Chevrolet Astro Van to its U.S. certified counterpart, and found the two vehicles to be substantially similar with respect to compliance with most Federal motor vehicle safety standards.

Wallace submitted information with its petition intended to demonstrate that the non-U.S. certified 1997 Chevrolet Astro Van, as originally manufactured, conforms to many Federal motor vehicle safety standards in the same manner as its U.S. certified counterpart, or is capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that the non-U.S. certified 1997 Chevrolet Astro Van is identical to its U.S. certified counterpart with respect to compliance with Standards Nos. 101 *Controls and Displays,* 102 *Transmission Shift Lever Sequence* * * *, 103 *Defrosting and Defogging Systems,* 104 *Windshield Wiping and Washing Systems,* 105 *Hydraulic Brake Systems,* 106 *Brake Hoses,* 113 *Hood Latch Systems,* 116 *Brake Fluid,* 118 *Power Operated Window Systems,* 119 *New Pneumatic Tires for Vehicles other than Passenger Cars,* 124 *Accelerator Control Systems,* 201 *Occupant Protection in Interior Impact,* 202 *Head Restraints,* 203 *Impact Protection for the Driver from the Steering Control System,* 204 *Steering Control Rearward Displacement,* 205 *Glazing Materials,* 206 *Door Locks and Door Retention Components,* 207 *Seating Systems,* 208 *Occupant Crash Protection,* 209 *Seat Belt Assemblies,* 210 *Seat Belt Assembly Anchorages,* 212 *Windshield Retention,* 214 *Side Impact Protection,* 216 *Roof Crush Resistance,* 219 *Windshield Zone Intrusion,* 301 *Fuel System Integrity,* and 302 *Flammability of Interior Materials.*

Additionally, the petitioner states that the non-U.S. certified 1997 Chevrolet Astro Van complies with the Bumper Standard found in 49 CFR part 581.

Petitioner also contends that the vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment:* replacement of the tail light assemblies with U.S.-model components that incorporate rear sidemarkers.

Standard No. 111 *Rearview Mirror:* inscription of the required warning statement in the passenger side rearview mirror.

Standard No. 114 *Theft Protection:* installation of a warning device that activates when the key is left in the ignition and the driver's door is opened.

Standard No. 120 *Tire Selection and Rims for Motor Vehicles other than Passenger Cars:* installation of a tire information placard.

The petitioner also states that a vehicle identification number plate must be affixed to the vehicles to meet the requirements of 49 CFR Part 565.

Interested persons are invited to submit comments on the petition described above. Comments should refer to the docket number and be submitted to: Docket Management, Room PL–401, 400 Seventh St., SW, Washington, DC 20590. [Docket hours are from 9 am to 5 pm]. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: April 12, 1999.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 99–9545 Filed 4–15–99; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–99–5507]

Notice of Receipt of Petition for Decision that Nonconforming 1990–1999 Nissan GTS and GTR Passenger Cars Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Request for comments on petition for decision that nonconforming 1990–1999 Nissan GTS and GTR passenger cars are eligible for importation.

SUMMARY: This notice requests comments on a petition submitted to the National Highway Traffic Safety Administration (NHTSA) for a decision that a 1990–1999 Nissan GTS and GTR passenger cars that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they have safety features that comply with, or are capable of being altered to comply with, all such standards.

DATES: The closing date for comments on the petition is May 17, 1999.

ADDRESSES: Comments should refer to the docket number and notice number, and be submitted to: Docket Management, Room PL–401, 400 Seventh St., SW, Washington, DC 20590. (Docket hours are from 9 am to 5 pm).

FOR FURTHER INFORMATION CONTACT: George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202–366–5306).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. § 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards. Where there is no substantially similar U.S.-certified motor vehicle, 49 U.S.C. 30141(a)(1)(B) permits a nonconforming motor vehicle to be admitted into the United States if its safety features comply with, or are capable of being altered to comply with, all applicable Federal motor vehicle safety standards based on destructive test data or such other evidence as NHTSA decides to be adequate.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

J.K. Motors of Baltimore, Maryland (Registered Importer No. R–90–006) has petitioned NHTSA to decide whether 1990–1999 Nissan GTS and GTR passenger cars are eligible for importation into the United States. J.K. contends that these vehicles are eligible for importation under 49 U.S.C. 30141(a)(1)(B) because they have safety features that comply with, or are

capable of being altered to comply with, all applicable Federal motor vehicle safety standards.

