

parts on designated high-theft vehicles. One amendment made by the Anti Car Theft Act was to 49 U.S.C. 33101(10), where the definition of "passenger motor vehicle" now includes a "multipurpose passenger vehicle or light-duty truck when that vehicle or truck is rated at not more than 6,000 pounds gross vehicle weight." Since "passenger motor vehicle" was previously defined to include passenger cars only, the effect of the Anti Car Theft Act is that certain multipurpose passenger vehicle (MPV) and light-duty truck (LDT) lines may be determined to be high-theft vehicles subject to the Federal motor vehicle theft prevention standard (49 CFR part 541).

Section 33112 of Title 49 requires subject insurers or designated agents to report annually to the agency on theft and recovery of vehicles, on rating rules and plans used by insurers to reduce premiums due to a reduction in motor vehicle thefts, and on actions taken by insurers to assist in deterring thefts. Rental and leasing companies also are required to provide annual theft reports to the agency. In accordance with 49 CFR 544.5, each insurer, rental and leasing company to which this regulation applies must submit a report annually not later than October 25, beginning with the calendar year for which they are required to report. The report would contain information for the calendar year three years previous to the year in which the report is filed. The report that was due by October 25, 1999 contains the required information for the 1996 calendar year.

The annual insurer reports provided under section 33112 are intended to aid in implementing the Theft Act and fulfilling the Department's requirements to report to the public the results of the insurer reports. The first annual insurer report, referred to as the Section 612 Report on Motor Vehicle Theft, was prepared by the agency and issued in December 1987. The report included theft and recovery data by vehicle type, make, line, and model which were tabulated by insurance companies and rental and leasing companies. Comprehensive premium information for each of the reporting insurance companies was also included. This report, the twelfth, discloses the same subject information and follows the same reporting format.

Issued on: December 17, 2001.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 01-31517 Filed 12-20-01; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2001-11165]

#### Decision That Certain Nonconforming Motor Vehicles Are Eligible for Importation

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Notice of decision by NHTSA that certain nonconforming motor vehicles Are eligible for importation.

**SUMMARY:** This document announces decisions by NHTSA that certain motor vehicles not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to vehicles originally manufactured for importation into and/or sale in the United States and certified by their manufacturers as complying with the safety standards, and they are capable of being readily altered to conform to the standards.

**DATE:** These decisions are effective as of the date of their publication in the **Federal Register**.

**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.

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**.

NHTSA received petitions from registered importers to decide whether the vehicles listed in Annex A to this notice are eligible for importation into the United States. To afford an opportunity for public comment, NHTSA published notice of these petitions as specified in Annex A. The reader is referred to those notices for a thorough description of the petitions. No comments were received in response to these notices. Based on its review of the information submitted by the petitioners, NHTSA has decided to grant the petitions.

#### Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. Vehicle eligibility numbers assigned to vehicles admissible under this decision are specified in Annex A.

#### Final Decision

Accordingly, on the basis of the foregoing, NHTSA hereby decides that each motor vehicle listed in Annex A to this notice, which was not originally manufactured to comply with all applicable Federal motor vehicle safety standards, is substantially similar to a motor vehicle manufactured for importation into and/or sale in the United States, and certified under 49 U.S.C. 30115, as specified in Annex A, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

**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: December 18, 2001.

**Marilynn Jacobs, Director,**

*Office of Vehicle Safety Compliance.*

#### Annex A

*Nonconforming Motor Vehicles Decided to be Eligible for Importation*

1. Docket No. NHTSA-2001-9848

*Nonconforming Vehicle:* 1997 Chevrolet Cavalier passenger cars.

*Substantially similar U.S.-certified vehicle:* 1997 Chevrolet Cavalier passenger cars.

*Notice of Petition Published at:* 66 FR 35503 (July 5, 2001).

*Vehicle Eligibility Number:* VSP-369.

2. Docket No. NHTSA-2001-9631

*Nonconforming Vehicles:* 1999-2001 BMW 7 Series passenger cars.

*Substantially similar U.S.-certified vehicles:* 1999–2001 BMW 7 Series passenger cars.

*Notice of Petition Published at:* 66 FR 28026 (May 21, 2001).

*Vehicle Eligibility Number:* VSP–366.

3. Docket No. NHTSA–2000–9739

*Nonconforming Vehicles:* 1998–2001 BMW R1100 motorcycles.

*Substantially similar U.S.-certified vehicles:* 1998–2001 BMW R1100 motorcycles.

*Notice of Petition Published at:* 66 FR 31748 (June 12, 2001).

*Vehicle Eligibility Number:* VSP–368.

4. Docket No. NHTSA–2001–9562

*Nonconforming Vehicles:* 1992 Chevrolet Corvette passenger cars.

