

Issued in Washington, DC on December 24, 2002.

George A. Gavalla,

Associate Administrator for Safety.

[FR Doc. 02-32940 Filed 12-26-02; 9:15 am]

BILLING CODE 4910-06-P

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### Voluntary Intermodal Sealift Agreement (VISA)/Joint Planning Advisory Group (JPAG)

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Synopsis of December 9-11, 2002 meeting with VISA participants.

The VISA program requires that a notice of the time, place, and nature of each JPAG meeting be published in the **Federal Register**. The program also requires that a list of VISA participants be periodically published in the **Federal Register**. The full text of the VISA program, including these requirements, is published in 66 FR 10938-10947, dated February 20, 2001.

On December 9-11, 2002, the Maritime Administration (MARAD) and the U.S. Transportation Command (USTRANSCOM) co-hosted a meeting of the VISA JPAG at USTRANSCOM, Scott Air Force Base, Illinois.

In order to exercise procedures for an operational JPAG meeting, attendance was by invitation only, and attendees were requested to provide government-issued security clearances prior to attending the meeting.

Of the 52 U.S.-flag carrier corporate participants enrolled in the VISA program at the time of the meeting, 22 companies participated in the meeting. In addition, representatives from the Maritime Administration (MARAD), the Department of Defense, and maritime labor attended the meeting.

LtGen Gary Hughey, the USTRANSCOM Deputy Commander, opened the meeting with a welcome to all attendees. He was followed by James E. Caponiti, Associate Administrator for National Security, Maritime Administration, and Mr. Daniel F. McMillin, Deputy Director, Plans and Policy Directorate (TCJ5), USTRANSCOM, who provided participants with an overview of expected outcomes. The JPAG meeting included briefings on: (1) VISA activation and deactivation processes; (2) the DOD contingency contracting process; (3) force protection issues; (4) merchant mariner issues; and (5) ammunition shipments.

In addition to the briefings, there were two JPAG exercises. The first exercise

focused on the sealift contracting process. The second was a mariner exercise to address how to maximize mariner availability in the event of a contingency.

*As of September 30, 2002, the following commercial U.S.-flag vessel operators were enrolled in the VISA program with MARAD:* America Cargo Transport, Inc.; American Automar, Inc.; American International Car Carrier, Inc.; American President Lines, Ltd.; American Roll-On Roll-Off Carrier, LLC; American Ship Management, L.L.C.; Bay Towing Corporation; Beyel Brothers Inc.; Central Gulf Lines, Inc.; Coastal Transportation, Inc.; Columbia Coastal Transport, LLC; Crowley Liner Services, Inc.; Crowley Marine Services, Inc.; CSX Lines, LLC; Delta Towing; E-Ships, Inc.; Farrell Lines Incorporated; First American Bulk Carrier Corp.; First Ocean Bulk Carrier-I, LLC; First Ocean Bulk Carrier-II, LLC; First Ocean Bulk Carrier-III, LLC; Foss Maritime Company; Liberty Shipping Group Limited Partnership; Lockwood Brothers, Inc.; Lykes Lines Limited, LLC; Lynden Incorporated; Maersk Line, Limited; Matson Navigation Company, Inc.; Maybank Navigation Company, LLC; McAllister Towing and Transportation Co., Inc.; Moby Marine Corporation; Odyssey Shipping Line LLC; OSG Car Carriers, Inc.; Patriot Shipping, L.L.C.; RR & VO L.L.C.; Resolve Towing & Salvage, Inc.; Samson Tug & Barge Company, Inc.; Sea Star Line, LLC; SeaTac Marine Services, LLC; Sealift Inc.; Signet Maritime Corporation; STEA Corporation; Superior Marine Services, Inc.; TECO Ocean Shipping; Totem Ocean Trailer Express, Inc.; Trailer Bridge, Inc.; TransAtlantic Lines LLC; Troika International, Ltd.; U.S. Ship Management, Inc.; Van Ommeren Shipping (USA) LLC; Waterman Steamship Corporation; and Weeks Marine, Inc.

