

which is located in Fremont, Nebraska, states that they operate in a rural farming area with a low incidence of vandalism.

Interested parties are invited to participate in these proceedings by submitting written views, data, comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2000-8367) and must be submitted in triplicate to: Docket Clerk, DOT Central Docket Management Facility, Room P1-401, 400 Seventh Street, SW., Washington, DC 20590-0001. Communications received within 45 days of the date will be considered as for as practical. All written communications concerning these proceedings are available for examination during regular business hours (9:00 a.m.-5:00 p.m.) at: DOT Central Docket Management Facility, Room P1-401 (Plaza Level, 400 Seventh Street, SW., Washington, DC 20590-0001. All documents in the public docket are also available for inspection and copying on the internet at the facility's Web site at <http://dms.dot.gov>.

Issued in Washington, D.C., on February 22, 2001.

Grady Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waivers of Compliance

In accordance with Title 49 Code of Federal Regulations (CFR), Section 211.41, notice is hereby given that the Federal Railroad Administration (FRA) received a request for waiver of certain requirements of the Federal railroad safety regulations. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, and the nature of the relief being sought.

The Port Authority Trans-Hudson Corporation

[FRA Waiver Petition No. FRA-2000-7411]

The Port Authority Trans-Hudson Corporation (PATH) seeks a permanent waiver of compliance from certain requirements of 49 CFR, Part 239, Passenger Train Emergency Preparedness. Specifically, PATH requests relief from the emergency equipment requirements in § 239.101(a)(6)(i) that the fire extinguisher and pry-bar be accessible to the riding public for use in the event of an emergency situation. PATH argues that its practice of securing the fire extinguisher and pry-bar away from public access is in the public's interest, and contends that public safety is enhanced by restricting access only to crew members. PATH requests that FRA waive the public access requirement and allow PATH to continue to maintain the emergency equipment in a secure manner without permitting the riding public to use it during an emergency. In support of its request, PATH states that in times of emergency, the public address system can facilitate communication to train crew members, who would then unlock the lockers where the fire extinguisher and pry-bar are stored. PATH also notes that the locking of these items of emergency equipment can protect the public from harm, since the equipment would not be missing due to cases of vandalism or theft, and would therefore be in its proper location at the time of an emergency.

PATH also seeks a permanent waiver of compliance from certain requirements of 49 CFR Part 229, Locomotive Safety Standards. Specifically, PATH requests relief from the requirements of § 229.7, Prohibited acts, which mandates that a locomotive and its appurtenances must be in proper working condition and safe to operate in the service to which assigned, and from § 229.9, Movement of non-complying locomotives, which set forth the conditions under which a railroad may move a non-complying locomotive. PATH seeks to lessen the impact of dead cars (MU type locomotives) in its operation. PATH proposes to operate one dead car (MU type locomotive car) per consist of not less than seven cars, up to 24 hours prior to removing the car from service for the purpose of repair. PATH states that it would not allow a dead car to operate in the lead as the controlling car of the movement, and that operating crews of such trains would be notified in writing about the presence of the defective car prior to the movement of the train.

Interested parties are invited to participate in these proceedings by submitting written reviews, data, or comments. If any interested party desires the opportunity for oral comment, FRA must be notified in writing before the end of the comment period, and the party must specify the basis for the request. FRA will then determine whether to schedule a public hearing in connection with these proceedings. See 49 CFR 211.25.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2000-7411) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 Seventh Street, SW., Washington, DC 20590. All documents in the public docket, including PATH's waiver request, are also available for inspection and copying on the Internet at the docket facility's web site at <http://dms.dot.gov>. Communications received within 45 days from the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9:00 a.m.-5 p.m.) at the above facility.

Issued in Washington, D.C., on February 22, 2001.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provision involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

Union Pacific Railroad Company

[Docket Number FRA-2001-8697]

Union Pacific Railroad Company (UP) is seeking a waiver of compliance with a provision of the Railroad Power

Brakes and Drawbars regulations, 49 CFR 232.12 (initial terminal road train air brake tests). The UP requests a waiver to permit cars received in interchange from Ferromex (Mexican railroad) at Nogales, Arizona to be moved approximately 8 miles north of Nogales to the siding at Rio before an initial terminal air brake test is performed.

