

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Environmental Impact Statement:  
Orange County, FL**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for a proposed highway project in Orange County, Florida.

**FOR FURTHER INFORMATION CONTACT:**

Jim Travis, Transportation Engineer, Federal Highway Administration, 227 N. Bronough Street, Room 2015, Tallahassee, Florida 32301, Telephone: (904) 942-9587.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Florida Department of Transportation, will prepare an EIS for a proposal to develop a new alignment for the Apopka Bypass, Orange County, Florida. The proposed improvement would involve the development of a roadway within a study area that begins at the intersection of US 441 and the planned Maitland Boulevard extension. The study area extends in a westerly direction until reaching the area of the intersection of Keene Road and Ocoee-Apopka Road. From this location, the study area curves to the north ending at the intersection of US 441 and CR 437 in Orange County, Florida. The study area will vary in width from approximately 1.2 kilometers (4,000 feet) at its eastern terminus to 4 kilometers (2½ miles) at its northern terminus. The approximate length is ±17.7 kilometers (±11 miles). Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand.

Alternatives under consideration include: 1) taking no action, 2) alternate corridors, and 3) alternate alignments.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens who have expressed interest in this proposal. A series of public meetings are planned to be held in Apopka, Orange County between February and June, 1995. In addition, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearings. The Draft EIS will be made available for public and agency review and comment. A formal scoping meeting is planned at the project site during the early part of 1995.

To ensure that the full range of issues related to the proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: December 20, 1994.

**Melisa L. Ridenour,**

*Transportation Supervisor.*

[FR Doc. 94-32200 Filed 12-30-94; 8:45 am]

**BILLING CODE 4910-22-M**

**Intelligent Transportation Society of America; Public Meeting**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of public meeting.

**SUMMARY:** The Intelligent Transportation Society of America (ITS AMERICA) will hold a meeting of its Coordinating Council on January 27, 1995. The session is expected to focus on: (1) National Intelligent Transportation Systems (ITS) Program Plan Approval; (2) ITS Privacy Principles Approval; (3) System Architecture Development Update; (4) Standards Requirements Process; (5) Telecommunications Strategy; and (6) Report of the Futures Group. ITS AMERICA provides a forum for national discussion and recommendations on ITS activities including programs, research needs, strategic planning, standards, international liaison, and priorities. The charter for the utilization of ITS AMERICA establishes this organization as an advisory committee under the Federal Advisory Committee Act (FACA), 5 USC app. 2, when it provides advice or recommendations to DOT officials on IVHS policies and programs. (56 FR 9400, March 6, 1991).

**DATES:** The Coordinating Council of ITS AMERICA will meet on January 27, 1995, from 8 a.m. to 12 noon e.t.

**ADDRESSES:** The Omni Shoreham Hotel, 2500 Calvert Street, N.W., Washington, D.C. 20008, (202) 234-0700.

**FOR FURTHER INFORMATION CONTACT:** Materials associated with this meeting may be examined at the offices of ITS AMERICA, 400 Virginia Avenue, S.W., Suite 800, Washington, D.C. 20024. Persons desiring further information or to request to speak at this meeting

should contact Mr. Steve Hay at ITS AMERICA by telephone at (202) 484-4665, or by FAX at (202) 484-3483. The DOT contact is Ms. Susan Lauffer, FHWA, HTV-1, Washington, D.C. 20590, (202) 366-0372. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except for Federal holidays.

(23 U.S.C. 315; 49 CFR 1.48)

Issued on: December 22, 1994.

**Rodney E. Slater,**

*Federal Highway Administrator.*

[FR Doc. 94-32312 Filed 12-30-94; 8:45 am]

**BILLING CODE 4910-22-P**

**State Laws and Regulations Affecting Interstate Motor Carrier Operations; Establishment of a Compliance Date**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice; establishment of compliance date.

**SUMMARY:** The FHWA is announcing the date by which States must adopt and enforce motor carrier safety regulations that have the same effect as the Federal Motor Carrier Safety Regulations (FMCSRs) and are applicable to all commercial motor vehicles (CMVs) used in interstate commerce with a gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) of greater than 10,000 pounds. A State's failure to comply within three years of January 3, 1995 will subject the State to the loss of Motor Carrier Safety Assistance Program (MCSAP) funding. **DATES:** Each State must adopt and enforce compatible interstate weight threshold requirements within three years from January 3, 1995.

**FOR FURTHER INFORMATION CONTACT:** Mr. Brad A. Trullinger, Office of Motor Carrier Standards, (202) 366-4009, or Mr. David Sett, Office of the Chief Counsel, (202) 366-0834, Federal Highway Administration, Department of Transportation, 400 Seventh Street, S.W., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except legal Federal holidays.

**SUPPLEMENTARY INFORMATION:** The Motor Carrier Safety Act of 1984 (The Act), Pub. L. 98-554, 98 Stat. 2832, (codified as amended at 49 U.S.C. 31111), seeks to promote the safe operation of CMVs in interstate commerce. The Act was intended to assure consistency of State laws and regulatory requirements as they pertain to commercial vehicle safety. The Congress found that there was a need for more uniform CMV safety measures between the State and

Federal governments that, with strengthened enforcement, would reduce the number of fatalities and injuries related to CMV operations. The Act provided that State laws and regulations pertaining to CMV safety could continue to be enforced only if they have the same effect as the Federal regulations.

