

The regulations at 49 CFR part 381 establish the procedures to be followed to apply for exemptions from the FMCSRs, and the provisions used to process them.

The FMCSA must publish a notice in the **Federal Register** for each exemption requested, explain the request that has been filed; provide the public with an opportunity to inspect the safety analysis and any other relevant information known to the agency; and request public comment on the exemption. When granting a request for an exemption, the agency must publish a notice in the **Federal Register** identifying the person or class of persons who will receive the exemption, the provisions from which the person will be exempt, the effective period and all terms and conditions of the exemption. The terms and conditions established by the FMCSA must ensure that the exemption will likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved by complying with the regulation.

#### **Weirton's Application for an Exemption**

Weirton submitted a request for exemptions from all the safety requirements of Subchapter B of Chapter III, Title 49 of the Code of Federal Regulations, commonly referred to as the FMCSRs. A copy of the application is in the docket listed in the heading of this notice.

According to the application, Weirton's 44 drivers transport steel coils between the company's mill and its warehouse. The maximum distance the coils are transported is approximately 6 miles. From the warehouse, an outside carrier transports the coils to the customers.

Furthermore, Weirton asserts that its drivers travel primarily under "urban" conditions with traffic lights at almost every corner. The terrain is flat and the posted speed limit is 25 mph. In addition, the drivers work an 8-hour shift with an average of 3 hours of driving time during the shift. The company has operated in the city of Weirton since 1909. The application indicates that no company official or union official is aware of any fatigue-related accidents involving the company's drivers.

Weirton believes that in order to comply with Federal safety regulations, the company must hire more drivers. The company requests the exemption because its safety management controls and safety performance suggest that the Federal safety regulations are not necessary for their operations. Weirton believes it is capable of achieving an

equivalent or greater level of safety through its management practices.

#### **Request for Comments**

In accordance with 49 U.S.C. 31315(b)(4) and 31136(e), FMCSA requests public comment from all interested parties on Weirton's application for an exemption from all of the safety requirements of Subchapter B to Chapter III, title 49 of the CFR. The agency may grant or deny the application based on the comments received, and any other relevant information that is available to the agency.

Issued on: December 20, 2002.

**Annette M. Sandberg,**

*Deputy Director.*

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### **DEPARTMENT OF TRANSPORTATION**

#### **National Highway Traffic Safety Administration**

[Docket No. NHTSA 2001-10773]

#### **Reports, Forms and Record Keeping Requirements Agency Information Collection Activity Under OMB Review**

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collections and their expected burden. The **Federal Register** Notice with a 60-day comment period was published on August 9, 2002 [Vol. 67 FR 51925].

**DATES:** Comments must be submitted on or before January 27, 2003.

**FOR FURTHER INFORMATION CONTACT:** George Person at the National Highway Traffic Safety Administration, Office of Defects Investigation, 202-366-5210, 400 Seventh Street, SW., Room 5326, Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** *Agency:* National Highway Traffic Safety Administration.

*Title:* Reporting of Information About Foreign Safety Recalls and Campaigns Related to Potential Defects.

*OMB Number:* 2127-NEW.

*Type of Request:* New Collection.

*Abstract:* On October 11, 2001, NHTSA published a Final Rule (67 FR

63295) implementing section 3(a) of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act, Pub. L. 106-414, which requires a manufacturer of motor vehicles or motor vehicle equipment to report to NHTSA whenever it decides to conduct a safety recall or other safety campaign in a foreign country, or has been directed to do so by a foreign government, covering vehicles or equipment that are identical or substantially similar to vehicles or equipment sold or offered for sale in the United States. The obligation to report this information was effective on the day that the TREAD Act was signed into law, November 1, 2000. Since that date, NHTSA has, in fact, received some notifications of foreign safety campaigns being conducted.

**Affected Public:** The TREAD Act requires all manufacturers of motor vehicles and motor vehicle equipment who sell vehicles or equipment in the United States, and who also sell or plan to sell vehicles outside the United States, to comply with these reporting requirements. We estimate that there are a total of 23,500 manufacturers who sell vehicles or equipment in the United States. Of these, we estimate that fewer than 70 vehicle manufacturers will need to comply with the reporting requirements.

**Estimated Total Annual Burden:** The annual burden is estimated to be 2,060 hours.

**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 Agency, including whether the information will have practical utility; the accuracy of the Agency'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.

**Kenneth N. Weinstein,**

*Associate Administrator for Enforcement.*

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