

technical information, and operating manuals to the U.S. Coast Guard.

*Need:* Under 46 U.S.C. 3301 and 3306, the U.S. Coast Guard is responsible for enforcing regulations promoting the safety of life and property in marine transportation. This information is used by the U.S. Coast Guard to ensure that a vessel meets the applicable construction, arrangement and equipment standards.

*Estimated Annual Burden Hours:* 7,545 hours.

*Number of Respondents:* 146.

*Title:* Liquefied Natural Gas and Liquefied Hazard Gas Waterfront Facilities.

*OMB No.:* 2115-0552.

*Type of Request:* Reinstatement, without change, of a previously approved collection which approval has expired.

*Affected Public:* Operators or Owners of waterfront facilities that transfer LNG and LHG.

*Abstract:* The collection of information requires owners or operators of waterfront facilities that handle liquefied hazardous gas (LHG) or liquefied natural gas (LNG) to: (a) Provide the Coast Guard with a letter of intent when a facility transfers the gases in bulk; (b) request permission to use an alternative procedure that provide at least the same degree of safety as the regulations; (c) develop and submit to the Coast Guard two copies of the facilities operations manual and emergency manual; (d) certify in writing that each person in charge of shoreside transfer operations is qualified; (e) complete, with the person in charge of vessel transfer operations, a Declaration of Inspection; (f) test and inspect the transfer system to ensure the system will not fail and release hazardous gases; and, (g) provide for the right to appeal the action in these regulations.

*Need:* 33 CFR Part 127, Subparts A and C, gives Coast Guard the authority to publish regulations that provide safety standards for the design, construction, equipment, operations, maintenance, personnel training, and fire protection at waterfront facilities handling liquefied natural and hazardous gases.

*Estimated Annual Burden Hours:* 3,261 hours.

*Number of Respondents:* 173.

*Title:* 33 CFR Subchapter P-Ports and Waterways Safety.

*OMB No.:* 2115-0540.

*Type of Request:* Reinstatement, without change, of a previously approved collection which approval has expired.

*Affected Public:* Master, owner or agents of a vessel.

*Abstract:* This collection of information allows the master, owner or

agent of a vessel affected by these regulations to request to the Coast Guard, deviation from navigation safety equipment requirements to the extent that there is no reduction in safety.

*Need:* Title 33 CFR, Subchapter P, allows any person directly affected by these regulations to request a deviation from any of the requirements as long as the level of safety is not reduced.

*Estimated Annual Burden Hours:* 600 hours.

*Number of Respondents:* 400.

*Title:* 46 CFR Subchapter S—Subdivision and Stability.

*OMB No.:* 2115-0589.

*Type of Request:* Reinstatement, without change, of a previously approved collection which approval has expired.

*Affected Public:* Owners or operators of inspected vessels.

*Abstract:* This collection of information requires owners or operators of inspected vessels to submit plans and information concerning stability to the U.S. Coast Guard to ensure that applicable stability standards are met.

*Need:* Title 46 U.S.C. 3306, directs the Coast Guard to make appropriate regulations, including standards for vessel stability. This information is used by the U.S. Coast Guard to ensure that a vessel meets the applicable stability standards.

*Estimated Annual Burden Hours:* 19,693 hours.

*Number of Respondents:* 644.

*Title:* Hopper Dredge Working Freeboard; Loadline and Stability.

*OMB No.:* 2115-0565.

*Type of Request:* Extension of a Currently Approved Collection.

*Affected Public:* Owners or operators of self-propelled hopper dredges.

*Abstract:* This collection of information provides a mechanism for owners and operators of self-propelled hopper dredges to request a working freeboard.

*Need:* Title 46 U.S.C. 3703 requires the U.S. Coast Guard to prescribe regulations necessary for navigation and vessels safety. These requirements ensure that self-propelled hopper dredges meet certain structural and stability standards.

*Estimated Annual Burden Hours:* 50 hours.

*Number of Respondents:* 10.

*Title:* Alternative Provisions for Reinspection of Offshore Supply Vessels in Foreign Ports, 46 CFR 91.27-13.

*OMB No.:* 2115-0571.

*Type of Request:* Extension of a Currently Approved Collection.

*Affected Public:* Owners or operators of offshore supply vessels operating in foreign ports.

*Abstract:* This collection of information provides a mechanism for owners and operators of Offshore Supply Vessels (OSV) based overseas to submit certified examination reports and statements to the U.S. Coast Guard as an alternative to Coast Guard reinspection.

