services in addition to roadway facilities in the Charlotte-Mecklenburg region.

In response to this need, the City of Charlotte in conjunction with FTA is initiating the scoping phase of the EIS process to evaluate alternative transit options for the South Corridor.

III. Alternatives

The alternatives proposed for evaluation include: (1) No-build, which involves no change to transportation service or facilities in the corridor beyond already committed projects; (2) a Transportation System Management alternative, which consists of low to medium cost improvements to the operations of the local bus service, Charlotte Transit, in addition to the currently planned transit improvements in the corridor; and multiple ''build'' alternatives including (3) light rail transit (LRT) located within the existing Norfolk Southern rail right of way and the South Boulevard (US 521) right of way; (4) diesel multiple units (DMU) located in the existing Norfolk Southern rail right of way; (5) bus rapid transit (BRT) using exclusive bus-only roadways in the project corridor including those constructed within the existing Norfolk Southern rail right of way and the I–77 right of way; (6) combined BRT and high-occupancy vehicle (HOV) facilities using the I–77 right of way.

IV. Probable Effects

FTA, NCDOT, and the City of Charlotte will evaluate all significant social, economic, and environmental impacts of the alternatives analyzed in the EIS. Primary environmental issues are expected to include neighborhood protection, aesthetics, environmental justice, potential contamination sites, changes in traffic patterns, potential archaeological and historic resources, and possibly some natural areas and wetlands. Environmental and social impacts proposed for analysis include land use and neighborhood impacts, traffic and parking impacts near stations and throughout the project corridor, visual impacts, cultural and community resource impacts, public recreational facility impacts, noise and vibration impacts, and air quality impacts. In addition, adverse impacts to underprivileged social groups will be considered. Impacts to wetlands, natural areas, rare and endangered species, water quality and potential contamination sites will be evaluated. The impacts will be evaluated both for the construction period and for the long-term period of operation. Measures to mitigate any significant adverse impacts will be developed.

Issued on: December 31, 1998.

George T. Thomson,

Deputy Regional Administrator.

[FR Doc. 99–539 Filed 1–8–99; 8:45 am]

BILLING CODE 4910–57–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–98–3701; Notice 2]

Mitsubishi Motor Sales of America Inc.; Grant of Application for Decision of Inconsequential Noncompliance

Mitsubishi Motor Sales of America (MMSA) of Cypress, California, has determined that some of its 1994–1998 models fail to meet the requirements of paragraph S4 of Federal Motor Vehicle Safety Standard (FMVSS) No. 118, ''Power-operated window, partition, and roof panel systems,'' and has filed an appropriate report pursuant to 49 CFR part 573, ''Defects and Noncompliance Reports.'' MMSA has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—''Motor Vehicle Safety'' on the basis that the noncompliance is inconsequential to motor vehicle safety.

A notice of receipt of an application was published in the **Federal Register** (63 FR 28024) on May 21, 1998. Opportunity was afforded for comments until June 28, 1998. No comments were received.

During the periods indicated below, the applicant imported and sold or distributed approximately 57,294 vehicles equipped with power sunroofs that did not meet certain requirements mandated by FMVSS No. 118. Specifically, paragraph S4 of FMVSS No. 118 requires that power windows, partitions, and sunroofs be closed only under certain circumstances. One of those circumstances is that a power sunroof may be closed:

> * * * during the interval between the time the locking device which controls the activation of the vehicle's engine is turned off and the opening of either of a two-door vehicle's doors or, in the case of a vehicle with more than two doors, the opening of either of its front doors.

In the Mitsubishi vehicles identified below, activation of the power sunroof stops immediately after the ignition is turned off and the driver's side door is open. The sunroof continues to operate, however, for thirty seconds after the ignition is turned off and the passenger front door is opened. This continued operation does not comply with the requirements of S4 of FMVSS No.118.

