

of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

US SPECS of Aberdeen, Maryland (Registered Importer 03-321) has petitioned NHTSA to decide whether 2003-2004 CFMOTO CF125T-2 motorcycles that were not originally manufactured to conform to all applicable Federal motor vehicle safety standards are eligible for importation into the United States. U.S. SPECS contends that these vehicles are eligible for importation under 49 U.S.C. 30141(a)(1)(B) because they have safety features that comply with, or are capable of being altered to comply with, all applicable Federal motor vehicle safety standards.

Specifically, the petitioner claims that 2003-2004 CFMOTO CF125T-2 motorcycles have safety features that comply with Standard Nos. 111 *Rearview Mirrors*, 119 *New Pneumatic Tires for Vehicles other than Passenger Cars*, and 122 *Motorcycle Brake Systems*.

The petitioner claims that the vehicles are assigned vehicle identification numbers that conform to the requirements of 49 CFR part 565.

The petitioner also contends that the vehicles are capable of being altered to meet the following standards, in the manner indicated below:

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: (a) Installation of a DOT compliant headlamp system assembly; (b) installation of red rear side reflectors and amber front side reflectors that conform to the requirements of the standard. The petitioner states that the vehicles are already equipped with a tail lamp system, a stop lamp system, a white license plate lamp, a red rear

reflector, and front and rear turn signals that conform to the requirements of the standard.

Standard No. 120 *Tire Selection and Rims for Vehicles other than Passenger Cars*: Installation of a tire information placard.

Standard No. 123 *Motorcycle Controls and Displays*: (a) Inscription of the appropriate symbol on the supplemental stop engine control mounted on the right handlebar; (b) modification of the speedometer to read in miles per hour. The petitioner states that other controls and displays on the vehicles conform to the requirements of the standard.

Comments should refer to the docket 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 closing date indicated above 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. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

**Authority:** 49 U.S.C. 30141(a)(1)(B) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: January 23, 2004.

**Kenneth N. Weinstein,**

*Associate Administrator for Enforcement.*

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### Office of Hazardous Materials Safety, Notice of Application for Exemptions

**AGENCY:** Research and Special Programs Administration, DOT.

**ACTION:** List of applications for exemption.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Material Regulations (49 CFR part 107, subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular exemption is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

**DATES:** Comments must be received on or before March 1, 2004.

**ADDRESS COMMENTS TO:** Record Center, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If Confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the exemption number.

**FOR FURTHER INFORMATION:** Copies of the applications are available for inspection in the Records Center, Nassif Building, 400 7th Street, SW., Washington, DC, or at <http://dms.dot.gov>.

This notice of receipt of applications for modification of exemption is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on January 22, 2004.

**R. Ryan Poston,**

*Exemptions Program Officer, Office of Hazardous Materials Exemptions & Approvals.*

## NEW EXEMPTION

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of exemption thereof
13346-N .....	.....	Stand-By-Systems, Inc., Dallas, TX.	49 CFR 171.8 .....	To authorize the transportation in commerce of a specially designed medical oxygen device to be classed and described as "sodium chlorate", Division 5.1, limited quantity, in lieu of an oxygen generator. (Modes 1, 2, 3).
13356-N .....	.....	Bayshore Vinyl Compounds Inc., Tennent, NJ.	49 CFR 174.67(j)&(i) .....	To authorize rail cars without adapter fittings to be used for transporting Class 9 hazardous materials. (Mode 2).

## NEW EXEMPTION—Continued

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of exemption thereof
13359-N .....	.....	BASF Corporation, Mt. Olive, NJ.	49 CFR 173.302(a) .....	To authorize the transportation in commerce of boron trifluoride, a non-liquefied, Division 2.3 (Hazard Zone B) gas in a non-DOT specification spherical pressure vessel. (Modes 1, 2, 3).
13360-N .....	.....	The Dezac Group Ltd., Cheltenham, Gloucestershire, UK.	49 CFR 173.306 .....	To authorize the transportation in commerce of an aerosol-style container containing only a non-flammable, liquefied compressed gas to be transported as a limited quantity and/or ORM-D Consumer Commodity. (Modes 1, 2, 3, 4).
13361-N .....	.....	Fireboy-xintex, Inc., Grand Rapids, MI.	49 CFR 173.309(a)(3)(i) .....	To authorize the transportation in commerce of non-DOT specification cylinders charged up to 240 psi for use in transporting liquefied compressed gas. (Modes 1, 2, 3, 4, 5).

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## DEPARTMENT OF TRANSPORTATION

## Research and Special Programs Administration

Office of Hazardous Materials Safety  
Notice of Applications for Modification of Exemption

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List applications for modification of exemption.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Material Regulations (49 CFR part 107, subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the

application described herein. This notice is abbreviated to expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier **Federal Register** publications, they are not repeated here. Request of modifications of exemptions (e.g., to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) are described in footnotes to the application number. Application numbers with the suffix "M" denote a modification request. These applications have been separated from the new application for exemption to facilitate processing.

**DATES:** Comments must be received on or before February 13, 2004.

**ADDRESS COMMENTS TO:** Record Center, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If Confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the exemption number.

**FOR FURTHER INFORMATION CONTACT:**

Copies of the applications are available for inspection in the Records Center, Nassif Building, 400 7th Street, SW., Washington, DC, or at <http://dms.dot.gov>.

This notice of receipt of applications for modification of exemption is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on January 23, 2004.

**R. Ryan Posten,**

*Exemptions Program Officer, Office of Hazardous Materials Exemptions & Approvals.*

## MODIFICATION EXEMPTIONS

Application No.	Docket No.	Applicant	Nature of exemption thereof
7774-M .....		Pipe Recovery Systems, Inc., Houston, TX.	To modify the exemption to authorize the maximum filling density be such that the liquid content must not completely fill the non-DOT specification cylinder at 54 degrees C.
8215-M .....		Olin Corporation, Brass and Winchester, Inc., East Alton, IL.	To modify the exemption to authorize the addition of a Division 1.1D material and for Division 1.1A and 1.1D materials to be transported in a newly designed motor vehicle (trailer).
12674-M .....	RSPA-01-9373	G & S Aviation, Donnelly, ID .....	To modify the exemption to authorize an increase of the maximum amount of Division 2.1 material from 60 pounds to 80 pounds net product aboard each passenger-carrying aircraft.
12782-M .....	RSPA-01-10318	Air Liquide America L.P., Houston, TX.	To modify the exemption to authorize the transportation of certain Division 2.2 and 2.3 materials in DOT Specification cylinders equipped with plastic valve protection caps.
13047-M .....	RSPA-02-12807	U.S. Department of Defense, Fort Eustis, VA.	To modify the exemption to authorize cargo vessel as an additional mode of transportation for transporting Division 2.3 materials in DOT Specification cylinders or multi-unit tank car tanks equipped with emergency A and B kits.
13335-M .....	RSPA-03-16578	D & D Proves It Inc., Salina, KS ....	To reissue the exemption originally issued on an emergency basis for the transportation of liquefied petroleum gas residue vapors in non-DOT specification packaging.