**FOR FURTHER INFORMATION CONTACT:** Mr. Taylor E. Jones II, Director, Office of Sealift Support, (202) 366-2323.

By Order of the Maritime Administrator.

Dated: December 23, 2002.

Joel C. Richard,

Secretary.

[FR Doc. 02-32828 Filed 12-27-02; 8:45 am]

BILLING CODE 4910-81-P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Petition for Exemption From the Federal Motor Vehicle Theft Prevention Standard; DaimlerChrysler

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Grant of petition for exemption.

**SUMMARY:** This document grants in full the petition of DaimlerChrysler Corporation, (DaimlerChrysler) for an exemption of a high-theft line, the Jeep Grand Cherokee, from the parts-marking requirements of the Federal Motor Vehicle Theft Prevention Standard. This petition is granted because the agency has determined that the antitheft device to be placed on the line as standard equipment is likely to be as effective and reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the Theft Prevention Standard.

**DATES:** The exemption granted by this notice is effective beginning with model year (MY) 2004.

**FOR FURTHER INFORMATION CONTACT:** Ms. Rosalind Proctor, Office of Planning and Consumer Standards, NHTSA, 400 Seventh Street, SW., Washington DC 20590. Ms. Proctor's phone number is (202) 366-0846. Her fax number is (202) 493-2290.

**SUPPLEMENTARY INFORMATION:** In a petition dated September 27, 2002, DaimlerChrysler Corporation, (DaimlerChrysler), requested an exemption from the parts-marking requirements of the theft prevention standard (49 CFR Part 541) for the Jeep Grand Cherokee vehicle line, beginning with MY 2004. The petition requested an exemption from parts-marking requirements pursuant to 49 CFR 543, Exemption from Vehicle Theft Prevention Standard, based on the installation of an antitheft device as standard equipment for the entire vehicle line.

Section 33106(b)(2)(D) of Title 49, United States Code, authorized the Secretary of Transportation to grant an exemption from the parts-marking requirements for not more than on additional line of a manufacturer for MYs 1997-2000. However, it does not address the contingency of what to do after model year 2000 in the absence of a decision under Section 33103(d). 49 U.S.C. § 33103(d)(3) states that the number of lines for which the agency can grant an exemption is to be decided after the Attorney General completes a

review of the effectiveness of anti-theft devices and finds that anti-theft devices are an effective substitute for parts-marking. The Attorney General has not yet made a finding and has not decided the number of lines, if any, for which the agency will be authorized to grant an exemption. Upon consultation with the Department of Justice, we determined that the appropriate reading of Section 33103(d) is that the National Highway Traffic Safety Administration (NHTSA) may continue to grant parts-marking exemptions for more than one additional model line each year, as specified for model years 1997–2000 by 49 U.S.C. 33106(b)(2)(C). This is the level contemplated by the Act for the period before the Attorney General's decision. The final decision on whether to continue granting exemptions will be made by the Attorney General at the conclusion of the review pursuant to Section 330103(d)(3).

DaimlerChrysler submission is considered a complete petition as required by 49 CFR 543.7, in that it meets the general requirements contained in § 543.5 and the specific content requirements of § 543.6.

In its petition, DaimlerChrysler provided a detailed description and diagram of the identity, design, and location of the components of the anti-theft device for the new vehicle line. DaimlerChrysler will install its anti-theft device as standard equipment on the MY 2004 Jeep Grand Cherokee vehicle line. The anti-theft device to be installed on the MY 2004 Jeep Grand Cherokee does not include an audible or visual alarm but does incorporate an ignition immobilizer system.

