

is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new AD:

**Rolls-Royce plc:** Docket No. FAA-2007-28059; Directorate Identifier 2007-NE-13-AD.

#### Comments Due Date

- (a) We must receive comments by November 14, 2007.

#### Affected ADs

- (b) None.

#### Applicability

- (c) This AD applies to Rolls-Royce plc RB211 Trent 553-61, 553A2-61, 556-61, 556A2-61, 556B-61, 560-61, 560A2-61, 768-60, 772-60, 772B-60, 772C-60, 875-17, 877-17, 884-17, 884B-17, 892-17, 892B-17,

and 895-17 turbofan engines. These engines are installed on, but not limited to, Airbus A330, A340-500, A340-600, and Boeing 777 series airplanes.

#### Reason

(d) This action is necessary following the discovery of IP Compressor Rotor rear balance land cracking on an in-service Trent 800 engine. Stress analysis of the damaged rotor has shown a possible threat to the rotor integrity, the cracking therefore presents a potential unsafe condition. The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

We are proposing this AD to detect cracking on the intermediate pressure (IP) Compressor rotor rear balance land. IP compressor rotor rear balance land cracking can lead to uncontained failure of the rotor and damage to the airplane.

#### Actions and Compliance

- (e) Unless already done, do the following actions:

##### Inspection—On-Wing

(1) Applicable to RR Trent 800 engines not previously inspected per Rolls-Royce RB211 Propulsion System Alert Non Modification Service Bulletin RB.211-72-AF260, Revision 1, dated January 17, 2007 or original issue, dated October 17, 2006: Within 400 flight cycles of the Effective Date of this AD inspect the IP Compressor rotor rear balance land for cracks in accordance with Rolls-Royce RB211 Propulsion System Alert Non Modification Service Bulletin RB.211-72-AF313, dated February 22, 2007 section 3 Accomplishment Instructions. Engines on which cracking is found should be rejected from service.

##### Inspection—In-Shop

(2) Applicable to RR Trent 500, 700 and 800 engines at each shop visit in which the engine is sufficiently disassembled to access the IP Compressor Module rear face: Inspect the IP Compressor rotor rear balance land for cracks in accordance with Rolls-Royce RB211 Propulsion System Alert Non Modification Service Bulletin RB.211-72-AF260, Revision 1, dated January 17, 2007, or original issue section 3 Accomplishment Instructions.

#### Other FAA AD Provisions

(f) *Alternative Methods of Compliance (AMOCs):* The Manager, Engine Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

#### Related Information

(g) Refer to EASA Airworthiness Directive 2007-0052, dated February 23, 2007, and Rolls-Royce plc Alert Service Bulletin (ASB) RB.211-72-AF313, dated February 22, 2007, and ASB RB.211-72-AF260, Revision 1, dated January 17, 2007, for related information.

(h) Contact Christopher Spinney, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: [christopher.spinney@faa.gov](mailto:christopher.spinney@faa.gov); telephone (781) 238-7175; fax (781) 238-7199, for more information about this AD.

Issued in Burlington, Massachusetts, on October 9, 2007.

**Peter A. White,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. E7-20242 Filed 10-12-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 541

[Docket No. NHTSA 2007-28874]

### Preliminary Theft Data; Motor Vehicle Theft Prevention Standard

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

**ACTION:** Publication of preliminary theft data; request for comments.

**SUMMARY:** This document requests comments on data about passenger motor vehicle thefts that occurred in calendar year (CY) 2005 including theft rates for existing passenger motor vehicle lines manufactured in model year (MY) 2005. The preliminary theft data indicate that the vehicle theft rate for CY/MY 2005 vehicles (1.85 thefts per thousand vehicles) increased by 1.1 percent from the theft rate for CY/MY 2004 vehicles (1.83 thefts per thousand vehicles).

Publication of these data fulfills NHTSA's statutory obligation to periodically obtain accurate and timely theft data, and publish the information for review and comment.

**DATES:** Comments must be submitted on or before December 14, 2007.

**ADDRESSES:** You may submit comments (identified by DOT Docket No. NHTSA-2007-28874) by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.
- *Hand Delivery or Courier:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.
- *Fax:* 202-493-2251.

*Instructions:* For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Participation heading of

the **SUPPLEMENTARY INFORMATION** section of this document. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

**Privacy Act:** 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 (65 FR 19477-78) or you may visit <http://DocketInfo.dot.gov>.

**Docket:** For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>, or the street address listed above. Follow the online instructions for accessing the dockets.

**FOR FURTHER INFORMATION CONTACT:** Ms. Carlita Ballard, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA, 1200 New Jersey Avenue, SE., Washington, DC 20590. Ms. Ballard's telephone number is (202) 366-0846. Her fax number is (202) 493-2990.

