

Federal Register

Monday
May 13, 1996

Part XIV

Department of Transportation

Semiannual Regulatory Agenda

DEPARTMENT OF TRANSPORTATION (DOT)

DEPARTMENT OF TRANSPORTATION**Office of the Secretary**

14 CFR Chs. I-III

23 CFR Chs. I-III

33 CFR Chs. I and IV

46 CFR Chs. I-III

48 CFR Ch. 12

49 CFR Subtitle A, Chs. I-VI

[OST Docket No. 59; Notice 96-6]

**Department Regulatory Agenda;
Semiannual Summary****AGENCY:** Office of the Secretary, DOT.**ACTION:** Semiannual regulatory agenda.

SUMMARY: The regulatory agenda is a semiannual summary of all current and projected rulemakings, reviews of existing regulations, and completed actions of the Department. The agenda provides the public with information about the Department of Transportation's regulatory activity. It is expected that this information will enable the public to be more aware of and allow it to more effectively participate in the Department's regulatory activity. The public is also invited to submit comments to continuously open regulatory review dockets, suggesting items for consideration as part of the Department's ongoing review of existing regulations.

ADDRESSES: The mailing address for the initiating offices of the Department which appear in the agenda is 400 7th Street SW., Washington, DC 20590; except for the Federal Aviation Administration, which is located at 800 Independence Avenue SW., Washington, DC 20591, and the U.S. Coast Guard, which is located at 2100 2nd Street SW., Washington, DC 20593.

FOR FURTHER INFORMATION CONTACT:*General*

For further information on the agenda in general, contact: Neil R. Eisner, Assistant General Counsel for Regulation and Enforcement, Department of Transportation, 400 7th Street SW., Washington, DC 20590, (202) 366-4723.

Specific

For further information about any particular item on the agenda, contact the individual listed in the column headed "Agency Contact" for that item.

Table of Contents

Supplementary Information:

Background
Regulatory Flexibility Act
Economic Assessment/Evaluation
Definitions
Office of Management and Budget (OMB)/Secretarial Review
Explanation of Information on the Agenda
Request for Comments
Purpose
Appendix A - Instructions for Obtaining Copies of Regulatory Documents
Appendix B - General Rulemaking Contact Persons
Appendix C - Public Rulemaking Dockets

Agenda

SUPPLEMENTARY INFORMATION:

Background

Improvement of Government regulations is a prime goal of the Clinton Administration. There should be no more regulations than necessary, and those that are issued should be simpler, more comprehensible, and less burdensome. Regulations should not be issued without appropriate involvement of the public; once issued, they should be periodically reviewed and revised, as needed, to assure that they continue to meet the needs for which they originally were designed.

To help the Department of Transportation (Department) achieve these goals and in accordance with Executive Order 12866 "Regulatory Planning and Review" (58 FR 51735; October 4, 1993) and the Department's Regulatory Policies and Procedures (44 FR 11034; February 26, 1979), the Department prepares a semiannual regulatory agenda for publication in the Federal Register. The agenda summarizes all current and projected rulemaking, reviews of existing regulations, and completed actions of the Department. These are matters on which action has begun or is projected during the succeeding 12 months or such longer period as may be

anticipated or for which action has been completed since the last agenda.

The agendas are based on reports submitted by the initiating offices in January and July each year. After these reports are consolidated for and reviewed by the Department Regulations Council, the Department's regulations agenda is prepared and published in the Federal Register. The Department's last agenda was published in the Federal Register on November 28, 1995 (60 FR 60296). The next one is scheduled for publication in the Federal Register in October 1996.

Last fall, the Department's most significant regulatory actions were included in The Regulatory Plan, which was published together with the Agenda and cross-referenced in the Agenda. This agenda includes those entries with the extra information included for the Plan entry, since the Plan is only published annually.

As a result of the ICC Termination Act of 1995, the Surface Transportation Board, successor to the ICC, has become part of this Department. However, the Surface Transportation Board will publish its rulemaking activities with other independent regulatory agencies in the Unified Agenda.

Regulatory Flexibility Act

In 1980, Congress passed the Regulatory Flexibility Act (RFA), Public Law 96-354, which requires the designation of those regulations for which a Regulatory Flexibility Analysis will be prepared; i.e., those regulations that would have a significant economic impact on a substantial number of small entities. A Regulatory Flexibility Analysis is required for a rulemaking which, in the heading "Small Entities Affected," indicates an effect on small businesses, governmental jurisdictions, or organizations. If a Regulatory Flexibility Analysis will be prepared for a particular rulemaking, that fact also will be noted under the heading "Analysis."

The RFA also requires that, each year, the Department publish a list of those regulations that have a significant economic impact on a substantial number of small entities and are to be reviewed under the Act during the succeeding 12 months. The agenda includes those regulations to be reviewed under the RFA or those for which review has been concluded since the last agenda. However, it should be

DOT

noted that, after a preliminary assessment of the regulations listed for RFA review, it may be found that the regulations, in fact, do not have a significant economic impact on a substantial number of small entities, and a full RFA review will be unnecessary.

Economic Assessment/Evaluation

DOT requires an economic analysis for all its rulemakings. A preliminary and final economic assessment (similar to what used to be identified as a "Regulatory Impact Analysis") is required for each proposed and final regulation, respectively, that is likely to be very costly. For other rulemakings, a regulatory evaluation is prepared.

Definitions

The agenda covers all rules and regulations of the Department, including those that establish conditions for financial assistance. The following definitions are provided for ease in understanding the information in this document.

Initiating office means an operating administration or other organizational element within the Department that formulates regulations.

Significant rulemaking is now being referred to in this agenda as an agency priority. This means a rulemaking that is very costly, controversial, or of substantial public interest; would have a major impact on another Federal agency; would have a substantial effect on State and/or local or tribal governments; would have a substantial impact on a major transportation safety problem; would initiate a substantial regulatory program or change in policy; would be substantially different from international requirements or standards; would materially alter budgetary impacts; or otherwise involves important legal or policy issues.

Office of Management and Budget (OMB)/Secretarial Review

Any rulemaking document OMB identifies as significant is subject to its review and will be classified as significant by DOT. A few rulemakings identified as agency priority by DOT, but not significant by OMB, and some rulemaking documents (e.g., extensions of compliance dates), although part of an otherwise significant rulemaking, are not subject to OMB review. All DOT agency priority rulemaking documents are subject to review by the Secretary of Transportation.

Explanation of Information on the Agenda

The format for this agenda is required by Office of Management and Budget memorandum of January 2, 1996.

First, the agenda is divided by initiating offices. Then, in accordance with the OMB memorandum, for each initiating office, the agenda is divided into five categories: (1) Prerule stage, (2) proposed rule stage, (3) final rule stage, (4) long-term actions, and (5) completed actions. For each entry, the agenda provides the following information: (1) The "significance" of the action; (2) a short descriptive title; (3) the legal basis for the action being taken or the regulation being reviewed; (4) the related regulatory citation in the Code of Federal Regulations; (5) an indication of any legal deadline and, if so, for what type of action (e.g., NPRM, final rule); (6) an abstract of the review or the proposed or final regulation; (7) a timetable, including the earliest expected date for a decision, on whether to issue the proposed or final regulation or complete the review and determine the corrective action to be taken. (The action taken can be revocation or revision of the regulation, or it can be a determination that no regulatory action is necessary because the regulation is found to be achieving its goals and the goals and objectives of Executive Order 12866 and the Department's Regulatory Policies and Procedures.); (8) an indication as to whether the rulemaking will affect small entities and/or levels of government and which categories of small entities or governments will be impacted; (9) if there is information that does not fit in the other categories, it will be included under a separate heading entitled "Additional Information" (which will also note any differences between OMB's "significant" and DOT's "agency priority" classification); (10) a listing, where determined, of any analyses an initiating office will prepare or has prepared for the rulemaking document; e.g., an Economic Assessment, an Environmental Impact Statement (EIS), or a Regulatory Flexibility Analysis; (11) an agency contact office or official who can provide further information, including advice on how to obtain documents referenced in the agenda; (12) a Regulation Identifier Number (RIN) assigned to identify an individual rulemaking in the agenda and facilitate tracing further action on the issue in the Federal Register which may occur

between agenda publications; and (13) an indication of whether the item is part of the Reinventing Government effort and, if so, whether it would revise existing text in the Code of Federal Regulations or eliminate text.

For nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements (such as the Federal Aviation Administration's Airspace Rules), to keep those requirements operationally current, only the general category of the regulations, the identity of a contact office or official, and an indication of the expected number of regulations are included; individual regulations are not listed.

If a regulatory docket number has already been established, it may be provided under the "Additional Information" heading. If a member of the public desires further information regarding a particular proposal or regulation, reference should be made to this docket number.

In the "Timetable" column, abbreviations are used to indicate the particular documents being considered for issuance by that date. ANPRM stands for Advance Notice of Proposed Rulemaking, SNPRM for Supplemental Notice of Proposed Rulemaking, NPRM for Notice of Proposed Rulemaking, and FR for Final Rule. Listing a future date in this column is not an indication that a proposed or a final rule will be issued on that date; it is the earliest date on which a decision is expected to be made on whether to issue the document listed. Submittal of any proposed or final rule to the Office of Management and Budget for review under Executive Order 12866 must follow such a decision. If any document is issued, publication in the Federal Register would follow within a few days of completion of this review. In addition, these dates are based on current schedules. Information received subsequent to the issuance of this agenda could result in a decision not to take regulatory action or in changes to proposed publication dates. For example, the need for further evaluation could result in a later publication date; evidence of a greater need for the regulation could result in an earlier publication date.

Finally, a dot (●) preceding an entry indicates that the entry appears in the agenda for the first time.

DOT**Request for Comments**

Our agenda is intended primarily for the use of the public. Since its inception, we have made modifications and refinements that we believe provide the public with more helpful information, as well as make the agenda easier to use. We would like you, the public, to make suggestions or comments on how the agenda could be further improved.

In an effort to comply further with the spirit of Executive Order 12866 and the Regulatory Flexibility Act, we are also seeking suggestions on which existing regulations issued by an operating administration of the Department or the Office of the Secretary you believe need to be reviewed to determine whether they should be revised or revoked. The Department is particularly interested in obtaining information on requirements that have a "significant economic impact on small entities" and, therefore, must be reviewed under the Regulatory Flexibility Act. If you have any suggested regulations, please send them, along with your explanation of why they should be reviewed, to the concerned operating administration or the Office of the Secretary.

Purpose

The Department is publishing this regulatory agenda in the Federal Register to share with interested members of the public the Department's preliminary expectations regarding its future regulatory actions. This should enable the public to be more aware of the Department's regulatory activity. Knowledge of the nature and scope of this activity, as well as the specific proposals and reviews being considered, should result in more effective public participation in the Department's regulatory activity. For example, awareness of the dates when notices may be issued seeking public comment should allow appropriate planning and more efficient use of the comment period. By providing the expected date for a decision on whether to issue a final rule, the Department expects that more appropriate planning by those concerned with the regulation will also be possible. This publication in the Federal Register does not impose any binding obligation on the Department or any of the offices within the Department with regard to any specific item on the agenda. Regulatory action, in addition to the items listed, is not precluded. If further information is desired on any of

the items listed in the agenda, the public is encouraged to contact the individual listed for the particular item. Additional information concerning the agenda in general or the Department's Regulatory Policies and Procedures may be obtained from Neil R. Eisner, whose address and telephone number appear above.

Issued in Washington, DC, on April 5, 1996.

Federico Peña,
Secretary of Transportation.

Appendix A - Instructions for Obtaining Copies of Regulatory Documents

Some Administrations within the Department differ in procedures or as to inclusion on a mailing list. For the offices listed below, persons desiring to obtain a copy of a specific regulatory document to be issued that is listed in this agenda should communicate, either by telephone or by letter, with the contact person listed with the regulation at the addresses below.

United States Coast Guard (USCG)

(Name of contact person), United States Coast Guard, 2100 2nd Street SW., Washington, DC 20593.

Federal Highway Administration (FHWA)

(Name of contact person), Federal Highway Administration, 400 7th Street SW., Washington, DC 20590.

Federal Railroad Administration (FRA)

(Name of contact person), Federal Railroad Administration, 400 7th Street SW., Washington, DC 20590.

National Highway Traffic Safety Administration (NHTSA)

(Name of contact person), National Highway Traffic Safety Administration, 400 7th Street SW., Washington, DC 20590.

Federal Transit Administration (FTA)

(Name of contact person), Federal Transit Administration, 400 7th Street SW., Washington, DC 20590.

Saint Lawrence Seaway Development Corporation (SLSDC)

(Name of contact person), Saint Lawrence Seaway Development Corporation, 400 7th Street SW., Room 5424, Washington, DC 20590.

Research and Special Programs Administration (RSPA)

(Name of contact person), Research and Special Programs Administration,

400 7th Street SW., Washington, DC 20590.

Maritime Administration (MARAD)

Joel C. Richard, Secretary, Maritime Administration, 400 7th Street SW., Room 7210, Washington, DC 20590, (202) 366-5746.

Federal Aviation Administration (FAA)

The FAA has a mailing list system for notices and advance notices of proposed rulemaking (NPRMs and ANPRMs). Persons interested in obtaining future copies of all of those documents to be issued by the FAA or only of those concerning certain parts of the Federal Aviation Regulations should request a copy of Advisory Circular No. 11-2, which describes the application procedure, by calling (202) 267-3484 or by writing to: Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue SW., Washington, DC 20591.

Office of the Secretary (OST)

Persons desiring to receive future copies of the Department's regulatory agenda should submit their request to: Assistant General Counsel for Regulation and Enforcement, C-50, Office of the General Counsel, Department of Transportation, Washington, DC 20590, (202) 366-4723.

Persons who have an interest in specific regulatory documents to be issued by the Office of the Secretary should forward requests for copies of those documents to the same address. These requests should fully identify the document desired.

Appendix B - General Rulemaking Contact Persons

The following is a list of persons who can be contacted within the Department for general information concerning the rulemaking process within the various operating administrations.

USCG - P. M. Pelcovits, Office of Chief Counsel, USCG Headquarters Building, Room 3406, 2100 2nd Street SW., Washington, DC 20593; telephone: (202) 267-1534.

FAA - Donald Byrne, Office of Chief Counsel, Regulations and Enforcement Division, 800 Independence Avenue SW., Room 915A, Washington, DC 20591; telephone: (202) 267-3073.

FHWA - Thomas Holian, Office of Chief Counsel, 400 7th Street SW.,

DOT

Room 4223, Washington, DC 20590; telephone: (202) 366-1383.

FRA - Lisa Levine, Office of Chief Counsel, 400 7th Street SW., Room 8128, Washington, DC 20590; telephone: (202) 366-0621.

NHTSA - Walter K. Myers, Office of Chief Counsel, 400 7th Street SW., Room 5219, Washington, DC 20590; telephone: (202) 366-2992.

FTA - Nancy Zaczek, Office of Chief Counsel, 400 7th Street SW., Room 9316, Washington, DC 20590; telephone: (202) 366-4011.

SLSDC - Marc Owen, General Counsel's Office, 400 7th Street SW., Room 5424, Washington, DC 20590; telephone: (202) 366-0108.

RSPA - Edward Bonekemper, Office of Chief Counsel, 400 7th Street SW., Room 8405, Washington, DC 20590; telephone: (202) 366-4400.

MARAD - Edmund T. Sommer, Jr., Assistant Chief Counsel, Maritime Administration, 400 7th Street SW., Room 7230, Washington, DC 20590; telephone: (202) 366-5746.

BTS - David Mednick, 400 7th Street SW., Room 3430, Washington, DC 20590; telephone: (202) 366-8871.

OST - Neil Eisner, Office of Regulation and Enforcement, 400 7th Street SW., Room 10424, Washington, DC 20590; telephone: (202) 366-4723.

Appendix C - Public Rulemaking Dockets

The following is a list of Rule Docket locations for the various operating administrations where the public may review regulatory dockets and hand-deliver comments on advance notices and notices of proposed rulemaking:

USCG - Marine Safety Council, 2100 2nd Street SW., Room 3406, Washington, DC 20593. Working Hours: 8:00-3:00 (Monday-Friday).

FAA - Rules Docket (AGC-10), Office of Chief Counsel, Regulations and Enforcement Division, 800 Independence Avenue SW., Room 915G, Washington, DC 20591. Working Hours: 8:30-5:00.

FHWA - Docket Room, 400 7th Street SW., Room 4232, Washington, DC 20590. Working Hours: 8:30-3:30.

FRA - Docket Clerk, 400 7th Street SW., Room 8201, Washington, DC 20590. Working Hours: 8:30-5:00.

