

provide an opportunity for involvement by participating agencies and the public to help define the purpose and need for a proposed project, as well as the range of alternatives for consideration in the EIS; and (3) establish a plan for coordinating public and agency participation in, and comment on, the environmental review process. An invitation to become a participating or cooperating agency, with scoping materials appended, will be extended to other Federal and non-Federal agencies and Native American tribes that may have an interest in the proposed project. It is possible that FTA and UTA will not be able to identify all Federal and non-Federal agencies and Native American tribes that may have such an interest. Any Federal or non-Federal agency or Native American tribe interested in the proposed project that does not receive an invitation to become a participating agency should notify the Project Manager identified above under **ADDRESSES** at the earliest opportunity.

UTA is seeking federal assistance from the FTA to fund the proposed project under 49 United States Code 5309 and will, therefore, be subject to regulations (49 Code of Federal Regulations (CFR) part 611) related to New Starts projects.

The EIS will be prepared in accordance with NEPA and its implementing regulation issued by the Council on Environmental Quality (40 CFR Parts 1500–1508) and with the FTA/Federal Highway Administration regulations “Environmental Impact and Related Procedures” (23 CFR part 771). In accordance with 23 CFR 771.105(a) and 771.133, FTA will comply with all Federal environmental laws, regulations, and executive orders applicable to the proposed project during the environmental review process to the maximum extent practicable. These requirements include, but are not limited to, the environmental and public hearing provisions of Federal transit laws (49 U.S.C. 5301(e), 5323(b), and 5324); the project-level air quality conformity regulation of the U.S. Environmental Protection Agency (EPA) (40 CFR part 93); The section 404(b)(1) guidelines of EPA (40 CFR part 230); the regulation implementing section 106 of the National Historic Preservation Act (36 CFR Part 800); the regulation implementing section 7 of the Endangered Species Act (50 CFR part 402); Section 4(f) of the Department of Transportation Act (23 CFR 771.135); and Executive Orders 12898 on environmental justice, 11988 on floodplain management, and 11990 on wetlands.

Issued on: November 14, 2007.

**Charmaine Knighton,**

*FTA Deputy Regional Administrator, Region VIII.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[U.S. DOT Docket No. NHTSA–2007–0039]

#### Reports, Forms, and Recordkeeping Requirements

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Request for public comment on proposed revision of the previously approved collection of information, OMB # 2127–0646.

**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 reinstatements of previously approved collections.

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

**DATES:** Comments must be received on or before January 25, 2008.

**ADDRESSES:** Direct all written comments to U.S. Department of Transportation Dockets, 1200 New Jersey Ave, SE., Washington, DC 20590. Docket No. NHTSA–2007–0039

**FOR FURTHER INFORMATION CONTACT:** John Siegler, Ph.D., Contracting Officer’s Technical Representative, Office of Behavioral Safety Research (NTI–132), National Highway Traffic Safety Administration, 1200 New Jersey Ave, SE., Washington, DC 20590.

**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, and or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

In compliance with these requirements, NHTSA asks public comment on the following proposed revision of the previously approved collection of information, OMB # 2127–0646:

#### Evaluation Surveys for Impaired Driving and Seat Belt Interventions

*Type of Request*—Revision of the previously approved collection of information.

*OMB Clearance Number:* 2127–0646.

*Form Number:* NHTSA1010.

*Requested Expiration Date of Approval*—3 years from date of approval.

*Summary of the Collection of Information*—The National Highway Traffic Safety Administration (NHTSA) proposes to conduct telephone surveys to evaluate interventions designed to increase seat belt use and reduce impaired driving. Sample sizes would range from 200 to 2000 depending on the geographic unit being surveyed (Nation, Region, State, Community) and the evaluation design for the intervention (e.g., number of analytic groups). Interview length would be 10 minutes. The surveys would collect information on attitudes, awareness, knowledge, and behavior related to the intervention. The surveys would follow a pre-post design where they are administered prior to the implementation of the intervention and after its conclusion. Interim survey waves may also be administered if the duration of the intervention permits.

In conducting the proposed surveys, the interviewers would use computer-assisted telephone interviewing to reduce interview length and minimize recording errors. A Spanish Language translation and bilingual interviewers would be used to minimize language

barriers to participation. The proposed surveys would be anonymous.

*Description of the Need for the Information and Proposed Use of the Information*

The National Highway Traffic Safety Administration (NHTSA) was established to reduce the mounting number of deaths, injuries, and economic losses resulting from motor vehicle crashes on the Nation's highways. As part of this statutory mandate, NHTSA is authorized to conduct research as a foundation for the development of motor vehicle standards and traffic safety programs.

The heavy toll that impaired driving exacts on the nation, in fatalities, injuries, and economic costs, is well documented. Strong documentation also exists to show that wearing a seat belt is one of the most important actions a person can take to prevent injury or fatality in the event of a crash, but a significant proportion of the population still does not wear them. The persistence of these traffic safety problems points to a continuing need for effective interventions to address impaired driving and non-use of safety belts. This in turn calls for strong evaluation efforts to identify what interventions are effective. This includes monitoring key interventions that have been shown to be effective in order to determine whether they are retaining their potency, as well as identifying new or refined interventions that may influence parts of the population that have been resistant to previous measures.

Over the next few years, a number of legislative and programmatic changes will require NHTSA to collect public awareness information about its programs. Under section 410 of SAFETEA-LU, spending for State enforcement grants for impaired driving programs will increase almost 100 million dollars annually, from 39.6 million in 2005 to \$139 million in 2009. States seeking to access these grants for specific impaired driving activities will need to have implemented a number of programs in order to be eligible for these grants including: statewide checkpoints and/or saturation patrols, prosecution/adjudication outreach, increased BAC testing of drivers in fatal crashes, high BAC law (stronger/additional penalties), effective alcohol rehabilitation and/or DWI courts, under age 21 program, administrative license revocation or suspension, and self-sustaining programs.

Under Section 406 of SAFETEA-LU, incentive grants to encourage States to enactment and enforce primary seat belt

laws were \$124.5 million per year between 2006 and 2009. States were eligible for these grants if they passed a primary seat belt law, or achieved a state seat belt use rate of 85% for two consecutive years after passing a primary law. Under Section 405 of SAFETEA-LU, incentive grants to encourage States to adopt and implement effective programs to reduce deaths and injuries from riding unrestrained or improperly restrained in motor vehicles increased from \$19.84 million annually in 2005 to \$25 million annually in 2006 and through 2009. States can only use these grant funds to implement and enforce occupant protection programs.

It is expected that such heightened activity will increase drivers' awareness of these programs and reduce incidents of impaired driving and unrestrained or improperly restrained driving. Public awareness surveys would enable NHTSA to evaluate the effectiveness of this increased spending.

Between 2006 and 2009, SAFETEA-LU has authorized NHTSA to spend \$29 million annually on National media to promote a message of high visibility enforcement for both impaired driving and occupant protection programs. This requires NHTSA to examine public awareness of programs to determine whether the media messages are reaching the target audience.

In order to reduce the work requirements for each State and to create sets of survey data that may be compared among the States, NHTSA will grant one or more separate awards to survey firms with expertise in conducting random telephone surveys. The data will be used to properly plan and evaluate enforcement activities directed at reducing the occurrence of alcohol impaired driving and increasing the use of safety belts. Data from National surveys will be used to assess the overall effectiveness of these programs, while State data will assess effectiveness of individual State programs. States found to have implemented effective programs to reduce their impaired driving problem, and increased their seat belt use, will prepare materials that highlight major features of their programs to be disseminated among States that want to implement an improved alcohol enforcement program or occupant protection enforcement program.

It should be noted that during the past decade NHTSA has conducted surveys on attitudes and behaviors on impaired driving and seat belt use. These surveys were very useful in documenting effective programs that have increased awareness of occupant protection and

impaired driving issues. Most of these surveys were conducted years ago and cannot be used to evaluate new programs scheduled to be initiated in the next few years.

*Description of the Likely Respondents (Including Estimated Number, and Proposed Frequency of Response to the Collection of Information)*

Over the next 3 years, NHTSA intends to conduct National telephone surveys to collect data from a total of 28,000 participants. For the impaired driving programs, 2 sets of pre/post intervention surveys, each with sample sizes of 1200, will be administered annually for 3 years. For the Occupant Protection programs, 2 sets of pre/post intervention surveys, each with sample sizes of 1200, will be administered annually for 3 years. NHTSA may also select certain sub-groups to survey, including State, Regional, and Community telephone surveys to monitor and evaluate occupant protection and impaired driving demonstration projects. Typically, a State demonstration survey will require 500 participants. A regional demonstration survey can range from as few as 200 participants for a small county to 2000 participants for a region covering more than one State.

Interviews will be conducted with persons at residential phone numbers selected using random digit dialing. No more than one respondent per household will be selected, and each sample member will complete just one interview. Businesses are ineligible for the sample and would not be interviewed. After each wave is completed and the data analyzed, the findings will be disseminated to each State for review.