**SUPPLEMENTARY INFORMATION:** NHTSA administers a program for reducing

motor vehicle theft. The central feature of this program is the Federal Motor Vehicle Theft Prevention Standard, 49 CFR Part 541. The standard specifies performance requirements for inscribing or affixing vehicle identification numbers (VINs) onto certain major original equipment and replacement parts of high-theft lines of passenger motor vehicles.

The agency is required by 49 U.S.C. 33104(b)(4) to periodically obtain, from the most reliable source, accurate and timely theft data, and publish the data for review and comment. To fulfill the § 33104(b)(4) mandate, this document reports the preliminary theft data for CY 2005 the most recent calendar year for which data are available.

In calculating the 2005 theft rates, NHTSA followed the same procedures it used in calculating the MY 2004 theft rates. (For 2004 theft data calculations, see 71 FR 59400, October 10, 2006.) As in all previous reports, NHTSA's data were based on information provided to the agency by the National Crime Information Center (NCIC) of the Federal Bureau of Investigation. The NCIC is a governmental system that receives vehicle theft information from nearly 23,000 criminal justice agencies and other law enforcement authorities throughout the United States. The NCIC data also include reported thefts of self-

insured and uninsured vehicles, not all of which are reported to other data sources. The 2005 theft rate for each vehicle line was calculated by dividing the number of reported thefts of MY 2005 vehicles of that line stolen during calendar year 2005, by the total number of vehicles in that line manufactured for MY 2005, as reported by manufacturers to the Environmental Protection Agency.

The preliminary 2005 theft data show an increase in the vehicle theft rate when compared to the theft rate experienced in CY/MY 2004. The preliminary theft rate for MY 2005 passenger vehicles stolen in calendar year 2005 increased to 1.85 thefts per thousand vehicles produced, an increase of 1.1 percent from the rate of 1.83 thefts per thousand vehicles experienced by MY 2004 vehicles in CY 2004. For MY 2005 vehicles, out of a total of 233 vehicle lines, 24 lines had a theft rate higher than 3.5826 per thousand vehicles, the established median theft rate for MYs 1990/1991 (See 59 FR 12400, March 16, 1994). Of the 24 vehicle lines with a theft rate higher than 3.5826, 21 are passenger car lines, two are multipurpose passenger vehicle lines, and one is a light-duty truck line.

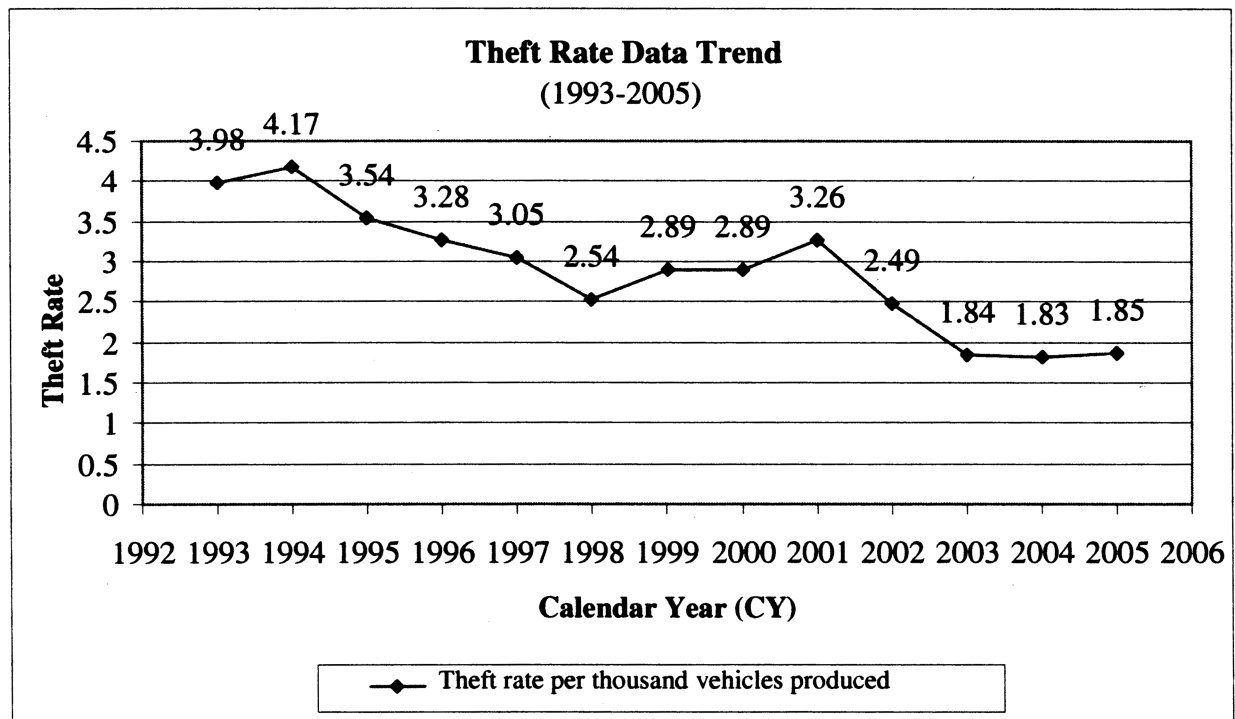


Figure 1: Theft Rate Data Trend (1993-2005)

In Table I, NHTSA has tentatively ranked each of the MY 2005 vehicle lines in descending order of theft rate. Public comment is sought on the accuracy of the data, including the data for the production volumes of individual vehicle lines.

