7.a.(8) disengagement due to forces applied to the control wheel or stick by the pilot.

7.b. Define the circumstances in which the autopilot should be engaged, disengaged, or used in a mode with greater or lesser authority.

7.c. Identify appropriate combinations of autopilot and manual/autothrust usage.

7.d Identify inappropriate combinations of autopilot and manual/autothrust usage.

7.e. Define the characteristics and principles of the autopilot design that have operational safety considerations.

7.f. Identify all prohibitions in the use of the autopilot regarding:

7.f.(1) loss or degradation of equipment,

7.f.(2) specific phases of flight,

7.f.(3) specific environmental conditions (e.g., icing, turbulence), and

7.f.(4) specific operational conditions (e.g., low or high speed, extreme attitudes).

7.g. Identify all limitations in the use of the autopilot regarding:

7.g.(1) loss or degradation of equipment,

7.f.(2) specific phases of flight,

7.f.(3) specific environmental conditions (e.g., icing, turbulence), and

7.f.(4) specific operational conditions (e.g., low or high speed, extreme attitudes), and

7.g.(5) unique indications of limiting conditions (e.g., unusual lateral trim or a ''RETRIM ROLL'' message due to icing conditions).

Conclusion

As discussed previously, the FAA intends to update 14 CFR 25.1329 and associated Advisory Circular (AC) 25.1329–1A to more fully address the autopilot issues found in this proposed general statement of policy and others. Until then, this general statement of policy, when finalized, will serve as a reference to supplement § 25.1329, and for use in the certification of new autopilot systems. Please inform the appropriate flight controls and systems designated engineering representatives (DER) of this proposed general statement of policy.

Issued in Renton, Washington, on August 30, 1999.

Dorenda D. Baker,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–23394 Filed 9–8–99; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Dubuque County, Iowa/ Jo Daviess County, Illinois.

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent (cancellation).

SUMMARY: The FHWA is issuing this notice to advise the public that the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for a proposed highway capacity improvement project in Dubuque County, Iowa and Jo Daviess County, Illinois is cancelled. The NOI was originally published in the **Federal Register** on December 11, 1998. The cancellation is based on a decision to complete an Environmental Assessment (EA) for this project.

FOR FURTHER INFORMATION CONTACT: Rebecca Hiatt, Environmental Coordinator, Federal Highway Administration, 105 Sixth Street, Ames, Iowa 50010–6337, Telephone (515) 233–7300. Roger Larsen, Project Manager, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010, Telephone (515) 239–1791.

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202)512–1661. Internet users may reach the office of the **Federal Register**'s home page at: *http://www.nara.gov/fedreg* and the Government Printing Office's database at *http://www.access.gpo.gov/nara.*

Background

The NOI was originally published in the **Federal Register** on December 11, 1998 63FR68498. The cancelled EIS included alternatives located in a new corridor south of Dubuque and East Dubuque. Any alternative in this location would have significant environmental impacts. However, the study alternatives have been reduced to alignments following existing U.S. Route 20 (U.S. 20), and potentially significant environmental impacts have been avoided. Therefore, the Federal Highway Administration along with Federal and State resource agencies, has determined that an Environmental Assessment is the appropriate investigative process for this project. The FHWA, in cooperation with the Iowa Department of Transportation, will prepare an EA on a proposal to improve the capacity of U.S. 20 in Dubuque County, Iowa and Jo Daviess County, Illinois.

Comments or questions concerning this proposed action and EA should be directed to the FHWA or Iowa DOT at the addresses provided in the caption **FOR FURTHER INFORMATION CONTACT.**

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

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

Issued on: August 30, 1999.

Bobby W. Blackmon,

Division Administrator.

[FR Doc. 99–23405 Filed 9–8–99; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–99–5683; Notice 2]

Dan Hill & Associates, Inc.; Grant of Application for Renewal of Temporary Exemption From Federal Motor Vehicle Safety Standard No. 224

For the reasons explained below, we are granting the application by Dan Hill & Associates, Inc. (''Dan Hill''), of Norman, Oklahoma, for a renewal of its existing temporary exemption from Motor Vehicle Safety Standard No. 224, *Rear Impact Protection.* As it did in applying for the existing exemption, Dan Hill asserts that compliance would cause substantial economic hardship and that it has tried in good faith to comply with the standard.