Specifically, the petitioner claims that 1990–1999 Nissan GTS and GTR passenger cars have safety features that comply with Standard Nos. 102 *Transmission Shift Lever Sequence* * * *. (based on comparison of components to those on similar U.S.-certified models, such as the Nissan 300ZX Turbo), 103 *Defrosting and Defogging Systems* (based on engineering analysis and comparison of components to those on similar U.S.-certified models, such as the Nissan 300ZX and 300ZX Turbo), 104 *Windshield Wiping and Washing Systems* (based on engineering analysis and comparison of components to those on similar U.S.-certified models, such as the Nissan 240SX, 300ZX, 300ZX Turbo, and Maxima), 105 *Hydraulic Brake Systems* (based on engineering analysis and comparison of components to those on similar U.S.-certified models, such as the Nissan 300ZX and Maxima), 106 *Brake Hoses* (based on comparison of components to those on similar U.S.-certified models and on visual inspection of certification markings), 109 *New Pneumatic Tires* (based on visual inspection of certification markings), 113 *Hood Latch Systems* (based on comparison of components to those on similar U.S.-certified models, such as the Nissan 300 ZX Turbo), 116 *Brake Fluids* (based on visual inspection of certification markings), 124 *Accelerator Control Systems* (based on engineering analysis and comparison of components to those on similar U.S.-certified models, such as the Nissan 300ZX Turbo, which also utilize dual return springs, either of which is capable of closing the throttle when the other is disconnected), 202 *Head Restraints* (based on test data), 203 *Impact Protection for the Driver from the Steering Control System* (based on test data), 204 *Steering Control Rearward Displacement* (based on test data), 205 *Glazing Materials* (based on comparison of components to those on similar U.S.-certified models and on visual inspection of certification markings), 206 *Door Locks and Door Retention Components* (based on test data), 209 *Seat Belt Assemblies* (based on comparison of components to those on similar U.S.-certified models and on visual inspection of certification markings), 216 *Roof Crush Resistance* (based on comparison of roof structure to that of similar U.S. certified models, such as the Nissan 300 ZX, and on engineering analysis), 219 *Windshield Zone Intrusion* (based on test data), and 302 *Flammability of Interior Materials* (based on comparison of components to those on similar U.S.-certified models).

Petitioner also states that based on engineering analysis the 1990–1999 Nissan GTS and GTR passenger cars comply with the Bumper Standard found at 49 CFR part 581. The petitioner observes that the bumpers are of a customary plastic/nylon design impregnated with body color and that they are mounted with high energy absorption components.

The petitioner also contends that 1990–1999 Nissan GTS and GTR passenger cars are capable of being altered to comply with the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays:* (a) substitution of a lens marked ''Brake'' for a lens with an ECE symbol on the brake failure indicator lamp; (b) installation of a speedometer/odometer calibrated in miles per hour. Petitioner states that it is also silk screening its own custom faces to meet the standard. Petitioner further states that the remaining controls and displays are identical to those found on similar U.S.-certified models, such as the Nissan 300ZX.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment:* (a) Installation of U.S.-model headlamps and front sidemarker lights; (b) installation of U.S.-model rear sidemarker lights and reflectors; (c) installation of a high mounted stop lamp, if the vehicle is not already so equipped. The petitioner asserts that the tail lamp assemblies meet the standard in all respects.

Standard No. 110 *Tire Selection and Rims:* installation of a tire information placard. Petitioner states that the rims that are equipped on the vehicle have DOT certification markings and are identical to those found on similar U.S.-certified models, such as the Nissan 300ZX Turbo.

