issues are available from DCTA. See **DATES** and **ADDRESSES** above.

The EIS will evaluate transit improvement alternatives, the No-Action alternative, and a Transportation System Management (TSM) alternative based on the Purpose and Need statement developed for the corridor during the previous Alternatives Analysis (AA). The AA document is available for public review on the Internet at *http://www.RailDCTA.net* or by contacting the project office at the address in **ADDRESSES** above. The AA document will also be available for review at the public scoping meetings. Alternatives will be reviewed and analyzed through an extensive agency and community outreach process. The EIS evaluation will result in a decision about which transportation projects, if any, will be built to address the states purpose and need for transportation action in the corridor.

II. Description of Study Area and Project Need

The study area for the EIS evaluation is the travelshed that parallels I–35E between Denton and Carrollton. The purpose of the proposed action is to decrease congestion, and improve safety, access, and mobility. More details are available in the scoping information packet. See **ADDRESSES** above.

III. Alternatives To Be Considered

The alternatives evaluated in the EIS will include, but not limited to, the recommended Locally Preferred Alternative (LPA) developed in the AA, and approved by the DCTA Board of Directors in May 2005. This alternative consisted of Regional Rail (also called Commuter Rail) on the MKT alignment. Feeder bus improvements also were included as part of the recommended LPA. In addition, an existing bicycle/hiking trail on the northern portion of the corridor would be relocated within the railroad right-of-way as a 'rails-with-trails' facility. Five stations were proposed on the alignment during the AA: downtown Denton; south Denton; north Lewisville; downtown Lewisville; and south Lewisville; with a connection to the DART light rail station at Belt Line in Carrollton.

The EIS will again examine other reasonable alternatives emerge from scoping. These may include alternatives that were screened out during the AA but that may now be available due to recent demographic trends, anticipated funding levels, or technological advances. The EIS will also evaluate the appropriate end-of-line and associated facilities and connections into the DART system in Carrollton and in downtown Denton. As part of the transit evaluation, station locations, railyard facilities, and other ancillary facilities such as stormwater management systems will be studied and identified as appropriate.

The EIS will also fully evaluate the No-Action Alternative and a TSM alternative. Other alternatives may be added as a result of scoping and agency coordination efforts.

IV. Probable Effects/Potential Impacts for Analysis

The EIS evaluation will analyze social, economic, and environmental impacts of the alternatives. Major issues to be evaluated include air quality, noise and vibration, aesthetics, community cohesion impacts, and possible disruption of neighborhoods, businesses and commercial activities. The impact areas and level of detail addressed in the EIS will be consistent with the requirements of SAFETEA–LU Section 6002 and the FTA/Federal Highway Administration environmental regulation (Environmental Impact and Related Procedures, 23 CFR part 771 and 40 CFR parts 1500–1508) and other environmental and related regulations. Among other factors, the EIS will evaluate:

- Transportation service including future corridor capacity;
- Transit ridership and costs;
- Traffic movements and changes and associated impacts to local facilities;
- Community impacts such as land use, displacements, noise and vibration, neighborhood compatibility and aesthetics; and
- Resource impacts including impacts to historic and archaeological resources, parklands, cultural resource impacts, environmental justice, and natural resource impacts including air quality, wetlands, water quality, and wildlife.

The proposed impact assessment and evaluation will take into account both positive and negative impacts, direct and indirect impacts, short-term (during the construction period) and long-terms impacts, and site-specific as well as corridor-wide impacts. Mitigation measures will be identified for any adverse environmental impacts that are identified.

Other potential impacts may be added as a result of scoping and agency coordination efforts.

Issued on: March 7, 2006.

Robert C. Patrick,

Regional Administrator, Federal Transit Administration, Fort Worth, Texas.

[FR Doc. 06–2337 Filed 3–9–06; 8:45 am]

BILLING CODE 4910–57–M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2005–21845; Notice 2]

Decision That Nonconforming 2005 Mercedes Benz Type 463 Short Wheelbase Gelaendewagen Multipurpose Passenger Vehicles Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice of decision by National Highway Traffic Safety Administration that nonconforming 2005 Mercedes Benz Type 463 short wheelbase Gelaendewagen multipurpose passenger vehicles are eligible for importation.

SUMMARY: This document announces a decision by the National Highway Traffic Safety Administration (NHTSA) that certain 2005 Mercedes Benz Type 463 short wheelbase Gelaendewagen multipurpose passenger vehicles that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS) are eligible for importation into the United States because they have safety features that comply with, or are capable of being altered to comply with, all applicable FMVSS.

DATES: This decision was effective September 23, 2005. The agency notified the petitioner at that time that the petition had been granted. This document provides public notice of that decision.

FOR FURTHER INFORMATION CONTACT: Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202–366–3151).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable FMVSS.

