

and community impacts will be further designed and committed to.

Proposed alternatives: Metro expects to analyze a no-build alternative and two build alternatives. Prior to beginning formal EIS analysis, a Johns Landing refinement plan will be undertaken to define alignments for streetcar in the John's Landing area of the City of Portland, using all or parts of the Willamette Shore Line right-of-way, SW Macadam Avenue, Johns Landing Master Plan alignment or combinations thereof. As defined by the Metro Council in Resolution No. 07-3887a adopted December 2007, the build alternatives are as follows: (1) *A Streetcar mode*, because among transit alternatives studied to date, Streetcar operation in a significant percentage of exclusive right-of-way (the Willamette Shore Line) has the highest forecast ridership, significantly faster travel times between key corridor destinations, and greater reliability. In peak travel periods, the Streetcar would provide faster travel times than autos between downtown and Lake Oswego. Faster travel time and higher reliability is gained through operation of streetcar in a significant percentage of exclusive right of way on the Willamette Shore Line. Streetcar would also have the lowest operating and maintenance costs of any alternative, including the No-Build. Streetcar development could leverage up to 3.3 million square feet of total new transit supportive development in Lake Oswego and Johns Landing. Streetcar would operate as an extension of the existing streetcar line that operates between NW 23rd Avenue and the South Waterfront. (2) *Enhanced Bus Mode*, because this would avoid the property impacts of the previously studied Bus Rapid Transit alternative while still providing improved service, bus pullouts, and better shelters and lighting at stations. Enhanced bus would operate in mixed traffic, which has implications for travel time, reliability and long-term efficiency of the line. Enhanced bus would serve as the base case for comparison of Streetcar alternatives in the EIS. The EIS will also include a no-build alternative. Metro will consider any additional reasonable transit alternatives identified during scoping that provide similar transportation benefits while reducing or avoiding adverse impacts.

Probable effects: NEPA requires Metro and FTA to evaluate, in a public setting, the significant impacts of the alternatives selected for study in the Draft EIS. Areas of investigation include, but are not limited to, land use, development potential, land acquisition and displacements, historic resources,

visual and aesthetic qualities, air quality, noise and vibration, energy use, safety and security, and ecosystems, including threatened and endangered species. The impacts will be evaluated for both the construction period and for the long-term period of operation. Measures to mitigate adverse impacts will be developed. Comments on potentially significant environmental impacts that may be associated with the proposed project and alternatives are welcomed.

In accordance with FTA policy and regulations, Metro and 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 regulations of the Council on Environmental Quality and FTA implementing NEPA (40 CFR parts 1500-1508, and 23 CFR Part 771), 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 DOT Act (23 CFR 771.135), and Executive Orders 12898 on environmental justice, 11988 on floodplain management, and 11990 on wetlands.

R.F. Krochalis,

Regional Administrator, Region 10, Federal Transit Administration.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Reports, Forms and Record Keeping Requirements; Agency Information Collection Activity Under OMB Review

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Request for public comment on proposed collection of information.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below will be forwarded to the Office of Management and Budget (OMB) for

review and comment. The ICR describes the nature of a previously approved information collection and its expected burden. The **Federal Register** Notice with a 60-day comment period was published on January 22, 2008 [73 FR 3800-3801].

DATES: Comments must be submitted on or before May 16, 2008.

FOR FURTHER INFORMATION CONTACT: Walter Culbreath at the National Highway Traffic Safety Administration, Office of the Chief Information Officer, Room W51-204, 1200 New Jersey Ave., SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

National Highway Traffic Safety Administration

Title: Generic Clearance for Customer Surveys.

OMB Number: 2127-0579.

Type of Request: Extension of a currently approved information collection.

Abstract: Executive Order 12862 mandates that agencies survey their customers to identify the kind and quality of services they want and their level of satisfaction with existing services. Other requirements include the Governmental Performance and Results Act (GPRA) of 1993 which promotes a new focus on results, service quality, and customer satisfaction. NHTSA will use surveys of the public and other external stakeholders to gather data as one input to decision-making on how to better meet the goal of improving safety on the nation's highways. The data gathered on public expectations, NHTSA's products and services, along with specific information on motor vehicle crash related issues, will be used by the agency to better structure its processes and products, forecast safety trends and achieve the agency's goals.

