

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden cost
—Amendments to Approved Program .....	450 railroads .....	20 amendments .....	1 hour .....	20 hours .....	700
219.608—Administrator's Determination of Random Alcohol Testing Rate.	53 railroads .....	53 MIS reports .....	2 hours .....	106 hours .....	3,710
219.707 9(c)(d) & 40.33—Review by MRO of Urine Drug Testing Results/Employee Notification;					
—Positive Drug Test Result .....	450 MROs .....	980 reports .....	2 hours .....	1,960 hours .....	196,000
—Copies of Positive Test Results to Employees.	450 railroads .....	980 tests .....	15 minutes .....	245 hours .....	3,675
219.709—Retests—Written Request by employee.	450 railroads .....	10 letters .....	30 minutes .....	5 hours .....	175
219.711(c) & 40.25(f)(22)(ii)—Employee Consent.	100,000 employees .....	60 letters .....	5 minutes .....	5 hours .....	175
40.65—Submission of Test Result to Employer.	450 railroads .....	20 tests .....	15 minutes .....	5 hours .....	175
40.69—Physician's Written Statement .....	450 railroads .....	10 statements .....	1 hour .....	10 hours .....	1,000
40.81—Availability/Disclosure of Alcohol Testing.	450 railroads .....	60 letters .....	5 minutes .....	5 hours .....	175
Information about individual Employees					
—Copies of Records—Breath Alcohol Test	40,000 employees .....	4 requests .....	30 minutes .....	2 hours .....	70
40.83—Maintenance/Disclosure of Records concerning EBTs and BATs.	450 railroads .....	1,500 .....	5 minutes .....	25 hours .....	4,375
219.801—Reporting Alcohol/Drug Misuse Prevention Program Results in a Management info. System Data Collection Form.	53 railroads .....	25 forms .....	4 hours .....	100 hours .....	3,500
—Easy Data Collection Form—No Alcohol/Drug Misuse.	53 railroads .....	28 forms .....	2 hours .....	56 hours .....	1,960
219.901/903—Retention of Breath Alcohol Testing Records; Retention of Urine Drug Testing.	450 railroads .....	100,500 records .....	5 minutes .....	8,375 hours .....	125,625
—Summary Report of Bath Alcohol/Drug Test.	450 railroads .....	200 reports .....	2 hours .....	400 hours .....	6,000
40.29(g)(1) & (5)—Lab Test Result Rpts to MRO.	25 laboratories .....	52,920 .....	30 minutes .....	26,460 hours .....	926,100
40.29(g)(6)—Lab/Monthly Stat Summary of Urinalysis.	25 laboratories .....	600 reports .....	2 hours .....	1,200 hours .....	42,000
40.29(g)(8) & (m)—Recordkeeping—Labs ..	25 laboratories .....	25 document files .....	240 hours .....	6,000 hours .....	210,000
40.31(d)(6) Unsatisfactory Perf. Test Results.	25 laboratories .....	2 reports .....	10 hours .....	20 hours .....	700
40.31(d)(7) & (8)—False Positive Error/Retesting.	25 laboratories .....	1 report .....	50 hours .....	50 hours .....	1,750
—False Positive on Blind Test Performance	25 laboratories .....	1 report .....	50 hours .....	50 hours .....	1,750
40.33—Reporting/Review—Split Sample Test Results.	200 railroads .....	8 letters .....	30 minutes .....	9 hours .....	315
—Split Sample Failure to Reconfirm Drug Presence.	200 railroads .....	2 reports .....	30 minutes .....	1 hour .....	35
40.37—Employee Request for Access to Test Records.	40,000 employees .....	30 requests .....	30 minutes .....	15 hours .....	525

*Respondent Universe:* 450 railroads.

*Frequency of Submission:* On occasion.

*Total Responses:* 190,886.

*Estimated Total Annual Burden:* 68,307 hours.

*Status:* Regular Review.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**Authority:** 44 U.S.C. 3501–3520.

Issued in Washington, DC, on February 27, 2003.

**Kathy A. Weiner,**

*Office of Information Technology and Support Systems, Federal Railroad Administration.*

[FR Doc. 03–5041 Filed 3–3–03; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### Reports, Forms and Recordkeeping Requirements; Agency Information Collection Activity Under OMB Review

**AGENCY:** Maritime Administration, DOT.

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

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and approval. The nature of the information collection is described as well as its expected burden. The Federal Register Notice with a 60-day comment period soliciting comments on the following collection of information was published on December 2, 2002. No comments were received.

**DATES:** Comments must be submitted on or before April 3, 2003.

**FOR FURTHER INFORMATION CONTACT:** Otto A. Strassburg, Maritime Administration, 400 Seventh Street, SW., Washington, DC 20590. Telephone: 202-366-4161; Fax: 202-366-7901, or e-mail: [joe.strassburg@marad.dot.gov](mailto:joe.strassburg@marad.dot.gov). Copies of this collection also can be obtained from that office.

