financial Management Service; Proposed Collection of Information: Claim Against the United States for the Proceeds of a Government Check**

**AGENCY:** Financial Management Service, Fiscal Service, Treasury.

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

**SUMMARY:** The Financial Management Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing information collection. By this notice, the Financial Management Service solicits comments concerning the Form FMS-1133 "Claim Against the United States for the Proceeds of a Government Check."

**DATES:** Written comments should be received on or before January 2, 2004.

**ADDRESSES:** Direct all written comments to Financial Management Service, 3700 East West Highway, Records and Information Management Program Staff, Room 135, Hyattsville, Maryland 20782.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Dawn Johns, Manager, Check Claims Branch, Room 831D, 3700 East West Highway, Hyattsville, Maryland 20782, (202) 874-8445.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Paperwork Reduction Act of 1995, (44 U.S.C. 3506(c)(2)(A)), the Financial Management Service solicits comments on the collection of information described below.

*Title:* Claim Against the United States for the Proceeds of a Government Check.

*OMB Number:* 1510-0019.

*Form Number:* FMS-1133.

*Abstract:* This form is used to collect information needed to process an individual's claim for non-receipt of proceeds from a government check. Once the information is analyzed, a determination is made and a recommendation is submitted to the program agency to either settle or deny the claim.

*Current Actions:* Extension of currently approved collection.