The Sentry Key Immobilizer System (SKIS) prevents the engine from running for more than 2 seconds unless a valid key is in the ignition switch. The immobilizer feature is activated when the key is removed from the ignition switch whether the vehicle doors are open or not. Once activated, only a valid key inserted into the ignition switch will disable immobilization and allow the vehicle to start and continue to run. The SKIS has a visual telltale located in the vehicle electromechanical instrument cluster (EMIC). Besides acting as a SKIS diagnostic indicator, the telltale also alerts the owner that an unauthorized vehicle start attempt had been made. Upon an unauthorized start attempt, the telltale continuously illuminates until the owner starts the vehicle with the proper Sentry Key. The telltale will be illuminated for three seconds when the ignition is turned to the "ON" position.

The Sentry Key Immobilizer Module (SKIM), Jeep/Truck Engine Controller Plus (JTEC+) and the sentry key perform

the immobilizer function. The JTEC+ controller must be programmed with the VIN and a secret key and the VIN must be programmed by a diagnostic tool. The EMIC controls the telltale only. When the sentry key is placed in the ignition, the SKIM and the key communicate via RF signal. After the SKIM determines that the key is valid, the SKIM requests a seed number from the JTEC+ controlled on all vehicles. The JTEC+ controller then verifies the code from the SKIM and transmits a key status (valid/invalid signal). To avoid any perceived delay when starting the vehicle with a valid key and to prevent unburned fuel from entering the exhaust, the engine is permitted to run for no more than 2 seconds if an invalid key is used. If the code from the SKIM is invalid, the JTEC+ controller immobilizes the vehicle by shutting down the engine (after the initial 2 second run). Only 6 consecutive invalid vehicle start attempts are permitted, all further invalid attempts are locked out by not firing fuel injectors and not engaging the starter. Only the communication with a valid key is required to permit the engine to start and run.

Replacing the SKIM requires a secret key to decode the ignitions keys. A copy of this secret key is stored in the JTEC+ controller. In replacing the JTEC+ controller, it must again have the VIN programmed in order for the vehicle to start and the secret key transferred to it by the SKIM. A diagnostic tool is required to perform both of these functions.

DaimlerChrysler stated that the SKIM performs the interrogation with the transponder in the key using a Texas Instruments proprietary algorithm which results in a 40-bit number which allows for over one trillion combinations. Each ignition key used in the SKIS has an integral transponder chip. Ignition keys with this feature can be readily identified by a gray rubber cap molded onto the head of the key, while conventional ignition keys have a black molded rubber. The transponder chip is concealed beneath the molded rubber cap, where it is molded onto the head of the metal key.

In order to ensure the reliability and durability of the device, DaimlerChrysler conducted tests based on its own specified standards and stated its belief that the device meets the stringent performance standards prescribed. Specifically, the device must demonstrate a minimum of 95 percent reliability with 90 percent confidence. This is the same standard that vehicle air bag systems are designed and tested to. The SKIS is fully functional over a voltage range of 9 Vdc to 16 Vdc and a

temperature range of –40 degrees celsius through 85 degrees celsius. In addition to the design and production validation test criteria, the SKIS undergoes a daily short term durability test whereby three randomly chosen systems are tested once per shift at the production facility. DaimlerChrysler also stated that 100% of the systems immobilizer undergoes a series of three functional tests prior to being shipped from the supplier to the vehicle assembly plant for installation in the vehicle.

DaimlerChrysler has installed the SKIS vehicle immobilizer systems as standard equipment on all Jeep Grand Cherokee vehicles since the 1999 model year. DaimlerChrysler stated that NHTSA's theft rates for the Jeep Grand Cherokee vehicles for model years 1995 to 1998 are 5.5545, 7.0188, 4.3163 and 4.3557 respectively, significantly higher than the 1990/1991 median theft rate of 3.5826. Likewise, DaimlerChrysler reports that the theft rates of Jeep Grand Cherokee vehicles that were equipped with immobilizer systems indicate rates significantly lower than the 1990/1991 median theft rate. Theft rates for the Jeep Grand Cherokee vehicles since the introduction of immobilizer systems as standard equipment for MYs 1999 through 2000 are 2.5630 and 2.4701 respectively.