Comments must not exceed 15 pages in length (49 CFR part 553.21). Attachments may be appended to these submissions without regard to the 15 page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and two copies from which the purportedly confidential information has been deleted should be

submitted to Dockets. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation. 49 CFR part 512.

All comments received before the close of business on the comment closing date indicated above for this document will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Comments on this document will be available for inspection in the docket. NHTSA will continue to file relevant information as it becomes available for inspection in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

**Privacy Act:** 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>.

**Authority:** 49 U.S.C. 33101, 33102 and 33104; delegation of authority at 49 CFR 1.50.

#### PRELIMINARY REPORT OF THEFT RATES FOR MODEL YEAR 2005 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 2005

Manufacturer	Make/model (line)	Thefts 2005	Production (mfr's) 2005	2005 Theft rate (per 1,000 vehicles produced)
1 TOYOTA .....	TOYOTA TUNDRA PICKUP .....	265	14,194	18.6699
2 SUZUKI .....	AERIO .....	77	11,804	6.5232
3 KIA .....	RIO .....	156	26,328	5.9253
4 MERCEDES BENZ .....	215 (CL-CLASS) .....	9	1,601	5.6215
5 JAGUAR .....	XKR .....	4	748	5.3476
6 GENERAL MOTORS .....	CHEVROLET MONTE CARLO .....	188	35,876	5.2403
7 MITSUBISHI .....	GALANT .....	150	28,808	5.2069
8 DAIMLERCHRYSLER .....	DODGE NEON .....	783	154,231	5.0768
9 DAIMLERCHRYSLER .....	DODGE MAGNUM .....	387	79,254	4.8830
10 DAIMLERCHRYSLER .....	CHRYSLER SEBRING .....	242	49,892	4.8505
11 DAIMLERCHRYSLER .....	DODGE STRATUS .....	452	94,735	4.7712
12 KIA .....	OPTIMA .....	145	31,362	4.6234
13 MITSUBISHI .....	LANCER .....	141	31,226	4.5155
14 NISSAN .....	SENTRA .....	519	116,354	4.4605
15 GENERAL MOTORS .....	CHEVROLET MALIBU .....	908	212,400	4.2750
16 TOYOTA .....	TOYOTA ECHO .....	43	10,540	4.0797
17 GENERAL MOTORS .....	PONTIAC GRAND AM .....	248	61,502	4.0324
18 TOYOTA .....	LEXUS GS .....	12	3,004	3.9947
19 SUZUKI .....	FORENZA .....	129	33,387	3.8638
20 NISSAN .....	INFINITI FX45 .....	7	1,850	3.7838
21 GENERAL MOTORS .....	CHEVROLET CAVALIER .....	351	95,838	3.6624
22 HONDA .....	ACURA RSX .....	69	19,135	3.6060
23 KIA .....	SPECTRA .....	191	53,027	3.6019
24 HONDA .....	S2000 .....	32	8,921	3.5870
25 MASERATI .....	SPYDER/F1 .....	1	289	3.4602
26 GENERAL MOTORS .....	PONTIAC SUNFIRE .....	132	38,239	3.4520
27 DAIMLERCHRYSLER .....	CHRYSLER SEBRING CONVERTIBLE .....	114	33,498	3.4032
28 SUZUKI .....	VITARA/GRAND VITARA .....	81	24,542	3.3005
29 TOYOTA .....	TOYOTA MR2 SPYDER .....	3	912	3.2895
30 TOYOTA .....	LEXUS IS .....	20	6,343	3.1531
31 DAIMLERCHRYSLER .....	CHRYSLER 300 .....	499	158,545	3.1474
32 SUZUKI .....	VERONA .....	23	7,409	3.1043
33 HYUNDAI .....	ACCENT .....	158	51,121	3.0907
34 GENERAL MOTORS .....	CHEVROLET AVEO .....	196	64,250	3.0506
35 HYUNDAI .....	TIBURON .....	46	15,100	3.0464
36 GENERAL MOTORS .....	CHEVROLET IMPALA .....	701	230,633	3.0395
37 NISSAN .....	350Z .....	82	27,146	3.0207
38 MITSUBISHI .....	ECLIPSE .....	25	8,471	2.9512
39 FORD MOTOR CO .....	LINCOLN LS .....	64	21,743	2.9435
40 GENERAL MOTORS .....	CHEVROLET COBALT .....	410	140,975	2.9083

