

Alternatives under consideration include (1, 2, and 3) three southerly toll road extension alignments, including several variations thereof, from the existing terminus of the Foothill Transportation Corridor—North, State Route 241 (SR—241), at Oso Parkway, to the I–5 freeway near the Orange County/San Diego County line; (4) improvements to the local arterial system; (5) lane additions on I–5 in each direction between the I–5/I–405 confluence to Cristianitos Road; and (6) no action.

Note: As required by the National Environmental Policy Act (NEPA), all other reasonable alternatives will be considered. These alternatives may be refined, combined with various different alternative elements, or be removed from further consideration, as more analysis is conducted on the project alternative.

In November of 1985, Orange County began consultation with State and local agencies for the southern segment of SR–241, identified as beginning just south of the Oso Parkway interchange and extending southerly to a connection with the I–5 freeway. The TCA has continued these consultations and held a scoping meeting for state and federal agencies regarding the proposed route. These consultations identified areas of special concern along the proposed route, including new highway and arterial roadway improvements and updates to portions of the baseline information, which were the focus of locally initiated EIR studies. FHWA believes that this early and continued consultation has been extensive and consistent with 40 CFR 1501.7. However, in order to inform potentially affected agencies and the general public of FHWA involvement, and to gather further comments regarding the new alternatives for study, three public scoping meetings will be held as follows:

- Monday, March 26, 2001, from 6:30 p.m. to 9:30 p.m. (presentation starts at 7:30 p.m.) at the Christian Heritage Church, 190 Avenida La Pata, San Clemente, California.
- Tuesday, March 27, 2001, from 7:00 p.m.—10:00 p.m. (presentation starts at 8:00 p.m.) at the Trabuco Mesa Elementary School, 21301 Avenida Del Los Flores, Rancho Santa Margarita, California.
- Thursday, March 29, 2001, from 6:30 p.m. to 9:30 p.m. (presentation starts at 7:30 p.m.) at Mission San Luis Rey, 4070 Mission Avenue, Oceanside, California.

To ensure that the full range of issues related to the proposed routes are addressed and all significant issues

identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Assistance Program Number 20.205, Highway Planning, and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: March 5, 2001.

Jeffrey W. Kolb,

Team Leader, Program Delivery Team-South, Sacramento, California.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–01–8906; Notice 01]

RIN 2127–AI06

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) 1999, including theft rates for existing passenger motor vehicle lines manufactured in model year (MY) 1999. The theft data preliminarily indicate that the vehicle theft rate for CY/MY 1999 vehicles (2.89 thefts per thousand vehicles) increased by 14.2 percent from the theft rate for CY/MY 1998 vehicles (2.53 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 14, 2001.

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 10:00 am to 5:00 pm, 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 § 33104(b)(4) mandate, this document reports the preliminary theft data for CY 1999, the most recent calendar year for which data are available.

In calculating the 1999 theft rates, NHTSA followed the same procedures it used in calculating the MY 1998 theft rates. (For 1998 theft data calculations, see 65 FR 40721, June 30, 2000). 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 1999 theft rate for each vehicle line was calculated by dividing the number of reported thefts of MY 1999 vehicles of that line stolen during calendar year 1999, by the total number of vehicles in that line manufactured for MY 1999, as reported by manufacturers to the Environmental Protection Agency.

The preliminary 1999 theft data show an increase in the vehicle theft rate when compared to the theft rate experienced in CY/MY 1998. The preliminary theft rate for MY 1999 passenger vehicles stolen in calendar year 1999 increased to 2.89 thefts per thousand vehicles produced, an increase of 14.2 percent from the rate of 2.53 thefts per thousand vehicles experienced by MY 1998 vehicles in CY 1998. For MY 1999 vehicles, out of a total of 201 vehicle lines, 54 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 54 vehicle lines with a theft rate higher than 3.5826, 50 are passenger car lines, four are multipurpose passenger vehicle lines, and none are light-duty truck lines.

In Table I, NHTSA has tentatively ranked each of the MY 1999 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 Part 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 receiving the comments, the docket supervisor will return the postcard by mail.

Authority: 49 U.S.C. 33101, 33102 and 33104; delegation of authority at 49 CFR 1.50.