Affected Public: Individuals or households are primary survey respondents. Businesses or other for-profit organizations, not-for-profit institutions, Federal agencies, and State, local or tribal governments are other possible survey respondents.

Estimated Total Annual Burden: 13,468.

Addresses: Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, *Attention:* NHTSA Desk Officer.

Comments are Invited On: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of

the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and 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 most effective if OMB receives it within 30 days of publication.

Issued in Washington, DC, on April 10, 2008.

Margaret O'Brien,

Chief Information Officer.

[FR Doc. E8-8102 Filed 4-15-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2008-0073]

Mosler Automotive; Grant of Application for a Temporary Exemption From Advanced Air Bag Requirements of FMVSS No. 208

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

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

SUMMARY: This notice grants the petition of Mosler Automotive (Mosler) for a temporary exemption from certain air bag requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 208, *Occupant Crash Protection*, for the Mosler MT900 for the requested period of thirty months. In accordance with 49 CFR Part 555, the basis for the grant is that compliance would cause substantial economic hardship to a manufacturer that has tried in good faith to comply with the standard, and the exemption would have a negligible impact on motor vehicle safety.

This action follows our publication in the **Federal Register** of a document announcing receipt of Mosler's application and soliciting public comments.

DATES: The exemption is effective immediately and remains in effect until May 16, 2008.

FOR FURTHER INFORMATION CONTACT: Mr. Ed Glancy or 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.

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" (see 65 FR 30680). 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 before that. However, because the new requirements were challenging, major air bag suppliers have 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.

The agency has carefully tracked occupant fatalities resulting from air bag deployment. Our data indicate that the agency's efforts in the area of consumer education and manufacturers providing depowered air bags were successful in reducing air bag fatalities even before advanced air bag requirements were implemented.

As always, we are concerned about the potential safety implication of any temporary exemptions granted by this agency. In the present case, we are addressing a petition for a temporary exemption from the advanced air bag requirements submitted by a

manufacturer of a high-performance sports car.

II. Statutory Background for Economic Hardship Exemptions

A manufacturer is eligible to apply for a hardship exemption if its total motor vehicle production in its most recent year of production did not exceed 10,000 vehicles, as determined by the NHTSA Administrator (49 U.S.C. 30113).

In determining whether a manufacturer of a vehicle meets that criterion, NHTSA considers whether a second vehicle manufacturer also might be deemed the manufacturer of that vehicle. The statutory provisions governing motor vehicle safety (49 U.S.C. Chapter 301) do not include any provision indicating that a manufacturer might have substantial responsibility as a manufacturer of a vehicle simply because it owns or controls a second manufacturer that assembled that vehicle. However, the agency considers the statutory definition of "manufacturer" (49 U.S.C. 30102) to be sufficiently broad to include sponsors. Thus, NHTSA has stated that a manufacturer may be deemed to be a sponsor and thus a manufacturer of a vehicle assembled by a second manufacturer if, as the first manufacturer, they had a substantial role in the development and manufacturing process of that vehicle.

Finally, while 49 U.S.C. 30113(b) states that exemptions from a Safety Act standard are to be granted on a "temporary basis,"¹ the statute also expressly provides for renewal of an exemption on reapplication. Manufacturers are nevertheless cautioned that the agency's decision to grant an initial petition in no way predetermines that the agency will repeatedly grant renewal petitions, thereby imparting semi-permanent exemption from a safety standard. Exempted manufacturers seeking renewal must bear in mind that the agency is directed to consider financial hardship as but one factor, along with the manufacturer's on-going good faith efforts to comply with the regulation, the public interest, consistency with the Safety Act, generally, as well as other such matters provided in the statute.

III. Petition of Mosler and Notice of Receipt

In accordance with 49 U.S.C. 30113 and the procedures in 49 CFR Part 555, Mosler has petitioned the agency for a temporary exemption from certain advanced air bag requirements of

¹ 49 U.S.C. 30113(b)(1).