ACTION: Notice of intent of waiver with respect to land; Burnett County Airport, Siren WI.

SUMMARY: The FAA is considering a proposal to change 24.19 acres of airport land from aeronautical use to non-aeronautical use of airport property located at Burnett County Airport, Siren WI. The aforementioned land is not needed for aeronautical use.

The Gandy Dancer Trail is a large recreational trail system in Western Wisconsin. A portion of the trail ran across the approach area to the runway at the Burnett County Airport. This section of the trail was relocated away from the runway to follow the west edge of airport property. The old trail was converted to airport use.

DATES: Comments must be received on or before January 8, 2014.

ADDRESSES: Documents are available for review by appointment at the FAA Airports District Office, Sandra DePottey, Program Manager, 6020 28th Ave South, Room 102, Minneapolis MN 55450, Telephone: (612) 253–4610/Fax: (612) 253–4611 and Burnett County Government Center, 7410 County Road K, Siren, WI 54872.

Written comments on the Sponsor's request must be delivered or mailed to: Sandra DePottey, Program Manager, Federal Aviation Administration, Airports District Office, 6020 28th Ave. South, Room 102, Minneapolis MN 55450, Telephone Number: (612) 253–4610/FAX Number: (612) 253–4611.

FOR FURTHER INFORMATION CONTACT: Sandra DePottey, Program Manager, Federal Aviation Administration, Airports District Office, 6020 28th Ave South Room 102, Minneapolis MN 55450. Telephone Number: (612) 253–4610/FAX Number: (612) 253–4611.

SUPPLEMENTARY INFORMATION: In accordance with section 47107(h) of Title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

The airport property for the relocated trail was originally acquired with State and local funds. The sponsor has received FMV for the property in the form of a land swap. There are no impacts to the airport by allowing the airport to dispose of the property. The land will continue to be used by the Wisconsin Department of Natural Resources (WiDNR) for a recreational trail.

The disposition of proceeds from the sale of the airport property will be in accordance with FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999 (64 FR 7696).

This notice announces that the FAA is considering the release of the subject airport property at the Burnett County Airport, Siren, Wisconsin from federal land covenants, subject to a reservation for continuing right of flight as well as restrictions on the released property as required in FAA Order 5190.6B section 22.16. Approval does not constitute a commitment by the FAA to financially assist in the disposal of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA.

A PART OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 39 NORTH, RANGE 16 WEST, TOWN OF MEENON, BURNETT COUNTY, WISCONSIN

Issued in Minneapolis Minnesota, on October 31, 2013.

Chris Hugunin,

Manager, Minneapolis Airports District Office, FAA, Great Lakes Region.

[FR Doc. 2013–29244 Filed 12–6–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2013–0101; Notice 1]

Morgan 3 Wheeler Limited, Receipt of Petition for Decision of Inconsequential Noncompliance

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

ACTION: Receipt of Petition.

SUMMARY: Morgan 3 Wheeler Limited [1] (Morgan) has determined that certain model year (MY) 2012 and 2013 Morgan model M3W three-wheeled motorcycles do not fully comply with either paragraph S7.9.6.2(b) or paragraph S10.7.1.2.2 (depending on the vehicles date of manufacture) of Federal Motor Vehicle Safety Standard (FMVSS) No. 108, *Lamps, Reflective Devices, and Associated Equipment.* Morgan has filed an appropriate report dated August 6, 2013, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.*

DATES: The closing date for comments on the petition is January 8, 2014.

[1] Morgan 3 Wheeler Limited is a manufacturer of motor vehicles and is registered under the laws of England.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited at the beginning of this notice and be submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Deliver:* Deliver comments by hand to: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.
- *Electronically:* Submit comments electronically by: Logging onto the Federal Docket Management System (FDMS) Web site at *http://www.regulations.gov/.* Follow the online instructions for submitting comments. Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that your comments were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided.

Documents submitted to a docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at *http://www.regulations.gov* by following the online instructions for accessing the dockets. DOT's complete Privacy Act Statement is available for review in the **Federal Register** published on April 11, 2000, (65 FR 19477–78).

The petition, supporting materials, and all comments received before the close of business on the closing date indicated below will be filed and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated below.

SUPPLEMENTARY INFORMATION:

I. Morgan's petition: Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see

implementing rule at 49 CFR part 556), Morgan submitted a petition for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of Morgan's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

II. Vehicles involved: Affected are approximately 139 MY 2012 and 2013 Morgan model M3W three-wheeled motorcycles manufactured during the period August 1, 2012 to August 14, 2013.

III. Noncompliance: Morgan explains that the noncompliance is that the affected vehicles were equipped with dual horizontally-mounted headlamps mounted 29 inches apart (lens edge to lens edge) rather than within 200 mm as stated in FMVSS No. 108. In addition, Morgan states that the headlamps are not marked with the symbol ''DOT.''

