

4. Consultations—The Department of State will engage in ongoing consultations with harvesting nations. The Department recognizes that, as turtle protection programs develop, additional information will be gained about the interaction between turtle populations and shrimp fisheries. These Guidelines may be revised in the future to take into consideration that and other information, as well as to take into account changes in the U.S. program.

In addition, the Department seeks public comment on the best ways to implement both these guidelines and Section 609 as a whole and may revise these guidelines in the future accordingly.

### III. Related Determination

Any harvesting nation that is not certified on May 1 of any year may be certified prior to the following May 1 at such time as the harvesting nation meets the criteria necessary for certification. Conversely, any harvesting nation that is certified on May 1 of any year may have its certification revoked prior to the following May 1 at such time as the harvesting nation no longer meets those criteria.

As a matter relating to the foreign affairs function, these guidelines are exempt from the notice, comment, and delayed effectiveness provisions of the Administrative Procedures Act. This action is exempt from Executive Order 12866, and is not subject to the requirements of the Regulatory Flexibility Act.

Dated: August 18, 1998.

**Stuart E. Eizenstat,**

*Under Secretary for Economic, Business and Agricultural Affairs.*

[FR Doc. 98-23121 Filed 8-27-98; 8:45 am]

BILLING CODE 4710-09-M

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[FTA Docket No. 98-4360]

#### Notice of Request for the Extension of Currently Approved Information Collection

**AGENCY:** Federal Transit Administration, DOT.

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Federal Transit Administration (FTA) to request the Office of Management and Budget (OMB) to extend the following currently approved information collection:

49 U.S.C. 5335(a) and (b) National Transit Database.

**DATES:** Comments must be submitted before October 27, 1998.

**ADDRESSES:** All written comments must refer to the docket number that appears at the top of this document and be submitted to the United States Department of Transportation, Central Dockets Office, PL-401, 400 Seventh Street, S.W., Washington, D.C. 20590. All comments received will be available for examination at the above address from 10:00 a.m. to 5:00 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard/envelope.

#### FOR FURTHER INFORMATION CONTACT:

Donna Albritton, Office of Program Management (202) 366-0203.

**SUPPLEMENTARY INFORMATION:** Interested parties are invited to send comments regarding any aspect of this information collection, including: (1) the necessity and utility of the information collection for the proper performance of the functions of the FTA; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the collected information; and (4) ways to minimize the collection burden without reducing the quality of the collected information. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection.

**Title:** 49 U.S.C. Section 5335(a) and (b) (OMB Number: 2132-0544)

**Background:** 49 U.S.C. Section 5335(a) and (b) require the Secretary of Transportation to maintain a reporting system by uniform categories to accumulate mass transportation financial and operating information and a uniform system of accounts and records. Federal, state, and local governments, transit agencies/boards, labor unions, manufacturers, researchers, consultants and universities use the National Transit Database for making transit related decisions. State and local governments also use the National Transit Database in allocating funds under 49 U.S.C. Section 5307. National Transit Database information is essential for understanding cost, ridership and other national performance trends, including transit's share of urban travel. It would be difficult to determine the future structure of FTA programs, to set policy, and to make funding and other decisions relating to the efficiency and effectiveness of the Nation's transit

operations without the National Transit Database.

**Respondents:** State and local government, business or other for-profit institutions, non-profit institutions, and small business organizations.

**Estimated Annual Burden on Respondents:** 420 hours for each of the 567 respondents.

**Estimated Total Annual Burden:** 238,140 hours.

**Frequency:** Annual.

Issued: August 25, 1998.

**Nuria I. Fernandez,**

*Deputy Administrator.*

[FR Doc. 98-23243 Filed 8-27-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

Docket No. NHTSA 98-4357; Notice 1

#### Aprilia, SpA, Receipt of Application for Temporary Exemption From Federal Motor Vehicle Safety Standard No. 123

Aprilia SpA of Noale, Italy, has applied for a temporary exemption for calendar years 1999 and 2000 from a requirement of S5.2.1 (Table 1) of Federal Motor Vehicle Safety Standard No. 123 *Motorcycle Controls and Displays*. The basis of the request is that "compliance with the standard would prevent the manufacturer from selling a motor vehicle with an overall level of safety at least equal to the overall safety level of nonexempt vehicles," 49 U.S.C. Sec. 30113(b)(3)(iv).

This notice of receipt of an application is published in accordance with the requirements of 49 U.S.C. 30113(b)(2) and does not represent any judgment of the agency on the merits of the application.

If a motorcycle is produced with rear wheel brakes, S5.2.1 of Standard No. 123 requires that the brakes be operable through the right foot control, though the left handlebar is permissible for motor driven cycles (Item 11, Table 1). Aprilia would like to use the left handlebar as the control for the rear brakes of its Leonardo 150 motorcycle, whose 150 cc engine produces more than the 5 hp maximum that separates motor driven cycles from motorcycles. The Aprilia can attain speeds up to 106 km/h (65.7 mph). The frame of the Leonardo "has not been designed to mount a right foot operated brake pedal, which is a sensitive pressure point able to apply considerable stress to the frame, causing failure due to fatigue \* \* \*" Aprilia "intends to begin sales

into the United States for market testing purposes during the 1999 sales year and would like to present a model line including the Leonardo 150 motorcycle." Absent an exemption, it would be unable to do so because the vehicle would not fully comply with Standard No. 123. It has requested an exemption for calendar years 1999 and 2000.