NHTSA - Docket Room, 400 7th Street SW., Room 5109, Washington, DC 20590. Working Hours: 9:30-4:00.

FTA - Docket Branch, 400 7th Street SW., Room Pl. 401, Washington, DC 20590. Working Hours: 8:30-5:00.

SLSDC - 400 7th Street SW., Room 5424, Washington, DC 20590. Working Hours: 8:15-4:45.

BTS - 400 7th Street SW., Room Pl. 401, Washington, DC 20590. Working Hours: 9:00-5:00.

RSPA - Docket Branch, 400 7th Street SW., Room 8421, Washington, DC 20590. Working Hours: 8:30-5:00.

MARAD - Docket Clerk, 400 7th Street SW., Room 7210, Washington, DC 20590. Working Hours: 8:30-5:00.

OST - Docket Branch, 400 7th Street SW., Room Pl. 401, Washington, DC 20590. Working Hours: 9:00-5:00.

Office of the Secretary—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2003	+Update of Drug and Alcohol Procedural Rules	2105-AC49

+ DOT-designated significant regulation.

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2004	+Proposed Policy on Peak Period Pricing of Airport Landing Fees	2105-AB63
2005	+Procedures for Transportation Workplace Drug-Testing Programs (Miscellaneous Amendments)	2105-AB71
2006	+Passenger Manifest Information	2105-AB78
2007	+Accessibility of Passenger Vessels to Individuals With Disabilities	2105-AB87
2008	+Transportation for Individuals With Disabilities (Over the Road Buses)	2105-AC00
2009	Governmentwide Debarment and Suspension (Nonprocurement) and Requirements for Drug-Free Workplace (Grants)	2105-AC24
2010	Air Carrier Access Act: Miscellaneous Amendments	2105-AC28
2011	Use of Oxygen by Air Carrier Passengers	2105-AC29
2012	Amendment to Definition of Substance Abuse Professional	2105-AC33
2013	Changes to International Data Submissions by Large Air Carriers	2105-AC34
2014	+Computer Reservations System Regulations and Amendments	2105-AC35
2015	Amendments to Laboratory Certification	2105-AC37
2016	Use of the Official Seal	2105-AC39
2017	Medals of Honor	2105-AC41
2018	Overbooking of Flights: Elimination of Airport Notice Signs	2105-AC45
2019	Fees and Charges for Special Services: Reinvention	2105-AC47
2020	Rules of Practice in Aviation Economic Proceedings: Reinvention	2105-AC48

DOT

Office of the Secretary—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2021	Amendments to Modal Alcohol Testing Rules: Pre-Employment Testing	2105-AC50

+ DOT-designated significant regulation.

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2022	Direct Air Carrier Responsibility for Returning Stranded Charter Passengers	2105-AA40
2023	Air Travelers: Age Discrimination	2105-AA45
2024	Direct Flights	2105-AA73
2025	Diversion of Flights Within a Metropolitan Area	2105-AA78
2026	Simplified Aviation Exemption Procedures	2105-AA82
2027	Simplified Airline Counter—Sign Notices	2105-AA88
2028	+Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments	2105-AB46
2029	+New Restrictions on Lobbying	2105-AB57
2030	+Nondiscrimination on the Basis of Handicap in Air Travel (Air Carrier Access Act)	2105-AB61
2031	+Nondiscrimination on the Basis of Handicap in Federally Assisted Programs and in Air Travel (Air Carrier Access Act)	2105-AB62
2032	Aviation Charter Rules	2105-AB91
2033	+Disadvantaged Business Enterprise (DBE) Regulation; General Update	2105-AB92
2034	+Participation by Disadvantaged Business Enterprises in Airport Concessions	2105-AB99
2035	Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations	2105-AC02
2036	+Transportation for Individuals With Disabilities (Accessibility Guidelines)	2105-AC06
2037	Domestic Baggage Liability	2105-AC07
2038	Disclosure of Code-Sharing Arrangements and Long-Term Wet Leases	2105-AC10
2039	Use of Direct Final Rulemaking	2105-AC11
2040	+Transportation for Individuals With Disabilities (Misc. Amendments)	2105-AC13
2041	Disinsection of Aircraft	2105-AC14
2042	Disclosure of Change-of-Gauge Services	2105-AC17
2043	+Great Lakes Pilotage Rate Methodology	2105-AC21
2044	Procedures for Transportation Workplace Drug and Alcohol Testing; Shy Bladder and Other Clarifications	2105-AC22
2045	Electronic Filing of International Air Passenger Service Rules	2105-AC23
2046	Nonprocurement Debarment and Suspension	2105-AC25
2047	Revised Filing Procedures for OST Docket	2105-AC26
2048	Coast Guard Board for Correction of Military Records: Procedural Regulation	2105-AC31
2049	Staff Assignments and Review of Action Under Assignments	2105-AC38
2050	National Security Information	2105-AC40
2051	Release of Internal Staff Memoranda Relating to Public Meetings of the Civil Aeronautics Board	2105-AC42
2052	Policies Relating to Accounts and Reports	2105-AC43
2053	Audits of State and Local Governments	2105-AC44
2054	Aviation Economic Rules: Correcting Obsolete References	2105-AC46

+ DOT-designated significant regulation.

Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2055	Policy Statement on Airline Preemption	2105-AA46
2056	Baggage Liability Notices in International Air Transportation	2105-AA84
2057	+Statement of Enforcement Policy on Rebating	2105-AB39
2058	+Price Advertising	2105-AB50
2059	Smoking Aboard Aircraft	2105-AB58
2060	Implementation of Amendments to the Equal Access to Justice Act	2105-AB73

DOT

Office of the Secretary—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2061	Ticketless Travel: Passenger Notices	2105-AC36

+ DOT-designated significant regulation.

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2062	Nondiscrimination on the Basis of Age in DOT Financial Assistance Programs	2105-AA09
2063	+Commercial Space Transportation: Financial Responsibility Requirements for Licensed Launch Activities	2105-AA26
2064	Price Advertising	2105-AB25
2065	+Licensing Commercial Space Launch Activities	2105-AB85
2066	Exemption from Property Tariff-Filing Requirements	2105-AC09
2067	Data Collection and Prohibition Against Marketing	2105-AC30
2068	Administrative and Editorial Corrections to Acquisition Regulations	2105-AC32

+ DOT-designated significant regulation.

U.S. Coast Guard—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2069	+Facility Response Plans for Hazardous Substances (CGD 94-048)	2115-AE87
2070	+Tank Vessel Response Plans for Hazardous Substances (CGD 94-032)	2115-AE88
2071	Propeller Injury Prevention Aboard Rental Boats (CGD 95-041)	2115-AF28

+ DOT-designated significant regulation.

U.S. Coast Guard—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2072	Reporting Marine Casualties (CGD 91-216)	2115-AD98
2073	+User Fees for Approvals of Equipment, Laboratories, and Servicing Facilities (CGD 92-013)	2115-AE18
2074	Handling of Explosives or Other Dangerous Cargoes Within or Contiguous to Waterfront Facilities (CGD 92-026)	2115-AE22
2075	Amendments to Hull Identification Number Regulations and New Requirements for Certificates of Origin (CGD 92-065)	2115-AE37
2076	+Escort Vessels in Certain U.S. Waters (91-202a)	2115-AE56
2077	Electronic Records of Shipping Articles and Certificates of Discharge (CGD 94-004)	2115-AE72
2078	Harmonization With International Safety Standards (CGD 95-028)	2115-AF10
2079	Numbering of Undocumented Barges (CGD 93-091)	2115-AF13
2080	U.S. ATON Systems: Western Rivers Marking System and Private Aids to Navigation (CGD 94-091)	2115-AF14
2081	ATON on Artificial Islands and Fixed Structures (CGD 95-052)	2115-AF15
2082	Regattas and Marine Parades: Permit Application Requirements (CGD 95-054)	2115-AF17
2083	Advance Notice of Arrivals, Departures, and Certain Dangerous Cargoes (CGD 94-089)	2115-AF19
2084	Licensing and Manning for Operators of Towing Vessels (CGD 94-055)	2115-AF23
2085	Implementation of the 1995 Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW) (CGD 95-062)	2115-AF26

+ DOT-designated significant regulation.

