

present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC, on March 6, 2002.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. 02-5802 Filed 3-11-02; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[DOCKET NO. MARAD-11788]

#### Information Collection Available for Public Comments and Recommendations

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Maritime Administration's (MARAD's) intentions to request extension of approval for three years of a currently approved information collection.

**DATES:** Comments should be submitted on or before May 13, 2002.

**ADDRESSES:** Comments should refer to the docket number that appears at the top of this document. Written comments may be submitted to the Docket Clerk, U.S. DOT Dockets, Room PL-401, 400 Seventh Street, SW, Washington, D.C. 20590. Comments may also be submitted by electronic means via the Internet at <http://dmses.dot.gov/submit>. Specifically address whether this information collection is necessary for proper performance of the functions of the agency and will have practical utility, accuracy of the burden estimates, ways to minimize this burden, and ways to enhance the quality, utility, and clarity of the information to be collected. All comments received will be available for examination at the above address between 10 a.m. and 5 p.m. ET, Monday through Friday, except Federal Holidays. An electronic version of this document is available on the World Wide Web at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Rita Jackson, Maritime Administration, MAR-250, 400 Seventh St., SW., Washington, D.C. 20590. Telephone: 202-366-0284; FAX 202-493-2288, or e-mail: [rita.jackson@marad.dot.gov](mailto:rita.jackson@marad.dot.gov).

Copies of this collection can also be obtained from that office.

#### SUPPLEMENTARY INFORMATION:

*Title of Collection:* Application for Admission to the U.S. Merchant Marine Academy.

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

*OMB Control Number:* 2133-0010.

*Form Numbers:* KP-2-65

*Expiration Date of Approval:* October 31, 2002.

*Summary of Collection of Information:* The collection consists of Parts I, II, and III of Form KP 2-65 (U.S. Merchant Marine Academy Application for Admission.) Part I of the form is completed by individuals wishing to be admitted as students to the U.S. Merchant Marine Academy.

*Need and Use of the Information:* The information is necessary to select the best qualified candidates for the U.S. Merchant Marine Academy.

*Description of Respondents:* Individuals desiring to become students at the U.S. Merchant Marine Academy.

*Annual Responses:* 2,500

*Annual Burden:* 12,500 hours

Dated: March 7, 2002.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 02-5910 Filed 3-11-02; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2001-10944; Notice 2]

#### Advanced Bus Industries, Grant of Application for Decision That Noncompliance Is Inconsequential to Motor Vehicle Safety

Advanced Bus Industries, LLC, (ABI) of Marysville, Ohio, has determined that approximately 68 Mauck Special Vehicles (MSV) with tag axles, manufactured between May 31, 1995 and February 2, 2000, do not meet the requirements of paragraph S5.1 of Federal Motor Vehicle Safety Standard (FMVSS) No. 105, "Hydraulic and Electric Brake Systems." Pursuant to 49 U.S.C. 30118(d) and 30120(h), ABI petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and filed an appropriate report pursuant to 49 CFR Section 573, "Defect and Noncompliance Reports."

Notice of receipt of the application was published on November 14, 2001, with a 30-day comment period (66 FR 57151). NHTSA received no comments on this application.

ABI is the original equipment manufacturer of the MSV. ABI manufactures the MSV as a complete bus, which is then purchased by city transit organizations, or as a shell, which is purchased by up-fitters that customize and sell it to a first purchaser.

The four-wheel independent suspension of the MSV is augmented by a tag axle with small wheels. The tag axle is manufactured by Dexter, has a maximum support capacity of 3,500 pounds, and is installed behind the MSV's two rear wheels. A supporting force of 1,500 pounds is provided by the tag axle via the air pressure inside the two air-filled rubber springs mounted between the tag axle and the MSV chassis.

Vehicle braking is provided by the hydraulic, caliper-disc service brakes on the four main wheels. The two small wheels of the tag axle are not fitted with brakes. The lack of brakes on the two small wheels of the tag axle does not satisfy paragraph S5.1 of FMVSS 105, which states that a vehicle must have service brakes at all wheels.