Standard No. 111 *Rearview Mirrors:* replacement of the passenger side rearview mirror with a U.S.-model component.

Standard No. 114 *Theft Protection:* installation of a U.S.-model warning buzzer in the steering lock electrical circuit on all models and installation of a U.S.-model seatbelt warning system on 1990–1993 models. Petitioner states that the components installed on GTS models will be identical to those found on the Nissan Maxima, and the components installed on GTR models will be identical to those found on the Nissan 300ZX Turbo.

Standard No. 118 *Power-Operated Window Systems:* installation of a relay (identical to that found on the Nissan 300ZX) in the power window system of 1990–1993 models so that the window transport is inoperative when the ignition is switched off. Petitioner states that 1994–1999 models are already equipped with this component.

Standard No. 201 *Occupant Protection in Interior Impact:* The petitioner states that the vehicle will meet the standard with structural modifications to the dash area of the vehicles that are more fully described in a submission for which a pending request for confidentiality has been filed by petitioner with NHTSA's Office of Chief Counsel under 49 CFR part 512.

Standard No. 207 *Seating Systems:* The petitioner states that the vehicle will meet the standard with structural modifications to the seat frames that are more fully described in a submission for which a pending request for confidentiality has been filed by petitioner with NHTSA's Office of Chief Counsel under 49 CFR part 512.

Standard No. 208 *Occupant Crash Protection:* (a) replacement of the driver's side airbag on 1990–1993 models, and the driver's and passenger's side airbags on 1994–1999 models with components manufactured to petitioner's specifications based on static and dynamic test results, that are more fully described in a submission for which a pending request for confidentiality has been filed by petitioner with NHTSA's Office of Chief Counsel under 49 CFR part 512; (b) installation of an airbag warning label on each sun visor. Petitioner states that the vehicle is equipped with a seatbelt warning lamp and buzzer that are identical to components found on similar U.S.-certified models. The petitioner also states that the vehicles are equipped with combination lap and shoulder restraints that adjust by means of an automatic retractor and release by means of a single push button at all front and rear designated seating positions.

Standard No. 210 *Seat Belt Assembly Anchorages:* The petitioner states that the vehicle will meet the standard with structural modifications at seat belt assembly anchorage points that are more fully described in a submission for which a pending request for confidentiality has been filed by petitioner with NHTSA's Office of Chief Counsel under 49 CFR part 512.

Standard No. 212 *Windshield Retention:* application of adhesives to the windshield's edges.

Standard No. 214 *Side Impact Protection:* The petitioner states that the vehicle will meet the standard with structural modifications that are more fully described in a submission for

which a pending request for confidentiality has been filed by petitioner with NHTSA's Office of Chief Counsel under 49 CFR part 512.

Standard No. 301 *Fuel System Integrity:* The petitioner states that the vehicle will meet the standard with fuel system modifications made in conjunction with those necessary to meet Environmental Protection Agency (EPA) requirements that are more fully described in a submission for which a pending request for confidentiality has been filed by petitioner with NHTSA's Office of Chief Counsel under 49 CFR part 512. The petitioner further states that it conducted dynamic tests that demonstrate the vehicle's compliance with the standard.

The petitioner additionally states that a vehicle identification number (VIN) plate must be attached to the left windshield post and a reference and certification label must be added in the left front door post area to meet 49 CFR part 565.

Interested persons are invited to submit comments on the petition described above. Comments should refer to the docket number and be submitted to: Docket Management, Room PL–401, 400 Seventh St., SW, Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action will be published in the **Federal Register** pursuant to the authority indicated below.