*Substantially similar U.S.-certified vehicles:* 1992 Chevrolet Corvette passenger cars.

*Notice of Petition Published at:* 66 FR 28019 (May 21, 2001).

*Vehicle Eligibility Number:* VSP–365.

5. Docket No. NHTSA–2001–9649

*Nonconforming Vehicles:* 1995–2000 KTM Duke II motorcycles.

*Substantially similar U.S.-certified vehicles:* 1995–2000 KTM Duke II motorcycles.

*Notice of Petition Published at:* 66 FR 28024 (May 21, 2001).

*Vehicle Eligibility Number:* VSP–363.

6. Docket No. NHTSA–2001–9560

*Nonconforming Vehicle:* 2000–2001 Audi TT passenger cars.

*Substantially similar U.S.-certified vehicle:* 2000–2001 Audi TT passenger cars.

*Notice of Petition Published at:* 66 FR 28023 (May 21, 2001).

*Vehicle Eligibility Number:* VSP–364.

7. Docket No. NHTSA–2001–9732

*Nonconforming Vehicles:* 1993 Ford Mustang passenger cars.

*Substantially similar U.S.-certified vehicles:* 1993 Ford Mustang passenger cars.

*Notice of Petition Published at:* 66 FR 30264 (June 5, 2001).

*Vehicle Eligibility Number:* VSP–367.

8. Docket No. NHTSA–2001–9947

*Nonconforming Vehicles:* 2000–2001 Mercedes Benz S500 and S600 passenger cars.

*Substantially similar U.S.-certified vehicles:* 2000–2001 Mercedes Benz S500 and S600 passenger cars.

*Notice of Petition Published at:* 66 FR 37722 (July 19, 2001).

*Vehicle Eligibility Number:* VSP–371.

9. Docket No. NHTSA–2001–10512

*Nonconforming Vehicles:* 2002 Harley Davidson FX, FL, and XL motorcycles.

*Substantially similar U.S.-certified vehicles:* 2002 Harley Davidson FX, FL, and XL motorcycles.

*Notice of Petition Published at:* 66 FR 46678 (September 6, 2001).

*Vehicle Eligibility Number:* VSP–372.

[FR Doc. 01–31519 Filed 12–20–01; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Ex Parte No. 558 (Sub-No. 5)]

### Railroad Cost of Capital—2001

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of decision instituting a proceeding to determine the railroads' 2001 cost of capital.

**SUMMARY:** The Board is instituting a proceeding to determine the railroad industry's cost of capital for 2001. The decision solicits comments on: (1) The railroads' 2001 cost of debt capital; (2) the railroads' 2001 current cost of preferred stock equity capital; (3) the railroads' 2001 cost of common stock equity capital; and (4) the 2001 capital structure mix of the railroad industry on a market value basis.

**DATES:** Notices of intent to participate are due no later than January 14, 2002. Statements of the railroads are due by March 29, 2002. Statements of other interested persons are due by April 22, 2002. Rebuttal statements by the railroads are due by May 13, 2002.

**ADDRESSES:** Send an original and 10 copies of statements and a copy of the statement on a 3.5 inch disk in WordPerfect 9.0, and an original and 1 copy of the notice of intent to participate to: Surface Transportation Board, Office of the Secretary, Case Control Branch, 1925 K Street, NW, Washington, DC 20423.

**FOR FURTHER INFORMATION CONTACT:** Leonard J. Blistein, (202) 565–1529. [TDD for the hearing impaired: (202) 565–1695.]

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. To obtain a copy of the full decision, write to, call, or pick up in person from the Board's contractor, Dā- To Dā Legal, Suite 405, 1925 K Street, NW, Washington, DC 20006, phone (202) 293–7776. [Assistance through TDD services 1 (800) 877–8339.] A copy of the decision can also be obtained from the Board's Internet site ([www.stb.dot.gov](http://www.stb.dot.gov)).

We preliminarily conclude that the proposed action will not significantly affect either the quality of the human environment or the conservation of energy resources.

**Authority:** 49 U.S.C. 10704(a).

Decided: December 13, 2001.

By the Board, Chairman Morgan, Vice Chairman Clyburn, and Commissioner Burkes.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 01–31368 Filed 12–20–01; 8:45 am]

BILLING CODE 4915–00–P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB–55 (Sub-No. 602X)]

### CSX Transportation, Inc.— Abandonment Exemption—in Limestone County, AL

CSX Transportation, Inc. (CSXT) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 0.56-mile line of railroad between milepost 000–290.2 and milepost 000–290.76 in Athens, Limestone County, AL. The line traverses United States Postal Service Zip Code 35614.

CSXT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on January 22, 2002, unless stayed pending reconsideration.

Petitions to stay that do not involve environmental issues,<sup>1</sup> formal

<sup>1</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent