

- Discussion of section 25.1309 phase 2 task
- Review of Action Items and 2004 Meeting Schedule

If all the agenda items are discussed on February 10, no meeting will be held on February 11.

Attendance is open to the public, but will be limited to the availability of meeting room space and telephone lines. Visitor badges are required to gain entrance to the Boeing building where the meeting is being held. For badging purposes, you will need to provide your name, company, and nationality by January 30 to Sharon Neuner, (703) 465-3680, sharon.c.neuner@boeing.com, or the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

For persons participating domestically by telephone, the call-in number is (866) 442-8714; for persons participating internationally, the number is (281) 540-4931. The Passcode for both numbers is: 14169163063. Details are also available on the ARAC calendar at <http://www.faa.gov/avr/arm/araccal/htm>. To insure that sufficient telephone lines are available, please notify the person listed in the **FOR FURTHER INFORMATION CONTACT** section of your intent by February 6. Anyone participating by telephone will be responsible for paying long-distance charges.

The public must make arrangements by February 6 to present oral statements at the meeting. Written statements may be presented to the committee at any time by providing 25 copies to the person listed in the **FOR FURTHER INFORMATION CONTACT** section or by providing copies at the meeting. Copies of the documents to be presented to ARAC for decision or as recommendations to the FAA may be made available by contacting the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

If you are in need of assistance or require a reasonable accommodation for the meeting or meeting documents, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Sign and oral interpretation, as well as a listening device, can be made available if requested 10 calendar days before the meeting.

Issued in Washington, DC, on January 14, 2004.

Tony F. Fazio,

Director, Office of Rulemaking.

[FR Doc. 04-1329 Filed 1-21-04; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RTCA Special Committee 202: Portable Electronic Devices

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of RTCA Special Committee 202 meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of RTCA Special Committee 202: Portable Electronic Devices.

DATES: The meeting will be held on January 20-23, 2004, from 9 a.m. to 4:30 p.m.

ADDRESSES: The meeting will be held at RTCA, Inc., 1828 L Street, NW., Suite 805, Washington, DC 20036-5133.

FOR FURTHER INFORMATION CONTACT: RTCA Secretariat, 1828 L Street, NW., Suite 805, Washington, DC, 20036-5133; telephone (202) 833-9339; fax (202) 833-9434; Web site <http://www.rtca.org>.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act Pub. L. 92-463, 5 U.S.C. Appendix 2), notice is hereby given for a Special Committee 202 meeting. The agenda will include:

- **January 20:**
 - Working Groups 1 through 4 meet all day.
- **January 21:**
 - Opening plenary session (welcome and introductory remarks, review agenda, review/approve previous common plenary summary, review open action items).
 - Report from SC-202 Tiger Team Activities December 15-19, 2003.
 - Scoping and Plan for addressing comments.
 - Review Working Group (WG) Progress and Identify Issues for Resolution (will continue into second day as required).
 - Working Group 1 (PEDs characterization, test, and evaluation):
 - Comments and issues will be listed for tracking;
 - What else remains to be done to complete Phase 1 document.
 - Working Group 2 (Aircraft test and analysis):
 - Comments and issues will be listed for tracking;
 - What else remains to be done to complete Phase 1 document.
- **January 22:**
 - Continue plenary session.
 - Working Group 3 (Aircraft systems susceptibility):

- Comments and issues will be listed for tracking;
- What else remains to be done to complete Phase 1 document.
- Working Group 4 (Risk assessment, practical application, and final documentation):
 - Comments and issues will be listed for tracking;
 - What else remains to be done to complete Phase 1 document.
- Issues identified for resolution by several Working Groups:
 - 1 (TBD during work session and plenary);
 - 2 (TBD during work session and plenary);
 - 3 (TBD during work session and plenary).
- Plan for next steps for document:
- Forward to PMC with SC-202 recommendation to publish;
- Allocation of action items of working groups for comments and issues resolution;
- Contingency meeting for plenary session February 10-12, 2004.
- Closing session (other business, date and place of next meeting, closing remarks, adjourn).
- **January 23:**
 - If required, continue and complete.

Attendance is open to the interested public but limited to space availability. With the approval of the chairmen, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC on December 18, 2003.

Robert Zoldos,

FAA System Engineer, RTCA Advisory Committee.

[FR Doc. 04-1270 Filed 1-21-04; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236

Pursuant to Title 49 Code of Federal Regulations (CFR) Part 235 and 49 U.S.C. 20502(a), the following railroad has petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the

requirements of 49 CFR Part 236 as detailed below.