PRELIMINARY REPORT OF THEFT RATES OF 1999 MODEL YEAR PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 1999

No.	Manufacturer	Make/model (line)	Thefts 1999	Production (Mfr's) 1999	1999 theft rate (per 1,000 vehicles produced)
1	HONDA	ACURA INTEGRA	496	25,790	19.2323
2	DAIMLERCHRYSLER	INTREPID ¹	9	480	18.7500
3	DAIMLERCHRYSLER	MIRAGE	564	53,884	10.4669
4	DAIMLERCHRYSLER	PLYMOUTH NEON	350	38,944	8.9873
5	DAIMLERCHRYSLER	NEON ¹	2	226	8.8496
6	DAIMLERCHRYSLER	MONTERO SPORT/NATIVA ²	368	42,268	8.7063
7	DAIMLERCHRYSLER	DODGE STRATUS	715	84,128	8.4990
8	DAIMLERCHRYSLER	DODGE INTREPID	1,104	139,847	7.8943
9	DAIMLERCHRYSLER	DODGE NEON	448	56,850	7.8804
10	BMW	Z3	18	2,547	7.0671
11	DAIMLERCHRYSLER	ECLIPSE	349	50,070	6.9702
12	DAIMLERCHRYSLER	SEBRING CONVERTIBLE	319	46,758	6.8224
13	GENERAL MOTORS	OLDSMOBILE ALERO	799	121,343	6.5846
14	DAIMLERCHRYSLER	PLYMOUTH BREEZE	367	56,048	6.5480
15	DAIMLERCHRYSLER	DIAMANTE	54	8,347	6.4694
16	DAIMLERCHRYSLER	GALANT	390	62,488	6.2412
17	DAIMLERCHRYSLER	STRATUS ¹	3	482	6.2241
18	BMW	M3	41	7,415	5.5293
19	KIA MOTORS	SEPHIA	315	57,099	5.5167
20	DAEWOO	LEGANZA	74	14,217	5.2050
21	GENERAL MOTORS	PONTIAC SUNFIRE	383	74,944	5.1105
22	NISSAN	SENTRA/200SX	399	79,115	5.0433
23	GENERAL MOTORS	PONTIAC GRAND AM	1,510	299,775	5.0371
24	TOYOTA	TERCEL	59	12,122	4.8672
25	SUZUKI	ESTEEM	69	14,255	4.8404
26	MERCEDES BENZ	140 (CL-CLASS & S-CLASS)	63	13,532	4.6556
27	FORD MOTOR CO	MUSTANG	579	125,973	4.5962
28	FORD MOTOR CO	MERCURY TRACER	117	25,972	4.5049
29	GENERAL MOTORS	PONTIAC BONNEVILLE	231	53,371	4.3282
30	GENERAL MOTORS	OLDSMOBILE CUTLASS	186	43,584	4.2676
31	NISSAN	ALTIMA	739	174,349	4.2386
32	FORD MOTOR CO	LINCOLN TOWN CAR	379	89,564	4.2316
33	GENERAL MOTORS	CHEVROLET CAVALIER	986	233,756	4.2181
34	DAIMLER CHRYSLER	CIRRUS	138	32,903	4.1941
35	MITSUBISHI	MONTERO	31	7,399	4.1898
36	GENERAL MOTORS	OLDSMOBILE INTRIGUE	359	86,481	4.1512
37	DAIMLERCHRYSLER	LHS	149	36,369	4.0969
38	HONDA	PRELUDE	46	11,366	4.0472
39	JAGUAR	XJ8	29	7,235	4.0083
40	DAIMLERCHRYSLER	JEEP CHEROKEE	610	154,377	3.9514
41	GENERAL MOTORS	BUICK REGAL	286	73,309	3.9013
42	NISSAN	INFINITI Q45	28	7,208	3.8846

PRELIMINARY REPORT OF THEFT RATES OF 1999 MODEL YEAR PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 1999—Continued