*Need:* Title 46 U.S.C. 3308 gives Coast Guard the authority to examine each vessel subject to inspection at proper times to ensure continued compliance with applicable laws and regulations. This requirement allows the U.S. Coast Guard to ensure that applicable OSV are in compliance.

*Estimated Annual Burden Hours:* 572 hours.

*Number of Respondents:* 10.

**ADDRESSES:** Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention DOT 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 in Washington, DC, on October 16, 1997.

**Vanester M. Williams,**

*Clearance Officer, United States Department of Transportation.*

[FR Doc. 97-28104 Filed 10-22-97; 8:45 am]

BILLING CODE 4910-62-P

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Passenger Facility Charge (PFC) Approvals and Disapprovals

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Monthly Notice of PFC Approvals and Disapprovals. In September 1997, there were 13 applications approved. Additionally, 14 approved amendments to previously approved applications are listed.

**SUMMARY:** The FAA publishes a monthly notice, as appropriate, of PFC approvals

and disapprovals under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Public Law 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158). This notice is published pursuant to paragraph d of § 158.29.

#### **PFC Applications Approved**

*Public Agency:* Valdosta-Lowndes County Airport Authority, Valdosta, Georgia.

*Application Number:* 97-03-C-00-VLD.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved in this Decision:* \$47,250.

*Earliest Charge Effective Date:* October 1, 1999.

*Estimated Charge Expiration Date:* October 1, 2000.

*Class of Air Carriers Not Required To Collect PFC's:* None.

*Brief Description of Projects Approved for Collection and Use:* Aircraft rescue and firefighting (ARFF) Vehicle. Replace Taxiway a lights.

*Brief Description of Project Withdrawn:* New terminal building construction.

*Determination:* This project was withdrawn by the public agency in its letter to the FAA dated July 8, 1997.

*Decision Date:* September 3, 1997.

**FOR FURTHER INFORMATION CONTACT:** Tracie L. Dominy, Atlanta Airports District Office, (404) 305-7148.

*Public Agency:* Monroe County Board of County Commissioners, Key West, Florida.

*Application Number:* 97-03-C-00-EYW.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved In This Decision:* \$1,860,000.

*Earliest Charge Effective Date:* December 1, 1997.

*Estimated Charge Expiration Date:* December 1, 1999.

*Class of Air Carriers Not Required To Collect PFC's:* None.

*Brief Description of Projects Approved For Collection And Use:* Construct remote auto parking lot. Acquire property, runway 27 runway protection zone (RPZ).

Acquire 1,500 gallon ARFF truck.

Construct new ARFF building.

Rehabilitate and reconfigure

commercial aircraft parking apron.

Rehabilitate and reconfigure general aviation parking apron.

Update Part 150 study.

Rehabilitate or replace rotating beacon tower.

#### *Brief Description of Projects*

*Disapproved:* Acquire property, runway 9 RPZ and extended runway safety area.

*Determination:* Disapproved. The public agency has applied to obtain this land through a no-cost transfer under the Base Realignment and Closure (BRAC) program. Therefore, PFC revenue may not be needed to acquire the property and, thus, this project is being disapproved at this time.

However, if the public agency does not obtain the property through the BRAC program, it may reapply for PFC's to acquire the property.

East Martello property, environmental enhancement of runway safety area for runway 9.

*Determination:* Disapproved. The FAA has determined that the environmental enhancement of the east Martello property is the responsibility of the United States Navy, who currently owns the property. Therefore, this project is disapproved for PFC funding.

*Decision Date:* September 9, 1997.

**FOR FURTHER INFORMATION CONTACT:** Miguel A. Martinez, Orlando Airports District Office, (407) 812-6331.

*Public Agency:* Erie Municipal Airport Authority, Erie, Pennsylvania.

*Application Number:* 97-02-C-00-ERI.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved In This Decision:* \$1,252,427.

*Earliest Charge Effective Date:* December 1, 1997.

*Estimated Charge Expiration Date:* May 1, 2001.

*Class of Air Carriers Not Required To Collect PFC's:* Air taxi/commercial operators filing FAA Form 1800-31.

*Determination:* Approved. Based on information contained in the public agency's application, The FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Erie Municipal Airport.

*Brief Description of Projects Approved for Collection and Use:*

Install glycol recovery system.