We published notice of receipt of the application in the **Federal Register** on May 19, 1999, and afforded an opportunity for comment 64 FR 27353). No comments were received.

We granted Dan Hill a 1-year temporary exemption from Standard No. 224 on January 26, 1998 (63 FR 3784). The exemption was to expire on February 1, 1999, but Dan Hill filed a timely application for renewal. Under 49 CFR 555.8(e), the timely filing of a renewal application had the effect of automatically extending the exemption until we make a decision on the application. The company has requested an extension of this exemption until February 1, 2001.

The information below is based on material from Dan Hill's original and renewal applications.

Why Dan Hill Says That it Needs to Renew its Exemption.

Dan Hill manufactures and sells a horizontal discharge trailer (''Flow Boy'') that is used in the road construction industry to deliver asphalt and other road building materials to the construction site. The Flow Boy is designed to connect with and latch onto various paving machines (''pavers''). The Flow Boy, with its hydraulically controlled horizontal discharge system, discharges hot mix asphalt at a controlled rate into a paver which overlays the road surface with asphalt material.

Standard No. 224 required, effective January 26, 1998, that all trailers with a GVWR of 4536 Kg or more, including Flow Boy trailers, be fitted with a rear impact guard that conforms to Standard No. 223, *Rear impact guards.* Installation of the rear impact guard will prevent the Flow Boy from connecting to the paver. Thus, Flow Boy trailers will no longer be functional and contractors will be forced to use standard dump body trucks or trailers with their inherent limitations and safety risks.

Why Dan Hill Says That Compliance Would Cause it Substantial Economic Hardship and That it has Tried in Good Faith to Comply With Standard No. 224.

At the time of its application for the existing exemption, Dan Hill told us that it had manufactured 81 Flow Boy trailers in 1996 (plus 21 other trailers). Its production in the 12-month period preceding its application for renewal was ''130 units for the domestic market and 35 units for the international market.''

Dan Hill originally asked for a year's exemption in order to explore the feasibility of a rear impact guard that would allow the Flow Boy trailer to connect to a conventional paver. It has concentrated its efforts this past year in investigating the feasibility of a retractable rear impact guard, which will enable Flow Boys to continue to connect to pavers.

In the absence of an exemption, Dan Hill originally asserted that approximately 60 percent of its work force would have to be laid off; it now argues that failure to extend its exemption would ultimately cause a lay off of ''approximately 70 percent'' of its work force. If the exemption were not renewed, Dan Hill's gross sales would decrease by $8,273,117. Its cumulative net income after taxes for the fiscal years 1995, 1996, and 1997 was $303,303. It projected a net income of $356,358 for fiscal year 1998.

At the time of its original application, its studies show that the placement of the retractable rear impact guard would likely catch excess asphalt as it was discharged into the pavement hopper. Further, the increased cost of the Flow Body would likely cause contractors to choose the cheaper alternative of dump trucks. Finally, the increased weight of the retractable rear impact guard would significantly decrease the payload of the Flow Boy.

Dan Hill sent its Product Specialist to Germany in 1994 to view underride protection guards installed by a German customer on Flow Boy trailers but the technology proved inapplicable because of differences between German and American pavers. Manufacturers of paving machines are not interested in redesigning their equipment to accommodate a Flow Boy with a rear impact guard. Dan Hill contacted a British manufacturer of a retractable rear impact guard but the information received by the time of its initial application did not look encouraging.

During the time that the exemption has been in effect, Dan Hill has continued its efforts to locate a source for a retractable rear impact guard, locating one in Europe which ''was in the process of designing a retractable guard that would meet Standard No. 223 specifications and attach to the Flow Boy trailer while allowing the Flow Boy to attach to a paver.'' However, the European retractable rear impact guard, which was of a ''swing out'' design, raised problems of worker safety, reduced payload because of the guard's weight, accumulation of asphalt paving material on the guard, and prohibitive costs.