PRELIMINARY REPORT OF THEFT RATES FOR MODEL YEAR 2005 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR  
YEAR 2005—Continued

Manufacturer	Make/model (line)	Thefts 2005	Production (mfr's) 2005	2005 Theft rate (per 1,000 vehicles produced)
41 NISSAN .....	INFINITI QX56 .....	36	12,666	2.8423
42 NISSAN .....	MAXIMA .....	209	73,931	2.8270
43 NISSAN .....	ALTIMA .....	1,035	368,779	2.8066
44 MAZDA .....	6 .....	191	68,252	2.7985
45 SUZUKI .....	RENO .....	16	5,736	2.7894
46 TOYOTA .....	SCION XB .....	187	67,396	2.7746
47 SUBARU .....	IMPREZA .....	103	38,390	2.6830
48 GENERAL MOTORS .....	PONTIAC GRAND PRIX .....	284	107,972	2.6303
49 FORD MOTOR CO .....	FORD TAURUS .....	527	201,826	2.6112
50 FORD MOTOR CO .....	FORD FOCUS .....	637	245,780	2.5917
51 TOYOTA .....	TOYOTA CELICA .....	11	4,258	2.5834
52 BMW .....	M3 .....	14	5,471	2.5589
53 GENERAL MOTORS .....	PONTIAC GTO .....	28	11,065	2.5305
54 ROLLS ROYCE .....	PHANTOM .....	1	399	2.5063
55 FORD MOTOR CO .....	FORD MUSTANG .....	362	145,599	2.4863
56 MITSUBISHI .....	OUTLANDER .....	36	14,983	2.4027
57 GENERAL MOTORS .....	CHEVROLET BLAZER S10/T10 .....	12	5,018	2.3914
58 NISSAN .....	INFINITI FX35 .....	72	30,172	2.3863
59 DAIMLERCHRYSLER .....	JEEP WRANGLER .....	178	74,706	2.3827
60 GENERAL MOTORS .....	CADILLAC XLR .....	9	3,828	2.3511
61 BMW .....	6 .....	25	10,636	2.3505
62 TOYOTA .....	TOYOTA COROLLA .....	864	368,744	2.3431
63 TOYOTA .....	SCION TC .....	146	62,321	2.3427
64 NISSAN .....	FRONTIER PICKUP .....	146	62,799	2.3249
65 MITSUBISHI .....	ENDEAVOR .....	46	20,871	2.2040
66 HYUNDAI .....	SONATA .....	175	79,781	2.1935
67 MAZDA .....	B SERIES PICKUP .....	12	5,686	2.1104
68 HYUNDAI .....	ELANTRA .....	277	132,495	2.0906
69 MITSUBISHI .....	MONTERO .....	8	3,829	2.0893
70 GENERAL MOTORS .....	PONTIAC G6 .....	128	62,481	2.0486
71 NISSAN .....	XTERRA .....	113	55,179	2.0479
72 KIA .....	SEDONA VAN .....	156	76,527	2.0385
73 FORD MOTOR CO .....	FORD RANGER PICKUP .....	209	103,723	2.0150
74 VOLKSWAGEN .....	GOLF/GTI .....	29	14,447	2.0073
75 HONDA .....	CIVIC .....	577	288,917	1.9971
76 KIA .....	SORENTO .....	114	57,272	1.9905
77 MERCEDES BENZ .....	203 (C-CLASS) .....	139	70,818	1.9628
78 HONDA .....	ACURA TSX .....	70	35,836	1.9533
79 ISUZU .....	ASCENDER .....	14	7,219	1.9393
80 MAZDA .....	RX-8 .....	34	17,608	1.9309
81 KIA .....	AMANTI .....	43	22,858	1.8812
82 TOYOTA .....	SCION XA .....	60	32,132	1.8673
83 TOYOTA .....	TOYOTA TACOMA PICKUP .....	283	151,776	1.8646
84 JAGUAR .....	XJ8/XJ8L .....	8	4,330	1.8476
85 NISSAN .....	INFINITI G35 .....	120	65,227	1.8397
86 JAGUAR .....	S-TYPE .....	25	13,629	1.8343
87 MAZDA .....	3 .....	158	86,184	1.8333
88 DAIMLERCHRYSLER .....	CHRYSLER PT CRUISER .....	240	133,335	1.8000
89 TOYOTA .....	LEXUS SC .....	16	9,019	1.7740
90 NISSAN .....	INFINITI Q45 .....	3	1,712	1.7523
91 NISSAN .....	PATHFINDER .....	143	82,667	1.7298
92 MERCEDES BENZ .....	208 (CLK-CLASS) .....	37	21,724	1.7032
93 SUBARU .....	BAJA .....	14	8,244	1.6982
94 AUDI .....	A4/A4 QUATTRO/S4/S4 AVANT .....	80	47,470	1.6853
95 GENERAL MOTORS .....	CHEVROLET TRAILBLAZER .....	311	184,671	1.6841
96 TOYOTA .....	TOYOTA CAMRY/SOLARA .....	732	437,173	1.6744
97 NISSAN .....	QUEST VAN .....	60	35,913	1.6707
98 GENERAL MOTORS .....	PONTIAC AZTEK .....	17	10,197	1.6672
99 DAIMLERCHRYSLER .....	JEEP GRAND CHEROKEE .....	356	214,714	1.6580
100 MERCEDES BENZ .....	170 (SLK-CLASS) .....	17	10,310	1.6489
101 GENERAL MOTORS .....	BUICK CENTURY .....	65	40,051	1.6229
102 FORD MOTOR CO .....	FORD EXPLORER .....	317	196,740	1.6113
103 FORD MOTOR CO .....	MERCURY SABLE .....	58	36,134	1.6051
104 SAAB .....	9-2X .....	9	5,713	1.5754
105 HONDA .....	ACCORD .....	576	371,940	1.5486
106 FORD MOTOR CO .....	FORD EXPLORER SPORT TRAC .....	83	53,640	1.5474
107 HONDA .....	ACURA 3.2 TL .....	125	82,497	1.5152

