

574, and part 575. With regard to the tire construction labeling requirements of FMVSS 109, S4.3, paragraphs (d) and (e), most commenters indicated that the information was of little or no safety value to consumers. However, according to the comments, when tires are processed for retreading or repairing, it is important for the retreader or repair technician to understand the make-up of the tires and the types of plies. This enables them to select the proper repair materials or procedures for retreading or repairing the tires. A steel cord radial tire can experience a circumferential or "zipper" rupture in the upper sidewall when it is operated underinflated or overloaded. If information regarding the number of plies and cord material is removed from the sidewall, technicians cannot determine if the tire has a steel cord sidewall ply. As a result, many light truck tires will be inflated outside a restraining device or safety cage where they represent a substantial threat to the technician. This information is critical when determining if the tire is a candidate for a zipper rupture. In this case, since the steel cord construction is properly identified on the sidewall, the technician will have sufficient notice.

In addition, the agency conducted a series of focus groups, as required by the TREAD Act, to examine consumer perceptions and understanding of tire labeling. Few of the focus group participants had knowledge of tire labeling beyond the tire brand name, tire size, and tire pressure.

Based on the information obtained from comments to the ANPRM and the consumer focus groups, we have concluded that it is unlikely that the majority of consumers have been influenced by the tire construction information (number of plies and cord material in the sidewall and tread plies) provided on the tire label when deciding to buy a motor vehicle or tire.

The agency believes that the true measure of inconsequentiality to motor vehicle safety in this case is the effect of the noncompliance on the operational safety of vehicles on which these tires are mounted. This labeling noncompliance has no effect on the performance of the subject tires.

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

Issued on: May 23, 2003.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. 03-13539 Filed 5-29-03; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### International Standards on the Transport of Dangerous Goods; Public Meetings

**AGENCY:** Research and Special Programs Administration (RSPA), Department of Transportation.

**ACTION:** Notice of public meetings.

**SUMMARY:** This notice is to advise interested persons that RSPA will conduct public meetings in preparation for and to report the results of the 23rd session of the United Nations' Sub-Committee of Experts on the Transport of Dangerous Goods (UNSCOE) to be held June 30–July 4, 2003 in Geneva, Switzerland.

**DATES:** June 18, 2003, 9:30 a.m.–12:30 p.m., Room 3200–3204; July 16, 2003, 9:30 a.m.–12:30 p.m., Room 3200–3204.

**ADDRESSES:** Both meetings will be held at DOT Headquarters, Nassif Building, 400 Seventh Street SW., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bob Richard, International Standards Coordinator, or Mr. Duane Pfund, Assistant International Standards Coordinator, Office of Hazardous Materials Safety, Department of Transportation, Washington, DC 20590; (202) 366-0656.

**SUPPLEMENTARY INFORMATION:** The primary purpose of the first meeting will be to prepare for the 23rd session of the UNSCOE and to discuss draft U.S. positions on UNSCOE proposals. The primary purpose of the second meeting will be to provide a briefing on the outcome of the UNSCOE session and to prepare for the 24th session of the UNSCOE. Topics to be covered during the public meetings include: (1) Harmonization of the Recommendations on the Transport of Dangerous Goods with the Globally Harmonized System of Classification and Labeling of Chemicals, (2) Hazards to the aquatic environment, (3) Procedures for incident reporting, (4) Evaluation of the United Nations packaging requirements, (5) Transport of Dangerous Goods in limited quantities and consumer commodities, (6) Miscellaneous proposals related to listing and

classification and the use of packagings and tanks. The public is invited to attend without prior notification. Due to the heightened security measures participants are encouraged to arrive early to allow time for security checks necessary to obtain access to the building.

### Documents

Copies of documents for the UNSCOE meeting and the meeting agenda may be obtained by downloading them from the United Nations Transport Division's Web site at: <http://www.unece.org/trans/main/dgdb/dgsubc/c32002.html>. This site may also be accessed through RSPA's Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/intstandards.htm>. RSPA's site provides additional information regarding the UNSCOE and related matters such as a summary of decisions taken at the 22nd session of the UNSCOE.

**Frits Wybenga,**

*Deputy Associate Administrator for Hazardous Materials Safety.*

[FR Doc. 03-13491 Filed 5-29-03; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

**[STB Finance Docket No. 34345 (Sub-No. 1)]**

#### The Burlington Northern and Santa Fe Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company

**AGENCY:** Surface Transportation Board.

**ACTION:** Petition for partial revocation.

**SUMMARY:** The Board, under 49 U.S.C. 10502, exempts the trackage rights arrangement described in STB Finance Docket No. 34345 <sup>1</sup> to permit the trackage rights to expire on or about

<sup>1</sup> On April 25, 2003, The Burlington Northern and Santa Fe Railway Company (BNSF) filed a notice of exemption under the Board's class exemption procedures at 49 CFR 1180.2(d)(7). The notice covered the agreement by Union Pacific Railroad Company (UP) to grant limited overhead trackage rights to BNSF over UP lines between Port Chicago, CA, at milepost 41.3 on UP's Tracy Subdivision, and Stege, CA, at milepost 9.3 on UP's Martinez Subdivision, a distance of approximately 28.7 miles—6.3 on the Tracy Subdivision and 22.4 miles on the Martinez Subdivision. See *The Burlington Northern and Santa Fe Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company*, STB Finance Docket No. 34345 (STB served May 15, 2003). The trackage rights operations under the exemption were scheduled to begin on May 2, 2003.