UP states that presently, Ferromex delivers to UP on an average of three trains per day with lengths between 4000 and 6000 feet. UP states that the UP yard at Nogales is small and delivery of these trains all require blockages of key street crossings within the City of Nogales for considerable lengths of time. This problem has been exacerbated in recent years with the increase of traffic over the Nogales interchanges and as the result of changed traffic patterns, which were due to a number of factors. These include the privatization of the Mexican railroads, NAFTA trade agreement and UP-SP merger. Trains received from Ferromex require an initial terminal brake test to be performed before departing Nogales and this contributes to increased amount of time crossings are blocked.

The UP waiver request is to permit movement of trains to Rio for the performance of the initial terminal air brake test. Trains involved in such movements would have the air brake test system charged, a set and release to ensure brakes setting and releasing on the rear car, and movement restricted to 25 mph, until the initial brake test could be performed at Rio. Any bad order cars discovered at Rio would be set out there for repair purposes.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2001-8697) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590. Communications received within 30 days of the date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business

hours (9:00 a.m.–5:00 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's web site <http://dms.dot.gov>.

Issued in Washington, D.C. on February 22, 2001.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[FTA Docket No. 2001-9007]

Agency Information Collection Activity Under OMB Review

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice of request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requests (ICRs) abstracted below have been forwarded to the Office of Management and Budget (OMB) for extension of the currently approved information collections. The **Federal Register** Notice with a 60-day comment period soliciting comments was published on December 13, 2000.

DATES: Comments must be submitted before April 5, 2001. A comment to OMB is most effective if OMB receives it within 30 days of publication.

FOR FURTHER INFORMATION CONTACT:

Sylvia L. Barney-Marion, Office of Administration, Office of Management Planning, (202) 366-6680.

SUPPLEMENTARY INFORMATION:

Title: 49 U.S.C. Section 5310—Capital Assistance Program for Elderly Persons and Persons with Disabilities and Section 5311—Nonurbanized Area Formula Program (*OMB Number 2132-0500*).

Abstract: The Capital Assistance Program for Elderly Persons and Persons with Disabilities provides financial assistance for the specialized transportation service needs of elderly persons and persons with disabilities. The program is administered by the States and may be used in all areas (urbanized, small urban, and rural). The Nonurbanized Area Formula Program provides financial assistance for the provision of public transportation services in nonurbanized areas and is also administered by the States. FTA is

authorized to review applications for federal financial assistance to determine eligibility and compliance with statutory and administrative requirements by 49 U.S.C. 5310 and 5311. Information collected during the application stage includes the project budget, which identifies funds requested for project implementation; a program of projects, which identifies subrecipients to be funded, the amount of funding that each will receive, and a description of the projects to be funded; the project implementation plan; a list of annual certifications and assurances; and public hearings notice, certification and transcript. The applications must contain sufficient information to enable FTA to make the findings required by law to enforce the program requirements. Information collected during the project management stage includes an annual financial report, an annual program status report, and pre-award and post-delivery audits. The annual financial report and program status report provide a basis for monitoring approved projects to ensure timely and appropriate expenditure of federal funds by grant recipients.

Estimated Total Annual Burden: 6,540 hours.

Title: Americans with Disabilities Act (*OMB Number 2132-0555*).

Abstract: On July 26, 1990, the President signed into law civil rights legislation entitled, "The Americans with Disabilities Act of 1990" (ADA) (Pub. L. 101-336). It contains sweeping changes for individuals with disabilities in every major area of American life. One key area of the legislation addresses transportation services provided by public and private entities. Some of the requirements under the ADA are: (1) No transportation entity shall discriminate against an individual with a disability in connection with the provision of transportation service; (2) All new vehicles purchased by public and private entities after August 25, 1990, must be readily accessible to and usable by persons with disabilities, including individuals who use wheelchairs; (3) Public entities that provide fixed route transit must provide complementary paratransit service for persons with disabilities, who are unable to use the fixed route system, that is comparable to the level of service provided to individuals without disabilities; and (4) Public entities operating light, rapid or commuter rail systems must designate key stations which were to be made accessible by July 26, 1993, unless the operator received a statutory time extension.

If FTA reasonably believes that an entity may not be in compliance, FTA is