

SUMMARY: As authorized by Public Law 105-383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S. build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with P.L. 105-383 and MARAD's regulations at 46 CFR 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before April 10, 2000.

ADDRESSES: Comments should refer to docket number MARAD-2000-7011. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., S.W., Washington, D.C. 20590-0001. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit/>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: Michael Hokana, U.S. Department of Transportation, Maritime Administration, MAR 832 Room 7201, 400 Seventh Street, SW, Washington, DC 20590. Telephone 202-366-0760.

SUPPLEMENTARY INFORMATION: Title V of Public Law 105-383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (less than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to

properly consider the comments. Comments should also state the commentor's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR 388.

Vessel Proposed for Waiver of the U.S.-build Requirement

(1) Name of vessel and owner for which waiver is requested: Name of vessel: KIRSTEN ANNE, Owner: Robert and Laurie Lindsey.

(2) Size, capacity and tonnage of vessel: The KIRSTEN ANNE measures 48.5 feet in length and displaces 29 net tons, 33 gross tons. The capacity of the vessel is 12 passengers or less.

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: "If a waiver is granted, we intend to use this vessel to carry passengers for hire on sailing wildlife/adventure cruises, scientific research charters, whale watching/videography, and Eco-tourism to the refuges and National Monuments in our area of opportunity. We will operate this vessel in the greater Kodiak Island Archipelago and Gulf of Alaska. Some anticipated offerings will be cruises of the Katmai coast and birding expeditions in the Kodiak area as well as the Alaska Peninsula. We look forward to offering the scientific community an affordable alternative for long-range /duration studies involving Stellar Sea Lions and seabirds."

(4) Date and place of construction and (if applicable) rebuilding. Date of construction: 1979, place of construction: Taiwan.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant:

"The Kodiak Island area is in its infancy of charter work with a small but competent group of operators who offer primarily fishing charters and hunting support. Although many of the vessels offer some Whale watching/Ecotourism type charters, there are no sailing vessels involved in charter work in the Kodiak area. Unofficially, halibut fishing is the largest group of charter operations, Salmon fishing would be second, and Hunter support is third and general sightseeing is the smallest segment of the charter fleet.

We feel the economics are so marginal that we can only afford to offer this service because we were able to purchase our vessel for a very reasonable price. Already established in this area, we can subsidize the operation through startup with income from our other occupations. The only impact that a waiver will have on other operations

in this area would be positive based on exposure, a service not previously offered and additional draw for tourists to visit Kodiak. The replacement value of our vessel is approximately \$380,000. If that were the only way to start a sail charter operation, it would not be economically feasible in this market.

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "The effect a waiver on local shipbuilding /repair in this area would be positive because we will be using our vessel more than we do now which will have the effect of revenue for local businesses. We anticipate some additional equipment may be necessary to begin operations. This equipment will be contracted with locally owned businesses and purchased in Kodiak. Should we need any modifications or repairs to the boat as our business grows, we will use local shipyards and chandlers. There is no shipbuilding other than small one-off aluminum boat shops on Kodiak Island and no large boat builders in the state of Alaska. When our operation becomes successful, we anticipate the need for an American built sailboat designed specifically for this area. Our concept of this vessel would be approximately 65-80 feet in length displacing at least 50 tons. This new vessel will be an American built motorsailer with enhanced diving support and capable of extended cruises. Clearly, we are dedicated to this concept and feel that the only impact on shipbuilding would be positive."

Dated: March 3, 2000.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2000-6884]

Reports, Forms, and Recordkeeping Requirements

ACTION: Request for public comment on proposed collections 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 new 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 reinstatements of previously approved collections.

This document describes a collection of information for which NHTSA intends to seek OMB approval.

DATES: Comments must be received on or before May 8, 2000.

ADDRESSES: Comments must refer to the docket and notice numbers cited at the beginning of this notice and be submitted to the Docket Section, Room PL401, 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 1 original plus 2 copies of the comments be provided. The Docket Section is open on weekdays from 9:30 a.m. to 4 p.m.

