

Electronically Controlled Pneumatic (ECP) brakes. The petition implicitly requests, as well, exemption from certain provisions of Chapter 204, Title 49, United States Code. The petitioners believe that implementation of ECP brakes requires a substantial capital investment, and relief from certain provisions of 49 CFR Part 232 will permit them to initiate pilot train operations. In addition, BNSF and NS believe that this relief will permit them to implement this pilot program on an expedited basis, allow FRA and the industry to identify definable savings with ECP brake equipped train operations, and evaluate changes to the CFR to accommodate these operations on a permanent basis.

BNSF and NS specifically request relief from the following subsections of 49 CFR Part 232: 232.207 Class IA Brake Test, 232.15(a)(7) Movement of defective equipment, 232.103 (d) and 232.103(g) General requirement for train braking system, 232.109 Dynamic brake requirements, 232.111(b)(3) and (4) Train handling information, 232.205 Class I brake test, 232.205(c)(3), (c)(4) and (c)(5), 232.209(a)(1) Class II brake inspection, 232.211 Class III brake inspection, 232.217(c)(3) Train brake tests conducted using yard air, 232.305 Single car airbrake tests, 232.505(e) Pre-revenue service acceptance testing plan, and elimination of all Subpart E—End of train devices. In addition, the petitioners request relief from the requirements to perform daily inspections for locomotives (49 CFR 229.21) in service on ECP brake equipped trains, performing only a trip inspection. Petitioners also represent that this requested relief should provide a framework for an expedited rulemaking by FRA which will encourage further investment in ECP brake technology throughout the railroad industry.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA anticipates scheduling a public hearing in connection with these proceedings in the near future, at a time and place yet to be determined, as the facts appear to warrant a hearing. Interested parties are advised that the petition appears to present issues that would require findings under 49 U.S.C. § 20306 (Exemption for technological improvements). The petitioners should be present at the hearing and prepared to support any required findings with evidence that any requirements of Chapter 204, title 49, United States Code, sought to be waived “preclude the development or implementation of more efficient railroad transportation

equipment or other transportation innovations under existing law.”

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA–2006–26435) and must be submitted in triplicate to the Docket Clerk, DOT Central Docket Management Facility, Room PL–401, Washington, DC 20590–0001. Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) at DOT Central Docket Management Facility, Room PL–401 (Plaza Level), 400 Seventh Street, SW., Washington. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility’s Web site at <http://dms.dot.gov>.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT’s complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19377–78). The statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC, on December 4, 2006.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. E6–20831 Filed 12–7–06; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[DOT Docket No. NHTSA–06–26554]

#### Reports, Forms, and Recordkeeping Requirements

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

**ACTION:** Request for public comment on proposed collection of information.

**SUMMARY:** This notice solicits public comment on continuation of the requirements for the collection of information on safety standards. Before a Federal agency can collect certain information from the public, it must

receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections.

This document describes a collection of information associated with 49 CFR Part 574, Tire Identification and Recordkeeping.

**DATES:** Comments must be received on or before February 6, 2007.

**ADDRESSES:** Comments must refer to the docket notice number cited at the beginning of this notice and be submitted to Docket Management, Room PL–401, 400 Seventh St., SW., Washington, DC 20590. It is requested, but not required, that 2 copies of the comment be provided. The Docket Section is open on weekdays from 10 am to 5 pm except for Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Complete copies of each request for collection of information may be obtained from Mr. George Soodoo, NVS–122, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. Mr. Soodoo’s telephone number is: (202) 366–5274.

**SUPPLEMENTARY INFORMATION:** Under the Paperwork Reduction Act of 1995, before a proposed collection of information is submitted to OMB for approval, Federal agencies must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB’s regulation (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

(i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) The accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) How to enhance the quality, utility, and clarity of the information to be collected; and

(iv) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological

collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

In compliance with these requirements, NHTSA asks for public comment on the following proposed collection of information:

*Title:* 49 CFR Part 574, Tire Identification and Recordkeeping.  
*OMB Control Number:* 2127-0050.  
*Form Number:* None.

*Requested Expiration Date of Approval:* Three years from the approval date.