Refurbish snow plow.

Upgrade pavement condition sensor.

Install security gate and upgrade security system.

Acquire easement.

Expand and rehabilitate terminal baggage area.

Rehabilitate ramp (Phase II).

Purchase snow removal tractor.

Replace airfield lighting emergency generator and regulator.

Rehabilitate maintenance building.

Rehabilitate jetway.

Airfield signage.

PFC administration.

*Decision Date:* September 10, 1997.

**FOR FURTHER INFORMATION CONTACT:** L.W. Walsh, Harrisburg Airports District Office, (717) 730-2831.

*Public Agency:* Metropolitan

Knoxville Airport Authority, Knoxville, Tennessee.

*Application Number:* 97-05-C-00-TYS.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved In This Decision:* \$1,751,812.

*Earliest Charge Effective Date:* June 1, 1998.

*Estimated Charge Expiration Date:* May 1, 1999.

*Class of Air Carriers Not Required To Collect PFC's:* Nonscheduled air taxi/commercial operators filing FAA Form 1800-31.

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at McGhee Tyson Airport.

*Brief Description of Projects Approved for Collection and Use:* Taxiway B reconstruction. Emergency generator.

*Brief Description of Project Approved in Part for Collection and Use:* Administration of PFC program.

*Determination:* Partially approved. The public agency only submitted supporting documentation for a portion of the \$25,000 requested. The detailed estimate of expenses determined by the FAA to be eligible was \$11,812. The balance of the requested amount was not supported; therefore, it is not eligible.

*Decision Date:* September 11, 1997.

**FOR FURTHER INFORMATION CONTACT:** Peggy S. Kelley, Memphis Airports District Office, (901) 544-3495, extension 19.

*Public Agency:* Pellston Regional Airport of Emmet County, Pellston Michigan.

*Application Number:* 97-06-C-00-PLN.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved In This Decision:* \$52,000.

*Earliest Charge Effective Date:* December 1, 1997.

*Estimated Charge Expiration Date:* August 1, 1998.

*Class of Air Carriers Not Required To Collect PFC's:* Part 135 operators filing FAA Form 1800-31.

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Pellston Regional Airport.

*Brief Description of Project Approved for Collection and Use:* Rehabilitate runway 5/23.

*Decision Date:* September 11, 1997.

**FOR FURTHER INFORMATION CONTACT:** Jon Gilbert, Detroit Airports District Office, (313) 487-7281.

*Public Agency:* County of Outagamie, Appleton, Wisconsin.

*Application Number:* 97-02-C-00-ATW.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved In This Decision:* \$656,250.

*Earliest Charge Effective Date:* October 1, 1997.

*Estimated Charge Expiration Date:* January 1, 1999.

*Class of Air Carriers Not Required To Collect PFC's:* None.

*Brief Description of Project Approved for Collection and Use:* Baggage claim expansion.

*Decision Date:* September 11, 1997.

**FOR FURTHER INFORMATION CONTACT:** Sandra Depottey, Minneapolis Airports District Office, (612) 713-4363.

*Public Agency:* County of Monroe, Rochester, New York.

*Application Number:* 97-01-C-00-ROC.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved In This Decision:* \$10,050,000.

*Earliest Charge Effective Date:* December 1, 1997.

*Estimated Charge Expiration Date:* April 1, 2001.

*Class of Air Carriers Not Required To Collect PFC's:* None.

*Brief Description of Projects Approved for Collection and Use:*

Taxiway C rehabilitation and widening. Terminal apron improvements. Snow removal equipment. Snow removal equipment storage building.

*Decision Date:* September 18, 1997.

**FOR FURTHER INFORMATION CONTACT:** Philip Brito, New York Airports District Office, (516) 227-3800.

*Public Agency:* Grand Rapids-Itasca County Airport Commission, Grand Rapids, Minnesota.

*Application Number:* 97-01-C-00-GPZ.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved in This Decision:* \$1,297,059.

*Earliest Charge Effective Date:* December 1, 1997.

*Estimated Charge Expiration Date:* May 1, 2031.

*Class Of Air Carriers Not Required To Collect PFC's:* Air taxi/commercial operators.

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements to Grand Rapids-Itasca County Airport.

*Brief Description Of Projects Approved For Collection And Use:*

Instrument landing system installation. Land acquisition and easement purchase.

Deer fence.

Airfield guidance signs.

Pavement rehabilitation and crack restructuring.

New passenger terminal building.

Aircraft apron.

Auto parking lot.

Entrance roadway.

PFC application.

PFC administration.

*Decision Date:* September 19, 1997.

**FOR FURTHER INFORMATION CONTACT:** Gordon Nelson, Minneapolis Airports District Office, (612) 713-4358.

*Public Library:* Mobile Airport Authority, Mobile, Alabama.

*Application Number:* 97-01-C-00-MOB.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved In This Decision:* \$1,300,000.

*Earliest Charge Effective Date:* December 1, 1997.

*Estimated Charge Expiration Date:* June 1, 1999.

*Class Of Air Carriers Not Required To Collect PFC's:* Air taxi/commercial operators that file FAA Form 1800-31.

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Mobile Regional Airport.

*Brief Description Of Projects Approved For Collection And Use:*

Ramp expansion. Acquire ARFF vehicle.

*Brief Description Of Project Disapproved:* Land acquisition.

*Determination:* Disapproved. On the basis of information contained in the public agency's application, the FAA

has determined that this project does not meet of the objectives in § 158.15(a). In addition, the FAA has determined that the project is not eligible under Airport Improvement Program (AIP) criteria in accordance with paragraph 603(b) of FAA Order 5100.38A, AIP Handbook (October 24, 1989), nor PFC eligible in accordance with § 158.15(b). In its application, the public agency claims that the property proposed for acquisition in this project is needed for construction of a proposed parallel runway. However, based on information contained in the application, the FAA has concluded that the land is not needed for construction of the proposed runway and would only be needed to mitigate future noise impacts resulting from a future runway. The FAA's Record of Approval for the Noise Compatibility Program (NCP) states that the acquisition of the Pleasant View Baptist Church and other "long-term measures" are approved subject to the construction of the new runway and re-evaluation of the NCP. To date, the runway has not been constructed. The FAA's Record of Approval of the NCP also states that the Church would be acquired or relocated "if it is determined that the congregation will be significantly reduced when the neighborhood is acquired or relocated." To date, this determination has not been made. The FAA has also concluded that acquisition of this property is not justified to mitigate noise impacts resulting from aircraft operations on the existing runways. Therefore, the FAA has disapproved this project at this time. This decision does not preclude the public agency from reapplying for PFC collection and use in the future if the public agency is able to provide adequate justification for the purchase of the property.

*Decision Date:* September 25, 1997.

**FOR FURTHER INFORMATION CONTACT:** Keafur Grimes, Jackson Airports District Office, (601) 965-4628.

*Public Agency:* Indian Wells Valley Airport District, Inyokern, California.

*Application Number:* 97-03-C-00-IYK.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved In This Decision:* \$253,000.

*Earliest Charge Effective Date:* December 1, 1997.

*Estimated Charge Expiration Date:* March 1, 2003.

*Class Of Air Carrier Not Required To Collect PFC's:* Small certificated air taxi carriers not providing scheduled service to Inyokern Airport (IYK).

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at IYK.

*Brief Description of Project Approved for Use Only:* Overlay taxiways.

*Brief Description of Project Approved For Collection And Use:* Construct fire station.

*Brief Description Of Project Approved For Collection Only:* Widen runway 2/20 from 75 feet to 100 feet.

*Decision Date:* September 26, 1997.

**FOR FURTHER INFORMATION CONTACT:** John P. Milligan, Western Pacific Region Airports Division, (310) 725-3621.

*Public Agency:* City of Abilene, Texas.

*Application Number:* 97-01-C-00-ABI.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved In This Decision:* 1,210,647.

*Earliest Charge Effective Date:* January 1, 1998.

*Estimated Charge Expiration Date:* September 1, 2005.

*Class of Air Carriers Not Required To Collect PFC's:* None.

*Brief Description of Projects Approved For Collection and Use:*

Apron reconstruction.

Overlay access road.

Install perimeter fencing (Phase I).

Emergency generator.

Install elevator.

Airport entrance signage.

Install precision approach path indicators, runway 17L.

Overlay and mark runway 17L/35R.

Airfield guidance sign system.

Overlay taxiway D.

Groove runway 17L/35R.

Rehabilitate runway 17R/35L and taxiway C lighting.

Security fencing (Phase 2).

Overlay runway 4/22 and pavement emulsion seal on taxiways A, T, S, B, Q, and apron.

