

**DEPARTMENT OF TRANSPORTATION****Maritime Administration****Reports, Forms and Recordkeeping Requirements Agency Information Collection Activity Under OMB Review**

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. *et seq.*), this notice announces that the information collection abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. Described below is the nature of the information collection and its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collection was published on August 10, 1999, (64 FR 43419).

**DATES:** Comments must be submitted on or before December 10, 1999.

**FOR FURTHER INFORMATION CONTACT:** Daniel Seidman, Office of Ship Construction, Maritime Administration, 400 Seventh Street, SW, Room 8311, Washington, DC 20590, telephone number—202-366-1888. Copies of this collection can also be obtained from that office.

**SUPPLEMENTARY INFORMATION:**

*Title of Collection:* "Shipbuilding Orderbook and Shipyard Employment."

*OMB Control Number:* 2133-0029.

*Type of Request:* Extension of a currently approved information collection.

*Affected Public:* U.S. Shipyards.

*Form Number(s):* MA-832.

*Abstract:* In accordance with Sections 210 and 211 of the Merchant Marine Act, 1936, as amended, the Maritime Administration (MARAD) is required to monitor the shipbuilding industry's health and current employment, facility utilization, and scheduling practices. The data received will facilitate the projection of future employment needs and facility availability for future shipbuilding work.

*Annual Estimated Burden Hours:* 400 Hours.

*Addressee:* Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20502, attention MARAD Desk Officer.

**Comments Are Invited On**

Whether the proposed collection of information is necessary for the proper performance of the functions of

MARAD, including whether the information will have practical utility; the accuracy of MARAD'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 best assured of having its full effect if OMB receives it within 30 days of publication.

Dated: November 4, 1999.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

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**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration**

[U.S. DOT Docket Number NHTSA-99-6426]

**Reports, Forms, and Information Requirements**

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

**ACTION:** Request for public comment on proposed collection of information.

**SUMMARY:** Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections.

This document describes one collection of information for which NHTSA intends to seek OMB approval. **DATES:** Comments must be received on or before January 10, 2000.

**ADDRESSES:** Comments must refer to the docket notice numbers cited at the beginning of this notice and be submitted to Docket Management, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590. Please identify the proposed collection of information for which a comment is provided, by referencing its OMB clearance Number. It is requested, but not required, that 2 copies of the comment be provided. The Docket Section is open on weekdays from 10 a.m. to 5 p.m.

**FOR FURTHER INFORMATION CONTACT:** Complete copies of each request for

collection of information may be obtained at no charge from Mr. John F. Oates, Jr., NHTSA 400 Seventh Street, SW, Room 5238, NSC-01, Washington, DC 20590. Mr. Oates' telephone number is (202) 366-2121. Please identify the relevant collection of information by referring to its OMB Control Number.

**SUPPLEMENTARY INFORMATION:** Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5CFR 1320.8(d), an agency must ask for public comment on the following:

(i) 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;

(ii) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) How to enhance the quality, utility, and clarity of the information to be collected;

(iv) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses.

In compliance with these requirements, NHTSA asks for public comments on the following proposed collections of information:

(1) *Title:* 23 CFR Part 1335 for Application for Section 411 State Highway Safety Data and Traffic Records Improvements Incentive Grants.

*OMB Control Number:*

*Affected Public:* State Government.

*Abstract:* The National Transportation Equity Act for the 21st Century (TEA-21) was signed into law on June 9, 1998. The Act established a new Section 411 of Title 23, United States Code (Section 161), which offers states the opportunity to apply for incentive grants designed to help states improve the collection, storage, retrieval and analysis of traffic records data. The program identifies three basic records system components, all of which must be present if the state is to receive multiple-year grants: (1) A

committee to coordinate the development and use of highway safety data and traffic records; (2) a systematic assessment of the state's highway safety data and traffic records; and, (3) a strategic plan for the continued improvement of highway safety data and traffic records. However, TEA-21 recognizes that some states may not be able to meet all three prerequisites for multiple-year grants in the first or even second year of the Section 411 program. Accordingly, the section provides for three types of grants: an "implementation" grant, to each state that has all three components (a coordinating committee, a traffic records assessment within the last five years, and a developed strategic plan); an "initiation" grant, to each state that has a coordinating committee and a traffic records assessment within the past five years, but which has not completed development of its strategic plan; and a "start-up" grant, to each state that is not eligible for the other grants. Most of the information that a state is required to submit is already generated and is easily accessible. Specifically, copies of traffic records assessment reports and strategic plans are readily attainable, and routinely are filed with the sponsoring agencies. Names, addresses and organizational affiliations of the members of the traffic records coordinating committee also are usually on file or can be easily assembled.