Dan Hill is now examining the feasibility of a ''swing in'' guard. It is working with an English source to develop a guard that will comply with Standard No. 223. Dan Hill will then install the guard on several Flow Boy trailers to determine whether further design modifications are required. It anticipates full compliance at the end of a further exemption of 2 years.

Why Dan Hill Says That a Temporary Exemption Would be in the Public Interest and Consistent With Objectives of Motor Vehicle Safety

Dan Hill believes that an exemption would be in the public interest and consistent with traffic safety objectives because the Flow Boy aids in the construction of the national road system. Flow Boy spends very little of its operating life on the highway and the likelihood of its being involved in a rear-end collision is minimal. In addition, the design of the Flow Boy is such that the rear tires act as a buffer and reduce the likelihood of impact with the trailer.

Our Findings and Decision

As the exemption renewal petitions by Dan Hill and by Red River Manufacturing, Inc. (see 64 FR 10737) demonstrate, manufacturers of horizontal discharge trailers continue to find it difficult to develop a retractable rear impact guard that complies with Standard No. 223, and to fit it to its trailers to comply with Standard No. 224. During the past year, Dan Hill has investigated the feasibility of a ''swing-out'' design, which presented problems of an accumulation of asphalt paving material on the guard. Presently, it is examining a ''swing-in'' guard, and working with an English source to develop it. It anticipates full compliance by February 1, 2001. Dan Hill's yearly net income is substantially less than half a million dollars under the best of circumstances. Were the exemption denied, its estimated loss of gross sales exceeding $8,273,117 would appear to create a net loss of some magnitude.

Given the fact that Dan Hill and its principal competitor Red River dominate the horizontal asphalt discharge trailer market, and that both are experiencing the same difficulties in achieving compliance, it is in the public interest to maintain the existing level of competition by affording equal treatment to both companies. We note, also, that the risk to safety is minimized to the extent that road construction trailers spend comparatively little of their operating life traveling on the highways.

Accordingly, for the reasons set forth above, we hereby find that compliance with Standard No. 224 would cause substantial economic hardship to a manufacturer that has tried in good faith to comply with Standard No. 224, and that an exemption would be in the public interest and consistent with the objectives of traffic safety. NHTSA Temporary Exemption No. 98–1 from Federal Motor Vehicle Safety Standard No. 224, Rear Impact Protection, applicable to Flow Boy horizontal discharge construction trailers, is hereby extended to expire on February 1, 2001. That date is slightly more than five years after Standard No. 224 was issued, and NHTSA does not anticipate providing further extensions of exemptions from compliance with Standard No. 224.

Authority: 49 U.S.C. 30113; delegations of authority at 49 CFR 1.50 and 501.4.

Issued on September 1, 1999.

Ricardo Martinez,

Administrator.

[FR Doc. 99–23427 Filed 9–8–99; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–98–3355; Notice 4]

Red River Manufacturing, Inc.; Grant of Application for Renewal of Temporary Exemption From Federal Motor Vehicle Safety Standard No. 224

For the reasons explained below, we are granting the application by Red River Manufacturing, Inc., of West Fargo, North Dakota, for a renewal of NHTSA Temporary Exemption No. 98–3 from Motor Vehicle Safety Standard No. 224, *Rear Impact Protection*. Red River applied again on the basis that ''compliance would cause substantial economic hardship to a manufacturer that has tried in good faith to comply with the standard.'' 49 CFR 555.6(a).

We published notice of receipt of the application on March 5, 1999, and afforded an opportunity for comment (64 FR 10737).

We granted Red River a 1-year temporary exemption from Standard No. 224 on April 1, 1998 (63 FR 15909). The exemption was to expire on April 1, 1999, but Red River filed a timely application for renewal, and, as provided by 49 CFR 555.8(e), the exemption will continue in effect until we make a decision on its application. The company has requested an extension of this exemption until April 1, 2002. The discussion that follows is based on information contained in Red River's application.

Why Red River Says That it Needs to Renew its Temporary Exemption

On April 1, 1998, we granted Red River a temporary exemption of one year from Standard No. 224. See 63 FR 15909 for our decision.