DOT

U.S. Coast Guard—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2086	Tankermen (CGD 79-116)	2115-AA03
2087	+Offshore Supply Vessel Regulations (CGD 82-004 & CGD 86-074)	2115-AA77
2088	Safety/Security Zone Regulations	2115-AA97
2089	Anchorage Area Regulations	2115-AA98
2090	Lifesaving Equipment—Implementation of 1983 Amendments to SOLAS 1974 (CGD 84-069)	2115-AB72
2091	+Small Passenger Vessel Inspection and Certification (CGD 85-080)	2115-AC22
2092	+Implementation of the Commercial Fishing-Industry Vessel Safety Act (CGD 88-079)	2115-AD12
2093	Permits for the Transportation of Municipal and Commercial Wastes (CGD 89-014)	2115-AD23
2094	+Security for Passenger Vessels and Passenger Terminals (CGD 91-012)	2115-AD75
2095	Claims Procedures Under the Oil Pollution Act of 1990 (CGD 91-035)	2115-AD90
2096	+Structural and Operational Measures To Reduce Oil Spills From Existing Tank Vessels Without Double Hulls (CGD 91-045)	2115-AE01
2097	+State Access to the Oil Spill Liability Trust Fund (CGD 92-014)	2115-AE19
2098	New York Vessel Traffic Service (CGD 92-052)	2115-AE36
2099	Regatta Regulations	2115-AE46
2100	Drawbridge Regulations	2115-AE47
2101	Facilities Transferring Oil and Hazardous Material in Bulk (CGD 93-056)	2115-AE59
2102	Inland Navigation Rules; Lighting Provisions (CGD 94-011)	2115-AE71
2103	Regulated Navigation Areas	2115-AE84
2104	+Vessel Rebuild Determinations (CGD 94-040)	2115-AE85
2105	Navigation Safety Equipment for Towing Vessels (CGD 94-020)	2115-AE91
2106	Programs for Chemical Drug and Alcohol Testing of Commercial Vessel Personnel: Removal of Foreign Implementation Date (CGD 95-011)	2115-AF02
2107	Adoption of Industry Standards (CGD 95-027)	2115-AF09
2108	Alternate Compliance Via Recognized Classification Society and U.S. Supplement to Rules (CGD 95-010)	2115-AF11
2109	Electrical Engineering Regulations for Merchant Vessels (CGD 94-108)	2115-AF24
2110	+Structural Measures To Reduce Oil Spills From Existing Tank Vessels Without Double Hulls (91-045a)	2115-AF27

+ DOT-designated significant regulation.

U.S. Coast Guard—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2111	Revision to Inflatable Life Raft Approval: SOLAS 74/83 (CGD 85-205)	2115-AC51
2112	Vessel Identification System (CGD 89-050)	2115-AD35
2113	+Discharge-Removal Equipment for Vessels Carrying Oil (CGD 90-068)	2115-AD66
2114	Tank Level or Pressure Monitoring Devices (CGD 90-071)	2115-AD69
2115	+Overfill Devices (CGD 90-071a)	2115-AD87
2116	+Escort Vessels for Certain Tankers (CGD 91-202)	2115-AE10
2117	+Federal Agency Access to the Oil Spill Liability Trust Fund (CGD 92-074)	2115-AE34
2118	Notice of Hazardous Conditions (CGD 94-027)	2115-AE82
2119	Immediate Reporting of Casualties (CGD 94-030)	2115-AE89
2120	Radar-Observer Endorsement for Operators of Uninspected Towing Vessels (CGD 94-041)	2115-AE92
2121	Modernization of Examination Methods (CGD 94-029)	2115-AE94

+ DOT-designated significant regulation.

U.S. Coast Guard—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2122	Training in the Use of Automatic Radar Plotting Aids (ARPA) (CGD 85-089)	2115-AB99
2123	Regattas and Marine Parades (CGD 87-087)	2115-AC84
2124	+Financial Responsibility for Water Pollution (Vessels) (CGD 91-005)	2115-AD76
2125	+Tank Vessel Response Plans (CGD 91-034)	2115-AD81
2126	+Facility Response Plans (CGD 91-036)	2115-AD82

DOT

U.S. Coast Guard—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2127	Criminal Record Reviews and Access to the National Driver Register (CGD 91-212)	2115-AD93
2128	Suspension and Revocation of Licenses, Certificates of Registry, and Merchant Mariners' Documents (CGD 94-101)	2115-AD94
2129	Approval of Inflatable Personal Flotation Devices (PFDs) for Recreational Boaters (CGD 93-055)	2115-AE58
2130	Revision of Damage Stability Requirements for New Passenger Ship Designs (CGD 94-010)	2115-AE75
2131	Aleutian Trade Act (CGD 94-025)	2115-AE77
2132	Inland Waterways Navigation Regulations; Wrangell Narrows, AK (CGD 94-026)	2115-AE78
2133	Recreational Inflatable Personal Flotation Device Standards (CGD 94-110)	2115-AE96
2134	International Navigation Rules (CGD 95-053)	2115-AF16
2135	Recreational Vessel Fees (CGD 95-055)	2115-AF18
2136	Fifth and Eighth Coast Guard District Marine Inspection and Captain of the Port Zone Boundaries (CGD 95-081)	2115-AF22
2137	Programs for Chemical and Alcohol Testing of Commercial Vessel Personnel; Delay of Implementation Dates (CGD 95-090)	2115-AF25

+ DOT-designated significant regulation.

Federal Aviation Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2138	Airworthiness Standards; Crash-Resistant Fuel Systems	2120-AA57
2139	Review of Part 47, Aircraft Registration, and Part 49, Recording of Aircraft Titles and Security Documents	2120-AC17
2140	+Part 145 Review: Repair Stations	2120-AC38
2141	1-G Stalling Speed as a Basis for Compliance With Part 25 of the Federal Aviation Regulations	2120-AD40
2142	+Revision of Part 108, Airplane Operator Security	2120-AD45
2143	+Revision of Part 107, Airport Security	2120-AD46
2144	+Alternative Means of Compliance	2120-AD66
2145	+Cost of Services and Transfer of Fees to Part 187 From Parts 47, 49, 61, 63, 65, and 143	2120-AD91
2146	Visual Descent Points	2120-AE34
2147	+Aging Aircraft Safety	2120-AE42
2148	+Reduced Altitude Separation	2120-AE51
2149	+Airport Noise Compatibility Planning	2120-AE64
2150	Mode S Transponder Requirement for Part 135 Operators	2120-AE81
2151	Nashville, TN, Class B Airspace	2120-AE93
2152	Cincinnati, OH, Class B Airspace	2120-AE97
2153	Flight Operational Quality Assurance Program	2120-AF04
2154	+Air Tour Standards	2120-AF07
2155	Orlando, FL, Class B Airspace	2120-AF17
2156	Aviation Insurance	2120-AF23
2157	Normal Category Maximum Weight	2120-AF33
2158	+Controlled Rest on the Flight Deck	2120-AF54
2159	Proposed Modification of the Phoenix, AZ, Class B Airspace	2120-AF58
2160	+Submission to Drug Tests	2120-AF64
2161	Type Certification Procedures for Changed Products	2120-AF68
2162	+Passenger Facility Charges	2120-AF69
2163	Water and Hail Ingestion Standards	2120-AF75
2164	+Flight Data Recorders	2120-AF76
2165	Miscellaneous Cabin Safety Changes	2120-AF77
2166	Revision of Hydraulics Systems Airworthiness Standards To Harmonize With European Airworthiness Standards for Transport Category Airplanes	2120-AF79
2167	Braked Roll Conditions	2120-AF83
2168	Bird Ingestion Standards	2120-AF84
2169	Houston, Texas, Class B Airspace	2120-AF88
2170	Non-Federal Air Traffic Control Facilities	2120-AF91
2171	+Airspace Management Over Grand Canyon National Park	2120-AF93
2172	National Security Areas	2120-AF97
2173	+Commercial Space Transportation: Financial Responsibility Requirements for Licensed Launch Activities	2120-AF98
2174	+Licensing Commercial Space Launch Activities	2120-AF99

DOT

Federal Aviation Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2175	Alteration of the Dallas-Fort Worth International (DFW) Airport Class B Airspace Area, Dallas, Texas	2120-AG00
2176	Revision of Certification Requirements: Aircraft Dispatchers	2120-AG04
2177	Removal of Part 159: National Capital Airports	2120-AG05
2178	+Duration Between Examinations for First- and Second-Airman Medical Certificates	2120-AG06
2179	Fees for Aeromedical Education Training Services	2120-AG07
2180	+False and Misleading Statements Regarding Aircraft Parts	2120-AG08
2181	+Special Flight Rules in the Vicinity of the Rocky Mountain National Park	2120-AG11

+ DOT-designated significant regulation.

