

## DEPARTMENT OF TRANSPORTATION

## National Highway Traffic Safety Administration

[Docket No. NHTSA-99-5070]

## Notice of Receipt of Petition for Decision That Nonconforming 1985-1998 Kawasaki ZX600 Motorcycles Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice of receipt of petition for decision that nonconforming 1985-1998 Kawasaki ZX600 motorcycles are eligible for importation.

**SUMMARY:** This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that 1985-1998 Kawasaki ZX600 motorcycles that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because (1) they are substantially similar to vehicles that were originally manufactured for importation into and sale in the United States and that were certified by their manufacturer as complying with the safety standards, and (2) they are capable of being readily altered to conform to the standards.

**DATES:** The closing date for comments on the petition is March 18, 1999.

**ADDRESSES:** Comments should refer to the docket number and notice number, and be submitted to: Docket Management, Room PL-401, 400 Seventh St., SW, Washington, DC 20590. [Docket hours are from 9 am to 5 pm].

**FOR FURTHER INFORMATION CONTACT:** George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

## SUPPLEMENTARY INFORMATION:

## Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or

importers who have registered with NHTSA pursuant to 49 CFR Part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

Champagne Imports of Lansdale, Pennsylvania ("Champagne") (Registered Importer 90-009) has petitioned NHTSA to decide whether non-U.S. certified 1985-1998 Kawasaki ZX600 motorcycles are eligible for importation into the United States. The vehicles which Champagne believes are substantially similar are 1985-1998 Kawasaki ZX600 motorcycles that were manufactured for importation into, and sale in, the United States and certified by their manufacturer as conforming to all applicable Federal motor vehicle safety standards.

The petitioner claims that it carefully compared non-U.S. certified 1985-1998 Kawasaki ZX600 motorcycles to their U.S. certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most Federal motor vehicle safety standards.

Champagne submitted information with its petition intended to demonstrate that non-U.S. certified 1985-1998 Kawasaki ZX600 motorcycles, as originally manufactured, conform to many Federal motor vehicle safety standards in the same manner as their U.S. certified counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that non-U.S. certified 1985-1998 Kawasaki ZX600 motorcycles are identical to their U.S. certified counterparts with respect to compliance with Standard Nos. 106 *Brake Hoses*, 111 *Rearview Mirrors*, 116 *Brake Fluid*, 119 *New Pneumatic Tires for Vehicles other than Passenger Cars*, and 122 *Motorcycle Brake Systems*.

Petitioner additionally contends that the vehicles are capable of being readily altered to meet the following standard, in the manner indicated:

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: (a) installation of U.S.—model head lamp assemblies; (b) installation of U.S.—model reflex reflectors on vehicles that are not already so equipped.

Standard No. 120 *Tire Selection and Rims for Vehicles other than Passenger*

*Cars*: installation of a tire information label.

Standard No. 123 *Motorcycle Controls and Displays*: installation of a U.S.—model speedometer/odometer calibrated in miles per hour.

The petitioner also states that a vehicle identification number plate will be affixed to the vehicle to meet the requirements of 49 CFR Part 565.

Comments should refer to the docket number and be submitted to: Docket Management, Room PL-401, 400 Seventh Street, S.W., Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above 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. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

**Authority:** 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: February 10, 1999.

**Marilynne Jacobs,**

*Director, Office of Vehicle Safety Compliance.*  
[FR Doc. 99-3674 Filed 2-12-99; 8:45 am]

BILLING CODE 4910-59-P

## DEPARTMENT OF TRANSPORTATION

## Saint Lawrence Seaway Development Corporation Advisory Board; Notice of Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I) notice is hereby given of a meeting of the Advisory Board of the Saint Lawrence Seaway Development Corporation (SLSDC), to be held at 10:00 a.m. on Tuesday, February 23, 1999, at the Governor's Club, 777 South Flagler Drive, 1209e West Palm Beach, Florida. The agenda for this meeting will be as follows: Opening Remarks; Consideration of Minutes of Past Meeting; Review of Programs; New Business; and Closing Remarks.