Security fencing (Phase 3).

Terminal renovation and expansion.

PFC administrative costs.

*Decision Date:* September 26, 1997.

**FOR FURTHER INFORMATION CONTACT:** Ben Guttery, Southwest Region Airports Division, (817) 222-5614.

*Public Agency:* Johnstown-Cambria County Airport Authority, Johnstown, Pennsylvania.

*Application Number:* 97-03-C-00-IST.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved In This Decision:* \$233,333.

*Earliest Charge Effective Date:* December 1, 1997.

*Estimated Charge Expiration Date:* November 1, 1999.

*Class of Air Carriers Not Required to Collect PFC's:* Air taxi/commercial operators filing FAA Form 1800-31.

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the

total annual enplanements at Johnstown-Cambria Airport.

*Brief Description of Project Approved For Collection and Use:* Terminal building renovation.

*Brief Description of Project Withdraw:* Perimeter security fence.

*Determination:* This project was withdrawn from the PFC application by the public agency by letter dated September 16, 1997.

*Decision Date:* September 29, 1997.

**FOR FURTHER INFORMATION CONTACT:** Joseph Carter, Harrisburg Airports District Office, (717) 782-4548.

*Public Agency:* Reading Regional Airport Authority, Reading, Pennsylvania.

*Application Number:* 97-02-U-00-RDG.

*Application Type:* Use PFC revenue.

*PFC Level:* \$3.00.

*Total PFC Revenue To Be Used In This Decision:* \$300,000.

*Charge Effective Date:* December 1, 1994.

*Estimated Charge Expiration Date:* August 1, 1998.

*Class of Air Carriers Not Required To Collect PFC'S:* No change from previous decision.

*Brief Description Of Project Approved For Use:* Construct terminal access road, Phase 2.

*Decision Date:* September 29, 1997.

**FOR FURTHER INFORMATION CONTACT:** L.W. Walsh, Harrisburg Airports District Office, (717) 782-4548.

**Amendments to PFC Approvals**

Amendment No., city, state	Amendment approved date	Original approved net PFC revenue	Amended approved net PFC revenue	Original estimated charge exp. date	Amended estimated charge exp. date
92-01-C-01-ERI, Erie, PA .....	07/07/94	\$1,997,885	\$1,854,570	06/01/97	06/01/97
95-01-C-01-LEB, Lebanon, NH .....	05/23/97	449,256	556,515	07/01/98	10/01/99
92-01-C-03-PNS, Pensacola, FL .....	06/15/97	9,839,900	8,270,500	03/01/01	12/01/99
95-03-C-01-PNS, Pensacola, FL .....	06/15/97	2,536,000	1,860,000	03/01/01	12/01/99
92-01-C-02-ERI, Erie, PA .....	07/22/97	1,854,570	1,906,163	06/01/97	06/01/97
94-01-C-01-RDG, Reading, PA .....	08/07/97	600,750	480,000	08/01/98	08/01/98
92-01-C-01-PIB, Laurel-Hattiesburg, MS .....	08/22/97	119,153	152,639	01/01/98	12/01/98
92-01-1-02-VLD, Valdosta, GA .....	08/28/97	307,746	408,996	10/01/97	10/01/99
97-02-U-01-VLD, Valdosta, GA .....	08/28/97	NA	NA	10/01/97	10/01/99
93-01-C-02-CRP, Corpus Christi, TX .....	09/05/97	5,566,940	6,337,528	01/01/98	05/01/98
93-01-C-03-RHI, Rhinelander, WI .....	09/19/97	188,951	198,951	10/01/00	01/01/01
95-02-U-01-RHI, Rhinelander, WI .....	09/19/97	NA	NA	10/01/00	01/01/01
92-01-C-03-MCO, Orlando, FL .....	09/23/97	46,752,627	36,171,833	03/01/98	06/01/98
95-03-C-01-MCO, Orlando, FL .....	09/23/97	19,138,741	21,527,408	03/01/98	06/01/98

Issued in Washington, DC, on October 16, 1997.