Federal Aviation Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2182	+Fuel System Vent Fire Protection	2120-AA49
2183	Miscellaneous Amendments	2120-AA50
2184	Part 95 Instrument Flight Rules	2120-AA63
2185	Airworthiness Directives	2120-AA64
2186	Standard Instrument Approach Procedures	2120-AA65
2187	Airspace Actions	2120-AA66
2188	+Aircraft Flight Simulator Use in Pilot Training, Testing, and Checking and at Training Centers	2120-AA83
2189	+Improved Standards for Determining Rejected Takeoff and Landing Performance	2120-AB17
2190	Standards for Approval for High-Altitude Operation of Subsonic Transport Airplanes	2120-AB18
2191	Airworthiness Standards; Transport Category Rotorcraft Performance	2120-AB36
2192	Low Fuel Quantity Alerting System	2120-AB46
2193	+Flight Attendant Requirements	2120-AC32
2194	+Type and Number of Passenger Emergency Exits Required in Transport Category Airplanes	2120-AC43
2195	+Improved Survival Equipment for Inadvertent Water Landings	2120-AC72
2196	+Retrofit of Improved Seats in Air Carrier Transport Category Airplanes	2120-AC84
2197	Installation of Crashworthy Fuselage Fuel Tanks and Fuel Lines	2120-AC87
2198	+Drug Enforcement Assistance	2120-AD16
2199	Airworthiness Standards: Aircraft Engines; Proposal for New One-Engine-Inoperative Ratings, Definitions, and Type Certification Standards	2120-AD21
2200	+Sole Radio Navigation System; Minimum Standards for Certification	2120-AD26
2201	+Airworthiness Standards; Occupant Protection Standards for Commuter Category Airplanes	2120-AD27
2202	Airplane Engine Cowling Retention	2120-AD34
2203	+Fatigue Evaluation of Structure	2120-AD42
2204	Allowable Carbon Dioxide Concentration in Transport Category Airplane Cabins	2120-AD47
2205	Protective Breathing Equipment; Cargo-Only Airplanes	2120-AD74
2206	Revisions to Maintenance and Preventive Maintenance Rule	2120-AE57
2207	+Aircraft Ground Deicing and Anti-Icing Program	2120-AE70
2208	+Pilot, Flight Instructor, Ground Instructor, and Pilot School Certification Rules	2120-AE71
2209	Stage 2 Airplane Operations in Hawaii	2120-AE83
2210	+Civil Penalty Assessment Procedures	2120-AE84
2211	Manned Free Balloons	2120-AE87
2212	+Revised Access to Type III Exits	2120-AF01
2213	Training and Qualification Requirements for Checking Airmen and Flight Instructors	2120-AF08
2214	+Training and Checking in Ground Icing Conditions	2120-AF09
2215	Amendment of the Type Certification Procedures for Changes in Type Design To Attach or Remove External Equipment (Helicopter)	2120-AF10
2216	Los Angeles, CA, Class B Airspace	2120-AF16
2217	Minimum Altitudes for the Use of an Autopilot	2120-AF19
2218	+Revision of Emergency Evacuation Demonstration Procedures to Improve Participant Safety	2120-AF21
2219	Advanced Simulation Plan Revisions	2120-AF29
2220	+Suspension of Certain Aircraft Operations From the Transponder With Automatic Pressure Altitude Reporting Capability Requirement	2120-AF30
2221	+Procedures for Complaints Involving Federally Assisted Airports	2120-AF43
2222	Sensitive Security Information	2120-AF49

DOT

Federal Aviation Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2223	+Child Restraint Systems	2120-AF52
2224	Windmilling and Rotor Blocking Tests; and Vibration Tests	2120-AF57
2225	+Flight Crewmember Duty Limitations and Rest Requirements	2120-AF63
2226	Rotorcraft Regulatory Changes Based on European Joint Airworthiness Requirements Proposals	2120-AF65
2227	Revised Structural Loads Requirements for Transport Airplanes	2120-AF70
2228	+Policy Regarding Airport Rates and Charges	2120-AF90
2229	Criteria for an Explosive Detection System (EDS), Standards for Detonator Detection	2120-AF95
2230	+Policy and Procedures Concerning the Use of Airport Revenue	2120-AG01
2231	Small Airplane Airworthiness Review Program Amendment No. 3; Correction	2120-AG09
2232	Prohibition Against Certain Flights Within the Territory and Airspace of Afghanistan	2120-AG10

+ DOT-designated significant regulation.

Federal Aviation Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2233	Objects Affecting Navigable Airspace	2120-AA09
2234	Aircraft Engines: Fuel and Induction Systems	2120-AB76
2235	Type Certificates for Some Surplus Aircraft of the Armed Forces	2120-AE41
2236	+Anti-Drug and Alcohol Misuse Prevention Programs for Employees of Foreign Air Carriers Engaged in Specified Aviation Activities	2120-AE79
2237	+Corrosion Control Program	2120-AE92
2238	Flight Attendant English Language Proficiency	2120-AE98
2239	Tampa, FL, Class B Airspace	2120-AF18
2240	Revision of Certification Requirements: Mechanics and Repairmen	2120-AF22
2241	Streamlined Enforcement Process Test Program	2120-AF36
2242	+Overflights of Units of the National Park System	2120-AF46
2243	+Mountain Flying	2120-AF67
2244	Operational and Structural Difficulty Reports	2120-AF71
2245	Bird Strike	2120-AF80
2246	Repair Assessment for Pressurized Fuselages	2120-AF81
2247	Revision of Gate Requirements for High-Lift Device Controls	2120-AF82
2248	Two Approach Charts	2120-AF86

+ DOT-designated significant regulation.

Federal Aviation Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2249	+Revision of Medical Standards and Certification Procedures	2120-AA70
2250	Airworthiness Standards; Turboshift Engine Rotor Burst Protection	2120-AB91
2251	+Passenger-Carrying and Cargo Air Operations for Compensation or Hire	2120-AC08
2252	+Air Carrier Training Programs	2120-AC79
2253	+Child Restraint Systems	2120-AD90
2254	+Airworthiness Standards: Systems and Equipment Rules Based on European Joint Aviation Requirements	2120-AE59
2255	+Airworthiness Standards: Powerplant Rules Based on European Joint Aviation Requirements	2120-AE60
2256	+Airworthiness Standards: Flight Rules Based on European Joint Aviation Requirements	2120-AE61
2257	+Airworthiness Standards: Airframe Rules Based on European Joint Aviation Requirements	2120-AE62
2258	Accelerated Stalls in Commuter Category Airplanes	2120-AE86
2259	Occupant Protection in Normal and Transport Category Rotorcraft	2120-AE88
2260	Niagara Falls	2120-AE95
2261	Extended Overwater Operations With a Single High-Frequency Communication System (HF) and a Single Long-Range Navigation System (LRNS)	2120-AF12
2262	Raleigh/Durham, NC, Class B Airspace	2120-AF20
2263	Revised Discrete Gust Load Design Requirement; Transport Category Airplanes	2120-AF27

DOT

Federal Aviation Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2264	+Operations of Jet Aircraft in Commuter Slots at LaGuardia Airport and John F. Kennedy International Airport	2120-AF31
2265	Notification to ATC of Deviations from ATC Clearance and Instructions in Response to Traffic Alert and Collision Avoidance System Resolution Advisories	2120-AF35
2266	Powerplant Instruments; Fuel Pressure Indication	2120-AF41
2267	Direct Final Rulemaking Procedure	2120-AF55
2268	Proposed Modification of the Salt Lake City, UT, Class B Airspace	2120-AF56
2269	+Commuter Operations and General Certification and Operations Requirements	2120-AF62
2270	Salt Lake City, Utah, Class B Airspace	2120-AF89
2271	Definitions of Special Use Airspace	2120-AF92
2272	Indefinite Suspension of the Prohibition Against Certain Flights Between the United States and the Federal Republic of Yugoslavia (Serbia and Montenegro)	2120-AF94
2273	The Age 60 Rule	2120-AF96
2274	Airspace and Flight Operations Requirements for the 1996 Summer Olympic Games, Atlanta, GA	2120-AG02
2275	Operating Requirements: Domestic, Flag, Supplemental, Commuter, On-Demand Operations: Editorial and Terminology Changes	2120-AG03

+ DOT-designated significant regulation.