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

*Summary of the Collection of Information:* 49 U.S.C. 30117(b) requires each tire manufacturer to collect and maintain records of the names and addresses of the first purchasers of new tires. To carry out this mandate, 49 CFR Part 574 requires tire dealers and distributors to record the names and addresses of retail purchasers of new tires and the identification number(s) of the tires sold. A specific form is provided to tire dealers and distributors by tire manufacturers for recording this information. The completed forms are returned to the tire manufacturers where they are to remain for three years after the date received by the manufacturer.

Additionally, motor vehicle manufacturers are required to record the names and addresses of the first purchasers of new motor vehicles, together with the identification numbers of the tires on the new vehicles.

The Motor Vehicle Safety and Cost Savings Authorization Act of 1982 (P.L. 97-311) prohibited NHTSA from enforcing the mandatory tire registration provisions in 49 CFR Part 574 against dealers and distributors whose business is not owned or controlled by a tire manufacturer (hereinafter referred to as “independent dealers”). For independent dealers, Congress specified that a voluntary registration system would take effect as soon as this agency specified the format and content of the voluntary tire registration forms and standardized the information for all independent dealers.

The previously specified mandatory tire registration requirements remain applicable to all dealers and distributors other than independent dealers and that the requirements for tire and vehicle manufacturers are unchanged.

*Description of the Need for the Information and the Proposed Use of the Information:* The information is used by a tire manufacturer, when it

determines that some of its tires either fail to comply with an applicable safety standard or contain a safety related defect. With the information, the tire manufacturer can notify the first purchaser of the tire and provide the purchaser with any necessary information or instructions.

*Description of the Likely Respondents (Including Estimated Number and Proposed Frequency of Response to the Collection of Information):* It is estimated that this collection of information affects 10 million respondents annually. This group consists of approximately 8 tire manufacturers, 12,000 new tire dealers and distributors, and 10 million consumers who choose to register their tire purchasers with the tire manufacturers. A response is required by motor vehicle manufacturers upon each sale of a new vehicle and by non-independent tire dealers with each sale of a new tire. A consumer may elect to respond when purchasing a new tire from an independent dealer.

*Estimate of the Total Annual Reporting and Recordkeeping Burden Resulting from the Collection of Information:* The estimated burden is as follows:

New tire dealers and distributors .....	12,000.
Consumers .....	10,000,000.
Total tire registrations (manually) .....	54,000,000.
Total registration hours (manual) .....	225,000 hours.
Recordkeeping hours (manual) .....	25,000 hours.
Total annual tire registration and recordkeeping hours .....	250,000 hours.

In addition, before this collection of information is approved, OMB has asked NHTSA to respond to the following questions:

1. Solicit public comment on how NHTSA can cost-effectively reduce the collection of information burden and enhance the practical utility of this information collection.
2. Estimate the percentage of individual purchasers of replacement tires for which contact information is maintained that is adequate to contact them, for two recent years of tire purchases. For comparison, similarly estimate the percentage of new vehicles for which there is adequate contact information maintained for tire recalls, for two recent years of vehicle purchases.
3. Provide each NHTSA evaluation of the success of procedures for keeping records on first purchasers of tires, under 49 U.S.C. 30117(b)(3), including “the extent to which distributors and dealers have encouraged first purchasers of tires to register the tires” and a “detailed statement of the decision and

an explanation of the reasons for the decision.” Also, estimate the extent to which such mandated recordkeeping is or is not cost-effective.

4. Respond to the following: Does 49 CFR 574.7 specify a form to be used? Why is a form set in a final rule? If that form is actually required or offered, provide it to OMB. It should include a currently valid control number and the consequences of failure to provide a valid number. Include any such form in the notices—which should specify collecting information for tire recalls—and solicit comment on: (a) Whether that is an efficient and effective way to collect the information needed for recalls; (b) whether electronic or telephonic collection of information would be more efficient; and (c) generally, what form(s) of information collection would most efficiently and effectively encourage tire sellers and purchasers to provide recall information.

