

intermediate stops, beginning on or about July 12, 2002.

**Dorothy Y. Beard,**

*Federal Register Liaison.*

[FR Doc. 02-16514 Filed 6-28-02; 8:45 am]

**BILLING CODE 4910-62-P**

## 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. 3501 *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. The nature of the information collection is described as well as its expected burden. The Federal Register Notice with a 60-day comment period soliciting comments on the following collection of information was published on March 6, 2002. No comments were received.

**DATES:** Comments must be submitted on or before July 31, 2002.

**FOR FURTHER INFORMATION CONTACT:** Evie Chitwood, Maritime Administration, 400 Seventh Street, SW., Washington, DC 20590; telephone: 202-366-5127; FAX: 202-366-6988, or e-mail: [evie.chitwood@marad.dot.gov](mailto:evie.chitwood@marad.dot.gov). Copies of this collection can also be obtained from that office.

**SUPPLEMENTARY INFORMATION:** Maritime Administration (MARAD).

*Title:* Intermodal Access to Shallow Draft Ports and Terminals Survey.

*OMB Control Number:* 2133-NEW.

*Type of Request:* Approval of a new request.

*Affected Public:* Officials at the Nation's key shallow draft marine ports and terminals.

*Form(s):* MA-1024B.

*Abstract:* The Maritime Administration (MARAD) has primary responsibility for ensuring the availability of efficient water transportation service to shippers and consumers. This information collection is designed to be a survey of critical infrastructure issues that impact the Nation's shallow draft marine ports and terminals. The survey will provide MARAD with key road, rail, and waterside access data as well as security

information and highlight the issues that affect the flow of cargo through U.S. shallow draft marine ports and terminals.

*Annual Estimated Burden Hours:* 22.5 hours.

**ADDRESSES:** Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention MARAD Desk Officer.

*Comments Are Invited on:* (a) 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; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) 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.

Issued in Washington, DC, on June 25, 2002.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 02-16470 Filed 6-28-02; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Petition for Exemption from the Federal Motor Vehicle Motor Theft Prevention Standard; Isuzu

**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 Isuzu Motors America, Inc. (Isuzu) for an exemption of a high-theft line, the Isuzu Axiom, 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 in 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) 2003.

**FOR FURTHER INFORMATION CONTACT:** Ms. Rosalind Proctor, Office of Planning and Consumer Programs, 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 January 24, 2002, Isuzu Motors America, Inc. (Isuzu), on behalf of Isuzu Motors Limited, Tokyo, Japan requested exemption from the parts-marking requirements of the theft prevention standard (49 CFR part 541) for the Isuzu Axiom vehicle line, beginning with MY 2003. The petition requested an exemption from parts-marking pursuant to 49 CFR part 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 one 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 antitheft devices and finds that antitheft 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 not 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 33103(d)(3).

Isuzu's 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, Isuzu provided a detailed description and diagram of the identity, design, and location of the components of the antitheft device for the new vehicle line. Isuzu will install its antitheft device as standard equipment on the MY 2003 Isuzu Axiom carline. The antitheft device installed on the Isuzu Axiom includes both an audible and visual alarm and an engine immobilizer system.

The alarm system consists of the conventional ignition switch, alarm controller, door key switches, door lock switches, door switches, engine hood switch and horn. The normal locking of the vehicle door automatically activates the alarm system. In order to arm the device, the key must be removed from the ignition switch, all of the doors and engine hood must be closed and the driver's door must be locked with the ignition key. An indicator light within the vehicle informs the vehicle operator whether the device is armed, disarmed or alarmed.

Once armed, switches in the vehicle's doors, key cylinders and hood monitor the vehicle for unauthorized entry. Isuzu stated that all system components have been placed in inaccessible locations. If the device is armed and unauthorized entry is attempted by opening any of the doors or the engine hood, releasing the inside door lock knob, operating the inside engine hood release handle or the power door lock button, the antitheft device will be triggered. The alarm system will operate to sound the horn installed exclusively for this system and flash the headlights. The alarm will cycle for approximately three minutes and then shut down in order to prevent the battery from becoming discharged. Even if the alarm shuts down, the system will remain armed.

Unlocking either the driver's door or the tailgate door with the ignition key deactivates the antitheft device. Inserting the key in the ignition switch and rotating the key to the "ACC" position will also disarm the device. The remote control is used like the key to lock or unlock the vehicle door. The remote control will not take the place of the key. However, it can be used to lock and unlock the vehicle door, arm and disarm the alarm system, and deactivate the alarm.

The engine immobilizer system consists of an immobilizer electronic control unit (ECU), antenna coil, transponder, powertrain control module (PCM) and immobilizer security card.

Isuzu's antitheft device is activated when the driver/operator turns off the

engine using the properly coded ignition key. When the ignition key is turned to the start position, the transponder (located in the head of the key) transmits a code to the powertrain's electronic control module. The vehicle's engine can only be started if the transponder code matches the code previously programmed into the powertrain's electronic control module. If the code does not match, the engine will be disabled. If the correct code is not transmitted to the electronic control module (accomplished only by having the correct key), there is no way to mechanically override the system and start the vehicle.