Authority: 49 U.S.C. § 30141(a)(1)(B) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on April 12, 1999.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 99–9546 Filed 4–15–99; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33722]

Brandywine Valley Railroad Company—Modified Rail Certificate

On March 17, 1999, Brandywine Valley Railroad Company (Brandywine), filed a notice for a modified certificate of public convenience and necessity under 49 CFR 1150, Subpart C, *Modified Certificate of Public Convenience and Necessity,* to operate the following lines of railroad: (a) between milepost 12.7 at the Delaware/Pennsylvania state line and milepost 30.29 at Modena, PA, a distance of 17.59 miles; and (b) between milepost 18.0 at Wawa, PA, and milepost 54.50 at the Pennsylvania/Maryland state line near Sylmar, MD, a distance of 36.50 miles.[1]

The lines of railroad are owned by the Pennsylvania Department of Transportation (PennDOT) and by the Southeastern Pennsylvania Transportation Authority (SEPTA), respectively. The lines were not included in the final system plan at the time the Consolidated Rail Corporation was formed and, as such, were authorized to be abandoned without further approval of the Interstate Commerce Commission (ICC) pursuant to the Railroad Revitalization and Regulatory Reform Act of 1976, Pub. L. No. 94–210. PennDOT acquired its line segment from the trustees of the Reading Railroad, while SEPTA acquired its segment from the trustees of the Penn Central Transportation Company, after the respective lines were abandoned in 1976.

Brandywine states that, when the notice was filed, the lines were being operated by the Delaware Valley Railroad Company (DV) under an arrangement with PennDOT pursuant to a modified certificate. Brandywine further states that PennDOT gave DV a notice of termination (in December 1998, according to Brandywine) effective March 19, 1999, and DV stopped operating on that date. PennDOT contracted with Brandywine to assume operations, which began on March 22, 1999.[2] Under an interim operating agreement between Brandywine and PennDOT, service is to be provided by Brandywine until September 30, 1999.[3]

The rail segment qualifies for a modified certificate of public convenience and necessity. *See Common Carrier Status of States, State Agencies and Instrumentalities and Political Subdivisions,* Finance Docket No. 28990 (ICC served July 16, 1981).

Brandywine indicates that no subsidy is involved and that there are no preconditions for shippers to meet in order to receive rail service.

This notice will be served on the Association of American Railroads (Car Service Division) as agent for all railroads subscribing to the car-service and car-hire agreement: Association of American Railroads, 50 F Street, NW, Washington, DC 20001; and on the American Short Line Railroad Association: American Short Line Railroad Association, 1120 G St., NW, Suite 520, Washington, DC 20005.

Decided: April 13, 1999.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 99–9701 Filed 4–15–99; 8:45 am]

BILLING CODE 4915–00–P

[1] In a decision served March 26, 1999, the Board's Chairman denied a petition filed March 19, 1999, by the Delaware Valley Railroad Company (DV), the former operator of the line, to stay the effectiveness of this notice. Under our rules, carriers can begin operating immediately on the filing of the notice. 49 CFR 1150.23(a).

[2] On March 23, 1999, Brandywine filed a petition for prescription of alternative rail service under 49 CFR part 1146 over a line of track owned by the Wilmington and Northern Railroad Company and operated by DV as a designated operator between milepost 12.7 at the Delaware/Pennsylvania border and milepost 2.9 at Elsmere Jct., DE. *See Brandywine Valley Railroad Company—Petition for Prescription of Alternative Rail Service—Line Operated by Delaware Valley Railway Company,* STB Finance Docket No. 33732. That petition will be addressed in a separate Board decision.

[3] Brandywine is also negotiating to purchase the line.

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33652]

Union Pacific Railroad Company—Acquisition and Operation Exemption—Mid Michigan Railroad, Inc.

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: Under 49 U.S.C. 10502, the Board is granting a petition for exemption from the prior approval requirements of 49 U.S.C. 11323–25 filed by Union Pacific Railroad Company for its acquisition of the 107.3-mile line of railroad owned by Mid Michigan Railroad, Inc., between Saint Joseph, MO, and Upland, KS, subject to employee protective and environmental conditions.

DATES: This exemption was effective on April 13, 1999. Petitions to reopen must be filed by May 5, 1999.

ADDRESSES: An original and 10 copies of all pleadings referring to the exemption granted in STB Finance Docket No. 33652 must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423–0001. In addition, a copy of all pleadings must be served on applicant's representative, Joseph D. Anthofer, 1416 Dodge Street, #830, Omaha, NE 68179.