

**DATES:** Comments must be submitted on or before July 2, 2007.

**FOR FURTHER INFORMATION CONTACT:** Michael Kido, National Highway Traffic Safety Administration, Office of the Chief Counsel (NCC-111), (202) 366-5263, 400 Seventh Street, SW., Room 5219, Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:**

**National Highway Traffic Safety Administration**

*Title:* Criminal Penalty Safe Harbor Provision.

*OMB Control Number:* 2127-0609.

*Frequency:* We believe that there will be very few criminal prosecutions under 49 U.S.C. 30170, given its elements. Accordingly, it is not likely to be a substantial motivating force for a submission of a corrected report in response to an agency request for information. See Summary of the Collection of Information below. Based on our experience to date, we estimate that no more than 1 person per year would be subject to this collection of information, and we do not anticipate receiving more than one report a year from any particular person.

*Affected Public:* This collection of information would apply to any person who seeks a "safe harbor" from potential criminal liability under 49 U.S.C. 30170. Thus, the collection of information could apply to the manufacturers, any officers or employees thereof, and other persons who respond or have a duty to respond to an information provision requirement pursuant to 49 U.S.C. 30166 or a regulation, requirement, request or order issued thereunder.

*Abstract:* NHTSA has published a final rule related to "reasonable time" and sufficient manner of "correction," as they apply to the safe harbor from criminal penalties, as required by Section 5 of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act (Pub. L. 106-414), which was enacted on November 1, 2000. 65 FR 38380 (July 24, 2001).

*Estimated Annual Burden:* Using the above estimate of 1 affected person a year, with an estimated two hours of preparation to collect and provide the information, at an assumed rate of \$26.70 an hour, the annual, estimated cost of collecting and preparing the information necessary for 1 complete "safe harbor" corrections is \$53.40. Adding in a postage cost of \$0.41 (1 report at a cost of 41 cents to mail each one), we estimate that it will cost \$53.81 a year for persons to prepare and submit the information necessary to satisfy the

safe harbor provision of 49 U.S.C. 30170.

Since nothing in this rule would require those persons who submit reports pursuant to this rule to keep copies of any records or reports submitted to us, the cost imposed to keep records would be zero hours and zero costs.

*Number of Respondents:* We estimate that there will be no more than 1 per year.

*Summary of the Collection of Information:* Any person seeking protection from criminal liability under 49 U.S.C. 30170 related to an improper report or failure to report pursuant to 49 U.S.C. 30166, or a regulation, requirement, request or order issued thereunder, is and will be required to report the following information to NHTSA: (1) Each previous improper item of information or document and each failure to report that was required under 49 U.S.C. 30166, or a regulation, requirement, request or order issued thereunder, (2) the specific predicate under which each improper or omitted report should have been provided, and (3) the complete and correct reports, including all information that was improperly submitted or that should have been submitted and all relevant documents that were not previously submitted to NHTSA or, if the person cannot provide this, then a full detailed description of that information or of the content of those documents and the reason why the individual cannot provide them to NHTSA.

**ADDRESSES:** Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention NHTSA 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. A Comment to OMB is most effective if OMB receives it within 30 days of publication.

Issued on May 25, 2007.

**Anthony M. Cooke,**  
*Chief Counsel.*

[FR Doc. E7-10603 Filed 5-31-07; 8:45 am]

**BILLING CODE 4910-59-P**

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

[DOT Docket No. NHTSA-2007-27204]

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

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), U.S. Department of Transportation.

**ACTION:** Request for public comment on proposed collection of information.

**SUMMARY:** This notice solicits public comment on continuation of the requirements for the collection of information on brake hose manufacturers. Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections. This document describes a collection of information associated with 49 CFR Part 571, Section 106, Brake Hoses.

**DATES:** Comments must be submitted on or before July 2, 2007.

**ADDRESSES:** Comments must refer to the docket notice number, NHTSA-2007-27204, and the OMB control number, 2127-0052, and be submitted to the Office of Information and Regulatory Affairs, Office of Management and Budget, Att'n Desk Officer for NHTSA, 725 17th St. NW., Washington DC 20503. It is requested, but not required, that 2 copies of the comments be provided.