Among other kinds of trailers, Red River manufactures and sells two types of horizontal discharge trailers which discharge their contents into hoppers, rather than on the ground. This makes it impractical to comply with Standard No. 224 by using a fixed rear impact guard. One type of horizontal discharge trailer is used in the road construction industry to deliver asphalt and other road building materials to the construction site. The other type is used to haul feed, seed, and agricultural products such as sugar beets and potatoes, from the fields to hoppers for storage or processing. Both types are known by the name ''Live Bottom.''

Standard No. 224 requires, effective January 26, 1998, that all trailers with a GVWR of 4536 Kg or more, including Live Bottom trailers, be fitted with a rear impact guard that conforms to Standard No. 223, *Rear impact guards*. Red River, which manufactured 225 Live Bottom trailers of all kinds in the 12 months preceding the filing of its application on December 22, 1998, has asked for a renewal of its exemption until April 1, 2002, in order to continue its efforts to develop a rear impact guard that conforms to Standard No. 223 and can be installed in compliance with Standard No. 224, while retaining the functionality and price-competitiveness of its trailers.

Why Red River Says That Compliance Would Cause it Substantial Economic Hardship

Live Bottoms accounted for almost half of Red River's production in 1997. In the absence of an exemption, Red River believes that approximately 60 percent of its work force would have to be laid off. Its projected loss of sales is $8,000,000 to $9,000,000 per year (net sales have averaged $14,441,822 over its 1995, 1996, and 1997 fiscal years).

We require hardship applicants to estimate the cost required to comply with a standard, as soon as possible, and at the end of a one, two, or three year exemption period. Red River estimates that even a 3-year exemption will require a retail price increase that will result in a loss of 35 percent of Live Bottom sales. Further, ''more than 50 percent of available engineering time would be required for compliance and related modifications in this time frame, resulting in a significant reduction in support for non-Live Bottom products, and a 5% decline in non-Live Bottom sales.''

Why Red River Says That it Has Tried to Comply With the Standard in Good Faith

In its initial application for a temporary exemption, Red River explained that, in mid 1996, its design staff began exploring options for compliance with Standard No. 224. Through a business partner in Denmark, the company reviewed the European rear impact protection systems. Because these designs must be manually operated by ground personnel, Red River decided that they would not be acceptable to its American customers. Later in 1996, Red River decided to investigate powered retractable rear impact guards. The initial design could not meet the energy absorption requirements of Standard No. 223. The company then investigated the use of pneumatic-over-mechanical retractable rear impact guards, and developed a prototype design which it began testing in the field in May 1998. This testing is disclosing a number of problems as yet unresolved. In the meantime, Red River consulted three commercial suppliers of underride devices but none produces a guard that could be used on the Live Bottoms.

Red River intends to continue its compliance efforts while an exemption is in effect, and believes that three years will enable it to conclude definitively whether it is feasible to design and manufacture a compliant rear guard that meets the requirements of its customers, and, if it is not feasible, to petition the agency for rulemaking to exclude Live Bottoms from Standard No. 224.

Red River was able to conform its other trailers with Standard No. 224.

Why Red River Says That Exempting it Would Be Consistent with the Public Interest and Objectives of Motor Vehicle Safety

In its initial application, Red River argued that an exemption would be in the public interest and consistent with traffic safety objectives because the Live Bottom ''can be used safely where it would be hazardous or impractical to use end dump trailers, such as on uneven terrain or in places with low overhead clearances.'' These trailers are ''valuable to the agricultural sector'' because of the advantages they offer in the handling of relatively fragile cargo. An exemption ''would have no adverse effect on the safety of the general public'' because the Live Bottom spends very little of its operating life on the highway and the likelihood of its being involved in a rear-end collision is minimal. In addition, the design of the Live Bottom is such that the rear tires act as a buffer and reduce the likelihood of impact with the trailer.

Red River reiterates these arguments in its application for renewal of its temporary exemption. It adds that it knows of no rear end collisions involving horizontal discharge trailers that have resulted in injuries, nor any instances in which there has been an intrusion by a horizontal discharge trailer into the passenger compartment of a vehicle impacting the rear of such a trailer.

Comments Received From the Public on the Application

We received four comments on Red River's application for renewal of its temporary exemption. Two commenters