No.	Manufacturer	Make/model (line)	Thefts 1999	Production (Mfr's) 1999	1999 theft rate (per 1,000 vehicles produced)
43	HONDA	CIVIC	1,039	269,109	3.8609
44	GENERAL MOTORS	CADILLAC DEVILLE	411	106,554	3.8572
45	GENERAL MOTORS	CHEVROLET MALIBU	822	213,692	3.8467
46	GENERAL MOTORS	CHEVROLET BLAZER S10/T10	762	199,042	3.8283
47	TOYOTA	LEXUS GS	116	30,513	3.8017
48	FORD MOTOR CO	CONTOUR	524	139,339	3.7606
49	DAEWOO	LANOS	31	8,312	3.7295
50	MITSUBISHI	3000GT	12	3,244	3.6991
51	GENERAL MOTORS	CHEVROLET METRO	95	25,749	3.6895
52	TOYOTA	COROLLA	940	255,693	3.6763
53	MERCEDES BENZ	208 (CLK-CLASS)	65	17,795	3.6527
54	DAIMLERCHRYSLER	DODGE AVENGER	61	16,883	3.6131
55	KIA MOTORS	SPORTAGE	135	38,232	3.5311
56	SUZUKI	VITARA/GRAND VITARA	124	35,651	3.4782
57	DAEWOO	NUBIRA	33	9,553	3.4544
58	GENERAL MOTORS	PONTIAC FIREBIRD/TRANS AM/FORMULA	119	35,115	3.3889
59	HYUNDAI	SONATA	82	24,539	3.3416
60	FORD MOTOR CO	MERCURY MYSTIQUE	134	40,939	3.2732
61	FORD MOTOR CO	ESCORT	933	287,150	3.2492
62	HYUNDAI	TIBURON	23	7,215	3.1878
63	ISUZU	RODEO	230	72,544	3.1705
64	HYUNDAI	ACCENT	120	37,950	3.1621
65	GENERAL MOTORS	CHEVROLET CAMARO	123	39,041	3.1505
66	GENERAL MOTORS	PONTIAC GRAND PRIX	437	142,546	3.0657
67	GENERAL MOTORS	CHEVROLET CORVETTE	90	29,904	3.0096
68	JAGUAR	XK8	17	5,747	2.9581
69	NISSAN	PATHFINDER	181	61,310	2.9522
70	DAIMLERCHRYSLER	SEBRING COUPE	81	27,519	2.9434
71	MAZDA	PROTÉGÉ	208	70,802	2.9378
72	MERCEDES BENZ	129 (SL-CLASS)	28	9,633	2.9067
73	ROLLS-ROYCE	BENTLEY ARNAGE	1	348	2.8736
74	GENERAL MOTORS	CHEVROLET LUMINA/MONTE CARLO	561	197,430	2.8415
75	FORD MOTOR CO	EXPLORER	1,099	386,943	2.8402
76	MAZDA	626	244	88,473	2.7579
77	FORD MOTOR CO	TAURUS	1,163	423,308	2.7474
78	BMW	7	23	8,391	2.7410
79	DAIMLERCHRYSLER	CONCORDE	175	64,234	2.7244
80	GENERAL MOTORS	CHEVROLET PRIZM	136	49,999	2.7201
81	DAIMLERCHRYSLER	300M	206	76,130	2.7059
82	HYUNDAI	ELANTRA	158	60,317	2.6195
83	DAIMLERCHRYSLER	JEEP GRAND CHEROKEE	729	284,429	2.5630
84	DAIMLERCHRYSLER	PLYMOUTH VOYAGER/GRAND	377	150,111	2.5115
85	NISSAN	INFINITI QX4	59	23,505	2.5101
86	SUZUKI	SWIFT	5	1,998	2.5025
87	NISSAN	MAXIMA	239	95,789	2.4951
88	TOYOTA	TACOMA PICKUP TRUCK	412	167,637	2.4577
89	FORD MOTOR CO	MERCURY SABLE	295	120,113	2.4560
90	MAZDA	MILLENNIA	47	19,249	2.4417
91	GENERAL MOTORS	CADILLAC SEVILLE	86	35,624	2.4141
92	FORD MOTOR CO	MERCURY COUGAR	212	88,258	2.4020
93	FORD MOTOR CO	MERCURY MOUNTAINEER	105	43,743	2.4004
94	HONDA	ACURA RL	31	12,961	2.3918
95	VOLVO	C70	12	5,087	2.3590
96	DAIMLERCHRYSLER	JEEP WRANGLER	197	84,990	2.3179
97	TOYOTA	4-RUNNER	292	126,929	2.3005
98	HONDA	ACURA SLX	2	870	2.2989
99	NISSAN	FRONTIER PICKUP TRUCK	104	45,256	2.2980
100	GENERAL MOTORS	OLDSMOBILE BRAVADA	57	25,782	2.2108
101	GENERAL MOTORS	BUICK CENTURY	329	150,061	2.1924
102	GENERAL MOTORS	CADILLAC ELDORADO	35	15,982	2.1900
103	GENERAL MOTORS	GMC JIMMY S-15	137	63,541	2.1561
104	TOYOTA	CAMRY/CAMRY SOLARA	1,040	490,959	2.1183
105	DAIMLERCHRYSLER	DODGE CARAVAN/GRAND	595	297,350	2.0010
106	ISUZU	TROOPER	46	23,094	1.9919
107	VOLKSWAGEN	GOLF/GTI	28	14,204	1.9713
108	FORD MOTOR CO	RANGER PICKUP TRUCK	692	356,716	1.9399
109	ISUZU	HOMBRE PICKUP TRUCK	5	2,595	1.9268