Attendance at meeting is open to the interested public but limited to the space available. With the approval of the Administrator, members of the public may present oral statements at the meeting. Persons wishing further information should contact not later than February 19, 1999, Marc C. Owen, Advisory Board Liaison, Saint Lawrence Seaway Development Corporation, 400

Seventh Street, SW, Washington, DC 20590; 202-366-6823.

Any member of the public may present a written statement to the Advisory Board at any time.

Issued at Washington, DC on February 9, 1999.

**Marc C. Owen,**

*Advisory Board Liaison.*

[FR Doc. 99-3604 Filed 2-12-99; 8:45 am]

BILLING CODE 4910-61-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33708]

#### The Blacklands Railroad Company— Operation Exemption—Lines of Northeast Texas Rural Rail Transportation District

The Blacklands Railroad Company (BLRR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from East Texas Central Railroad its rights under an agreement with Northeast Texas Rural Rail Transportation District (NETEX)<sup>1</sup> to operate over approximately 38 miles of rail line in the State of Texas as follows: (1) approximately 31 miles of rail line owned by NETEX, beginning at milepost 524.0, located approximately 6.2 miles west of Sulphur Springs, and proceeding west through Hopkins and Delta Counties to milepost 555.0, at Simtrott, in Hunt County; and (2) approximately 7 miles of rail line owned by the St. Louis Southwestern Railway Company, between milepost 524.0 and milepost 517.0, pursuant to trackage rights acquired by NETEX for the purpose of interchanging and switching at Sulphur Springs (subject lines).<sup>2</sup>

The transaction is scheduled to be consummated on or after the February 9, 1999 effective date of the exemption.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33708, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925

K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Jo A. DeRoche, Esq., Weiner, Brodsky, Sidman & Kider, P.C., 1350 New York Avenue, NW., Suite 800, Washington, DC 20005-4797.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: February 9, 1999.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Vernon A. Williams**

*Secretary.*

[FR Doc. 99-3648 Filed 2-12-99; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33714]

#### Fredonia Valley Railroad, Inc.— Acquisition and Operation Exemption—Paducah & Louisville Railway, Inc.

Fredonia Valley Railroad, Inc., a Class III rail carrier, has filed a notice of exemption under 49 CFR 1150.41 to acquire by lease from Paducah & Louisville Railway, Inc. and operate approximately 1.88 miles of rail line located between milepost 97.25 (Survey Station 4577+00) and Survey Station 4676+28, at Good Street, in Princeton, Caldwell County, KY.

The transaction is expected to be consummated on March 1, 1999.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33714, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Fritz R. Kahn, Esq., 1100 New York Avenue, N.W., Suite 750 West, Washington, DC 20005-3934.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: February 9, 1999.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 99-3646 Filed 2-12-99; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-558X]

#### Doniphan, Kensett and Searcy Railway—Abandonment Exemption— in Searcy, White County, AR

On January 27, 1999, Doniphan, Kensett and Searcy Railway (DK&S) 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. 10903-05<sup>1</sup> to abandon a portion of its line of railroad known as the DK&S Branch extending from milepost 299.12 to the end of the line at milepost 300.40, in Searcy, a distance of 1.28 miles in White County, AR. The line traverses U.S. Postal Service Zip Codes 72143, 72144 and 72145 and includes the non-agency rail station at milepost 300.40 in Searcy.

The line does not contain federally granted rights-of-way. Any documentation in DK&S'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 issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by May 17, 1999.

Unless an exemption is granted, as sought, from the OFA provisions of 49 U.S.C. 10904, any 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 \$1,000 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. Unless an exemption is granted, as sought, from the public use provisions of 49 U.S.C. 10905, any request for a public use condition under 49 CFR 1152.28 or for

<sup>1</sup> See *East Texas Central Railroad, Inc.—Operation Exemption—Northeast Texas Rural Rail Transportation District*, STB Finance Docket No. 32841 (Sub-No. 1) (STB served Sept. 27, 1996).

<sup>2</sup> BLRR will operate the subject lines.

<sup>1</sup> DK&S seeks exemptions from the offer of financial assistance (OFA) provisions of 49 U.S.C. 10904 and the public use provisions of 49 U.S.C. 10905. These exemption requests will be addressed in the final decision.