

register in advance. In order to allow as many people as possible to speak, speakers are requested to limit their remarks to 3 minutes. For those wishing to submit written comments, please follow the procedure noted above.

This meeting will be open to the public. Individuals wishing to register must provide their name, affiliation, phone number, and e-mail address to Drew Dawson by e-mail at [drew.dawson@dot.gov](mailto:drew.dawson@dot.gov) or by telephone at (202) 366-9966 no later than December 8, 2009. There will be limited seating, so please register early. Pre-registration is necessary to enable proper arrangements.

Minutes of the NEMSAC Meeting will be available to the public online through <http://www.ems.gov>.

Issued on: November 20, 2009.

**Jeffrey P. Michael,**

*Associate Administrator for Research and Program Development.*

[FR Doc. E9-28323 Filed 11-25-09; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35317]

#### U S Rail Corporation—Operation Exemption—U S Rail Corporation of New Jersey

U S Rail Corporation (USRP), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to operate approximately 17.24 miles of rail line between milepost 10.86 in Swedesboro, NJ, and milepost 28.10 in Salem, NJ. The rail line is owned by the County of Salem, NJ (County), and is currently operated by Southern Railroad Company of New Jersey. U S Rail Corporation of New Jersey (U S RCNJ), USRP's affiliate, and USRP are entering into an agreement providing for USRP to operate the rail line, with U S RCNJ retaining a residual common carrier obligation.

This transaction is related to the concurrently filed verified notices of exemption in: (1) STB Finance Docket No. 35310, *U S Rail Corporation of New Jersey—Lease Exemption—County of Salem, NJ*, whereby U S RCNJ has filed a verified notice of exemption to lease the line from the County; and (2) STB Finance Docket No. 35318, *Gabriel D. Hall—Continuance in Control—U S Rail Corporation of New Jersey*, whereby Gabriel D. Hall has filed a verified notice of exemption to continue in control of U S RCNJ upon U S RCNJ becoming a Class III rail carrier.

USRP certifies that its projected revenues as a result of the transaction will not result in the creation of a Class II or Class I rail carrier and that its projected annual revenues will not exceed \$5 million.

The transaction is expected to be consummated on or after December 12, 2009, the effective date of the exemption (30 days after the exemption was filed).

Pursuant to the Consolidated Appropriations Act, 2008, Public Law 110-161, section 193, 121 Stat. 1844 (2007), nothing in this decision authorizes the following activities at any solid waste rail transfer facility: Collecting, storing or transferring solid waste outside of its original shipping container; or separating or processing solid waste (including baling, crushing, compacting and shredding). The term "solid waste" is defined in section 1004 of the Solid Waste Disposal Act, 42 U.S.C. 6903.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than December 4, 2009 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35317, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Eric M. Hocky, Thorp Reed & Armstrong, LLP, One Commerce Square, 2005 Market Street, Suite 1000, Philadelphia, PA 19103.

Board decisions and notices are available on our Web site at: <http://www.stb.dot.gov>.

Decided: November 23, 2009.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Kulunie L. Cannon,**  
*Clearance Clerk.*

[FR Doc. E9-28433 Filed 11-25-09; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Petition for Exemption From the Federal Motor Vehicle Motor Theft Prevention Standard; General Motors Corporation

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

**ACTION:** Grant of petition for exemption.

**SUMMARY:** This document grants in full the petition of General Motors Corporation's (GM) petition for an exemption of the Cadillac CTS vehicle line in accordance with 49 CFR part 543, *Exemption from the 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 (49 CFR part 541).

**DATES:** The exemption granted by this notice is effective beginning with model year (MY) 2011.

**FOR FURTHER INFORMATION CONTACT:** Ms. Carlita Ballard, Office of International Policy, Fuel Economy, and Consumer Standards, NHTSA, W43-439, 1200 New Jersey Avenue, SE., Washington, DC 20590. Ms. Ballard's phone number is (202) 366-0846. Her fax number is (202) 493-2990.

**SUPPLEMENTARY INFORMATION:** In a petition dated September 25, 2009, GM requested an exemption from the parts-marking requirements of the theft prevention standard (49 CFR part 541) for the Cadillac CTS vehicle line beginning with MY 2011. The petition has been filed pursuant to 49 CFR 543, *Exemption from Vehicle Theft Prevention Standard*, based on the installation of an antitheft device as standard equipment for the entire vehicle line.

Under § 543.5(a), a manufacturer may petition NHTSA to grant an exemption for one vehicle line per model year. In its petition, GM provided a detailed description and diagram of the identity, design, and location of the components of the antitheft device for the Cadillac CTS vehicle line. GM stated that all Cadillac CTS vehicles will be equipped with a passive, transponder-based, electronic immobilizer device as standard equipment beginning with MY 2011. Vehicles will have either the (PASS-Key III+) or the Keyless Access system. GM stated that both devices will

provide protection against unauthorized use (*i.e.*, starting and engine fueling), but will not provide any visible or audible indication of unauthorized vehicle entry (*i.e.*, flashing lights or horn alarm).

The PASS–Key III+ device is designed to be active at all times without direct intervention by the vehicle operator. The system is fully armed immediately after the ignition has been turned off and the key removed. Components of the antitheft device include an electronically-coded ignition key, a PASS–Key III+ controller module and an engine control module. The ignition key contains electronics molded into the key head, providing billions of possible electronic combinations. The electronics receive energy and data from the controller module. Upon receipt of the data, the key will calculate a response to the data using secret information and an internal encryption algorithm, and transmit the response back to the vehicle. The controller module translates the radio frequency signal received from the key into a digital signal and compares the received response to an internally calculated value. If the values match, the key is recognized as valid and one of 65,534 “Vehicle Security Passwords” is transmitted to the engine control module to enable fueling and starting of the vehicle. If an invalid key code is received, the PASS–Key III+ controller module will send a “Disable Password” to the engine control module and starting, ignition, and fuel will be inhibited.

The Keyless Access device is automatically armed after the vehicle is put into the Off mode, no additional operator action is required to protect the vehicle. This system will utilize a special electronic key, two low-frequency antennas, an authorization module, a Body Control Module, and an Engine Control Module. The authorization module verifies the electronic key prior to allowing vehicle operation. Verification of the electronic code is also required to allow the transmission shift level to unlock. The electronic key resides in the form of a remote key fob in which the key fob contains buttons to perform normal remote keyless entry functions, and also contains special electronics to communicate with the vehicle without direct customer intervention. The electronic key will transmit a response via a Radio Frequency channel and the authorization module will receive the Radio Frequency transmission and compares the received response with an internally calculated response. If the values match, authorization is

communicated to the Body Control Module to allow the vehicle to enter operating modes.

In addressing the specific content requirements of 543.6, GM provided information on the reliability and durability of the proposed device. To ensure reliability and durability of the device, GM conducted tests based on its own specified standards. GM stated that the design and assembly processes of the system and components are validated for a vehicle life of 10 years and 150,000 miles of performance. GM also provided a detailed list of the tests conducted used to validate integrity, durability and reliability, and after each test, components must operate as designed.

GM stated that the PASS–Key III+ system and the Keyless Access System have been designed to enhance the functionality and theft protection provided by GM’s first, second and third generation PASS–Key, PASS–Key II, and PASS–Key III systems. GM also stated that there is data provided by the American Automobile Manufacturers Association to Docket 97–042; Notice 1, that in confidence, these systems will be effective in reducing and deterring motor vehicle theft.

GM indicated that the theft rates, as reported by the Federal Bureau of Investigation’s National Crime Information Center (NCIC), are lower for exempted GM models equipped with the electronically coded systems which have exemptions from the parts-marking requirements of 49 CFR Part 541, than the theft rates for earlier models with similar appearance and construction which were parts-marked. Based on the performance of the PASS–Key, PASS–Key II, and PASS–Key III systems on other GM models, and the advanced technology utilized in PASS–Key III+ and the Keyless Access System, GM believes that these systems will be more effective in deterring theft than the parts-marking requirements of 49 CFR Part 541. GM believes that the agency should find that inclusion of the PASS–Key III+ or the Keyless Access system on all vehicles in the Cadillac CTS line is sufficient to qualify this vehicle line for full exemption from the parts-marking requirements.