Where there is no substantially similar U.S.-certified motor vehicle, 49 U.S.C. 30141(a)(1)(B) permits a nonconforming motor vehicle to be admitted into the United States if its safety features comply with, or are

capable of being altered to comply with, all applicable FMVSS based on destructive test data or such other evidence as NHTSA decides to be adequate.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR Part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

J.K. Technologies, LLC (''JK'') of Baltimore, Maryland (Registered Importer 90–006), and Wallace Environmental Testing Laboratories, Inc., of Huston Texas (''WETL'')(Registered Importer 09–005) separately petitioned NHTSA to decide whether 2005 Mercedes Benz Type 463 short wheelbase Gelaendewagen multipurpose passenger vehicles are eligible for importation into the United States. NHTSA published notice of the petitions on July 29, 2005 (70 FR 43936) to afford an opportunity for public comment. The reader is referred to that notice for a thorough description of the petitions.

No comments were received in response to the notice of the petitions.

In their petitions, WETL and JK differed with respect to whether the vehicle needed to be modified to conform to certain of the FMVSS, and if it did require such modifications, what those modifications should be. For example, J.K. stated that a lens marked ''Brake'' would have to be substituted for a lens with a nonconforming symbol on the brake failure indicator lamp, and the speedometer would have to be replaced or converted to one reading in miles per hour to achieve conformity with Standard *No. 101, Controls and Displays*. WETL did not identify these modifications as being needed. J.K. also stated that U.S.-model headlamps would have to be installed to achieve conformity with Standard *No. 108 Lamps, Reflective Devices, and Associated Equipment*. WETL did not identify this modification as being needed, but did state that the U.S.-model turn signal lamps and a U.S.-model high-mounted stop lamp assembly would be needed to achieve conformity with the standard. J.K. also stated that a tire information placard would have to be installed to meet the requirements of Standard *No. 120 Tire Selection and Rims for Vehicles other than Passenger Cars*, but WETL did not identify this modification as being needed. Finally, WETL claimed that a rollover valve would have to be installed in the vehicle to comply with Standard No. *301 Fuel System Integrity*, but J.K. claimed that modifications needed to meet U.S. Environmental Protection Agency (EPA) OBDII, Spit Back, and enhanced EVAP requirements will control all fuel leaks in the case of an impact.

To reconcile these differences, the agency has decided that in addition to the modifications that the two petitioners agreed upon, as set forth in the notice of the petitions, an RI must demonstrate, in the conformity statements submitted for any vehicle imported under this eligibility decision, that the following modifications have been made:

Standard No. 101 Controls and Displays: (a) Replacement of the instrument cluster with a U.S.-model component; and (b) reprogramming and initialization of the vehicle control system to integrate the new instrument cluster and activate required warning systems or, substitution of a lens marked ''Brake'' for a lens with a noncomplying symbol on the brake failure indicator lamp, and replacement or conversion of the speedometer to read in miles per hour.

Standard No. 108 Lamps, Reflective Devices and Associated Equipment: (a) Installation of U.S.-model taillamp assemblies or modification of existing taillamps to conform to the standard; (b) installation of front and rear U.S.-model sidemarker lamps; (c) installation of U.S.-model headlamps; (d) installation of U.S.-model front turn signal lamps; and (e) installation of a U.S.-model high-mounted stoplamp assembly.

Standard No. 120 Tire Selection and Rims for Motor Vehicles Other than Passenger Cars: Installation of a tire information placard.

Standard No. 301 Fuel System Integrity: Inspection of all vehicles and installation of U.S.-model components on vehicles that are not already so equipped.

Based on these considerations, the agency decided to grant these petitions.

Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final decision must indicate on the form HS–7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VCP–31 is the vehicle eligibility number assigned to vehicles admissible under this notice of final decision.

Final Decision

Accordingly, on the basis of the foregoing, NHTSA has decided that 2005 Mercedes Benz Type 463 short wheelbase Gelaendewagen multipurpose passenger vehicles that were not originally manufactured to comply with all applicable FMVSS have safety features that comply with, or are capable of being altered to comply with, all applicable FMVSS.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Claude H. Harris,

Director, Office of Vehicle, Safety Compliance.

[FR Doc. E6–3409 Filed 3–9–06; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA 2005–23554; Notice 2]

Kawasaki Motors Corp., U.S.A., Grant of Petition for Decision of Inconsequential Noncompliance

Kawasaki Motors Corp., U.S.A. (Kawasaki) has determined that the tires on certain motorcycles that it imported do not comply with S6.5(d) of 49 CFR 571.119, Federal Motor Vehicle Safety Standard (FMVSS) No. 119, ''New pneumatic tires for vehicles other than passenger cars.'' Pursuant to 49 U.S.C. 30118(d) and 30120(h), Kawasaki 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 January 19, 2006, in the **Federal Register** (71 FR 3152). NHTSA received no comments.

Affected are the tires on a total of approximately 2655 motorcycles which were manufactured between June 14, 2003 and October 27, 2005. S6.5(d) of FMVSS No. 119 requires that the maximum load rating and corresponding inflation pressure of the tires be marked on the tire in both English and metric units. The noncompliant tires do not have the metric markings. Kawasaki has corrected the problem that caused these errors so that they will not be repeated in future production.

Kawasaki believes that the noncompliance is inconsequential to