ABI argued that the noncompliance is inconsequential to motor vehicle safety because these vehicles exceed the current FMVSS No. 105 braking performance requirements. To support this claim ABI submitted, along with its petition for inconsequential non-compliance, a test report compiled in August 1999. The test facility that produced the report, Radlinski & Associates, tested a MSV to the procedures specified in FMVSS No. 105 and a complete Certification Test Report was generated. The FMVSS No. 105 Certification Test Report indicates that the MSV exceeded all FMVSS No. 105 performance requirements.

The agency believes that the true measure of inconsequentiality in this case is the effect of the noncompliance on the vehicle's ability to meet the stopping distance and vehicle stability performance requirements of FMVSS No. 105. The report of the testing conducted by Radlinski & Associates in August 1999 indicates that the brake system of the MSV complies with the fully functional and partially failed brake system requirements of FMVSS No. 105.

On February 8, 2000, the National Highway Traffic Safety Administration (NHTSA) granted ABI a temporary exemption from the requirement in FMVSS No. 105, paragraph S5.1, for service brakes at all wheels. The temporary exemption expired on January 1, 2002. Based on information supplied to the agency by ABI, including the report of brake testing according to FMVSS No. 105 procedures

by Radlinski & Associates, NHTSA Temporary Exemption No. 2000-1 was granted in order to allow the sale of mass transit vehicles that serve the public interest. It is our understanding that ABI no longer produces the MSV with the tag axles.

In consideration of the foregoing, NHTSA has decided that the burden of persuasion has been met and that the noncompliance is inconsequential to motor vehicle safety. Accordingly, the application from ABI is granted and the applicant is exempted from providing the notification of the noncompliance that would be required by 49 U.S.C. 30118, and from remedying the noncompliance, as would be required by 49 U.S.C. 30120.

(Authority: 49 U.S.C. 301118, 301120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: March 5, 2002.

**Stephen R. Kratzke,**  
*Associate Administrator for Safety  
Performance Standards.*

[FR Doc. 02-5799 Filed 3-11-02; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2002-11443; Notice 01]

RIN 2127-AI73

### 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) 2000, including theft rates for existing passenger motor vehicle lines manufactured in model year (MY) 2000. The theft data preliminarily indicate that the vehicle theft rate for CY/MY 2000 vehicles (2.89 thefts per thousand vehicles) did not change from the theft rate for CY/MY 1999 vehicles (2.89 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 May 13, 2002.

**ADDRESSES:** All comments should refer to the docket number and notice

number cited in the heading of this document and be submitted, preferably with two copies to: U.S. Department of Transportation, Dockets, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. Docket hours are from 10 a.m. to 5 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Ms. Rosalind Proctor, Office of Planning and Consumer Programs, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Ms. Proctor's telephone number is (202) 366-0846. Her fax number is (202) 493-2290.

**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 section 33104(b)(4) mandate, this document reports the preliminary theft data for CY 2000, the most recent calendar year for which data are available.

In calculating the 2000 theft rates, NHTSA followed the same procedures it used in calculating the MY 1999 theft rates. (For 1999 theft data calculations, see 66 FR 39554, July 31, 2001). 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 2000 theft rate for each vehicle line was calculated by dividing the number of reported thefts of MY 2000 vehicles of that line stolen during calendar year 2000, by the total number of vehicles in that line manufactured for MY 2000, as reported by manufacturers to the Environmental Protection Agency.

The preliminary 2000 theft data show no change in the vehicle theft rate when compared to the theft rate experienced in CY/MY 1999. The preliminary theft

rate for MY 2000 passenger vehicles stolen in calendar year 2000 of 2.89 thefts per thousand vehicles produced, did not change from the rate of 2.89 thefts per thousand vehicles experienced by MY 1999 vehicles in CY 1999. For MY 2000 vehicles, out of a total of 206 vehicle lines, 51 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 51 vehicle lines with a theft rate higher than 3.5826, 45 are passenger car lines, six are multipurpose passenger vehicle lines, and none are light-duty truck lines.

In Table I, NHTSA has tentatively ranked each of the MY 2000 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 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