On the basis of this comparison, DaimlerChrysler has concluded that the proposed anti-theft device is no less effective than those devices installed on lines for which NHTSA has already granted full exemption from the parts-making requirements.

Based on the evidence submitted by DaimlerChrysler, the agency believes that the anti-theft device for the Jeep Grand Cherokee vehicle line is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the Theft Prevention Standard (49 CFR 541). The agency concludes that the device will provide four of the five types of performance listed in § 543.6(a)(3): Promoting activation; attracting attention to the efforts of unauthorized persons to enter or operate a vehicle by means other than a key; preventing defeat or circumvention of the device by unauthorized persons; preventing operation of the vehicle by unauthorized entrants; and ensuring the reliability and durability of the device.

As required by 49 U.S.C. § 33106 and 49 CFR Part 543.6(a)(4) and (5), the agency finds that DaimlerChrysler has provided adequate reasons for its belief that the anti-theft device will reduce and deter theft. This conclusion is based on

the information DaimlerChrysler provided about its antitheft device

For the foregoing reasons, the agency hereby grants in full DaimlerChrysler's petition for an exemption for the MY 2004 Jeep Grand Cherokee vehicle line from the parts-making requirements of 49 CFR Part 541. If DaimlerChrysler decides not to use the exemption for this line, it should formally notify the agency. If such a decision is made, the line must be fully marked according to the requirements of 49 CFR Parts 541.5 and 541.6 (marking of major components parts and replacement parts).

NHTSA notes that if DaimlerChrysler wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Part 543.7(d) states that a Part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the antitheft device on which the line's exemption is based. Further, Part 543.9(c)(2) provides for the submission of petitions "to modify an exemption to permit the use of an antitheft device similar to but differing from the one specified in that exemption."

The agency wishes to minimize the administrative burden that Part 543.9(c)(2) could place on exempted vehicle manufacturers and itself. The agency did not intend in drafting Part 543 to require the submission of a modification petition for every change to the components or design of an antitheft device. The significance of many such changes could be *de minimis*. Therefore, NHTSA suggests that if the manufacturer contemplates making any changes the effects of which might be characterized as *de minimis*, it should consult the agency before preparing and submitting a petition to modify

**Authority:** 49 U.S.C. 33106; delegation of authority at 49 CFR 1.50.

Issued on: December 20, 2002.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. 02-32938 Filed 12-27-02; 8:45 am]

**BILLING CODE 4910-59-M**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-43 (Sub-No. 173X)]

#### Illinois Central Railroad Company— Abandonment Exemption—in Forrest County, MS

On December 10, 2002, Illinois Central Railroad Company (IC) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a rail line known as Central District Trackage, extending from milepost MH 0.66 to milepost MH 3.06, a distance of 2.4 miles, in Forrest County, MS. The line traverses U.S. Postal Service Zip Code 39401 and includes no stations.

The line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R.Co.—Abandonment-Goshen*, 360 I.C.C. 91 (1979).

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by March 28, 2003.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,100 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any

request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than January 21, 2003. Each trail use request must be accompanied by a \$150 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-43 (Sub-No. 173X) and must be sent to: (1) Surface Transportation Board, 1925 K Street NW, Washington, DC 20423-0001, and (2) Michael J. Barron, Jr., 455 North Cityfront Plaza Drive, Chicago, IL 60611-5317. Replies to the petition are due on or before January 21, 2003.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment and discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1552. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

Board decisions and notices are available on our Web site at "<http://WWW.STB.DOT.GOV>."

Decided: December 23, 2002.

By the Board, David M. Konschnik,  
Director, Office of Proceedings.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 02-32933 Filed 12-27-02; 8:45 am]

**BILLING CODE 4915-00-P**