Isuzu stated that there are approximately seven quadrillion unique electrical key codes. The security code is a four-digit unique electronic number, which is written at the end of the Axiom production line on a "CAR PASS" card, which is handed over to the owner of the vehicle only. The security code should prevent the immobilizer ECU from being changed without the approval of the vehicle owner. Without this security code, a diagnostic tool has no access to important immobilizer functions or the transponder.

In order to ensure the reliability and durability of the device, Isuzu conducted tests based on its own specified standards conducted and stated its belief that the device is reliable and durable since it has complied with Isuzu's specified requirements for each test. Isuzu provided a detailed list of the component and on-line tests that were conducted: general performance, temperature and voltage combination tests, vibration tests, thermal shock, field decay, electromagnetic compatibility, corrosion resistance and high speed durability.

Isuzu reported that the proposed alarm system is identical to the system installed on the Acura SLX as standard equipment. The Acura SLX was granted an exemption from the parts marking requirements of the Federal Motor Vehicle Theft Prevention Standard beginning with the 1997 model year (96 FR 24852).

Additionally, Isuzu states the Axiom immobilizer is a system similar to the General Motors' "PASS-Key III" device installed on the MY 1997 Buick Park Avenue and MY 1998 Cadillac Seville vehicle lines. The agency granted the MY 1997 Buick Park Avenue and the MY 1998 Cadillac Seville a full exemption from the parts-marking requirements. The theft rates for the Buick Park Avenue are 0.4702, 1.2900 and 1.3021, respectively, in MYs 1997, 1998 and 1999. The theft rates for the

Cadillac Seville are 1.6998 and 2.4141, respectively, in MYs 1998 and 1999. Isuzu contends that two lines have very low theft rates in spite of the fact that they are not equipped with audible or visible indicators to protect the vehicle against unauthorized entry. In further support of its request for petition for exemption, Isuzu also identified five other vehicle lines (Cadillac Deville, Pontiac Bonneville, Buick LeSabre, Oldsmobile Aurora, and Chevrolet Venture) that are all equipped with the PASS-Key III device and have been granted full exemptions from the parts-marking requirements.

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

Based on the evidence submitted by Isuzu, the agency believes that the antitheft device for the Isuzu Axiom 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 part 541).

The agency concludes that the device will provide the 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 Isuzu has provided adequate reasons for its belief that the antitheft device will reduce and deter theft. This conclusion is based on the information Isuzu provided about its antitheft device.

For the foregoing reasons, the agency hereby grants in full Isuzu's petition for an exemption for the MY 2003 Isuzu Axiom vehicle line from the parts-marking requirements of 49 CFR part 541. If Isuzu 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 under 49 CFR 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if Isuzu 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. § 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, § 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 § 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: June 26, 2002.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 02-16471 Filed 6-28-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-6 (Sub-No. 394X)]

#### The Burlington Northern and Santa Fe Railway Company—Abandonment Exemption—in Burke and Williams Counties, ND

The Burlington Northern and Santa Fe Railway Company (BNSF) has filed a notice of exemption under 49 CFR 1152 subpart F—*Exempt Abandonments* to abandon and discontinue service over a 60.51-mile line of railroad between milepost 26.59 in Powers Lake, and milepost 87.10 in Grenora, in Burke and Williams Counties, ND. The line traverses United States Postal Service Zip Codes 58845, 58856, 58830, 58795, 58755, and 58773.

BNSF has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic to be rerouted; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or

with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment and discontinuance shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on July 31, 2002, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by July 11, 2002. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by July 22, 2002, with: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Michael Smith, Freeborn & Peters, 311 S. Wacker Dr., Suite 3000, Chicago, IL 60606-6677.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

BNSF has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. SEA will issue an environmental assessment (EA) by July 5, 2002. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423) or by calling SEA, at (202) 565-1552. [TDD for the hearing impaired is available at 1-800-877-8339.] Comments on environmental

<sup>1</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>2</sup> Each offer of financial assistance must be accompanied by the filing fee, which as of April 8, 2002, is set at \$1,100. See 49 CFR 1002.2(f)(25).

and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), BNSF shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by BNSF's filing of a notice of consummation by July 1, 2003, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our website at [WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV).

Decided: June 25, 2002.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 02-16456 Filed 6-28-02; 8:45 am]

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## DEPARTMENT OF THE TREASURY

[Treasury Order Number 101-05]

### Reporting Relationships and Supervision of Officials, Offices and Bureaus, and Delegation of Certain Authority in the Department of the Treasury

By virtue of the authority vested in the Secretary of the Treasury, *it is ordered that:*

1. The Deputy Secretary shall report directly to the Secretary.

2. The Chief of Staff shall report directly to the Secretary and shall exercise supervision over the Director, Secretary's Scheduling Office, and the Executive Secretary.

3. The Executive Secretary shall report directly to the Chief of Staff and shall exercise supervision over the functions of the Executive Secretariat Correspondence Unit; the Office of Public Correspondence; and, for purposes of administrative and managerial control, over the Special Assistant to the Secretary (National Security). The Special Assistant to the Secretary (National Security) shall report to the Secretary and the Deputy Secretary.

4. The following officials shall report through the Deputy Secretary to the Secretary and shall exercise supervision over those officers and organizational entities set forth on the attached organizational chart: