

Railroad Company (P&W), seeks approval of the proposed modification of five remote-controlled interlockings protecting movable bridges on Amtrak's Northeast Corridor, New England Division, in Connecticut, on Main Tracks No. 1 and No. 2, as follows:

1. The discontinuance and removal of the four power-operated derrails at "Conn," milepost 106.8, at the Connecticut River, in Old Saybrook, Connecticut;

2. The discontinuance and removal of the four power-operated derrails at "Nan," milepost 116.7, at the Niantic River, in Niantic, Connecticut;

3. The discontinuance and removal of the four power-operated derrails at "Shaws Cove," milepost 122.5, in New London, Connecticut;

4. The discontinuance and removal of the four power-operated derrails at "Groton," milepost 124.2, at the Thames River, Groton, Connecticut; and

5. The discontinuance and removal of the four power-operated derrails at "Mystic River," milepost 131.9, in Mystic, Connecticut;

The changes proposed consist of the removal of four derrails at each interlocking, one for each track in each direction. Each of the interlocking home signals protecting these derrails and the associated movable bridges have been equipped with the Northeast Corridor 100 Hz coded cab signal system with speed control, or Automatic Train Control (ATC). The interlockings have also been equipped with Amtrak's Advanced Civil Speed Enforcement System (ACSES) Positive Train Stop (PTS), in addition to ATC.

The reason given for the proposed changes is that removal of the derrails is to eliminate maintenance and operation of obsolete hardware no longer needed, and to reduce delays to trains caused by failures of the derrails and the associated movable bridges. The derrails have been rendered obsolete by ATC and ACSES technologies, which enforce slowing and stopping of trains prior to passing the interlocking home signals in stop position, rather than derail the train after it passes the stop signal.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and include a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PL-401

(Plaza Level), 400 7th Street, SW., Washington, DC 20590-0001. Communications received within 45 days of the date of this notice will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the internet at the docket facility's Web site at <http://dms.dot.gov>.

FRA wishes to inform all potential commenters that anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC on November 15, 2005.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. 05-23026 Filed 11-21-05; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2004-19549; Notice 2]

#### Decision That Nonconforming 2001 Chevrolet Blazer (Plant Code "K" or "2") Multipurpose Passenger Vehicles Are Eligible for Importation

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice of decision by National Highway Traffic Safety Administration that nonconforming 2001 Chevrolet Blazer (plant code "K" or "2") multipurpose passenger vehicles are eligible for importation.

**SUMMARY:** This document announces a decision by the National Highway Traffic Safety Administration (NHTSA)

that certain 2001 Chevrolet Blazer (plant code "K" or "2") multipurpose passenger vehicles (MPVs) that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS) are eligible for importation into the United States because they are substantially similar to vehicles originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards (the U.S. certified version of the 2001 Chevrolet Blazer (plant code "K" or "2") MPV), and they are capable of being readily altered to conform to the standards.

**DATES:** This decision was effective January 27, 2005.

**FOR FURTHER INFORMATION CONTACT:** Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202-366-3151).

#### 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 FMVSS 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 sale in the United States, certified as required 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 FMVSS.

Where there is no substantially similar U.S.-certified motor vehicle, 49 U.S.C. 30141(a)(1)(B) permits a nonconforming motor vehicle to be admitted into the United States if its safety features comply with, or are capable of being altered to comply with, all applicable FMVSS based on destructive test data or such other evidence as NHTSA decides to be adequate.

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**.

Wallace Environmental Testing Laboratories, Inc. (WETL) (Registered

Importer 90-005), petitioned NHTSA to decide whether 2001 Chevrolet Blazer MPVs are eligible for importation into the United States. NHTSA published notice of the petition on November 16, 2004 (69 FR 67208) to afford an opportunity for public comment. The reader is referred to that notice for a thorough description of the petition.