Federal Highway Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2276	Highway Beautification	2125-AD24
2277	+Advanced Technology in Commercial Motor Vehicle Operations	2125-AD65
2278	Inspection, Repair, and Maintenance	2125-AD82

+ DOT-designated significant regulation.

Federal Highway Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2279	Acquisition of Real Property for Rights-of-Way	2125-AC17
2280	Truck Length and Width Exclusive Devices	2125-AC30
2281	Periodic Inspection Requirements	2125-AC47
2282	Commercial Learner Permits and CDL Effectiveness	2125-AC54
2283	Revision of Medical Examination Form and Procedures	2125-AC63
2284	+Minimum Training Requirements for Operators and Training Instructors of Multiple Trailer Combination Vehicles	2125-AC92
2285	+Commercial Driver Physical Fitness as Part of the CDL Process	2125-AD20
2286	+Department of Transportation (FHWA, FTA, FRA and USCG) NEPA and Related Procedures for Transportation Decision Making	2125-AD32
2287	Parts and Accessories Necessary for Safe Operation; General Amendments	2125-AD40
2288	Parts and Accessories Necessary for Safe Operation; Manufactured Home Tires	2125-AD41
2289	Antilock Brake Systems	2125-AD42
2290	+Federal Motor Carrier Safety Regulations; General; Motor Vehicle Marking	2125-AD49
2291	+Hours of Service of Drivers; Supporting Document Recordkeeping	2125-AD52
2292	Federal Aid Project Agreement and Contract Procedures	2125-AD58
2293	Rules of Practice for Motor Carrier Proceedings; Investigations; Disqualifications and Penalties	2125-AD64
2294	Safety Performance History of New Drivers	2125-AD66
2295	Standards for Center Line and Edge Line Markings on Streets and Highways	2125-AD68
2296	Zero-Base Review of the Federal Motor Carrier Safety Regulations: Regulatory Removals and Substantive Amendments	2125-AD72
2297	Highway Systems	2125-AD74
2298	Parts and Accessories Necessary for Safe Operation; Television Receivers and Data Display Units	2125-AD76
2299	Mitigation of Impacts to Privately Owned Wetlands	2125-AD78
2300	Uniform Procedures for State Highway Safety Programs	2125-AD79
2301	Transportation of Hazardous Materials; Driving/Parking Rules	2125-AD80

DOT

Federal Highway Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2302	+Transportation of Migrant Workers	2125-AD81

+ DOT-designated significant regulation.

Federal Highway Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2303	+Management and Monitoring Systems	2125-AC97
2304	+Value Engineering	2125-AD33
2305	Design Standards for Highways; A Policy on Geometric Design of Highways and Streets; Design and Construction Criteria	2125-AD38
2306	Federal Aid Project Authorization	2125-AD43
2307	Maximum Driving and Off-Duty Time; Hours of Service for Farmers and Retail Farm Suppliers	2125-AD44
2308	National Standards for Traffic Control Devices; Revision of the Manual on Uniform Traffic Control Devices	2125-AD57
2309	Emergency Relief Program	2125-AD60
2310	General Material Requirements; Warranty Clauses	2125-AD61
2311	Certification Acceptance	2125-AD62
2312	National Standards for Traffic Control Devices; Metric Conversion	2125-AD63
2313	Public Lands Highways Discretionary Funds Program; Elimination of Regulations	2125-AD69
2314	Railroad Grade Crossing Safety	2125-AD75
2315	Railroad Highway Projects	2125-AD86
2316	Acquisition of Real Property for Rights-of-Way; Revisions	2125-AD87
2317	Highway Beautification: Amendments of Dire Emergency Supplemental Appropriations Act	2125-AD88

+ DOT-designated significant regulation.

Federal Highway Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2318	+Qualification of Drivers; Diabetes	2125-AB91
2319	+Commercial Driver's License Standards; Biometric Identifier	2125-AC24
2320	+Federal Motor Carrier Safety Regulations; General; Periodic Registration Requirements for Motor Carriers	2125-AC28
2321	Certification of Size and Weight Enforcement	2125-AC60
2322	+Qualification of Drivers; Vision	2125-AC62
2323	+Safety Fitness Procedures; Safety Ratings	2125-AC71
2324	Parts and Accessories Necessary for Safe Operation: Intermodal Cargo Containers	2125-AC74
2325	+Federal Motor Carrier Safety Regulations; General Transportation of Hazardous Materials	2125-AC78
2326	Transportation of Hazardous Materials; Routing of Class 7 (Radioactive) Materials	2125-AD00
2327	+Training for Entry-Level Drivers of Commercial Motor Vehicles	2125-AD05
2328	+Qualifications of Drivers: Hearing Deficiencies	2125-AD22
2329	Parts and Accessories Necessary for Safe Operation; Sleeper Berths on Motor Coaches	2125-AD25
2330	Parts and Accessories Necessary for Safe Operation; Lighting Devices, Reflectors, and Electrical Equipment	2125-AD27
2331	Motor Carrier Safety Assistance Program (MCSAP) Allocation Formula	2125-AD30
2332	National Standards for Traffic Control Devices; Temporary Traffic Signals	2125-AD45
2333	Advanced Construction of Federal Aid Projects	2125-AD59

+ DOT-designated significant regulation.

Federal Highway Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2334	Equal Employment Opportunity on Federal and Federal-Aid Construction Contracts (Including Supportive Services); Report Requirements	2125-AB15

DOT

Federal Highway Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2335	Commercial Driver's License Program and Controlled Substances and Alcohol Use and Testing	2125-AD46
2336	Private Motor Carriers of Passengers: Technical Amendments	2125-AD54
2337	Zero-Base Review of the Federal Motor Carrier Safety Regulations; Technical Corrections	2125-AD55
2338	State Compliance With Commercial Driver's License Program	2125-AD70
2339	Federal Motor Carrier Safety Regulations: Hazardous Materials: Technical Amendments	2125-AD71
2340	Qualification of Drivers: Vision and Diabetes	2125-AD73
2341	Certification of Speed Limit Enforcement	2125-AD77
2342	Exemptions from Federal Motor Carrier Safety Regulations	2125-AD83

National Highway Traffic Safety Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2343	+Review: Passenger Car Front Seat Occupant Protection (Federal Motor Vehicle Safety Standard No. 208)	2127-AD82
2344	Review: Passenger-Car Back Seat Occupant Protection	2127-AE95
2345	Rescind Controls and Displays	2127-AF86
2346	Rescind Windshield Defrosting and Defogging Systems	2127-AF87
2347	Rescind Windshield Wiping and Washing Systems	2127-AF88
2348	+Occupant Protection in Interior Impact	2127-AG07

+ DOT-designated significant regulation.

National Highway Traffic Safety Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2349	+Truck Rear Underride Protection	2127-AA43
2350	Procedures for Considering Environmental Impacts	2127-AB79
2351	Driving Range Determination for Dual Fuel Electric Passenger Automobiles	2127-AF37
2352	Test Device Placement	2127-AF40
2353	Theft Data for Calendar Year 1994	2127-AF57
2354	Automatic Drain Valve for Air Reservoir Tanks	2127-AF72
2355	Regulatory Negotiation for Visual Headlamp Aimability Requirements	2127-AF73
2356	Alternative Geometric Visibility Requirements for Lamps	2127-AF75
2357	Current and Future State of the Art Innovation for Accelerator Controls	2127-AF76
2358	Rescission of Warning Devices	2127-AF77
2359	Alternative Motorcycle Headlamp Performance Requirements	2127-AF78
2360	Truck Camper Loading	2127-AF81
2361	Power-Operated Windows: Roof Panels	2127-AF83
2362	Energy-Absorbing Sun-Visors	2127-AF85
2363	Sealed Beam Headlamps	2127-AF89
2364	Rescind Headlamp Concealment Devices	2127-AF90
2365	Voluntarily-Installed Shoulder Belts	2127-AF91
2366	Insurer Reporting Requirements for October 1996	2127-AF92
2367	Automotive Fuel Economy Reports	2127-AG00
2368	Highway Safety Program Standards: Applicability to Federally Administered Areas	2127-AG10
2369	Rules of Procedure for Invoking Sanctions Under the Highway Safety Act of 1966	2127-AG11
2370	+Upgraded Request for Aircraft-Certified Child Seats	2127-AG12
2371	+Undesired Side Effects of Air Bags	2127-AG14
2372	Wheelchair Lifts and Ramps	2127-AG16
2373	Dummy Containment During Compliance Testing	2127-AG17
2374	Operation of Motor Vehicles by Intoxicated Minors	2127-AG20
2375	Transition Procedures From Current to New National Driver Register	2127-AG21
2376	Simplify Occupant Crash Protection Standard	2127-AG29
2377	Theft Data for Calendar Year 1995	2127-AG33

DOT

National Highway Traffic Safety Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2378	Extend Applicability to All Light Vehicles	2127-AG35

+ DOT-designated significant regulation.