PRELIMINARY REPORT OF THEFT RATES FOR MODEL YEAR 2005 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR  
YEAR 2005—Continued

Manufacturer	Make/model (line)	Thefts 2005	Production (mfr's) 2005	2005 Theft rate (per 1,000 vehicles produced)
108 GENERAL MOTORS .....	CHEVROLET COLORADO .....	206	136,994	1.5037
109 BMW .....	3 .....	88	58,554	1.5029
110 BMW .....	5 .....	42	28,346	1.4817
111 FORD MOTOR CO .....	MERCURY MOUNTAINEER .....	48	32,416	1.4808
112 GENERAL MOTORS .....	SATURN ION .....	104	71,021	1.4644
113 DAIMLERCHRYSLER .....	CHRYSLER CROSSFIRE .....	36	24,679	1.4587
114 GENERAL MOTORS .....	GMC ENVOY .....	102	70,105	1.4550
115 KIA .....	SPORTAGE .....	35	24,351	1.4373
116 GENERAL MOTORS .....	GMC CANYON PICKUP .....	56	39,149	1.4304
117 FORD MOTOR CO .....	LINCOLN TOWN CAR .....	67	46,853	1.4300
118 MERCEDES BENZ .....	129 (SL-CLASS) .....	15	10,586	1.4170
119 NISSAN .....	MURANO .....	102	72,482	1.4072
120 TOYOTA .....	TOYOTA MATRIX .....	99	72,719	1.3614
121 HYUNDAI .....	SANTA FE .....	100	73,979	1.3517
122 HYUNDAI .....	XG300 .....	27	20,099	1.3434
123 GENERAL MOTORS .....	PONTIAC VIBE .....	95	71,357	1.3313
124 GENERAL MOTORS .....	CADILLAC DEVILLE .....	76	57,246	1.3276
125 VOLKSWAGEN .....	JETTA .....	116	87,710	1.3225
126 AUDI .....	A8 .....	7	5,336	1.3118
127 VOLKSWAGEN .....	PHAETON .....	1	768	1.3021
128 MAZDA .....	TRIBUTE .....	68	52,267	1.3010
129 JAGUAR .....	VANDEN PLAS/SUPER V8 .....	4	3,075	1.3008
130 FORD MOTOR CO .....	FORD CROWN VICTORIA .....	24	18,754	1.2797
131 FORD MOTOR CO .....	FORD FREESTAR VAN .....	92	72,690	1.2656
132 GENERAL MOTORS .....	CHEVROLET ASTRO VAN .....	29	23,439	1.2373
133 DAIMLERCHRYSLER .....	CHRYSLER PACIFICA .....	146	118,329	1.2338
134 GENERAL MOTORS .....	PONTIAC BONNEVILLE .....	26	21,519	1.2082
135 GENERAL MOTORS .....	CADILLAC CTS .....	74	61,323	1.2067
136 BMW .....	7 .....	9	7,495	1.2008
137 DAIMLERCHRYSLER .....	DODGE CARAVAN/GRAND CARAVAN .....	440	367,439	1.1975
138 TOYOTA .....	TOYOTA 4RUNNER .....	127	106,810	1.1890
139 DAIMLERCHRYSLER .....	DODGE VIPER .....	2	1,692	1.1820