Docket No. FRA-2003-16634

Applicant: Norfolk Southern Corporation, Mr. Brian L. Sykes, Chief Engineer, C&S Engineering, 99 Spring Street, SW., Atlanta, Georgia 30303.

Norfolk Southern Corporation seeks approval of the proposed discontinuance and removal of the traffic control system, on all main, siding, and auxiliary tracks, between Clare, Ohio, milepost CT-9.0 and Winchester, Ohio, milepost CT-73.5, on the Lake Division, Cincinnati District, and convert the method of operation to track warrant control.

The reason given for the proposed changes is that the line is no longer needed as a through route, the Clare to Winchester portion will be used for local service only, and the Winchester to Vera portion of the line has been removed from service.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and include a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590-0001. Communications received within 45 days of the date of this notice will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

FRA wishes to inform all potential commenters that anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC, on January 14, 2004.

Grady C. Cothen, Jr.,

Deputy Associate Administrator, for Safety Standards and Program Development.

[FR Doc. 04-1332 Filed 1-21-04; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA 2001-9362; Notice 3]

Saleen, Inc.; Grant of Application for Renewal of Temporary Exemption From Federal Motor Vehicle Safety Standard No. 208

This notice grants the application by Saleen, Inc., of Irvine, California ("Saleen"), for a renewal of a temporary exemption for its S7 passenger car from the requirements of Federal Motor Vehicle Safety Standard No. 208, *Occupant Crash Protection*. In accordance with 49 U.S.C. 30113(b)(3)(B)(i), the basis of the request was that compliance would cause substantial economic hardship to a manufacturer that has made a good faith effort to comply with the standard.

The National Highway Traffic Safety Administration (NHTSA) published a notice of receipt of the application on July 25, 2003, and afforded an opportunity for comment (68 FR 44139).

Background

The Saleen S7 is a high performance, limited production sports car built in Irvine, CA. The S7 costs approximately \$400,000. In June 2001, NHTSA granted Saleen a two-year hardship exemption from the requirements of S4.1.5.3 of Standard No. 208, expiring July 1, 2003.¹ On April 16, 2003, Saleen petitioned to renew this exemption for an additional 3 years. In accordance with 49 CFR 555.8(e), the previous exemption has remained in effect until the publication of this notice, because the application for renewal was filed more than 60 days prior to expiration of the exemption.

Petitioner began developing the S7 in February of 2000. Originally, Saleen

expected to deliver the S7 vehicles to customers in the summer of 2001. However, product development and regulatory issues delayed production until March 6, 2003, when Saleen received Certificates of Conformity for the 2003 model year from the Environmental Protection Agency and the California Air Resources Board. Between March 6, 2003, and the date of the petition, Saleen sold eight S7s. Petitioner hopes to sell a total of 36 S7s by the end of 2003. In contrast, Saleen originally projected selling 112 S7s by the end of 2003.²

Petitioner's other line of business consists of altering Ford Mustang vehicles. However, the company has "sustained a major slowdown" in the sales of these vehicles, which it attributes "to the downturn in the U.S. economy." The company has produced only 79 "Saleen Mustangs" as of June 11, 2003, compared with 327 in the comparable period in 2002. The company currently maintains a payroll of 96 people. Previously, Saleen employed 122 individuals, but was forced to downsize in an effort to complete development of the S7.

Why Saleen Needs a Renewal of a Temporary Exemption

In the original petition, Saleen estimated that it needed 20 months and approximately \$3,000,000 to bring the S7 into compliance with Standard No. 208.³ In the absence of sales until March of 2003, Saleen did not generate the necessary funds to bring the S7 into compliance as scheduled. According to the petitioner: "development delays almost completely exhausted all of our economic resources necessary to stay in business, let alone the development of air bags." In the meantime, NHTSA has implemented new regulations pertaining to advanced air bags (49 CFR 571.208; S14). Petitioner has now asked for a three-year extension of its original two-year exemption in order to generate funds that would allow it to fully comply with the new, advanced air bag requirements of Standard No. 208. Petitioner now estimates, based on projected sales, that it will be financially able to begin developing advanced air bags by July 2004. Saleen anticipates that the project will take 24 months and cost an estimated \$3,800,000. Petitioner expects full compliance with the requirements of

² See 66 FR 33298.

¹ See original Notice for additional background information on the company (66 FR 33298).

³ See original petition (Docket No. NHTSA-2001-9362-2).