5. Determine whether or not, under 49 U.S.C. 3017(b) or otherwise, the DOT Secretary has the authority by rule or

otherwise to allow electronic (e.g., via the Internet) or telephonic collection—in lieu of paper-based collection—of the information pertinent to that provision. In the opinion of DOT/NHTSA can such information collection procedures change without a change in this rule? Please explain why or why not. If new rulemaking is needed, shouldn't that occur to better achieve the goals of both the authorizing statute and the PRA?

6. Clarify whether, under the statute and regulation, this collection of information is voluntary or mandatory for the tire dealer and similarly, for the tire purchaser.

7. Refer to the letter of July 18, 2003 from the NHTSA Chief Counsel to Ann Wilson of the Rubber Manufacturers Association. Kindly explain why telephone or electronic registration may be a supplement to the required mail-in form, but not in lieu of it Since burden is properly estimated by the actual time taken, not by whether any approach is voluntary or not, wouldn't registration that only supplements a paper form lead to additional burdens? At the same time

couldn't an alternative—not a supplementary—approach reduce total burden and be more effective?

8. Verify whether or not the statute and rule require the contact/registration information be kept for at least five years, not three years.

Comments on these issues raised by OMB are solicited. NHTSA will take these comments into consideration in its submission to OMB asking for an extension of OMB Clearance No. 2127-0050.

**Authority:** 44 U.S.C.3506(c); delegation of authority at 49 CFR 1.50.

Issued on: December 5, 2006.

**H. Keith Brewer,**

*Director, Crash Avoidance Standards.*

[FR Doc. E6-20936 Filed 12-7-06; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34938]

#### Stillwater Central Railroad—Trackage Rights Exemption—BNSF Railway Company

Pursuant to a written trackage rights agreement, Stillwater Central Railroad (SLWC) has agreed to grant overhead trackage rights to BNSF Railway Company (BNSF) over SLWC's rail line extending between milepost 668.73 at Long, OK, and milepost 438.9 at Sapulpa, OK, a distance of approximately 229.83 miles.

The transaction is scheduled to be consummated on or before January 1, 2007.<sup>1</sup> The purpose of the trackage rights is to allow for the movement of BNSF's trains overhead between (a) Long, OK, and Oklahoma City, OK, and (b) Long, OK, and Sapulpa, OK.

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).

<sup>1</sup> The trackage rights agreement provides for an initial term of 15 years. The parties must seek appropriate Board authority for the trackage rights to expire at the end of that time period.

This notice is filed under 49 CFR 1180.2(d)(7). If the notice 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. 34938, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Sidney L. Strickland Jr., Sidney Strickland and Associates, PLLC, 3050 K Street, NW., Suite 101, Washington, DC 20007.

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

Decided: December 1, 2006.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. E6-20903 Filed 12-7-06; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-33 (Sub-No. 238X)]

#### Union Pacific Railroad Company—Discontinuance of Service Exemption—in Yuba County, CA

On November 20, 2006, Union Pacific Railroad Company (UP) filed with the Board a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to discontinue service over an approximately 4.77-mile line of railroad known as the Pearson Industrial Lead, extending from milepost 133.29, near Alicia, to milepost 129.91, near Pearson, and milepost 0.00 to milepost 1.39, near Pearson, in Yuba County, CA. The line traverses U.S. Postal Service Zip Code 95901, and serves stations at Pearson and Reed.

The line does not contain federally granted rights-of-way. Any documentation in the possession of the railroad will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by March 9, 2007.

Any offer of financial assistance (OFA) to subsidize continued rail service under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,300 filing fee. See 49 CFR 1002.2(f)(25).<sup>1</sup>

All filings in response to this notice must refer to STB Docket No. AB-33 (Sub-No. 238X) and must be sent to: (1) Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001; and (2) Mack H. Shumate, Jr., Senior General Attorney, 101 North Wacker Drive, Room 1920, Chicago, IL 60606. Replies to the petition are due on or before December 28, 2006.

Persons seeking further information concerning discontinuance procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

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

Decided: December 1, 2006.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. E6-20789 Filed 12-7-06; 8:45 am]

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<sup>1</sup> Because this is a discontinuance of service proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Similarly, no environmental or historic documentation is required under 49 CFR 1105.6(c)(2) and 1105.8(e).