Aprilia argues that the overall level of safety of the Leonardo 150 equals or exceeds that of a non-exempted motor vehicle for the following reasons. The Leonardo 150 is equipped with an automatic transmission. As there is no foot operated gear change, "the operation and use of a motorcycle with an automatic transmission is similar to the operation and use of a bicycle." Thus, the Leonardo 150 can be operated without requiring special training or practice. In response to NHTSA's justification for standardization of motorcycle controls, Aprilia argues that "any driver will not hesitate when confronted with an emergency" because "the use of a left hand lever for the rear brake is highly 'intuitive' and easy to use \* \* \*."

Admitting that "the human foot can apply much more force than can the hand," Aprilia believes that "with the modern hydraulically activated disc brakes used on the Leonardo 150, more than enough brake actuation force is available from the hand of even the smallest rider." Further, "it takes much longer for the rider's foot to be placed over the pedal, and the foot force applied, than it does for the rider to reach and squeeze the hand lever." Aprilia argues that "reducing this 'latency time' to a minimum, especially for inexperienced riders, has obvious safety benefits." Finally, the hand lever reduces the possibility of loss of control because of rear wheel locking in an emergency braking situation because of "the increased sensitivity to brake feedback with the hand lever."

Aprilia points out that European regulations allow motorcycle manufacturers the option of choosing rear brake application through either a right foot or left handlebar control, and that Australia permits the optional locations for motorcycles of any size with automatic transmissions.

An exemption would be consistent with objectives of motor vehicle safety, Aprilia argues, because it believes that its disc brake system provides "better resistance to fade and better performance under wet conditions." The design of the vehicle "has been tested by long use in Europe and the rest of the world" without safety concerns being raised. An exemption would be in

the public interest because the emissions "of the small engines have been demonstrated to be lower than alternative means of transportation such as large motorcycles or automobiles." The introduction of "this type of motor vehicle will provide the American consumer with a broader range of choice of low-cost transportation."

Interested persons are invited to submit comments on the application described above. Comments should refer to the docket number and the notice number, and be submitted to: Docket Management, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered, and will be available for examination in the docket at the above address both before and after that date. The Docket Room is open from 10:00 a.m. until 5:00 p.m. To the extent possible, comments filed after the closing date will also be considered.

Notice of final action on the application will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: September 28, 1998.

(49 U.S.C. 30113; delegations of authority at 49 CFR 1.50. and 501.8)

Issued on August 25, 1998.

**L. Robert Shelton,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 98-23241 Filed 8-27-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. MC-F-20927]

**Coach USA, Inc.—Control—Chenango Valley Bus Lines, Inc.; Colonial Coach Corp.; GL Bus Lines, Inc.; Gray Line Air Shuttle, Inc.; Gray Line New York Tours, Inc.; Hudson Transit Corporation; Hudson Transit Lines, Inc.; and International Bus Services, Inc.**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice Tentatively Approving Finance Transaction.

**SUMMARY:** Coach USA, Inc. (Coach), a noncarrier that controls several motor passenger carriers, filed an application under 49 U.S.C. 14303 for control of Chenango Valley Bus Lines, Inc. (Chenango), Colonial Coach Corp. (Colonial), GL Bus Lines, Inc. (GL), Gray

Line Air Shuttle, Inc. (GL Air), Gray Line New York Tours, Inc. (GLNY), Hudson Transit Corporation (HTC), Hudson Transit Lines, Inc. (HTL), and International Bus Services, Inc. (IBS), all motor passenger carriers related to one another through largely common ownership. Persons wishing to oppose the application must follow the rules under 49 CFR part 1182, subparts B and C. The Board has tentatively approved the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action.

**DATES:** Comments must be filed by October 13, 1998. Applicant may file a reply by November 2, 1998. If no comments are filed by October 13, 1998, this notice is effective on that date.

**ADDRESSES:** Send an original and 10 copies of comments referring to STB Docket No. MC-F-20927 to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, send one copy of comments to applicant's representatives: Betty Jo Christian and David H. Coburn, Steptoe & Johnson LLP, 1330 Connecticut Avenue, N.W., Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 565-1600. [TDD for the hearing impaired: (202) 565-1695.]

**SUPPLEMENTARY INFORMATION:** Coach currently controls several motor passenger carriers.<sup>1</sup> In this transaction, it seeks to acquire control of Chenango;<sup>2</sup>

<sup>1</sup> The Board recently issued a notice tentatively granting Coach authority to control nine additional motor carriers of passengers. *Coach USA, Inc.—Control—Blue Bird Coach Lines, Inc. et al.*, STB Docket No. MC-F-20921 (STB served June 19, 1998). Because no adverse comments were filed, the notice became the final action of the Board. In addition, the Board more recently issued notices tentatively granting Coach authority to control two motor passenger carriers, *Coach USA, Inc.—Control—Kansas City Executive Coach, Inc. and Le Bus, Inc.*, STB Docket No. MC-F-20923 (STB served July 24, 1998); and to control five motor passenger carriers, *Coach USA, Inc.—Control—Brunswick Transportation Company d/b/a The Maine Line, et al.* STB Docket No. MC-F-20926 (STB served Aug. 14, 1998). Finally, Coach has recently filed an application with the Board to continue in control of a motor passenger carrier, *Coach USA, Inc.—Continuance in Control—Salt Lake Coaches, Inc.*, STB Docket No. MC-F-20928 (filed Aug. 3, 1998).

<sup>2</sup> Chenango is a New York corporation. It holds federally issued operating authority in Docket No. MC-141324, as well as authority from the New York State Department of Transportation (NYDOT). Chenango utilizes a fleet of approximately 14 motorcoaches and employs 47 full and part time employees. Chenango's gross revenue for fiscal year 1997 was approximately \$2.2 million. Chenango is owned in full by noncarrier Limousine Rental Service, Inc. (Limousine). A majority of the shares of Limousine are owned by Mr. Barnett Rukin. Limousine also wholly owns GL.