One comment was received in response to the notice of the petition from General Motors Corporation ("GM"), the manufacturer of the 2001 Chevrolet Blazer. In this comment, GM stated that during the 2001 model year, GM and its subsidiaries and affiliates assembled Chevrolet Blazers at several locations around the world. Those intended for sale in the United States, Canada, and some other world markets, were produced at two assembly plants located within the United States, at Linden, New Jersey (identified by plant code "K" in the 11th position of the vehicle identification number or "VIN" assigned to the vehicle) and at Moraine, Ohio, (identified by plant code "2" in the 11th position of the VIN).

GM stated that production of 2001 Chevrolet Blazers also occurred at a number of plants outside of the United States. GM stated that in order to satisfy unique market conditions and local regulations, vehicles produced at these foreign plants differed from those produced domestically in a number of respects, including the interior trim, chassis, and powertrain components with which they were built. Owing to the design and part differences between the 2001 Chevrolet Blazers produced domestically, and those produced overseas for foreign markets, GM stated that there is no assurance that the vehicles produced overseas would comply with, or are capable of being readily altered to conform to all applicable FMVSS. GM noted that it does not typically perform tests or evaluations to determine the compliance of foreign market vehicles with the FMVSS because the vehicles were never intended for sale or use in the U.S. market. GM further observed that Blazers built overseas for foreign markets may contain locally sourced parts that are not subject to the same manufacturing, warranty, and approval process used within GM's North American operations and that these foreign sourced parts may have an impact on the vehicles' conformity with the FMVSS.

In light of these considerations, GM expressed the opinion that only the U.S. manufactured versions of the subject vehicles (those with plant codes "K" or "2" in the 11th position of their VINs) should be considered substantially

similar to vehicles originally manufactured for sale in the U.S. and capable of being modified to comply with the FMVSS. GM contended that "\* \* \* subject vehicles manufactured at all other locations should not be considered substantially similar to vehicles originally manufactured for sale in the U.S. and, thus, not eligible for importation."

NHTSA accorded WETL an opportunity to respond to GM's comments. WETL stated that the 2001 Chevrolet Blazers that are the subject of its petition are U.S. manufactured vehicles with plant codes "K" or "2" in the 11th position of their VINs. WETL therefore did not challenge GM's contention that vehicles with plant codes other than these should not be considered substantially similar to U.S.-certified models and therefore eligible for importation. In view of GM's comments and WETL's response, NHTSA decided to grant import eligibility only to 2001 Chevrolet Blazers with the plant code "K" or "2" in the eleventh character of their VINs.

#### Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VSP-461 is the vehicle eligibility number assigned to vehicles admissible under this notice of final decision.

#### Final Decision

Accordingly, on the basis of the foregoing, NHTSA hereby decided that 2001 Chevrolet Blazer MPVs that were not originally manufactured to comply with all applicable FMVSS, but that have been assigned vehicle identification numbers in which the letter "K" or the number "2" is the eleventh character, are substantially similar to 2001 Chevrolet Blazer MPVs originally manufactured for sale in the United States and certified under 49 U.S.C. 30115, and are capable of being readily altered to conform to all applicable FMVSS.

**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.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*  
[FR Doc. 05-23099 Filed 11-21-05; 8:45 am]

**BILLING CODE 4910-59-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 Dodge Charger, from the parts-marking requirements of the Federal Motor Vehicle Theft Prevention Standard. This petition is granted because the agency has determined that the anti-theft 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) 2007.

**FOR FURTHER INFORMATION CONTACT:** Ms. Rosalind Proctor, Office of International Policy, Fuel Economy 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 March 30, 2005, DaimlerChrysler requested an exemption from the parts-marking requirements of the theft prevention standard (49 CFR part 541) for the Dodge Charger vehicle line. The petition has been filed pursuant to 49 CFR part 543, *Exemption from Vehicle Theft Prevention Standard*, based on the installation of an anti-theft device as standard equipment for an entire vehicle line. DaimlerChrysler'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. Under § 543.5(a), a manufacturer may petition NHTSA to grant exemptions for one line of its vehicle lines per year.

DaimlerChrysler stated that all Dodge Charger vehicles would be equipped with a standard Sentry Key Immobilizer System (SKIS) anti-theft device. 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 vehicle line. The SKIS anti-theft