

- Objectives,
- Implementation strategies,
- Performance measures, and
- Monitoring and evaluation plan.

Upon receipt, the applications will be reviewed by FMCSA and prioritized for potential funding. Applicants approved for funding will be required to enter into a grant agreement with FMCSA. A Division Administrator will execute the grant agreement with the applicant on behalf of FMCSA.

If funds remain available after allocations are made for applications submitted by April 28, 2006, additional applications may be submitted and will be considered for funding until all available funds have been allocated.

A copy of the MCSAP-1 grant application form is available and can be downloaded from <http://www.fmcsa.dot.gov/safety-security/safety-initiatives/mcsap/mcsapforms.htm>.

It is anticipated the grants.gov application process will be available for use by applicants applying for MCSAP New Entrant and High Priority grants by April 28, 2006.

Addresses of the FMCSA Division Offices are available on the Internet at <http://www.fmcsa.dot.gov/about/contact/offices/displayfieldroster.asp>.

Issued on: March 20, 2006.

**Annette M. Sandberg,**  
Administrator.

[FR Doc. E6-4325 Filed 3-23-06; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Denial of Motor Vehicle Defect Petition

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Denial of petition for a defect investigation.

**SUMMARY:** This notice sets forth the reasons for the denial of a petition submitted by Ms. Elyse Gerber to NHTSA's Office of Defects Investigation (ODI), received October 13, 2005, under 49 U.S.C. 30162, requesting that the agency commence a proceeding to determine the existence of a defect related to motor vehicle safety with respect to electrical system shut down on model year (MY) 2000 Mercedes Benz E430 vehicles. After a review of the petition and other information, NHTSA has concluded that further expenditure of the agency's investigative resources on the issues

raised by the petition does not appear to be warranted. The agency accordingly has denied the petition. The petition is hereinafter identified as DP05-007.

**FOR FURTHER INFORMATION CONTACT:** Mr. Steve Chan, Defects Assessment Division, Office of Defects Investigation, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Telephone: (202) 366-8537.

**SUPPLEMENTARY INFORMATION:** By letter dated September 20, 2005, Ms. Gerber of Belleair Beach, FL, submitted a petition requesting that the agency investigate electrical system shut down on MY 2000 Mercedes Benz E430 vehicles. The petitioner alleges that coffee from a cup, placed in the cup holder, spilled onto the gear shifter and shut down the vehicle's entire electrical system. The petitioner indicated that the vehicle jerked and slowed down, but she was able to maneuver the vehicle off the highway and into a shopping center parking lot.

The concern raised by the petitioner was investigated by the Office of Defects Investigation (ODI) of NHTSA. The investigation (SQ01-010) was opened on September 25, 2001 on MY 2000 through 2001 Mercedes Benz SLK, C, CLK, and E Series vehicles. NHTSA opened the investigation after receiving three complaints concerning liquid spillage onto the transmission shifter (center console) area, which reportedly caused the vehicle to stall or shut down, and a related technical service bulletin (TSB) issued by Mercedes Benz. The TSB identifies improved "Touch-Shifters" (ESM-Electronic Selector Modules) that were more resistant to fluid contamination, which were installed on vehicles produced after March 2001.

Mercedes Benz's letter dated January 24, 2002, sent in response to a request for information by ODI, identified 164 consumer complaints and 241 non-duplicate warranty claims concerning liquid spillage onto the transmission shifter. The response showed that in many cases, depending on the severity of the spill, fluid spills onto the transmission shifter/center console of the subject vehicles will have no effect on drivability. Where a substantial amount of fluid is spilled, the fluid may penetrate the console and contaminate the ESM circuitry located under the console. In certain cases, this can result in a shifter malfunction. Owners reported that they have experienced that the shifter is stiff or difficult to operate, or that the shifter could not be shifted out of the "Park" position. In the event of a fluid spill while the vehicle is moving, the damaged ESM will activate

the electronic transmission's "limp-home" mode. This mode will prevent the transmission from shifting past second gear while averting a stall or shut-down so that the vehicle can still be driven at a lower speed. Furthermore, Mercedes Benz's response indicated that there are no electronics related to the power brakes, power steering, or engine under the center console, and the company was unaware of any engineering basis for fluid spills in this area having any effect on those vehicle functions. No related crashes or injuries were identified during SQ01-010. Based on Mercedes' response and ODI's analysis of the facts, ODI closed its inquiry in February 2002. ODI concluded that the facts did not demonstrate a safety-related defect.