**SUPPLEMENTARY INFORMATION:** Maritime Administration (MARAD).

*Title:* Approval of Underwriters for Marine Hull Insurance.

*OMB Control Number:* 2133-0517.

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

*Affected Public:* Underwriters of marine insurance and marine insurance brokers.

*Form(s):* None.

*Abstract:* This collection of information involves the approval of marine hull underwriters to insure MARAD program vessels. Applicants will be required to submit financial data upon which MARAD approval would be based. This information is needed in order that MARAD officials can evaluate the underwriters and determine their suitability for providing marine hull insurance on MARAD vessels.

*Annual Estimated Burden Hours:* 46 hours.

**ADDRESSES:** Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention MARAD Desk Officer.

*Comments are Invited on:* (a) 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; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) 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.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication.

Issued in Washington, DC, on February 27, 2003.

**Christine Gurland,**

*Acting Secretary, Maritime Administration.*  
[FR Doc. 03-5022 Filed 3-3-03; 8:45 am]

**BILLING CODE 4910-81-M**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2002-12367; Notice 2]

#### Toyota Motor Corporation; Grant of Application for Decision for Determination of Inconsequential Non-Compliance

This notice grants the application by Toyota Motor Corporation (TMC) of Aichi-ken, Japan, to be exempted from the notification and remedy requirements of 49 U.S.C. 30118 and 30120 for a noncompliance with 49 CFR 571.205, Federal Motor Vehicle Safety Standard (FMVSS) No. 205, "Glazing Materials." TMC has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." Pursuant to 49 CFR part 556, "Exemption for Inconsequential Defect or Noncompliance," TMC has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. chapter 301, "Motor Vehicle Safety." The basis of the grant is that the noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the application was published July 8, 2002, (67 FR 45182) affording an opportunity for comment. The comment closing date was August 7, 2002. No comments were received.

From January 8, 2001 to May 17, 2001, TMC manufactured 5,789 airdams for use in 2002 Lexus SL 430 passenger cars that do not meet the labeling requirements of paragraph S6 of FMVSS No. 205. The airdams were not marked with the "DOT" symbol and a manufacturer's code.

FMVSS No. 205, paragraph S6, "Certification and marking," requires that each piece of glazing material shall be marked in accordance with Section 6 of the American National Standard "Safety Code for Safety Glazing Materials for Glazing Materials for Glazing in Motor Vehicles Operating on Land Highways" Z-26.1-1977, January 26, 1977, as supplemented by Z26.1a, July 3, 1980 (ANS Z26). This specifies all safety glazing materials for use in accordance with this code shall be legibly and permanently marked in letters and numerals at least 0.070 inch (1.78 mm) in height, with the words "American National Standard" or the characters "AS" and, in addition, with a model number that will identify the type of construction of the glazing material. The glazing materials shall also be marked with the manufacturer's distinctive designation or trademark. In addition, FMVSS No. 205, paragraph

S6.2 requires that each piece of glazing material be marked with the symbol "DOT." The TMC airdams were constructed to comply as glazing materials under American National Standard Items 4 and 5, and should have been identified as "AS 4" or "AS 5." TMC stated that the noncompliance consists of the airdams not being marked with the "DOT" symbol and the AS 4 or AS 5 codes.

According to TMC, during its design and testing process, it confirmed that the airdam meets the performance requirements of ANS Z26 for item 4 and item 5 glazing as referenced by FMVSS No. 205. It supplied two "Notice of Equipment Compliance" reports. The American Association of Motor Vehicle Administrators issued the first report, and the Japan Vehicle Inspection Association issued the second. The first, dated 1993, provided compliance information for AS 4 and AS 5 material that was used in the vehicle prior to inclusion of the marking and that expired in 1998. The second, dated 2001, provided compliance information for AS 4 and AS 5 material that was used after the marking was placed on the airdam. TMC claims there is virtually no difference between the compliance data; therefore, TMC believes there is no safety risk.

NHTSA has reviewed TMC's application and, for the reasons discussed in this paragraph, concludes that the noncompliance of the TMC airdam is inconsequential to motor vehicle safety. TMC has provided documentation indicating that the airdams do comply with all other safety performance requirements of the standard except the labeling. Consequently, the noncompliance would not affect the purposes of FMVSS No. 205 that include reducing injuries from impacts to glazing surfaces, ensuring driver visibility, or minimizing the possibility of occupants being thrown through the vehicle windows in collisions. The lack of labeling to the airdam described herein, would not result in inadvertent replacement of the airdams with the wrong glazing material. Since TMC is the only certifying manufacturer of the airdam, a person attempting to replace the airdam would have to contact TMC for the proper part. Consequently TMC, or their representative, would be able to provide the correct replacement airdam.

In consideration of the foregoing, NHTSA has decided that the applicant has met its burden of persuasion that the noncompliance it describes is inconsequential to motor vehicle safety.

Accordingly, the application is granted, and the applicant is exempted