IV. Rule Text: Paragraphs S7.9.6.2(b) and S10.17.1.2.2 of FMVSS No. 108 require in pertinent part:

Paragraph S7.9.6.2(b) (applies only to the subject vehicles manufactured before December 1, 2012).

If the system consists of two headlamps, each of which provides both an upper and lower beam, the headlamps shall be mounted either at the same height and symmetrically disposed about the vertical centerline or mounted on the vertical centerline. If the headlamps are horizontally disposed about the vertical centerline, the distance between the closest edges of their effective projected luminous lens areas shall not be greater than 200 mm (8 in.).

Paragraph S10.17.1.2.2 (applies only to the subject vehicles manufactured after December 1, 2012).

If the headlamps are horizontally disposed about the vertical centerline, the distance between the closest edges of their effective projected luminous lens areas must not be greater than 200 mm.

V. Summary of Morgan's Analyses: Morgan stated its belief that the subject noncompliance is inconsequential to motor vehicle safety for the following reasons:

1. Horizontal Separation of the Headlamps

• Morgan contends that the headlamps meet the technical requirements of FMVSS No. 108 and that the current horizontal spacing of 29 inches is in the best interests of road safety. If the M3W were compliant with the existing motorcycle head lamp spacing requirement, other road users would not have an accurate indication of the width of an oncoming M3W.

• For ongoing production Morgan shall source an FMVSS No. 108 compliant headlamp and shall install such lamp in accordance with FMVSS No. 108 along the vertical centerline of the M3W. This lamp shall be wired to the vehicle lighting switch. The two lamps separated by 29 inches shall remain available as optional driving lamps wired to a separate switch and shall be supplemental driving lamps. This change in specification shall apply to any US retail sales after the date of Morgan's notification of noncompliance submitted under 49 CFR part 573 for the subject vehicles.

II. Lens Marking

• Morgan contends that the noncompliance is inconsequential as it relates to motor vehicle safety on the basis that the lamps meet the substantive requirements of FMVSS No. 108 and Morgan owners almost exclusively go to Morgan dealers for replacement parts.

• For ongoing production, the headlamps shall have all FMVSS required markings.

Morgan also presents several arguments as to how it believes previous NHTSA inconsequential noncompliance determinations can be applied to a decision on its petition. See Morgan's petition for a complete discussion of its reasoning.

In addition, Morgan knows of no reports of injuries or other safety issues in the US or the rest of the world caused by the subject noncompliance.

In summation, Morgan believes that the described noncompliance of the subject vehicles is inconsequential to motor vehicle safety, and that its petition, to exempt from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120 should be granted.

In its petition, Morgan also requested that NHTSA amend the headlamp spacing requirements in FMVSS No. 108 during future rulemaking. This request cannot be considered as part of the instant petition as filed under 49 CFR part 556. However, Morgan may consider petitioning the Agency for rulemaking. The appropriate type of petition to request a change in a rule is one filed under 49 CFR Part 552 *Petitions for Rulemaking, Defect, and Non-Compliance Orders.*

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the vehicles that Morgan no longer controlled at the time it determined that the noncompliance existed. However, a decision on this petition cannot relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, introduction or delivery for introduction into interstate commerce of the noncompliant motor vehicles under their control after Morgan notified them that the subject noncompliance existed.

Authority: 49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8.

Issued on: December 2, 2013.

Claude H. Harris,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2013–29249 Filed 12–6–13; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35724 (Sub-No. 1)]

California High-Speed Rail Authority—Construction Exemption—In Fresno, Kings, Tulare, and Kern Counties, California

By petition filed on September 26, 2013, California High-Speed Rail Authority (Authority), a state agency formed in 1996, seeks an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10901 for authority to construct an approximately 114-mile high-speed passenger rail line between Fresno and Bakersfield, Cal. (the Line).

The Line is the second of nine segments of the planned California High-Speed Train System (HST System), which would, when completed, provide high-speed intercity passenger rail service over more than 800 miles of new rail line throughout California.[1] The complete system would connect the major population centers of Sacramento, the San Francisco Bay Area, the Central Valley, Los Angeles, the ''Inland Empire'' (*i.e.,* the region east of the Los Angeles metropolitan area), Orange County, and San Diego. The Authority states that it plans to contract with a

[1] Earlier this year the Board granted an exemption for construction of the first segment of the HST System, between Merced and Fresno, Cal. (Merced-to-Fresno segment). *See Cal. High-Speed Rail Auth.—Constr. Exemption—in Merced, Madera & Fresno Cntys., Cal.,* FD 35724 (STB served June 13, 2013) (*June Decision*).