ODI has subsequently received nine more complaints alleging fluid contamination of the transmission shifter since the investigation was closed, none of which report crashes or injuries. These nine complainants mainly expressed dissatisfaction with the design of the cup holder and the cost of replacing the contaminated ESM. Similarly, in petitioner's case she was able to operate the vehicle to a place where it could be safely stopped after the liquid spillage. The petitioner has not provided any evidence of a safety-related defect.

In view of the foregoing, it is unlikely that NHTSA would issue an order for the notification and remedy of the alleged defect as defined by the petitioner at the conclusion of the investigation requested in the petition. Therefore, in view of the need to allocate and prioritize NHTSA's limited resources to best accomplish the agency's safety mission, the petition is denied.

**Authority:** 49 U.S.C. 30162(d); delegations of authority at CFR 1.50 and 501.8.

Issued on: March 21, 2006.

**Daniel Smith**

*Associate Administrator for Enforcement.*

[FR Doc. E6-4309 Filed 3-23-06; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34843]

#### Union Pacific Railroad Company— Temporary Trackage Rights Exemption—BNSF Railway Company

BNSF Railway Company (BNSF) has agreed to grant temporary overhead trackage rights to Union Pacific Railroad Company (UP) over BNSF's lines

between milepost 2.1 (Grand Avenue), St. Louis, MO, and milepost 34.1, Pacific, MO, a distance of 32 miles.

The transaction was scheduled to be consummated on March 16, 2006, the effective date of the notice, and the temporary trackage rights will expire on or about July 31, 2006. The purpose of the temporary trackage rights is to facilitate the performance of maintenance work on UP lines.

As a condition to this exemption, any employee affected by the acquisition of the temporary 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), and any employee affected by the discontinuance of those trackage rights will be protected by the conditions set out in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

This notice is filed under 49 CFR 1180.2(d)(8). 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. 34843, 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 Gabriel S. Meyer, Union Pacific Railroad Company, 1400 Douglas St., STOP 1580, Omaha, NE 68179.

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

Decided: March 17, 2006.

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

**Vernon A. Williams**,  
Secretary.

[FR Doc. 06-2834 Filed 3-23-06; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Form 13614K

**AGENCY:** Internal Revenue Service (IRS), Treasury.

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

**SUMMARY:** The Department of the Treasury, 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 proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13(44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 13614K, Volunteer Return Preparation Program Hurricane Katrina Interview and Intake Sheet.

**DATES:** Written comments should be received on or before May 23, 2006 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Glenn Kirkland Internal Revenue Service, room 6512, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form and instructions should be directed to Larnice Mack at Internal Revenue Service, room 6512, 1111 Constitution Avenue NW., Washington, DC 20224, or at (202) 622-3179, or through the Internet at ([Larnice.Mack@irs.gov](mailto:Larnice.Mack@irs.gov)).

#### SUPPLEMENTARY INFORMATION:

**Title:** Volunteer Return Preparation Program Hurricane Katrina Interview and Intake Sheet.

**OMB Number:** 1545-1999.

**Form Number:** 13614K.

**Abstract:** The completed form is used by screeners, preparers, or others involved in the return preparation process to more accurately complete tax returns of Katrina impacted taxpayers having low to moderate incomes. The persons need assistance having their returns prepared so they can fully comply with the law. The form can also be used to assist the taxpayer after their appointment.

**Current Actions:** There are no changes being made to the form at this time.

**Type of Review:** Extension of a currently approved collection.

**Affected Public:** Individuals or households, Business or other for-profit organizations, Not-for-profit institutions, Federal Government and State, local or tribal government.

**Estimated Number of Responses:** 1,056,049.

**Estimated Time Per Response:** 6 minutes.

**Estimated Total Annual Burden Hours:** 105,605.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number.

Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

**Request for Comments:** Comments submitted in response to this notice will be summarized and/or included in the request for OMB 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.

Approved: March 16, 2006.

**Glenn Kirkland**,

*IRS Reports Clearance Officer.*

[FR Doc. E6-4218 Filed 3-23-06; 8:45 am]

BILLING CODE 4830-01-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Form 56-A

**AGENCY:** Internal Revenue Service (IRS), Treasury.

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

**SUMMARY:** The Department of the Treasury, 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 proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13(44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 56-A, Notice Concerning Fiduciary Relationship—Illinois Type Land Trust.

**DATES:** Written comments should be received on or before May 23, 2006 to be assured of consideration.