Based on the evidence submitted by GM, the agency believes that the antitheft device for the Cadillac CTS 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 541).

Based on comparison of the reduction in the theft rates of Chevrolet Corvettes using a passive theft deterrent system

along with an audible/visible alarm system to the reduction in theft rates for the Chevrolet Camaro and the Pontiac Firebird models equipped with a passive theft deterrent system without an alarm, GM finds that the lack of an alarm or attention attracting device does not compromise the theft deterrent performance of a system such as PASS–Key III+ system and the Keyless Access System.

GM’s proposed device lacks an audible or visible alarm. Therefore, this device cannot perform one of the functions listed in 49 CFR part 543.6(a)(3), that is, to call attention to unauthorized attempts to enter or move the vehicle. However, theft data have indicated a decline in theft rates for vehicle lines equipped with comparable devices that have received full exemptions from the parts-marking requirements. In these instances, the agency has concluded that the lack of an audible or visible alarm has not prevented these antitheft devices from being effective protection against theft.

Pursuant to 49 U.S.C. 33106 and 49 CFR 543.7(b), the agency grants a petition for exemption from the parts-marking requirements of Part 541, either in whole or in part, if it determines that, based upon substantial evidence, the standard equipment antitheft device is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of Part 541. The agency finds that GM has provided adequate reasons for its belief that the antitheft device for the Cadillac CTS 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). This conclusion is based on the information GM provided about its device.

The agency concludes that the device will provide four of the five types of performance listed in § 543.6(a)(3): Promoting activation; 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.

For the foregoing reasons, the agency hereby grants in full GM’s petition for exemption for the GM Cadillac CTS vehicle line from the parts-marking requirements of 49 CFR part 541. The agency notes that 49 CFR part 541, Appendix A–1, identifies those lines that are exempted from the Theft Prevention Standard for a given model year. 49 CFR part 543.7(f) contains publication requirements incident to the disposition of all Part 543 petitions.

Advanced listing, including the release of future product nameplates, the beginning model year for which the petition is granted and a general description of the antitheft device is necessary in order to notify law enforcement agencies of new vehicle lines exempted from the parts marking requirements of the Theft Prevention Standard.

If GM 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 Parts 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if GM 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. Part 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, Part 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 Part 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: November 23, 2009.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. E9-28440 Filed 11-25-09; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2009 0144]

#### Requested Administrative Waiver of the Coastwise Trade Laws

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel Northern Lights.

**SUMMARY:** As authorized by 46 U.S.C. 12121, 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 brief description of the proposed service, is listed below. The complete application is given in DOT docket MARAD-2009-0144 at <http://www.regulations.gov>. 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, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR Part 388 (68 FR 23084; April 30, 2003), 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 in that business, a waiver will not be granted.

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 commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

**DATES:** Submit comments on or before December 28, 2009.

**ADDRESSES:** Comments should refer to docket number MARAD-2009-0144. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. 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://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Joann Spittle, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue, SE., Room W21-203, Washington, DC 20590. Telephone 202-366-5979.

#### SUPPLEMENTARY INFORMATION:

As described by the applicant the intended service of the vessel Northern Lights is:

*Intended Commercial Use of Vessel:* "Sportfishing in Hawaii."  
*Geographic Region:* "Hawaii."

#### 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).

Dated: November 17, 2009.

By order of the Maritime Administrator.

**Christine Gurland,**

*Secretary, Maritime Administration.*

[FR Doc. E9-28324 Filed 11-25-09; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2009 0145]

#### Requested Administrative Waiver of the Coastwise Trade Laws

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Invitation for public comments on a requested administrative waiver of the coastwise trade laws for the vessel Casamar.

**SUMMARY:** As authorized by 46 U.S.C. 12121, 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 brief description of the proposed service, is listed below. The complete application is given in DOT docket MARAD-2009-XXXX at <http://www.regulations.gov>.