140 HYUNDAI .....	TUCSON .....	71	61,346	1.1574
141 ASTON MARTIN .....	DB9 .....	1	874	1.1442
142 GENERAL MOTORS .....	GMC SAFARI VAN .....	5	4,441	1.1259
143 FORD MOTOR CO .....	FORD FIVE HUNDRED .....	109	97,689	1.1158
144 VOLVO .....	V70 .....	9	8,070	1.1152
145 MERCEDES BENZ .....	220 (S-CLASS) .....	13	11,831	1.0988
146 FORD MOTOR CO .....	FORD THUNDERBIRD .....	10	9,189	1.0883
147 BMW .....	X3 .....	31	28,657	1.0818
148 TOYOTA .....	LEXUS LS .....	31	29,049	1.0672
149 GENERAL MOTORS .....	CHEVROLET EQUINOX .....	192	183,758	1.0449
150 FORD MOTOR CO .....	FORD ESCAPE .....	252	243,658	1.0342
151 DAIMLERCHRYSLER .....	JEEP LIBERTY .....	178	173,110	1.0282
152 TOYOTA .....	LEXUS ES .....	83	80,735	1.0281
153 TOYOTA .....	LEXUS GX .....	28	27,260	1.0271
154 TOYOTA .....	TOYOTA AVALON .....	59	57,577	1.0247
155 GENERAL MOTORS .....	CHEVROLET CORVETTE .....	34	33,810	1.0056
156 GENERAL MOTORS .....	BUICK LESABRE .....	105	105,985	0.9907
157 TOYOTA .....	LEXUS RX .....	94	96,140	0.9777
158 PORSCHE .....	BOXSTER .....	6	6,142	0.9769
159 GENERAL MOTORS .....	CHEVROLET VENTURE VAN .....	24	25,341	0.9471
160 ROLLS ROYCE .....	BENTLEY CONTINENTAL .....	3	3,176	0.9446
161 VOLVO .....	S40 .....	24	25,722	0.9331
162 TOYOTA .....	TOYOTA RAV4 .....	75	82,037	0.9142
163 BMW .....	Z4 .....	10	11,079	0.9026
164 HONDA .....	ELEMENT .....	47	52,440	0.8963
165 FORD MOTOR CO .....	MERCURY MARINER .....	29	32,734	0.8859
166 GENERAL MOTORS .....	SATURN LS .....	6	6,790	0.8837
167 FORD MOTOR CO .....	MERCURY GRAND MARQUIS .....	61	69,862	0.8731
168 TOYOTA .....	TOYOTA HIGHLANDER .....	113	130,146	0.8683
169 GENERAL MOTORS .....	BUICK PARK AVENUE .....	8	9,282	0.8619
170 GENERAL MOTORS .....	SATURN VUE .....	56	65,105	0.8601
171 VOLKSWAGEN .....	PASSAT .....	30	35,149	0.8535
172 PORSCHE .....	911 .....	7	8,391	0.8342
173 GENERAL MOTORS .....	CADILLAC STS .....	31	37,226	0.8328
174 TOYOTA .....	TOYOTA SIENNA VAN .....	144	172,999	0.8324

## PRELIMINARY REPORT OF THEFT RATES FOR MODEL YEAR 2005 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 2005—Continued