National Highway Traffic Safety Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2379	+Reduce Head Injuries Due to Contact With Upper Vehicle Interior	2127-AB85
2380	+School Bus Body Joint Strength	2127-AC19
2381	Fuel Spillage	2127-AC62
2382	Brake Lining	2127-AC66
2383	Incentive Grant Criteria for Drunk-Driving-Prevention Programs (Section 410)	2127-AD01
2384	Dynamic Testing of Light Trucks and Vans for Side Impact	2127-AE49
2385	Consumer Information Regulation - Vehicle Stopping Distance	2127-AE61
2386	Miniature and Nonfilament Light Sources	2127-AE97
2387	Test Dummies and Requirements for Testing Child Restraint Systems	2127-AF02
2388	Compressed Natural Gas (CNG) Fuel Containers	2127-AF14
2389	+Light Truck Average Fuel Economy Standards for MYs After 1997	2127-AF16
2390	+Uniform Tire Quality Grading	2127-AF17
2391	Equivalent Measurements for Gaseous Fuels	2127-AF18
2392	Rigid Plastics in Windows	2127-AF28
2393	Improved Back Door Latch	2127-AF35
2394	Increase Femur Flexion Motion of the Hybrid III Test Dummy	2127-AF41
2395	+Certification of Child Restraints for Use on Aircraft	2127-AF46
2396	Retroreflective Conspicuity System	2127-AF59
2397	Air Brake Systems; Air Compressor Cut-In Pressure	2127-AF63
2398	Relieving Design Restrictions to Accommodate New Light Sources	2127-AF65
2399	Seat Belt Exemption for Law Enforcement Vehicles	2127-AF66
2400	Colorfastness Requirements for Seatbelts	2127-AF67
2401	Safety Belt Anchorages: Owner's Manual Requirements	2127-AF68
2402	Combine Vehicle Identification Requirements	2127-AF69
2403	Remove Obsolete Requirements for Head Restraints	2127-AF70
2404	Rescind Standard for Unnecessary Design Restrictions: Wheel Nuts, Wheel Discs, and Hubcaps	2127-AF71
2405	Rescission of Reflecting Surfaces Requirements	2127-AF74
2406	Specifications for Content of Aluminum Alloys	2127-AF79
2407	Rescission of Non-Pneumatic Spare Tire Requirements	2127-AF80
2408	Heavy Duty Vehicle Brake Systems	2127-AF96
2409	Exemption From Rearward Displacement Requirements	2127-AG01
2410	Whip Resistance Test for Brake Hoses	2127-AG02
2411	+Motor Vehicle Content Labeling	2127-AG03
2412	Brake System for Electric Vehicles	2127-AG05
2413	Air Brake System Malfunction Lamp for Trailers	2127-AG06
2414	State Matching of Planning and Administration Costs	2127-AG09
2415	Defect and Noncompliance Reports; Record Retention; and Defect and Noncompliance Notification	2127-AG15
2416	Incentive Grant Criteria for Alcohol Traffic Safety Programs	2127-AG22
2417	Use of Safety Belts and Motorcycle Helmets—Compliance and Transfer-of-Funds Procedures	2127-AG23
2418	Long Stroke Brake Chambers	2127-AG25
2419	Administrative Corrections to the Tire Standards	2127-AG26
2420	Dealer Notification of Defect or Noncompliance Determination	2127-AG27
2421	Technical Amendment for the Hydraulic Brake Systems	2127-AG28
2422	Fuel System Integrity	2127-AG30
2423	Air Brake Systems	2127-AG31
2424	High-Theft Lines for Model Year 1997	2127-AG34

+ DOT-designated significant regulation.

DOT

National Highway Traffic Safety Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2425	+Crashworthiness Ratings	2127-AA03
2426	+Flammability of Interior Materials - School Buses	2127-AA44
2427	Review: Lamps, Reflective Devices, and Associated Equipment	2127-AB76
2428	+Rollover Protection	2127-AC64
2429	+Film Transmittance of Glazing Materials	2127-AC85
2430	Seating Systems Performance	2127-AD08
2431	+Wheelchair Lifts	2127-AD50
2432	Seat Adjustment Position	2127-AE22
2433	Certification Requirements of Multistage Vehicles	2127-AE27
2434	+Extend Antilock Brake System to Passenger Cars	2127-AE47
2435	Radiator Safety Cap	2127-AE59
2436	Tires on New Trailers	2127-AF05
2437	Upgrade Performance Requirements	2127-AF36
2438	Electric Vehicle Safety	2127-AF43
2439	Conversion of Vehicles to Compressed Natural Gas	2127-AF50
2440	Cylinder Requirements	2127-AF51
2441	Review: Odometer Fraud	2127-AF53
2442	+Review: Side Impact Protection	2127-AF54
2443	Review: Theft Prevention—5-Year Report to Congress	2127-AF55
2444	Review: American Automobile Labeling Act	2127-AG18
2445	Review: Heavy Truck Conspicuity	2127-AG19
2446	Seat Belts Installed at Adjustable Seats	2127-AG24

+ DOT-designated significant regulation.

National Highway Traffic Safety Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2447	+Lighting Simplification—Potential Amendments on Long-Term Issues	2127-AB87
2448	Issuance, Amendment, and Revocation of Rules: Procedural Regulations	2127-AD78
2449	Redefine Replaceable Bulb Headlamps	2127-AF00
2450	Materials Used in Tests	2127-AF22
2451	Compressed Natural Gas (CNG)	2127-AF29
2452	Driving Range for Dual Energy and Natural Gas Dual Energy Passenger Automobiles	2127-AF38
2453	Theft Data for Calendar Year 1993	2127-AF56
2454	Replaceable Light Source Information: Transfer of	2127-AF62
2455	Phase-in Requirements for Side Impact Protection	2127-AF84
2456	State Highway Safety Pilot Program	2127-AF94
2457	National Minimum Drinking Age Act	2127-AF95
2458	Air Brake Systems: Stopping-Distance Performance	2127-AF97
2459	Antilock Warning Signals	2127-AF98
2460	Stopping Distance Performance Requirements	2127-AF99
2461	Rulemaking Procedures	2127-AG04
2462	Innovative Project Grants	2127-AG08
2463	Importation of Vehicles and Equipment Subject to Federal Safety, Bumper, and Theft Prevention Standards	2127-AG13
2464	Brake Hoses	2127-AG32

+ DOT-designated significant regulation.

Federal Railroad Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2465	+Locomotive Crashworthiness and Working Conditions	2130-AA89
2466	+Passenger Equipment Standards	2130-AA95

DOT

Federal Railroad Administration—Prerule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2467	+Hours of Service Electronic Recordkeeping Project	2130-AB04

+ DOT-designated significant regulation.

Federal Railroad Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2468	Alcohol/Drug Regulations; Miscellaneous Technical Amendments and Corrections	2130-AA63
2469	+Whistle Bans at Highway-Rail Grade Crossings	2130-AA71
2470	+Power Brake Regulations; Miscellaneous Revisions	2130-AA73
2471	Qualification and Certification of Locomotive Engineers	2130-AA74
2472	+Track Safety Standards	2130-AA75
2473	+Roadway Worker Protection	2130-AA86
2474	+Environmental Impact and Related Procedures (FRA, FTA, FHWA)	2130-AA93
2475	+Rail Passenger Service: Emergency Preparedness	2130-AA96
2476	Statement of Policy Regarding Safety of Railroad Bridges	2130-AA99

+ DOT-designated significant regulation.

Federal Railroad Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2477	Railroad Accident Reporting	2130-AA58
2478	Local Rail Freight Assistance to States	2130-AA60
2479	+Freight Car Safety Standards: Maintenance-of-Way Equipment	2130-AA68
2480	FRA Hazardous Materials Penalty Guidelines	2130-AB00
2481	Reinvention of Regulations Addressing Discontinuance or Modification of Signal Systems	2130-AB05
2482	Reinvention of Signal System Reporting Requirements	2130-AB06
2483	Reinvention of Steam Locomotive Inspection Regulations	2130-AB07
2484	Reinvention of State Safety Participation Regulations	2130-AB08
2485	Reinvention of Regulations Addressing Railroad User Fees	2130-AB09

+ DOT-designated significant regulation.