**Eric Gabler,**

*Manager, Passenger Facility Charge Branch.*  
[FR Doc. 97-28162 Filed 10-22-97; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. 97-071; Notice 1]

#### New Flyer of America, Inc.; Receipt of Application for Decision of Inconsequential Noncompliance

New Flyer of America of Crookston, Minnesota, has determined that 115 buses fail to comply with 49 CFR 571.217, Federal Motor Vehicle Safety Standard (FMVSS) No. 217, "Bus Emergency Exits and Window Retention and Release," and has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." New Flyer has also petitioned to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—"Motor Vehicle Safety" on the basis that the noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of a petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

FMVSS No. 217, Paragraph S5.2.2.1 requires that buses provide emergency exit area, in total square centimeters, of at least 432 times the number of designated seating positions. It requires that 40 percent of the emergency exit be distributed on each side of the bus. It also limits the amount of area to 3,458 square centimeters that can be credited for an emergency exit.

During the 1995-1997 model year, New Flyer produced 115 transit buses, models D35LF (Diesel 35 ft Low Floor) and C35LF (CNG 35 ft Low Floor) which do not comply with FMVSS No. 217. The subject transit buses have only one emergency exit on the right side of the bus instead of two, as required by the standard.

New Flyer supports its application for inconsequential noncompliance with the following:

The buses exceed the exit area requirements on all sides. The left side has two exit windows for a total of 25,000 square centimeters or 4.67 times the required area. The right side has one exit window with 12,500 square centimeters of exit area or 2.33 times the required area. The standard does not

allow any one exit to claim more than 3,458 square centimeters. Therefore, the right side of the bus does not have the required number of emergency exits although it exceeds the required area. Each bus has two roof exits, where the standard only requires one roof exit. Overall, the buses have 3.28 times the required exit area.

Retrofitting these buses to comply with the standard would require modifying and retesting the existing exit door or replacing the right side window with an emergency exit window, which is not possible because the wheel housing limits accessibility. The seating position relative to the window allows for easy exit; but if the window was accidentally opened, there is potential for someone to fall out. Modifying the exit door to conform to the release force requirements is a possible solution, but would require redesigning the door. Considering the bus already has 3.28 times the required exit area, modifying the buses to include an additional exit would not add to motor vehicle safety.

New Flyer does not believe that the buses are a safety hazard since the bus has excessive accessible emergency exit area. These buses are operated by transit authorities with trained professional drivers; none are operated by the general public. New Flyer has a close relationship with the operators of the buses and is continuously informed of any problems or concerns, and has never had an incident or complaint involving the number or location of emergency exits.

Interested persons are invited to submit written data, views, and arguments on the application of New Flyer described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 Seventh Street, SW, Washington, DC 20590. It is requested but not required that six copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: November 24, 1997.

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

Issued on: October 17, 1997.

**L. Robert Shelton,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 97-28106 Filed 10-22-97; 8:45 am]

BILLING CODE 4910-59-P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[NHTSA Docket No. 97-062-N01]

#### Traffic Safety Programs—Office of Research and Traffic Records; Strategic Plan for Behavioral Research in Traffic Safety

**AGENCY:** National Highway Traffic Safety Administration (NHTSA); Transportation.

**ACTION:** Request for comments on strategic issues and research requirements to support research planning.

**SUMMARY:** NHTSA's Office of Research and Traffic Records, Research and Evaluation Division (ORTR/RED) is engaged in the process of planning its research programs for fiscal years 1998 through 2002. In conformance with the Government Performance and Results Act of 1993 (P.L. 103-62), ORTR/RED is seeking public comment on the draft strategic plan presented in this notice. These comments will be used to help form a strategic implementation plan to direct the division's research program during the next five years.

**DATES:** Written comments will be accepted through November 30, 1997.

**ADDRESSES:** Please direct all written comments to the National Highway Traffic Safety Administration, Docket Section, Room 5111, Docket # 97-062-N01, 400 Seventh Street, S.W., Washington, DC 20590. (Docket hours are from 9:30 am to 4:00 pm.) Comments submitted to the docket will become a matter of public record.

**FOR FURTHER INFORMATION CONTACT:** Jesse Blatt, Office of Research and Traffic Records (NTS-30), Room 6240, 400 Seventh Street, S.W., Washington, DC 20590. (Telephone 202-366-5588 or Email at jblatt@nhtsa.dot.gov)

**SUPPLEMENTARY INFORMATION:** More than 3 million persons were reported injured and over 40 thousand persons died in motor vehicle crashes in 1996 (Traffic Safety Facts: 1996, National Center for Statistics and Analysis). While a small proportion of the crashes causing these injuries and fatalities were attributed to vehicle and roadway problems, the vast majority were caused by human