Manufacturer	Make/model (line)	Thefts 2005	Production (mfr's) 2005	2005 Theft rate (per 1,000 vehicles produced)
175 GENERAL MOTORS .....	BUICK LACROSSE/ALLURE .....	68	81,894	0.8303
176 LAND ROVER .....	FREELANDER .....	2	2,441	0.8193
177 MAZDA .....	MPV VAN .....	15	18,902	0.7936
178 HONDA .....	ACURA 3.5 RL .....	17	21,526	0.7897
179 VOLKSWAGEN .....	NEW BEETLE .....	27	34,410	0.7847
180 AUDI .....	A6/A6 QUATTRO/S6/S6 AVANT .....	12	15,432	0.7776
181 DAIMLERCHRYSLER .....	CHRYSLER TOWN & COUNTRY .....	195	253,162	0.7703
182 GENERAL MOTORS .....	BUICK RENDEZVOUS .....	42	54,775	0.7668
183 VOLVO .....	XC90 .....	33	43,213	0.7637
184 FORD MOTOR CO .....	MERCURY MONTEREY VAN .....	5	6,703	0.7459
185 MERCEDES BENZ .....	210 (E-CLASS) .....	30	40,445	0.7417
186 VOLVO .....	S80 .....	8	10,918	0.7327
187 GENERAL MOTORS .....	BUICK RAINIER .....	10	13,648	0.7327
188 VOLVO .....	S60 .....	15	23,029	0.6514
189 BMW .....	MINI COOPER .....	30	47,444	0.6323
190 HONDA .....	CR-V .....	88	144,472	0.6091
191 SAAB .....	9-3 .....	13	21,433	0.6065
192 LOTUS .....	ELISE .....	2	3,320	0.6024
193 SUBARU .....	LEGACY/OUTBACK .....	21	34,944	0.6010
194 AUDI .....	ALLROAD QUATTRO .....	2	3,420	0.5848
195 HONDA .....	ACURA MDX .....	35	60,287	0.5806
196 HONDA .....	PILOT .....	81	142,118	0.5699
197 GENERAL MOTORS .....	CHEVROLET UPLANDER VAN .....	30	52,713	0.5691
198 GENERAL MOTORS .....	CADILLAC SRX .....	13	23,498	0.5532
199 FORD MOTOR CO .....	FORD FREESTYLE .....	40	75,643	0.5288
200 HONDA .....	ODYSSEY VAN .....	85	161,742	0.5255
201 FORD MOTOR CO .....	FORD GT .....	1	1,907	0.5244
202 SAAB .....	9-7X .....	1	1,999	0.5003
203 MAZDA .....	MX-5 MIATA .....	2	4,135	0.4837
204 SUBARU .....	FORESTER .....	24	50,942	0.4711
205 FORD MOTOR CO .....	MERCURY MONTEGO .....	13	28,517	0.4559
206 GENERAL MOTORS .....	PONTIAC MONTANA VAN .....	14	31,583	0.4433
207 TOYOTA .....	TOYOTA PRIUS .....	46	121,020	0.3801
208 SUBARU .....	OUTBACK .....	29	79,980	0.3626
209 JAGUAR .....	X-TYPE .....	4	11,299	0.3540
210 GENERAL MOTORS .....	SATURN RELAY .....	6	17,794	0.3372
211 SAAB .....	9-5 .....	2	6,137	0.3259
212 VOLVO .....	V50 .....	2	6,909	0.2895
213 GENERAL MOTORS .....	BUICK TERRAZA VAN .....	2	19,848	0.1008
214 MASERATI .....	GRANSPORT .....	0	490	0.0000
215 MASERATI .....	QUATTROPORTE .....	0	1,311	0.0000
216 HONDA .....	ACURA NSX .....	0	249	0.0000
217 ASTON MARTIN .....	VANQUISH .....	0	165	0.0000
218 AUDI .....	TT .....	0	3,375	0.0000
219 ROLLS ROYCE .....	BENTLEY ARNAGE .....	0	361	0.0000
220 GENERAL MOTORS .....	CADILLAC FUNERAL COACH/HEARSE .....	0	854	0.0000
221 GENERAL MOTORS .....	CADILLAC LIMOUSINE .....	0	472	0.0000
222 FERRARI .....	MARANELLO/F1 .....	0	235	0.0000
223 FERRARI .....	SCAGLIETTI/F1 .....	0	228	0.0000
224 FERRARI .....	SPIDER/F1 .....	0	1,093	0.0000
225 GENERAL MOTORS .....	CHEVROLET CLASSIC .....	0	83,060	0.0000
226 GENERAL MOTORS .....	GMC K2500 .....	0	51	0.0000
227 HONDA .....	INSIGHT .....	0	591	0.0000
228 JAGUAR .....	XJR .....	0	741	0.0000
229 JAGUAR .....	XK8 .....	0	1,760	0.0000
230 NISSAN .....	ARMADA .....	0	34,803	0.0000
231 NISSAN .....	TITAN .....	0	77,628	0.0000
232 SPYKER .....	C8 .....	0	7	0.0000
233 VOLVO .....	XC70 .....	0	14,806	0.0000

Issued on: October 5, 2007.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 92

RIN 1018-AV53

#### **Migratory Bird Subsistence Harvest in Alaska; Harvest Regulations for Migratory Birds in Alaska During the 2008 Season**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service or we) is publishing migratory bird subsistence harvest regulations in Alaska for the 2008 season. This proposed rule establishes regulations that prescribe dates when harvesting of birds may occur, species that can be taken, and methods and means excluded from use. These regulations were developed under a Co-management process involving the Service, the Alaska Department of Fish and Game, and Alaska Native representatives. These regulations enable the continuation of customary and traditional subsistence uses of migratory birds in Alaska. The rulemaking is necessary because the regulations governing the subsistence harvest of migratory birds in Alaska are subject to annual review. This rulemaking proposes region-specific regulations that go into effect on April 2, 2008, and expire on August 31, 2008.

**DATES:** Comments on the proposed subsistence harvest regulations for migratory birds in Alaska must be submitted by December 14, 2007.

