

Other Service (Commuter, Charter, or Tour)

\$ _____ for # _____ New Over-the-road Buses
 \$ _____ for # _____ Retrofits
 \$ _____ for # _____ Employees—Training

*B. Document Matching Funds, including Amount and Source:**C. Describe Project, including Components to be funded, i.e., Lifts, Tie-downs, Moveable Seats, etc. and/or Training:**D. Provide Project Time Line, including Significant Milestones such as Date of Contract for Purchase of Vehicle(s), and actual or expected delivery date of vehicles:**E. Project Evaluation Criteria—Projects will be evaluated according to the following criteria:*

The identified need for over-the-road bus accessibility for persons with disabilities in the areas served by the applicant. (20 points)

The extent to which the applicant demonstrated innovative strategies and financial commitment to providing access to over-the-road buses to persons with disabilities. (20 points)

The extent to which the over-the-road bus operator acquired equipment required by DOT's over-the-road bus accessibility rule prior to the required time-frame in the rule. (20 points)

The extent to which financing the costs of complying with DOT's rule presents a financial hardship for the applicant. (20 points)

The impact of accessibility requirements on the continuation of over-the-road bus service with particular consideration of the impact of the requirements on service to rural areas and for low-income individuals. (20 points)

Appendix B—FTA Regional Offices

Region I—Massachusetts, Rhode Island, Connecticut, New Hampshire, Vermont and Maine

Richard H. Doyle, FTA Regional Administrator, Volpe National Transportation Systems Center, Kendall Square, 55 Broadway, Suite 920, Cambridge, MA 02142-1093, (617) 494-2055

Region II—New York, New Jersey, Virgin Islands

Letitia Thompson, FTA Regional Administrator, One Bowling Green, Room 429, New York, NY 10004-1415, (212) 668-2170

Region III—Pennsylvania, Maryland, Virginia, West Virginia, Delaware, Washington, DC

Herman Shipman, Acting FTA Regional Administrator, 1760 Market Street, Suite 500, Philadelphia, PA 19103-4124, (215) 656-7100

Region IV—Georgia, North Carolina, South Carolina, Florida, Mississippi, Tennessee, Kentucky, Alabama, Puerto Rico

Jerry Franklin, FTA Regional Administrator, 61 Forsyth Street, S.W., Suite 17T50, Atlanta, GA 30303, (404) 562-3500

Region V—Illinois, Indiana, Ohio, Wisconsin, Minnesota, Michigan

Joel Ettinger, FTA Regional Administrator, 200 West Adams Street, 24th Floor, Suite

320, Chicago, IL 60606-5232, (312) 353-2789

Region VI—Texas, New Mexico, Louisiana, Arkansas, Oklahoma

Robert Patrick, FTA Regional Administrator, 819 Taylor Street, Room 8A36, Ft. Worth, TX 76102, (817) 978-0550

Region VII—Iowa, Nebraska, Kansas, Missouri

Mokhtee Ahmad, Regional Administrator, 901 Locust Street, Suite 404, Kansas City, MO 64106, (816) 329-3920

Region VIII—Colorado, North Dakota, South Dakota, Montana, Wyoming, Utah

Lee Waddleton, FTA Regional Administrator, Columbine Place 216 16th Street, Suite 650, Denver, CO 80202-5120, (303) 844-3242

Region IX—California, Arizona, Nevada, Hawaii, American Samoa, Guam

Leslie Rogers, FTA Regional Administrator, 201 Mission Street, Suite 2210, San Francisco, CA 94105-1831, (415) 744-3133

Region X—Washington, Oregon, Idaho, Alaska

Richard Krochalis, FTA Regional Administrator, Jackson Federal Building, 915 Second Avenue, Suite 3142, Seattle, WA 98174-1002, (206) 220-7954

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DEPARTMENT OF TRANSPORTATION**National Highway Traffic Safety Administration**

[Docket No. NHTSA 2002-15644 Notice 2]

Freightliner LLC; Grant of Application for Decision for Determination of Inconsequential Non-Compliance

This notice grants the application by Freightliner LLC (Freightliner) on behalf of Thomas Built Buses, Inc. (Thomas) of High Point, North Carolina, to be exempted from the notification and remedy requirements of 49 U.S.C. 30118 and 30120 for a noncompliance with 49 CFR 571.205, Federal Motor Vehicle Safety Standard (FMVSS) No. 205, "Glazing Materials." Freightliner has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Responsibility and Reports." Pursuant to 49 CFR Part 556, "Exemption for Inconsequential Defect or Noncompliance," Freightliner has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301, "Motor Vehicle Safety." The basis of the grant is that the noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the application was published August 19, 2003, (68 FR 49841) affording an opportunity for

comment. The comment closing date was September 18, 2003. No comments were received.

From September 22, 2002 to February 24, 2003, Freightliner manufactured 700 Thomas Built Conventional, MPV-EF and HDX buses with driver side windows that do not meet the labeling requirements of paragraph S6 of FMVSS No. 205. The driver side windows were not marked with the "DOT" symbol, manufacturer's number and the AS 2 code mark.

FMVSS No. 205, paragraph S6, "Certification and marking," requires that each piece of glazing material shall be marked in accordance with Section 6 of the American National Standard "Safety Code for Safety Glazing Materials for Glazing Materials for Glazing in Motor Vehicles Operating on Land Highways" Z-26.1-1977, January 26, 1977, as supplemented by Z26.1a, July 3, 1980 (ANS Z26). This specifies all safety glazing materials for use in accordance with this code shall be legibly and permanently marked in letters and numerals at least 0.070 inch (1.78 mm) in height, with the words "American National Standard" or the characters "AS" and, in addition, with a model number that will identify the type of construction of the glazing material. The glazing materials shall also be marked with the manufacturer's distinctive designation or trademark. In addition, FMVSS No. 205, paragraph S6.2 requires that each piece of glazing material be marked with the symbol "DOT." Freightliner stated that the noncompliance consists of the driver side windows not being marked with the "DOT" symbol, manufacturer's number and the AS 2 code mark.

According to Freightliner, the manufacturer of the window, Double Eagle Window MFG, LLC, notified Freightliner on April 15, 2003 of the labeling noncompliance. Freightliner submitted a compliance test report indicating that the tempered glass parts in question were in full compliance with 49 CFR 571.205 except for labeling.

NHTSA has reviewed Freightliner's application and, for the reasons discussed in this paragraph, concludes that the noncompliance of the Freightliner driver side windows is inconsequential to motor vehicle safety. Freightliner has provided documentation indicating that the driver side windows do comply with all other safety performance requirements of the standard except labeling requirements. Consequently, the noncompliance would not affect the purposes of FMVSS No. 205, which include reducing injuries from impacts to glazing surfaces, ensuring driver