Make	Line	Model year	No. of affected vehicles	Dates of manufacture
MMC	Mitsubishi 3000GT	94 to 98	5,855	5/94–4/98
MMC	Mitsubishi Mirage (Coupe and Sedan)	97 to 98	1,383	6/96–5/98
Mitsubishi Motor Manufacturing of America, Inc.	Mitsubishi Galant	94 to 98	50,056	3/93–3/98

NHTSA agrees with MMSA's arguments in support of its application for inconsequential noncompliance. That discussion was published in the **Federal Register** (63 FR 28024) on May 21,1998. Essentially, NHTSA agrees with MMSA that FMVSS 118 sets forth requirements for power operated windows, partitions, and roof panel systems (e.g., sunroofs) to minimize the risk of injury or death from accidental operation of these systems and that FMVSS 118 S4(e) was designed to reduce the possibility of unsupervised children operating the power windows, partitions or sunroofs in a vehicle. It is expected that after a vehicle's ignition is turned off, but prior to opening either of the vehicle's front doors, an adult will remain in the vehicle to supervise and protect children from the safety risks associated with operation of a power window, partition, or sunroof system. Hence, there should be no additional risk in allowing continued operation of the power window, partition or sunroof after the ignition is turned off but prior to the opening of either front door because of the presence of the supervising adult. As MMSA said, ''This premise is especially true for the driver side door. In most circumstances, an adult driver normally exits the vehicle from the driver side door. If the vehicle's driver side door has not been opened, the adult driver is most likely still in the vehicle.'' It further states that the probability of *unsupervised* children being exposed to injury from the

foregoing sunroof system during the 30 seconds after the ignition key has been turned off and the front passenger door only is opened is extremely remote. NHTSA agrees that this is a reasonable argument regarding this particular situation.

Additionally, MMSA asserted that the situation is similar to another situation involving vehicles manufactured by Volkswagen of America, Inc. (Volkswagen). In Volkswagen's case, the company manufactured approximately 20,000 vehicles with power windows. The power windows ceased to operate immediately after the ignition was turned off and the driver's side door was opened. The windows continued to operate, however, for ten minutes after the ignition was turned off and the front passenger door only was opened. Volkswagen petitioned the agency for a determination of inconsequential noncompliance [See 60 FR 26475 (1995)]. NHTSA granted the petition based on reasons similar to those offered by MMSA [See 60 FR 48197 (1995)].

NHTSA agrees with MMSA that its situation is similar to the Volkswagen situation. In that situation, the vehicles also were passenger cars, the same vehicle type as the Mitsubishi vehicles. In NHTSA's opinion, the driver was unlikely to exit the vehicle by moving over the transmission hump/console and going through the passenger door in a passenger vehicle. The agency reasoned that drivers were only likely to exit through the driver's door. When they did so, with the key in the off position, the power windows would cease to operate. The fact that the power windows would continue to operate when only the passenger side door opened occurred was deemed to be inconsequential, because the driver would still be present and in control of the vehicle. On the other hand, a similar situation occurred with the Nissan Quest and Mercury Villager vehicles, but NHTSA decided that the noncompliance was consequential to safety. The significant difference is that the Nissan and Mercury vehicles are minivans. Drivers are more likely to exit through the passenger door of a minivan because of the added interior space and because any transmission hump/console is not nearly such an obstacle in a minivan.

In view of the two arguments offered by MMSA and reviewed by NHTSA, the agency does not deem this specific issue to be a serious safety problem warranting a safety recall. Accordingly, NHTSA has decided that the applicant has met its burden of persuasion that the noncompliance it described above is inconsequential to motor vehicle safety. Therefore, its application is granted, and the applicant is exempted from providing the notification of the noncompliance that is required by 49 U.S.C. 30118 and from remedying the noncompliance as required by 49 U.S.C. 30120.

(49 U.S.C. 30118 and 30120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: January 5, 1999.

Robert Shelton,

Associate Administrator for Safety Performance Standards.

[FR Doc. 99–538 Filed 1–8–99; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. MC–F–20942]

Laidlaw, Inc. et al.—Control and Merger—D–A–R Transit Systems, Inc. d/b/a Galaxy Charters et al.

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice tentatively approving finance application.

SUMMARY: Laidlaw, Inc. (Laidlaw or applicant), a noncarrier that currently controls seven interstate motor passenger carriers, has filed an application under 49 U.S.C. 14303 to acquire control of four additional motor passenger carriers and ultimately to merge the carriers into existing Laidlaw affiliates. Persons wishing to oppose the application must follow the rules under 49 CFR part 1182 (effective October 1, 1998). The Board has tentatively approved the transaction and, if no opposing comments are timely filed, this notice will be the final Board action.