*Estimate of the Total Annual Reporting and Record Keeping Burden Resulting from the Collection of Information*

NHTSA estimates that respondents in the sample would require an average of 10 minutes to complete the telephone interviews. Thus, the number of annual estimated reporting burden on the general public would be 1,600 hours for the National surveys and a maximum of 2,800 hours for the State and regional demonstration surveys, or a maximum of 4,400 hours per year for the combined National, State, and regional surveys. The respondents would not incur any reporting or record keeping costs from the information collection.

**Authority:** 44 U.S.C. 3506(c)(2)(A).

**Marilena Amoni,**

*Associate Administrator for Research and Program Development.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2007-0020, Notice 1]

#### Ferrari S.p.A. and Ferrari North America; Receipt of Application for a Temporary Exemption From the Advanced Air Bag Requirements of FMVSS No. 208

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

**ACTION:** Notice of receipt of petition for temporary exemption from provisions of Federal Motor Vehicle Safety Standard (FMVSS) No. 208, *Occupant Crash Protection*.

**SUMMARY:** In accordance with the procedures in 49 CFR Part 555, Ferrari S.P.A. and Ferrari North America (collectively, "Ferrari") have petitioned the agency for a temporary exemption from certain advanced air bag requirements of FMVSS No. 208. The basis for the application is that compliance would cause substantial economic hardship to a manufacturer that has tried in good faith to comply with the standard.

This notice of receipt of an application for temporary exemption is published in accordance with the statutory provisions of 49 U.S.C. 30113(b)(2). NHTSA has made no judgment on the merits of the application.

**DATES:** You should submit your comments not later than December 26, 2007.

**Comments:** We invite you to submit comments on the application described above. You may submit comments identified by docket number at the heading of this notice by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- **Mail:** DOT Docket Management Facility, M-30, U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- **Hand Delivery or Courier:** U.S. Department of Transportation, West

Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, Monday through Friday, except Federal holidays.

- **Fax:** 1-(202)-493-2251

**Instructions:** All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this rulemaking. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

**Privacy Act:** 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>.

**Docket:** For access to the docket in order to read background documents or comments received, go to <http://www.regulations.gov>, at any time or to M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

**Confidential Business Information:** If you wish to submit any information under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Chief Counsel, NHTSA, at the address given under **FOR FURTHER INFORMATION CONTACT**. In addition, you should submit two copies, from which you have deleted the claimed confidential business information, to Docket Management at the address given above. When you send a comment containing information claimed to be confidential business information, you should include a cover letter setting forth the information specified in our confidential business information regulation (49 CFR Part 512).

**FOR FURTHER INFORMATION CONTACT:** Mr. Ari Scott, Office of the Chief Counsel, NCC-112, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590. **Telephone:** (202) 366-2992; **Fax:** (202) 366-3820.

#### Discussion

##### I. Advanced Air Bag Requirements and Small Volume Manufacturers

In 2000, NHTSA upgraded the requirements for air bags in passenger

cars and light trucks, requiring what are commonly known as "advanced air bags."<sup>1</sup> The upgrade was designed to meet the goals of improving protection for occupants of all sizes, belted and unbelted, in moderate-to-high-speed crashes, and of minimizing the risks posed by air bags to infants, children, and other occupants, especially in low-speed crashes.

The advanced air bag requirements were a culmination of a comprehensive plan that the agency announced in 1996 to address the adverse effects of air bags. This plan also included an extensive consumer education program to encourage the placement of children in rear seats. The new requirements were phased in beginning with the 2004 model year.

Small volume manufacturers were not subject to the advanced air bag requirements until September 1, 2006, but their efforts to bring their respective vehicles into compliance with these requirements began several years earlier. However, because the new requirements were challenging, major air bag suppliers concentrated their efforts on working with large volume manufacturers, and thus, until recently, small volume manufacturers had limited access to advanced air bag technology. Because of the nature of the requirements for protecting out-of-position occupants, "off-the-shelf" systems could not be readily adopted. Further complicating matters, because small volume manufacturers build so few vehicles, the costs of developing custom advanced air bag systems compared to potential profits discouraged some air bag suppliers from working with small volume manufacturers.

As always, we are concerned about the potential safety implication of any temporary exemptions granted by this agency. In the present case, we are seeking comments on a petition for an extension of a temporary exemption from the advanced air bag requirements submitted by a manufacturer of high-performance sports cars.

##### II. Overview of Petition for Economic Hardship Exemption

In accordance with 49 U.S.C. 30113 and the procedures in 49 CFR Part 555, Ferrari has petitioned the agency for an extension of a temporary exemption from certain advanced air bag requirements of FMVSS No. 208. The basis for the application is that compliance would cause substantial economic hardship to a manufacturer that has tried in good faith to comply

<sup>1</sup> See 65 FR 30680 (May 12, 2000).