PRELIMINARY REPORT OF THEFT RATES OF 1999 MODEL YEAR PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR
YEAR 1999—Continued

No.	Manufacturer	Make/model (line)	Thefts 1999	Production (Mfr's) 1999	1999 theft rate (per 1,000 vehicles produced)
110	GENERAL MOTORS	CHEVROLET ASTRO VAN	146	76,071	1.9193
111	VOLKSWAGEN	CABRIO	15	8,153	1.8398
112	TOYOTA	RAV4	109	60,776	1.7935
113	TOYOTA	LEXUS SC	5	2,822	1.7718
114	MERCEDES BENZ	163 (ML-CLASS)	91	51,970	1.7510
115	MERCEDES BENZ	210 (E-CLASS)	97	55,719	1.7409
116	VOLKSWAGEN	JETTA	191	109,769	1.7400
117	DAIMLERCHRYSLER	DODGE DAKOTA PICKUP TRUCK	233	134,058	1.7381
118	BMW	3	97	56,197	1.7261
119	BMW	5	52	30,490	1.7055
120	HONDA	ACCORD	607	356,993	1.7003
121	PONTIAC	MONTANA VAN	97	58,081	1.6701
122	NISSAN	INFINITI G20	38	22,842	1.6636
123	GENERAL MOTORS	CHEVROLET S-10 PICKUP TRUCK	296	179,498	1.6490
124	TOYOTA	CELICA	8	4,868	1.6434
125	GENERAL MOTORS	SATURN SL	311	190,414	1.6333
126	MERCEDES BENZ	170 (SLK-CLASS)	22	13,875	1.5856
127	FORD MOTOR CO	F-150 PICKUP TRUCK	276	174,285	1.5836
128	GENERAL MOTORS	OLDSMOBILE 88/REGENCY	61	39,921	1.5280
129	GENERAL MOTORS	GMC SONOMA PICKUP TRUCK	66	43,355	1.5223
130	SAAB	9-5	37	24,666	1.5000
131	VOLVO	S80	37	24,976	1.4814
132	FERRARI	F355	1	694	1.4409
133	GENERAL MOTORS	GMC SAFARI VAN	34	23,613	1.4399
134	TOYOTA	AVALON	89	61,819	1.4397
135	MAZDA	B SERIES PICKUP TRUCK	62	44,452	1.3948
136	FORD MOTOR CO	LINCOLN CONTINENTAL	37	27,054	1.3676
137	DAIMLERCHRYSLER	TOWN & COUNTRY MPV	104	76,795	1.3543
138	VOLVO	S70/V70	80	59,367	1.3475
139	SAAB	9-3	46	34,580	1.3302
140	HONDA	PASSPORT	36	27,499	1.3091
141	GENERAL MOTORS	BUICK PARK AVENUE	78	59,904	1.3021
142	TOYOTA	LEXUS RX	118	91,102	1.2953
143	TOYOTA	LEXUS ES	58	46,162	1.2564
144	NISSAN	QUEST	50	40,506	1.2344
145	GENERAL MOTORS	OLDSMOBILE AURORA	23	18,729	1.2280
146	GENERAL MOTORS	CADILLAC LIMOUSINE	1	821	1.2180
147	FORD MOTOR CO	MERCURY GRAND MARQUIS	146	122,586	1.1910
148	GENERAL MOTORS	CHEVROLET TRACKER	41	34,839	1.1768
149	GENERAL MOTORS	BUICK LESABRE	117	100,354	1.1659
150	GENERAL MOTORS	CADILLAC CATERA	16	13,801	1.1593
151	NISSAN	INFINITI I30	28	24,215	1.1563
152	FORD MOTOR CO	MERCURY VILLAGER MPV	59	51,066	1.1554
153	FORD MOTOR CO	WINDSTAR VAN	233	203,936	1.1425
154	GENERAL MOTORS	SATURN SC	54	47,578	1.1350
155	AUDI	A6	28	24,809	1.1286
156	MAZDA	MX-5 MIATA	38	33,723	1.1268
157	BMW	M	3	2,731	1.0985
158	HONDA	ACURA CL	27	24,960	1.0817
159	GENERAL MOTORS	CHEVROLET VENTURE VAN	93	88,071	1.0560
160	ISUZU	VEHICROSS	2	2,005	0.9975
161	DAIMLERCHRYSLER	DODGE VIPER	1	1,033	0.9681
162	GENERAL MOTORS	BUICK RIVIERA	2	2,091	0.9565
163	VOLKSWAGEN	PASSAT	75	79,396	0.9446
164	TOYOTA	LEXUS LS	16	17,291	0.9253
165	VOLKSWAGEN	NEW BEETLE	60	66,867	0.8973
166	AUDI	A8	2	2,244	0.8913
167	FORD MOTOR CO	CROWN VICTORIA	104	118,849	0.8751
168	SUBARU	LEGACY	78	90,840	0.8587
169	PORSCHE	911	11	12,887	0.8536
170	SUBARU	IMPREZA	17	20,208	0.8413
171	AUDI	A4	26	31,892	0.8153
172	HONDA	ACURA TL	45	55,646	0.8087
173	VOLKSWAGEN	EUROVAN	2	2,555	0.7828
174	MERCEDES BENZ	202 (C-CLASS)	28	37,472	0.7472
175	ISUZU	AMIGO	8	11,359	0.7043
176	SUBARU	FORESTER	32	46,668	0.6857