**ADDRESSES:** You may submit comments on this proposed rule by any of the following methods:

1. *U.S. mail or hand delivery:* Regional Director, Alaska Region, U.S. Fish and Wildlife Service, 1011 E. Tudor Road, Anchorage, AK 99503.

2. *Fax:* (907) 786-3306.

3. *E-mail:* [ambcc@fws.gov](mailto:ambcc@fws.gov).

4. *Federal e-rulemaking portal:* <http://www.regulations.gov>. Follow the instructions on the site for submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Fred Armstrong, (907) 786-3887, or Donna Dewhurst, (907) 786-3499, U.S. Fish and Wildlife Service, 1011 E. Tudor

Road, Mail Stop 201, Anchorage, AK 99503.

#### **SUPPLEMENTARY INFORMATION:**

#### **How Do I Find the History of These Regulations?**

Background information, including past events leading to this action, accomplishments since the Migratory Bird Treaties with Canada and Mexico were amended, and a history addressing conservation issues can be found in the following **Federal Register** notices: August 16, 2002 (67 FR 53511); July 21, 2003 (68 FR 43010); April 2, 2004 (69 FR 17318); April 8, 2005 (70 FR 18244); February 28, 2006 (71 FR 10404); and April 11, 2007 (72 FR 18318). These documents are readily available at <http://alaska.fws.gov/ambcc/regulations.htm>.

#### **Why Is This Current Rulemaking Necessary?**

This current rulemaking is necessary because the migratory bird harvest season is closed unless opened, and the regulations governing subsistence harvest of migratory birds in Alaska are subject to public review and annual approval. The Alaska Migratory Bird Co-management Council (Co-management Council) held a meeting in April 2007 to develop recommendations for changes effective for the 2008 harvest season. These recommendations were presented to the Service Regulations Committee (SRC) on August 1 and 2, 2007, and were approved.

This rule proposes regulations for the taking of migratory birds for subsistence uses in Alaska during 2008. This rule lists migratory bird species that are proposed to be open or closed to harvest, as well as proposed season openings and closures by region.

#### **How Will the Service Continue To Ensure That the Subsistence Harvest Will Not Raise Overall Migratory Bird Harvest?**

The Service has an emergency closure provision (§ 92.21), so that if any significant increases in harvest are documented for one or more species in a region, an emergency closure can be requested and implemented. Eligibility to harvest under the regulations established in 2003 was limited to permanent residents, regardless of race, in villages located within the Alaska Peninsula, Kodiak Archipelago, the Aleutian Islands and in areas north and west of the Alaska Range (§ 92.5). These geographical restrictions opened the initial subsistence migratory bird harvest to only about 13 percent of Alaska residents. High-population areas such as Anchorage, the Matanuska-

Susitna and Fairbanks North Star boroughs, the Kenai Peninsula roaded area, the Gulf of Alaska roaded area, and Southeast Alaska were excluded from the eligible subsistence harvest areas.

Based on petitions requesting inclusion in the harvest, in 2004, we added 13 additional communities based on criteria set forth in § 92.5(c). These communities were Gulkana, Gakona, Tazlina, Copper Center, Mentasta Lake, Chitina, Chistochina, Tatitlek, Chenega, Port Graham, Nanwalek, Tyonek, and Hoonah, with a combined population of 2,766. In 2005, we added three additional communities for glaucous-winged gull egg gathering only, based on petitions requesting inclusion. These southeastern communities were Craig, Hydaburg, and Yakutat, with a combined population of 2,459.

In 2007, we have enacted the Alaska Department of Fish and Game's (ADF&G) request to expand the Fairbanks North Star Borough excluded area to include the Central Interior area. This excluded the following communities from participation in this harvest: Big Delta/Fort Greely, Healy, McKinley Park/Village and Ferry, with a combined population of 2,812. These removed communities reduced the percentage of the State population included in the subsistence harvest to 13 percent.

Subsistence harvest has been monitored for the past 15 years through the use of annual household surveys in the most heavily used subsistence harvest areas, e.g., Yukon/Kuskokwim Delta. Continuation of this monitoring enables tracking of any major changes or trends in levels of harvest and user participation after legalization of the harvest. The Office of Management and Budget (OMB) has approved the information collection and assigned OMB control number 1018-0124, which expires on January 31, 2010.

#### **What Birds Will Be Open To Harvest in 2008?**

At the request of the North Slope Borough Fish and Game Management Committee, the Co-management Council recommended continuing into 2008 the provisions originally established in 2005 to allow subsistence use of yellow-billed loons inadvertently caught in subsistence fishing (gill) nets on the North Slope. Yellow-billed loons are culturally important for the Inupiat Eskimo of the North Slope for use in traditional dance regalia. A maximum of 20 yellow-billed loons may be caught in 2008 pursuant to this provision. Individual reporting to the North Slope Borough Department of Wildlife is required by the end of each season. In