

**SUMMARY:** As authorized by Pub. L. 105-383 and Pub. L. 107-295, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below. The complete application is given in DOT docket 2005-23444 at <http://dms.dot.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with Pub. L. 105-383 and MARAD's regulations at 46 CFR Part 388 (68 FR 23084; April 30, 2003), that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

**DATES:** Submit comments on or before January 30, 2006.

**ADDRESSES:** Comments should refer to docket number MARAD-2005-23444. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW., Washington, DC 20590-0001. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit/>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Joann Spittle, U.S. Department of Transportation, Maritime Administration, MAR-830 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202-366-5979.

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel HOPSCOTCH is:

*Intended Use:* "The boat is in charter for pleasure use. There are times when charterers require a licensed captain or sailing instructor."

*Geographic Region:* Washington State.

By order of the Maritime Administrator.  
Dated: December 23, 2005.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. E5-8080 Filed 12-28-05; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket Number: 2005-23446]

#### Requested Administrative Waiver of the Coastwise Trade Laws

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel LANDFALL.

**SUMMARY:** As authorized by Public Law 105-383 and Public Law 107-295, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below. The complete application is given in DOT docket 2005-23446 at <http://dms.dot.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with Public Law 105-383 and MARAD's regulations at 46 CFR Part 388 (68 FR 23084; April 30, 2003), that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

**DATES:** Submit comments on or before January 30, 2006.

**ADDRESSES:** Comments should refer to docket number MARAD-2005-23446. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW., Washington, DC 20590-0001. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit/>. All comments

will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Joann Spittle, U.S. Department of Transportation, Maritime Administration, MAR-830 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202-366-5979.

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel LANDFALL is:

*Intended Use:* "Captained one half day or one day sailing charters."

*Geographic Region:* Maryland and Florida.

Dated: December 23, 2005.

By order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. E5-8083 Filed 12-28-05; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No.: 2005-23445]

#### Requested Administrative Waiver of the Coastwise Trade Laws

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel ULTRA VIOLET.

**SUMMARY:** As authorized by Pub. L. 105-383 and Pub. L. 107-295, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below. The complete application is given in DOT docket 2005-23445 at <http://dms.dot.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with Pub. L. 105-383 and MARAD's regulations at 46 CFR part 388 (68 FR 23084; April 30, 2003), that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag

vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

**DATES:** Submit comments on or before January 30, 2006.

**ADDRESSES:** Comments should refer to docket number MARAD-2005-23445. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW., Washington, DC 20590-0001. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit/>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Joann Spittle, U.S. Department of Transportation, Maritime Administration, MAR-830 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202-366-5979.

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel ULTRA VIOLET is:  
*Intended Use:* "Day charter, sightseeing voyages."  
*Geographic Region:* Narragansett Bay, RI.

Dated: December 23, 2005.

By order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. E5-8081 Filed 12-28-05; 8:45 am]

**BILLING CODE 4910-81-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 Mr. Chris Ruh, Mr. Don

Huston, Mr. Robert Guthrie, Mr. Jeff Babiak, Mr. J. A. Massey, Ms. Michele Brown, Ms. Mary Mabry, Mr. Chris Taylor, and Mr. Victor Aguilar (hereinafter, "Petitioners") to NHTSA's Office of Defects Investigation (ODI), received September 6, 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 the cylinder head and spark plug assembly performance of model year (MY) 1997 through 2004 Ford vehicles with Triton V-8 and V-10 engines. 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 DP05-005.

**FOR FURTHER INFORMATION CONTACT:** Ms. Cheryl Rose, Vehicle Control Division, Office of Defects Investigation, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Telephone: (202) 366-1869.

**SUPPLEMENTARY INFORMATION:**

On September 6, 2005, ODI received a petition submitted by Mr. Donald W. Ricketts of Santa Clarita, CA, on the behalf of the "Petitioners" requesting that the agency investigate allegations of engine spark plug ejection in certain MY 1997 through 2004 Ford vehicles with Triton V-8 and V-10 engines (hereinafter, subject vehicles). The "Petitioners" allege the following regarding the subject vehicles:

(1) The spark plug-cylinder head assembly design is insufficient to retain the spark plugs in the cylinder heads for the life of the spark plug unless periodically inspected and, if necessary, torqued.

(2) As the vehicle ages, the spark plugs loosen in the threaded head and/or the metal fatigues causing the spark plugs to be blown out of the head.

(3) The millions of subject vehicles containing the Triton V-8 and V-10 engine present a safety hazard to occupants of the vehicle, nearby persons, and other motorists on the road.

(4) The spark plugs shoot out of the cylinder port suddenly and with great force damaging the engine and sometimes puncturing the hood.

(a) Fire and explosion are likely if the plugs puncture nearby fuel lines.

(b) Owners report a strong smell of gasoline vapor after blowouts occur and the cylinder is open, presenting an additional danger of fire and explosion.

(c) The sudden expulsion of the plug out of the head often causes drivers to

be startled and lose control of the vehicle momentarily.

(d) The vehicles always lose power, and often stall.

In response to NHTSA's request for whatever supporting information the "Petitioners" could provide, one petitioner and Mr. Donald Ricketts on behalf of the "Petitioners," submitted several complaints and repair invoices concerning the subject of their allegations. NHTSA has carefully analyzed those submissions, as well as relevant complaints in its own database, interviewed many of the complainants, including some of the "Petitioners," and examined a vehicle containing the alleged defect.

ODI received a total of 474 non-duplicative complaints on the subject vehicles, including the several complaints submitted by Mr. Donald Ricketts on behalf of the "Petitioners" and some complaints received directly from the "Petitioners" where the complainant, or the dealer repairing the vehicle, reported that a spark plug detached from the cylinder and/or ejected from the engine (hereinafter, alleged defect). As of December 8, 2005, ODI is not aware of any allegations where the alleged defect resulted in a loss of vehicle control, a crash, an injury, or a fatality in any of the 10,319,810 subject vehicles. In addition, ODI is aware of only two incidents where the vehicle stalled without restart.

Information contained in the ODI consumer complaints and obtained from 72 telephone interviews with complainants showed the following:

(1) 99% of the complaints were on MY 1997 to 2002 subject vehicles.

(2) Most the complainants reported hearing a loud pop while driving or upon starting up the vehicle followed by a loud, repetitive clicking or popping sound.

(3) Many of the complainants reported that the popping sound was accompanied by some loss of vehicle power; however, in 99% of the incidents reported, the vehicle did not stall. In the very few incidents where the vehicle did stall, most vehicles could be restarted.

(4) Only a small percentage of the complainants cited that they smelled gas or a slight burning smell when the incident occurred.

(5) In all but a very few incidents, vehicle damage was limited to the engine. In one incident, the complaint reported that the fuel rail was damaged and replaced after one of the spark plugs ejected from the engine; however, the complainant reported that the damage did not result in any type of fuel leak