

**DEPARTMENT OF TRANSPORTATION****Federal Transit Administration**

[FTA Docket No. FTA-2005-21811]

**Agency Information Collection Activity Under OMB Review****AGENCY:** Federal Transit Administration, DOT.**ACTION:** Notice of request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for approval. The **Federal Register** Notice with a 60-day comment period soliciting comments was published on April 11, 2005.

**DATES:** Comments must be submitted before August 11, 2005. A comment to OMB is most effective if OMB receives it within 30 days of publication.

**FOR FURTHER INFORMATION CONTACT:** Sylvia L. Marion, Office of Administration, Office of Management Planning, (202) 366-6680.

**SUPPLEMENTARY INFORMATION:**

*Title:* Customer Service Surveys (OMB Number: 2132-0559).

*Abstract:* Executive Order 12862, "Setting Customer Service Standards," requires FTA to identify its customers and determine what they think about FTA's service. The surveys covered in this request for a blanket clearance will provide FTA with a means to gather data directly from its customers. The information obtained from the surveys will be used to assess the kind and quality of services customers want and their level of satisfaction with existing services. The surveys will be limited to data collections that solicit voluntary opinions and will not involve regulation that is required by regulations.

*Estimated Total Annual Burden:* 706 hours.

**ADDRESSES:** All written comments must refer to the docket number that appears at the top of this document and be submitted to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention: FTA Desk Officer.

*Comments are Invited On:* Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden

of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued: July 7, 2005.

**Ann M. Linnertz,**  
*Deputy Associate Administrator for Administration.*

[FR Doc. 05-13646 Filed 7-11-05; 8:45 am]

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

[Docket No. NHTSA 2005-21081; Notice 2]

**Graco Children's Products Inc., Grant of Petition for Decision of Inconsequential Noncompliance**

Graco Children's Products Inc. (Graco) has determined that certain child restraints that it produced in 2004 do not comply with S4.3(a) of 49 CFR 571.302, Federal Motor Vehicle Safety Standard (FMVSS) No. 302, "Flammability of interior materials." Pursuant to 49 U.S.C. 30118(d) and 30120(h), Graco 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 a petition was published, with a 30-day comment period, on May 4, 2005, in the **Federal Register** (70 FR 23293). NHTSA received no comments.

Affected are a total of approximately 450 Graco Comfort Sport convertible child restraints manufactured on December 27, 2004. S4.3(a) of FMVSS No. 302 requires that material "shall not burn \* \* \* at a rate of more than 102 mm per minute." Two nylon warning labels which are a component of these child restraints do not comply with this requirement.

Graco explains that the seat pad used on the Comfort Sport model contains two warning labels sewn onto the backside of the seat pad. Graco states:

The pad is an Easy Wash pad with flaps that allow for easy removal of the seat pad without disconnecting the harness. The labels are sewn to the backside of the two flaps. The label is manufactured of nylon material and when tested as a single material does not meet the requirements of \* \* \* S4.3(a) \* \* \*.

Graco believes that the noncompliance is inconsequential to

motor vehicle safety and that no corrective action is warranted. Graco states that the risk of injury from the noncompliance is inconsequential for several reasons:

Location of labels on backside of pad. The labels are located on the backside of the pad and directly behind a child seated in the child restraint. This location is not directly accessible to any flame source. \* \* \* The contribution of the labels to any flame spread is negligible.

Small size of labels. The labels are relatively small compared to the overall size of the seat pad. \* \* \* The size of each label is 1 $\frac{3}{16}$ " x 5 $\frac{1}{2}$ " x 0.003" thick.

Seat pad and child restraint materials comply with FMVSS No. 302. The labels are the only material \* \* \* that do not comply with FMVSS No. 302. \* \* \* This overwhelming amount of material that complies \* \* \* affords the occupant(s) the necessary protection from any flammability hazard \* \* \*.

Composite flammability testing complies. Although the label is not adhered to the pad at every point as specified by FMVSS No. 302 for composite testing, Graco has tested the labels in a composite \* \* \* [and] it burns well within the accepted rate established by FMVSS No. 302.

Graco states that it is unaware of any complaints of a fire in this seat and consequently there has been no injury.

NHTSA agrees with Graco that the noncompliance is inconsequential to safety. As Graco states, the labels are small in size, on an absolute basis and relative to the amount of material that complies. The location of the labels on the backside of the pad is not directly accessible to any flame source. Although the label is not adhered to the pad at every point, it complies when tested for composite flammability. There have been no complaints of fire or fire-related injury in this seat. Graco has corrected the problem.

In consideration of the foregoing, NHTSA has decided that the petitioner has met its burden of persuasion that the noncompliance described is inconsequential to motor vehicle safety. Accordingly, Graco's petition is granted and the petitioner is exempted from the obligation of providing notification of, and a remedy for, the noncompliance.

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

Issued on: July 5, 2005.

**Ronald L. Medford,**

*Senior Associate Administrator for Vehicle Safety.*

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