DATES: Comments must be filed by February 25, 1999. Applicant may file a reply by March 12, 1999. If no comments are filed by February 25, 1999, this notice is effective on that date.

ADDRESSES: Send an original and 10 copies of any comments referring to STB Docket No. MC–F–20942 to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423–0001. In addition, send one copy of any comments to applicant's representative: Mark J. Andrews, Barnes and Thornburg, Suite 500, 1401 Eye Street, NW, Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar (202) 565–1600 [TDD for hearing impaired: (202) 565–1695.]

SUPPLEMENTARY INFORMATION: Laidlaw currently controls seven interstate motor passenger carriers [1] and three intrastate or regional carriers not subject to federal economic regulation.[2] A notice published in *Laidlaw Inc. and Laidlaw Transit Acquisition Corp.—Merger—Greyhound Lines, Inc.,* STB Docket No. MC–F–20940 (STB served Dec. 17, 1998) (63 FR 69710) tentatively approved the merger of Greyhound Lines, Inc. into Laidlaw's wholly owned subsidiary, Laidlaw Transit Acquisition Corp., to become effective February 1, 1999.[3]

Laidlaw is seeking Board approval under 49 U.S.C. 14303 for several control, merger and consolidation transactions by which Laidlaw proposes to acquire four additional interstate motor carriers: (1) A company formerly known as CAR Enterprises Ltd. of Grayslake, IL (CAR), which has a successor-in-interest known as Laidlaw Transit Services (Two), Inc. of Burlington, Ontario (Transit Two) (MC–163344); (2) D–A–R Transit Systems, Inc. d/b/a Galaxy Charters of Crystal Lake, IL (DAR) (MC–311766); (3) Voyageur Colonial Limited of Montreal, Quebec (Voyageur), including two successors-in-interest: 1327130 Ontario Limited of Toronto, Ontario (1327130 Ontario)[4] and 3552926 Canada Inc. of Burlington, Ontario (3552926 Canada) (MC–83928); and (4) 1128570 Ontario Ltd. (1128570 Ontario) and its sole stockholder, Ms. Gisele Rockey (Rockey) d/b/a Northern Escape Tours (Escape), and its successor-in-interest: 1327172

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[1] Laidlaw's federally regulated affiliates are: Greyhound Canada Transportation Corp. (GCTC) (MC–304126), which is not currently affiliated with Greyhound Lines, Inc.; Laidlaw Transit, Inc. (MC–161299); Laidlaw Transit Ltd. (MC–102189); Roesch Lines, Inc. (Roesch) (MC–119843); Safe Ride Services, Inc. (Safe Ride) (MC–246193); Vancom Transportation-Illinois, L.P. (MC–167816); and Willett Motor Coach Co. (Willett) (MC–16073).

[2] Laidlaw's other motor transportation affiliates are: Empex Ventures, Inc. (California); Laidlaw Transit Services, Inc. (Minnesota and the Washington Metropolitan Area Transit Commission) (LTSI); and The Dave Companies, Inc. (California and Minnesota).

[3] Greyhound holds nationwide, motor passenger carrier operating authority under Docket No. MC–1515, and controls, directly or indirectly, the following ten regional motor passenger carriers: Continental Panhandle Lines, Inc. (MC–8742); Valley Transit Co., Inc. (MC–74); Carolina Coach Co., Inc. (MC–13300); Texas, New Mexico & Oklahoma Coaches, Inc. (MC–61120); Vermont Transit Co. Inc. (MC–45626); Los Rapidos, Inc. (MC–293638); Americanos U.S.A., L.L.C. (Americanos) (MC–309813); Gonzales, Inc. d/b/a Golden State Transportation (Gonzales) (MC–173837); PRB Acquisition LLC (MC–66810); and Autobuses Amigos, L.L.C. (Amigos) (MC–340462–C).

[4] Allegedly, Voyageur's authority would be transferred to 1327130 Ontario.