FOR FURTHER INFORMATION CONTACT: Complete copies of each request for collection of information may be obtained at no charge from Mr. William Holden, NHTSA, 400 Seventh Street, SW., Room 6124, Washington, DC 20590. Mr. Holden's telephone number is (202) 366-1566. Please identify the relevant collection of information by referring to its OMB Clearance 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 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 regulations (at 5 CFR 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; and

(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 public comment on the following proposed collection of information:

National Driver Register Reporting Requirement for 23 CFR Part 1327

Type of Request—Extension of clearance.

OMB Clearance Number—2127-0001.

Form Number—This collection of information uses no standard form.

Requested Expiration Date of

Approval—Three years from date of approval.

Summary of the Collection of Information—The National Driver Register Act of 1982 (Pub. L. 97-364), as amended, mandates the Secretary of Transportation to establish and maintain a National Driver Register to assist chief driver licensing officials of participating states in exchanging information about the motor vehicle driving records of individuals. The Act requires the chief driver licensing official of each participating state to submit a report to the Secretary of each individual who is denied a motor vehicle operator's license by that State for cause; whose motor vehicle operator's license is revoked, suspended, or canceled by that State for cause; or who is convicted under the laws of that State of any of the following motor vehicle-related offenses or comparable offenses: (a) Operating a motor vehicle while under the influence of, or impaired by, alcohol or a controlled substance; (b) a traffic violation arising in connection with a fatal traffic accident, reckless driving, or racing on the highways; (c) failing to give aid or provide identification when involved in an accident resulting in death or personal injury; (d) perjury or knowingly making a false affidavit or statement to officials about activities governed by a law or regulation on the operation of a motor vehicle. The Act also requires the chief driver licensing officials of participating states to check the NDR on all first time above-minimum age driver license applicants in their states.

The Commercial Motor Vehicle Safety Act of 1986 requires the states to check the NDR for all applicants for Commercial Driver Licenses.

Description of the need for the information and proposed use of the information—The purpose of the NDR, and thus this information collection activity, is to prevent the issuance of driver's licenses to problem drivers in order to enhance traffic safety. Through amendments to the NDR Act, the activity also serves to prevent the certification of airline pilots, merchant

mariners, locomotive operators, and individual employed motor vehicle operators if they are problem drivers.

The information will be used by NHTSA in exercising its statutory authority to operate the NDR. Without this information, states could issue licenses to individuals who are suspended or revoked in other states, or could issue a duplicate license to an individual who is licensed in another state, allowing them to spread their violations over a number of licenses.

Description of Likely Respondents (Including Estimated Number, and Proposed Frequency of Response to the Collection of Information)—The 51 respondents are the State driver licensing agencies, including the District of Columbia. The frequency of response depends on how each state chooses to update the NDR master file. File updates can be daily or monthly.

Estimate of the Total Annual Reporting and Recordkeeping Burden Resulting from the Collection of Information—The agency estimates the reporting burden for this year will be \$37,040 for the 51 jurisdictions. The reporting burden is based on information systems personnel salaries and related expenses.

Authority: 49 U.S.C. 30304; delegation of authority at 49 CFR 1.50.

Rose A. McMurray,

Associate Administrator for Traffic Safety Programs.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA 2000-6947 Notice 1]

Subaru of America, Inc.; Receipt of Application for Determination of Inconsequential Non-Compliance

Subaru of America, Inc. (Subaru) of Cherry Hill, New Jersey, has applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301 "Motor Vehicle Safety" for a noncompliance with Federal Motor Vehicle Safety Standard (FMVSS) No. 209, "Seat Belt Assemblies," on the basis that the noncompliance is inconsequential to motor vehicle safety. Subaru has filed a report of noncompliance pursuant to 49 CFR Part 573 "Defects and Noncompliance Report."

This notice of receipt of the application is published under 49 U.S.C. 30118 and 30120 and does not