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Dated: July 9, 2001.

**Deborah M. Morrison,**  
Designated Federal Officer.

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. OST-95-246]

### North American Free Trade Agreement Conference

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice (1) announces a North American Free Trade Agreement (NAFTA) information conference, to be held at the Hyatt Hotel in San Antonio, Texas, October 21-24, 2001, (2) provides information about the conference for prospective attendees; and (3) identifies a dedicated website that will provide continuously updated information about the conference including registration information. U.S., Canadian, and Mexican government officials representing agencies that have inspection, security and other defined responsibilities affecting the clearance of cross-border transport operations will conduct panel sessions that convey information about the requirements that each of their agencies imposes on motor carrier operations.

### Background

The North American Free Trade Agreement (NAFTA) created a timetable for the removal of barriers to the provision of transportation services among the NAFTA countries for carriage of international cargo and of passengers. For trucks and buses, NAFTA was to have liberalized access for motor carriers on a phased schedule over six years from entry into force of the agreement, and it provided for liberalizing investment restrictions on trucking companies established in Mexico and the United States. Liberalization was to have begun in 1995, but the United States postponed implementation due to concerns regarding safety and enforcement. A NAFTA dispute resolution panel subsequently ruled that the U.S. blanket prohibition on processing Mexican applications for operating authority violated the NAFTA. Since 1995, the United States has taken steps to

augment its ability to assure compliance with U.S. motor carrier safety regulations. These efforts enable the United States to safely comply with the dispute panel's findings and move forward with implementation of NAFTA's access provisions no later than January 1, 2002.

All foreign motor carriers operating in the United States are subject to the same federal and state regulations and procedures that apply to U.S. carriers. These include safety regulations, insurance requirements, tariff requirements, and payment of all taxes and fees. In addition, foreign motor carriers and drivers must comply with applicable customs and immigration laws and regulations. Under NAFTA, these compliance obligations are completely reciprocal so that U.S. carriers and drivers are similarly obligated to comply with Canadian and Mexican statutory and regulatory requirements while conducting operations in those countries.

While U.S. and Canadian carriers have been conducting operations in each other's respective countries for some time, implementation of NAFTA's access provisions will mean that many Mexican motor carriers will be operating in the United States for the first time. Similarly, operations into Mexico will be a new experience for most U.S. and Canadian motor carriers. The many federal and state regulatory requirements and the multiplicity of federal and state agencies imposing them may be confusing and intimidating to these first-time entrants and could discourage them from attempting to take advantage of NAFTA's transportation provisions. For this reason, the Department of Transportation, in cooperation with Canada, Mexico, other federal agencies, and state and provincial representatives, will host a NAFTA information conference in San Antonio, Texas, October 21-24, 2001 to promote an understanding of the requirements for legal cross-border transport operations among the three NAFTA countries.

**Who Should Attend:** This conference will be beneficial for commercial truck carriers, bus operators, customs brokers, shippers, and other companies and/or associations that have an interest in the conduct of cross-border business that will involve transport operations.

**Meetings and Deadlines:** The NAFTA conference will include panels that convey information about: (1) Applying for federal motor carrier operating authority; (2) immigration requirements for drivers operating outside of their own country; (3) Customs requirements for foreign trucks engaged in

international operations; (4) agriculture regulations applicable to imported commodities; (5) tax obligations for companies operating commercial vehicles outside their own country; (6) motor carrier safety standards; (7) hazardous materials transportation safety regulations; (8) vehicle weight and dimensions standards; and other requirements. In addition, state and provincial jurisdictions will provide information on their operating requirements. Other panels may be added as preparations for the conference progress. Representatives from the various agencies will be available following panel discussions to address questions from conference attendees. Finally, each attendee will be provided a resource book from each country containing additional information, contact names, e-mail and phone numbers that may be used to obtain additional information.

**Languages:** All conference sessions will be conducted with simultaneous translation in English and Spanish. To the extent possible, agency representatives who address specific questions from attendees will be bilingual as well.

**Updated Information and Hotel Registration:** To provide a continuous source of updated conference information, the Department of Transportation's Office of International Transportation & Trade has established a website for prospective attendees and other interested parties. The DOT website will contain an updated schedule of events, guest speakers, and agendas for the panel sessions as they are developed. The website can be accessed by going to the DOT homepage at [www.dot.gov/NAFTA](http://www.dot.gov/NAFTA).

The DOT website also has a link to the Free Trade Alliance San Antonio's website, where a registration forms for the conference can be downloaded. All participants are requested to fill out a conference registration form, which should be returned to the Free Trade Alliance, 203 South St. Mary's Street, Suite 130, San Antonio, Texas 78205, or faxed to 210-229-9724. Registration forms and information about the conference, hotel accommodations, and the city of San Antonio can also be obtained by writing to the Free Trade Alliance or by telephoning 210-229-9036.

A block of rooms is reserved at the Hyatt Hotel, 123 Lasoya Street, San Antonio, Texas 78205. Interested parties can contact the hotel by telephone at 210-222-1234 or by fax at 210-227-4927. Further information about accommodations can be found on the

Free Trade Alliance website at [www.freetradealliance.org](http://www.freetradealliance.org).