PRELIMINARY REPORT OF THEFT RATES OF 1999 MODEL YEAR PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 1999—Continued

No.	Manufacturer	Make/model (line)	Thefts 1999	Production (Mfr's) 1999	1999 theft rate (per 1,000 vehicles produced)
177	JAGUAR	VANDEN PLAS	3	4,435	0.6764
178	HONDA	CR-V	72	110,945	0.6490
179	TOYOTA	SIENNA VAN	43	69,531	0.6184
180	GENERAL MOTORS	SATURN SW	10	16,420	0.6090
181	JAGUAR	XJR	1	1,778	0.5624
182	PORSCHE	BOXSTER CONVERTIBLE	7	13,234	0.5289
183	GENERAL MOTORS	OLDSMOBILE SILHOUETTE VAN	20	38,130	0.5245
184	HONDA	ODYSSEY VAN	6	50,425	0.1190
185	DAIMLERCHRYSLER	PLYMOUTH PROWLER	0	3,655	0.0000
186	FERRARI	360	0	445	0.0000
187	FERRARI	456	0	119	0.0000
188	FERRARI	550	0	259	0.0000
189	GENERAL MOTORS	BUICK FUNERAL COACH	0	993	0.0000
190	HONDA	ACURA NSX	0	243	0.0000
191	ISUZU	OASIS VAN	0	702	0.0000
192	LAMBORGHINI	DB132/DIABLO	0	162	0.0000
193	LOTUS	ESPRIT	0	121	0.0000
194	ROLLS-ROYCE	BENTLEY AZURE	0	70	0.0000
195	ROLLS-ROYCE	BENTLEY CONTINENTAL R	0	6	0.0000
196	ROLLS-ROYCE	BENTLEY CONTINENTAL SC	0	23	0.0000
197	ROLLS-ROYCE	BENTLEY CONTINENTAL T	0	5	0.0000
198	ROLLS-ROYCE	BENTLEY TURBO R	0	2	0.0000
199	ROLLS-ROYCE	SILVER SERAPH	0	299	0.0000
200	ROLLS-ROYCE	SILVER SPUR	0	2	0.0000
201	ROLLS-ROYCE	SILVER SPUR PARK WARD	0	51	0.0000

¹ These vehicles were manufactured for sale in the U.S. territories under the Chrysler name plate.

² Nativia is the name applied to Montero Sport vehicles that are manufactured for sale only in Puerto Rico.

Issued on: March 7, 2001.

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

[FR Doc. 01-6217 Filed 3-13-01; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-33 (Sub-No. 159X)] and
[STB Docket No. AB-364 (Sub-No. 5X)]

**Union Pacific Railroad Company—
Abandonment Exemption—in Bowie
County, TX; Texas and Northeastern
Railroad, a Division of Mid-Michigan
Railroad, Inc.—Discontinuance of
Service Exemption—in Bowie County,
TX**

Union Pacific Railroad Company (UP) and Texas and Northeastern Railroad, a Division of Mid-Michigan Railroad, Inc. (TNER), have filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service* for UP to abandon and TNER to discontinue service over a 1.2-mile line of railroad between milepost 21.80 and milepost 23.0 in the city of New Boston, Bowie

County, TX. The line traverses United States Postal Service Zip Code 75570.

UP and TNER have certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there has been no overhead traffic on TNER's line for the past 2 years; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to these exemptions, any employee adversely affected by the abandonment or discontinuance shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. Provided no formal expression of intent to file an offer of

financial assistance (OFA) has been received, these exemptions will be effective on April 13, 2001, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29 must be filed by March 26, 2001. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by April 3, 2001, with: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicants' representatives: James P. Gatlin, General Attorney, Union Pacific Railroad Company, 1416 Dodge Street, Room

¹ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

² Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$100. See 49 CFR 1002.2(f)(25).