Commenters may also, but are not required, to submit their comments to the DOT docket if they want their comments to appear in the DOT docket as well. Comments must refer to the docket notice number, NHTSA-2007-27204, and the OMB control number, 2127-0052, and be submitted to Docket Management, Room W12-140, West Building Ground Floor, 1200 New Jersey Avenue, SE, Washington, DC 20590. The telephone number for the Docket Management System is (800) 647-5527. It is requested, but not required, that

two copies of the comments be provided. The Docket Section is open on weekdays from 10 a.m. to 5 p.m., except for Federal holidays. Alternatively, you may submit your comments electronically by logging on to the Docket Management System Web site at <http://dms.dot.gov>. Click on "Help and Information" or "Help/Info" to view instructions for filing your comments electronically. Regardless of how you submit your comments, refer to the docket number of this document.

**FOR FURTHER INFORMATION CONTACT:** Complete copies of each request for information collection may be obtained from Mr. Jeff Woods at the National Highway Traffic Safety Administration (NHTSA), Office of Crash Avoidance Standards, 202-366-6206. By mail: NVS-122, West Building, 1200 New Jersey Ave., SE., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:**

**National Highway Traffic Safety Administration**

*Title:* Brake Hose Manufacturing Identification, Federal Motor Vehicle Safety Standard (FMVSS) No. 106.

*OMB Control Number:* 2127-0052.

*Type of Request:* Request for public comment on a previously approved collection of information.

*Abstract:* Each manufacturer of brake hoses is required to register their manufacturing identification marks with NHTSA, in accordance with requirements in FMVSS No. 106, Brake Hoses. Manufacturer markings are typically put on motor vehicle brake hoses so that the manufacturer can be identified if a safety problem occurs with brake hoses installed on vehicles. Brake hose manufacturers register approximately 20 new identification marks each year, by submitting a request letter sent via U.S. mail, facsimile, or e-mail.

*Affected Public:* Business or other for-profit.

*Estimated Total Annual Burden:* 30 hours and \$3,000.

**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.

- Whether the Department's estimate for the burden of the proposed information collection is accurate.

- 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 most effective if OMB receives it within 30 days of

publication. The agency published a **Federal Register** notice informing the public of its intent to renew this information collection on February 14, 2007 (72 FR 7113). No comments were received in response to that notice.

Issued on: May 29, 2007.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. E7-10604 Filed 5-31-07; 8:45 am]

**BILLING CODE 4910-59-P**

**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

**[STB Finance Docket No. 35030]**

**US Rail Partners, Ltd.—Continuance in Control Exemption—Eastern Washington Gateway Railroad Company**

US Rail Partners, Ltd. (USRP), a noncarrier holding company, has filed a verified notice of exemption to continue in control of Eastern Washington Gateway Railroad Company (EWGR), upon EWGR's becoming a Class III rail carrier.

The earliest this transaction may be consummated is the June 15, 2007 effective date of the exemption (30 days after the exemption was filed).<sup>1</sup>

This transaction is related to STB Finance Docket No. 35029, *Eastern Washington Gateway Railroad Company—Lease and Operation Exemption—Washington State Department of Transportation*, wherein EWGR seeks to lease and operate approximately 107.8 miles of railroad, known as the CW Branch, that are in the process of being acquired by the Washington State Department of Transportation from Palouse River and Coulee City Railroad, Inc.

USRP currently controls through stock ownership one Class III rail carrier, Blackwell Northern Gateway Railroad Company (BNGR). BNGR operates approximately 35 miles of rail line between Wellington, KS, and Blackwell, OK.

USRP states that: (i) The railroads will not connect with each other or any railroads within its corporate family, (ii) the transaction is not a part of a series of anticipated transactions that would connect any of these railroads with one another or any other railroad, and (iii) the transaction does not involve a Class

<sup>1</sup> On May 18, 2007, USRP and EWGR filed a joint petition requesting that the Board partially revoke the class exemptions as necessary to allow the exemptions in this proceeding and in STB Finance Docket No. 35029 to become effective on June 4, 2007, instead of on June 15, 2007. That request will be addressed in a separate Board decision.

I railroad. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction. Petitions for stay must be filed no later than June 8, 2007, unless the Board grants the joint petition of EWGR and USRP to make their exemptions effective sooner, in which case the due date for stays will be established in the Board's decision acting on the joint petition.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35030, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on William C. Sippel, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2832.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: May 24, 2007.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. E7-10628 Filed 5-31-07; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

**[STB Finance Docket No. 35029]**

**Eastern Washington Gateway Railroad Company—Lease and Operation Exemption—Washington State Department of Transportation**

Eastern Washington Gateway Railroad Company (EWGR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire by lease and to operate approximately 107.8 miles of rail line that are in the