

## National Highway Traffic Safety Administration

**Title:** Part 585—Advanced Air Bag Phase-In Reporting Requirement.

**OMB Number:** 2127–0599.

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

**Abstract:** 49 U.S.C. 30111, 30112, and 30117 authorize the issuance of Federal Motor Vehicle Safety Standards (FMVSS) and the collection of data, which support their implementation. Using this authority, the agency issued a modification to FMVSS 208, Occupant Crash Protection, to require advanced air bags in accordance with the Transportation Equity Act of the 21st Century (TEA 21), which was enacted by the United States Congress in 1998.

A two-stage phase-in is included in FMVSS 208 to allow for the introduction of advanced air bags. Manufacturers must equip a certain percentage of their new vehicle fleets with advanced air bags and report their production to NHTSA. Each report will contain, in addition to the identity, addresses, etc., several numerical items of information. The information includes, but is not limited to, the following items.

Total number of vehicles manufactured for sale during the preceding production year; and total number of vehicles manufactured during the production year that are in compliance with the regulatory requirements.

**Affected Public:** Business of other for profit organizations.

**Estimated Total Annual Burden:** 1,260

**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 in Washington, DC, on January 18, 2002.

**Delmas Johnson,**

*Associate Administrator for Administration.*

[FR Doc. 02–2040 Filed 1–25–02; 8:45 am]

**BILLING CODE 4910–59–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34163]

#### Martin Marietta Materials, Inc.— Continuance in Control Exemption— Fredonia Valley Railroad, Inc.

Martin Marietta Materials, Inc. (MMM), a noncarrier, has filed a verified notice of exemption to continue in control of Fredonia Valley Railroad, Inc. (FVRR) upon FVRR's becoming a rail carrier. MMM previously controlled Alamo Gulf Coast Railroad Company (AGCRC).<sup>1</sup> FVRR owns and operates approximately 9.65 miles of railroad line between milepost 87.60 near Fredonia and milepost 97.25 near Princeton in Caldwell County, KY; and AGCRC leases and operates a rail line from milepost 252 to milepost 257, near Beckmann Station, in Bexar County, TX.

FVRR became a carrier on or about December 17, 1998. Due to an apparent oversight, MMM did not file its verified notice of exemption with the Board until December 28, 2001. Thus, the effective date of the exemption is January 4, 2002 (7 days after the exemption was filed).<sup>2</sup>

MMM states that: (i) the railroads do not connect with each other or any railroad in their corporate family; (ii) the continuance in control is not part of a series of anticipated transactions that would connect the two railroads with each other or any railroad in their corporate family; and (iii) the transaction does not involve a Class I carrier. 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

<sup>1</sup> See *Fredonia Valley Railroad, Inc.—Acquisition and Operation Exemption—in Caldwell County, KY*, STB Finance Docket No. 33695 (STB served Jan. 6, 1999); and *Alamo Gulf Coast Railroad Company—Lease and Operation Exemption—Certain Lines of Southern Pacific Transportation Company*, Finance Docket No. 32855 (STB served Jan. 26, 1996).

<sup>2</sup> The class exemption invoked by MMM does not provide for retroactive effectiveness.

11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the 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.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34163, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Fritz R. Kahn, P.C., 1920 N Street, N.W. 8th Floor, Washington, DC 20036–1601.

Board decisions and notices are available on our website at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: January 22, 2002.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 02–2036 Filed 1–25–02; 8:45 am]

**BILLING CODE 4915–00–P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Form 3115

**AGENCY:** Internal Revenue Service (IRS), Treasury.

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

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 3115, Application for Change in Accounting Method.

**DATES:** Written comments should be received on or before March 29, 2002 to be assured of consideration.

**ADDRESSES:** Direct all written comments to George Freeland, Internal Revenue Service, room 5575, 1111 Constitution Avenue NW., Washington, DC 20224.