**Address and Phone Numbers:** For further information please contact Eddie Carazo, U.S. Department of Transportation, OST/X-20, Room 10300, 400 Seventh Street, SW., Washington, DC 20590, telephone (202) 366-2892, or fax (202) 366-7417.

Dated: July 9, 2001.

**Bernestine Allen,**

*Director, Office of International Transportation and Trade.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[USCG-2001-10066]

#### Define Inflatable Liferrafts as Associated Equipment for Recreational Vessels

**AGENCY:** Coast Guard, DOT.

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

**SUMMARY:** The National Boating Safety Advisory Council (NBSAC) recommended that the Coast Guard (we) extend the application of our existing authority so that, when necessary, we can recall defective inflatable liferafts carried on recreational vessels. We would like your comments to help us determine the current extent of any problems with inflatable liferafts. Comments received will help us fully evaluate the NBSAC recommendation.

**DATES:** Comments and related material must reach the Docket Management Facility on or before October 11, 2001.

**ADDRESSES:** To make sure your comments and related material are not entered more than once in the docket, please submit them by only one of the following means:

(1) By mail to the Docket Management Facility, U.S. Department of Transportation, room PL-401, 400 Seventh Street SW., Washington, DC 20590-0001.

(2) By delivery to room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(3) By fax to the Docket Management Facility at 202-493-2251.

(4) Electronically through the Web Site for the Docket Management System at <http://dms.dot.gov>.

The Docket Management Facility maintains the public docket for this

notice. Comments and material received from the public, as well as documents mentioned in this notice as being available in the docket, will become part of this docket and will be available for inspection or copying at room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, contact Rick Gipe, Project Manager, Office of Boating Safety, telephone 202-267-0985, e-mail [rgipe@comdt.uscg.mil](mailto:rgipe@comdt.uscg.mil). If you have questions on viewing or submitting material to the docket, call Dorothy Beard, Chief, Dockets, Department of Transportation, telephone 202-366-5149.

You may obtain a copy of this notice by calling the U.S. Coast Guard Infoline at 1-800-368-5647 or read it on the Internet at the Web Site for the Office of Boating Safety at <http://www.uscgboating.org> or at <http://dms.dot.gov>.

#### SUPPLEMENTARY INFORMATION:

##### Background

Under 46 U.S.C. 4310, manufacturers of recreational boats and certain items of associated equipment identified by regulation must notify owners and recall and repair or replace their products when the products either fail to comply with an applicable Coast Guard safety standard or contain defects that create a substantial risk of personal injury to the public. The defect-notification regulations in 33 CFR part 179 currently apply to the following items of designated associated equipment: (1) An inboard engine, (2) an outboard engine, (3) a stern drive unit, and (4) an inflatable personal flotation device approved under 46 CFR 160.076.

By law, the Coast Guard Office of Boating Safety is required to consult with the National Boating Safety Advisory Council (NBSAC) in prescribing regulations and regarding other major boating safety matters. NBSAC is made up of 21 members: Seven from the boating industry, seven who are State boating officials, and seven who represent national boating organizations or the general public.

At a May 2000 meeting, a NBSAC member, who is also an inflatable boat and liferaft manufacturer, briefed the council about problems with the construction of certain inflatable liferafts typically carried by recreational boaters. Liferafts that do not deploy properly, e.g., fail to inflate or fail to

maintain inflation, are a danger to recreational boaters who depend upon them as a safety device. We informed NBSAC that, unlike Coast Guard approved liferafts which are required to be carried on commercial vessels, the liferafts typically carried by recreational boaters are not constructed to any specific standard and do not fall within the Coast Guard's existing recall authority. Therefore, NBSAC passed a resolution urging the Coast Guard to consider making inflatable liferafts carried on recreational vessels an additional item of designated associated equipment subject to the existing defect-notification requirements.

#### Questions

To assist us in considering NBSAC's resolution, we ask for your comments, particularly in response to the following questions:

1. What data or studies are available indicating failure rates or failure modes for inflatable liferafts carried on recreational vessels?

2. What types of defects in the construction of inflatable liferafts carried on recreational vessels should be considered severe enough to require a manufacturer to conduct defect notification?

3. What are the economic and other impacts on inflatable liferaft manufacturers if the Coast Guard were to require those companies to notify owners and to recall and repair or replace defective liferafts that contain defects that create a substantial risk of personal injury to the public?

4. Would the designation of inflatable liferafts carried on recreational vessels as "associated equipment" place an inappropriate and inconsistent burden on manufacturers in relation to other items of "associated equipment?" Why or why not?

5. The Coast Guard is mindful of the potential adverse impacts on small business entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. To what extent are small entities engaged in the manufacture of inflatable liferafts carried on recreational vessels?

6. How many companies are currently manufacturing inflatable liferafts for use on recreational vessels?

7. In order to properly designate inflatable liferafts carried on recreational vessels as "associated equipment," we request your suggestions on how to define these liferafts so as to distinguish them from