*Estimated Annual Burden:* 2 hours (average), for each state that elects to apply.

*Number of Respondents:* 57 (all 50 states, the District of Columbia, Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands and the Bureau of Indian Affairs).

Issued on: November 4, 1999.

**Adele Derby,**

*Associate Administrator for State and Community Services.*

[FR Doc. 99-29350 Filed 11-9-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-99-6092; Notice 2]

#### Lotus Cars Ltd.; Grant of Application for Temporary Exemption From Federal Motor Vehicle Safety Standard No. 201

This notice grants the application by Lotus Cars Ltd. ("Lotus") of Norwich, England, through Lotus Cars USA, Inc.,

for a temporary exemption from S7, Performance Criterion, of Federal Motor Vehicle Safety Standard No. 201

*Occupant Protection in Interior Impact*, as described below. The basis of the application was that compliance would cause substantial economic hardship to a manufacturer that has tried in good faith to comply with the standard.

We published a notice of receipt of the application on August 24, 1999, and asked for comments (64 FR 46225) but received none.

The material below is taken from Lotus's application.

#### Why Lotus Says That It Needs a Temporary Exemption

In August 1995, when S7, the new head injury criteria portion of Standard No. 201, was promulgated, Lotus was owned by the Italian owners of Bugatti, a company then in bankruptcy. That year, Lotus was able to produce only 835 cars, selling 152, or 18.2%, in the United States.

This country was the primary market for the Lotus Esprit, which, by then, was an aging design. With the limited resources that it had and the uncertainties of the future, in 1996 Lotus made the decision to invest primarily in an all-new model, the Elise, and to modernize the Esprit, rather than to replace it with an all-new design. Developed on a small budget, the Elise was not designed or intended for the American market. The Esprit was fitted with a new V8 engine meeting current U.S. emissions standards.

At the end of 1996, Lotus was sold to its current owners, a group of Malaysian investors, who reviewed the company's fortunes. The Elise was becoming successful in its markets, while losses in the United States in the previous two years approached \$2,000,000, primarily due to the declining appeal of the Esprit. The company's overall sales in 1996 had declined to 751, including sales of 67 Esprits in the U.S. (8.9% of total sales). Nevertheless, the new owners decided to continue in the U.S. market. Sales were marginally better in the U.S. in 1997, 72 Esprits, and vastly improved elsewhere with the great success of the Elise. Lotus sold 2414 cars in 1997 (with the U.S. sales representing only 3% of total sales, approximately the same as in 1998). However, it lost almost 2,000,000 Pounds in its 1996/7 fiscal year.

In early 1997, Lotus decided to terminate production of the Esprit on September 1, 1999, and to homologate the Elise for the American market beginning in 2000. This decision allowed it to choose the option for compliance with S7 provided by S6.1.3,

Phase-in Schedule #3, of Standard No. 201, to forego compliance with new protective criteria for the period September 1, 1998–September 1, 1999, and to conform 100% of its production thereafter.

But, in addition to the new owners of Lotus, the new year saw the appointment of new CEOs of Lotus and Lotus Cars USA, and the result that a fresh look was taken at the direction of the company, and the plans of early 1997 were abandoned. In due course, new management decided to continue the Esprit in production beyond September 1, 1999, until September 1, 2002, while developing an all-new Esprit, and to remain in the American market without interruption. However, as described below, the company found itself unable to conform the current Esprit to Standard No. 201. In the meantime, the company had turned the corner with the success of the Elise, and had a net profit for its fiscal year 1997/8 of slightly more than 1,000,000 Pounds.

#### Lotus's Reasons Why Compliance Would Cause It Substantial Economic Hardship, and How It Has Tried in Good Faith To Comply With Standard No. 201

When Lotus decided to continue production of the Esprit, it re-engineered the car's front header rail and installed energy-absorbing material. After these modifications, the Esprit's HIC value was reduced from an already-complying 840 to 300.

However, the side rail was not so simple. The small Esprit cockpit precluded any padding from being added at that location, without compromising ingress/egress and visibility. In order to comply with Standard No. 201, the Esprit "greenhouse" would have to be substantially modified. Modification costs could not be recovered for the relatively few cars that would be involved in the 1999–2002 period without raising the retail price to an unacceptable level. Further, Lotus was encountering major problems sourcing design-specific energy absorbing materials without being compelled to buy a 10-year supply; it was therefore forced to consider materials being produced for high-volume users, with attendant problems.

As redevelopment plans progressed in 1998, Lotus determined that a redesign of the "greenhouse" for the 1999–2002 period would cost in excess of \$950,000, and require retesting to confirm continued compliance of its airbag system with Standard No. 208. But the company did not have the personnel to