The Act also created a Commercial Motor Vehicle Safety Regulatory Review Panel to review all State laws and regulations as they pertain to motor carrier safety affecting interstate operations. The focus of the Safety Panel was to determine which State laws and regulations either have the same effect, are more stringent than, or are less stringent than the requirements of the FMCSRs. The Safety Panel initially inventoried over 70,000 State motor carrier safety laws and regulations affecting interstate carriers.

In August of 1990, the Safety Panel submitted a final report of its findings and recommendations to the Secretary of Transportation. (DOT/FHWA, Achieving Compatibility of State and Federal Safety Requirements: A Report to the Secretary of Transportation, August 1990.) The Safety Panel identified many State laws and regulations that were determined to be less stringent than the Federal requirements. The Safety Panel specifically recommended using an approach whereby the FHWA could preempt less stringent State laws or regulations, deny funding under the Motor Carrier Safety Assistance Program, or both. This approach was subsequently adopted by the FHWA, and codified in 49 CFR parts 350 and 355. In fact, appendix A in part 355 specifically uses the 10,001 pound or more weight threshold as an example of a guideline for regulatory review. However, the Safety Panel "gave States latitude on the compatibility of their weight threshold requirements" pending the outcome of an FHWA rulemaking action on this issue, initiated by an advance notice of proposed rulemaking (ANPRM) published on February 17, 1989, at 54 FR 7224. (Safety Panel Report, at p. 11)

The FHWA requested comments in the ANPRM on possible changes to the GVWR criterion, including whether the 10,001 pound weight threshold should be raised to as high as 26,001 pounds. Because the information obtained from that effort did not support a change in the weight threshold, the FHWA is closing docket MC-89-5, and is providing notice of the withdrawal of the weight threshold proposal for CMVs, elsewhere in today's **Federal Register**. Consequently, States will be granted a

three-year period, from January 3, 1995, to adopt and enforce motor carrier safety laws and regulations having the same effect as the FMCSRs, at the 10,001 pound weight threshold, or be subject to the loss of MCSAP funding. It should be emphasized that this notice is expressly limited to the weight threshold issue concerning the definition of a CMV used in interstate commerce. States are expected to maintain regulatory requirements that are consistent with the FMCSRs. Generally, a State has up to three years from the effective date of the new Federal requirement to adopt and enforce that requirement. The FHWA views this action as falling within that category. Future FHWA rulemaking actions will specify appropriate deadlines for the States to promulgate and adopt their appropriate regulatory changes. See 49 CFR 350.11(f) and part 355, appendix A.

**Authority:** 49 U.S.C. app. 2301 through 2304, 2505 through 2507; 49 U.S.C. 504 and 3102; 23 U.S.C. 315, 49 CFR 1.48.

Issued on: December 22, 1994.

**Rodney E. Slater,**

*Federal Highway Administrator.*

[FR Doc. 94-32310 Filed 12-30-94; 8:45 am]

BILLING CODE 4910-22-P

## Federal Railroad Administration

### Petition for Waivers of Compliance

In accordance with 49 CFR Sections 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for waivers of compliance with certain requirements of the Federal safety laws and regulations. The petition is described below, including the regulatory provisions involved, the nature of the relief being requested and the petitioner's arguments in favor of relief.

#### Central Puget Sound Regional Transit Authority (RTA)

*FRA Docket Numbers SA-94-12 and RSGM-94-26*

The RTA, working with the Burlington Northern Railroad and the Union Pacific Railroad, is developing a Commuter Rail Demonstration Project (CRDP). The CRDP is part of an ongoing effort to improve mass transit services in the three-county, Seattle-Tacoma-Everett region in the State of Washington. The RTA plans to begin operation in late January or early February of 1995, and be concluded not later than May 31, 1995.

The RTA effort to identify suitable passenger equipment for the CRDP

concluded that the only possible source of adequate equipment is GO Transit in Toronto, Ontario, Canada. RTA plans to lease 14 bi-level passenger cars, two auxiliary power car units (APCU) and two locomotives from GO Transit. Some of the same GO Transit equipment was leased for varying lengths of time by other United States commuter railroads in the past, most recently by the Southern California Regional Rail Authority for service in the Los Angeles, California, area to augment its equipment fleet because of the increase in commuter rail demand resulting from the January 17, 1994, earthquake.

The RTA seeks waivers of compliance from certain sections of the FRA regulations which are described herein. Conditional waivers were granted to the other commuter rail operators which leased the GO Transit equipment.

*FRA Docket Number SA-94-12*

The RTA seeks a temporary waiver of compliance with certain provisions of the Railroad Safety Appliance Standards (49 CFR Part 231) for 14 GO Transit passenger cars which do not fully comply with the regulations. Section 231.14(c)(3) requires that the side corner handholds be located specifically in relation to the center line of the coupler. RTA states that the side corner handholds are not located the correct distance above the centerline of the coupler.

*FRA Docket Number RSGM-94-26*

The RTA seeks a temporary waiver of compliance with certain provisions of the Railroad Safety Glazing Standards (49 CFR Part 223) for 14 GO Transit bi-level commuter passenger cars, 2 APCU, and 2 locomotives which do not fully comply with the regulation. The glazing material installed in the equipment is manufactured to CSA-D263-1972 (ANSI Z.26.1) standards, laminated safety glass suitable for locomotives and railway cars. The side facing and end facing glazing material is not in compliance with 49 CFR Section 223.15.

Interested parties are invited to participate in these proceedings by submitting written reviews, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number SA-94-12) and