Federal Railroad Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2486	AMTRAK Waste Disposal	2130-AA84
2487	Protection of Utility Employees	2130-AA90
2488	+Selection and Installation of Grade Crossing Warning Systems	2130-AA92
2489	+Radio Communication-Advanced Train Control System	2130-AA94
2490	Maintenance, Inspection, and Testing of Grade-Crossing Signal Systems	2130-AA97

+ DOT-designated significant regulation.

Federal Railroad Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2491	Locomotive Visibility; Minimum Standards for Auxiliary External Lights	2130-AA80
2492	+Generic Standards for Corridors up to 160 MPH	2130-AA88
2493	Elimination of Part 251 and Part 258 Regulations	2130-AB03

DOT

Federal Railroad Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2494	Alcohol/Drug Regulations; Random Drug Testing	2130-AB10
2495	Revision of Locomotive Engineer Qualification and Certification Regulations: Hearing Procedures	2130-AB11

+ DOT-designated significant regulation.

Federal Transit Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2496	+Department of Transportation (FTA, FRA, FHWA, and USCG), NEPA, and Related Procedures for Transportation Decision-Making	2132-AA43
2497	Capital Leases	2132-AA55

+ DOT-designated significant regulation.

Federal Transit Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2498	+Bus Testing	2132-AA30
2499	Transportation for the Elderly and Persons With Disabilities	2132-AA46
2500	+Management and Monitoring Systems	2132-AA47

+ DOT-designated significant regulation.

Federal Transit Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2501	+New Starts Criteria	2132-AA50

+ DOT-designated significant regulation.

Federal Transit Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2502	+State Responsibility for Fixed-Guideway System Safety	2132-AA39
2503	Buy America	2132-AA42
2504	Temporary Local Match Waiver for Sections 9 and 18	2132-AA49
2505	Buy America Requirements	2132-AA54

+ DOT-designated significant regulation.

Research and Special Programs Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2506	Pipeline Safety Program Procedures: Updates and Corrections	2137-AC79

DOT

Research and Special Programs Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2507	Requirements for Cylinders	2137-AA92
2508	+Gas Gathering Line Definition	2137-AB15
2509	+Qualification of Pipeline Personnel	2137-AB38
2510	+Maps and Records of Pipeline Location and Characteristics; Notification of State Agencies; Pipe Inventory	2137-AB48
2511	DOT 3AL Aluminum Cylinders; Safety Problems	2137-AB51
2512	Design and Construction of Welded Breakout Tanks	2137-AC11
2513	Underwater Abandoned Pipeline Facilities	2137-AC33
2514	+Increased Inspection Requirements	2137-AC38
2515	+Emergency Flow-Restricting Devices	2137-AC39
2516	Transportation of Hazardous Materials Miscellaneous Amendments	2137-AC41
2517	Labeling Requirements for Poisonous Materials	2137-AC47
2518	Regulated Gas and Hazardous Liquid Gathering Lines: Rural Areas	2137-AC53
2519	Permanent Underwater Inspections	2137-AC54
2520	Excess Flow Valve Customer Notification	2137-AC55
2521	Retention of Shipping Papers	2137-AC64
2522	Applicability of the Hazardous Materials Regulations	2137-AC68
2523	Periodic Updates to Pipeline Safety Regulations	2137-AC74
2524	Revision of Miscellaneous Hazardous Materials Regulations: Regulatory Review	2137-AC76
2525	+Risk-Based Alternative to Pressure Testing Rule	2137-AC78
2526	Performance-Oriented Packaging Standards; Final Transitional Provisions	2137-AC80
2527	Restructuring of Cylinder Specification Requirements	2137-AC81
2528	Harmonization With United Nations Recommendations, International Maritime Goods Code and International Civil Aviation Organization's Technical Instructions	2137-AC82
2529	Drug and Alcohol Testing: Substance Abuse Professional Evaluation for Drug Use	2137-AC84

+ DOT-designated significant regulation.

Research and Special Programs Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2530	+Hazardous Materials in Intrastate Commerce	2137-AB37
2531	Determining the Extent of Corrosion on Exposed Gas Pipelines	2137-AB50
2532	Passage of Internal Inspection Devices	2137-AB71
2533	+Improvements to Hazardous Materials Identification Systems	2137-AB75
2534	+Excess Flow Valve—Performance Standards	2137-AB97
2535	Tank Cars and Cargo Tank Motor Vehicles: Attendance Requirements	2137-AC24
2536	+Regulatory Review: Gas Pipeline Safety Standards	2137-AC25
2537	Regulatory Review: Administrative Practices, Reporting Pipeline Incidents, Gas Pipeline Standards, and Liquefied Natural Gas Facility Standards	2137-AC28
2538	+Response Plans for Onshore Oil Pipelines	2137-AC30
2539	+Oil Spill Prevention and Response Plans	2137-AC31
2540	Mandatory Participation in Qualified One-Call Systems by Pipeline Operators	2137-AC57
2541	Revision of Cylinder Qualification Requirements	2137-AC59
2542	Revision of Exemption, Approval, Registration, and Reporting Procedures	2137-AC63
2543	Pipeline Safety User Fees	2137-AC65
2544	Transportation of Hazardous Materials by Railroad; Miscellaneous Amendments	2137-AC66
2545	Control of Drug Use and Alcohol Misuse in Natural Gas, Liquefied Natural Gas, and Hazardous Liquid Pipeline Operations	2137-AC67
2546	Elimination of Unnecessary, Obsolete, and Duplicative Requirements	2137-AC69
2547	Ticketing Program for Hazardous Materials Violations	2137-AC70
2548	Direct Final Rule Procedure; Petitions for Rulemaking	2137-AC75
2549	Pressure Testing Older Hazardous Liquid and Carbon Dioxide Pipelines	2137-AC83

+ DOT-designated significant regulation.

DOT

Research and Special Programs Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2550	Quantity Limitations Aboard Aircraft	2137-AA85
2551	+Safeguarding Food From Contamination During Transportation	2137-AC00
2552	Areas Unusually Sensitive to Environmental Damage	2137-AC34
2553	Safety Permits—Shipper's Responsibility	2137-AC45

+ DOT-designated significant regulation.

Research and Special Programs Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2554	Transportation of Hydrogen Sulfide by Pipeline	2137-AB63
2555	Hazardous Liquid Gathering Line Definition	2137-AC52
2556	Hazardous Materials Regulations: Editorial Corrections and Clarifications	2137-AC72
2557	Extension of Authority for Open-Head Fiber Drum Packaging for Liquid Hazardous Materials	2137-AC77

Maritime Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2558	+Fair and Reasonable Rates: Bulk and Packaged Preference Cargoes	2133-AB19
2559	Cargo Preference: Available U.S.-Flag Commercial Vessels	2133-AB25

+ DOT-designated significant regulation.

Maritime Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2560	+Obligation Guarantees: Program Administration	2133-AB14
2561	+Guideline Rates: Less-Than-Shipload Lots of Bulk Preference Cargoes on Liner Vessels	2133-AB16
2562	+Maritime Security Program Regulation	2133-AB24

+ DOT-designated significant regulation.

Maritime Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2563	+Cargo Preference—U.S.-Flag Vessels: Uniform Contracting Requirements for Federal Program Participants	2133-AA95
2564	War Risk Insurance	2133-AB23

+ DOT-designated significant regulation.

Bureau of Transportation Statistics—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2565	Modernizing the Passenger Origin-Destination Survey	2139-AA01

DOT

Bureau of Transportation Statistics—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2566	Amendment to Passenger Origin-Destination Survey	2139-AA04

Bureau of Transportation Statistics—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2567	+Amendments to the On-Time Disclosure Rule	2139-AA00

+ DOT-designated significant regulation.

Bureau of Transportation Statistics—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2568	Technical Amendments; Organizational Changes	2139-AA03

DEPARTMENT OF TRANSPORTATION (DOT)

Prerule Stage

Office of the Secretary (OST)

2003. • +UPDATE OF DRUG AND ALCOHOL PROCEDURAL RULES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 102; 49 USC 301; 49 USC 5331; 49 USC 20140; 49 USC 31306; 49 USC 45101; 49 USC 45106

CFR Citation: 49 CFR 40

Legal Deadline: None

Abstract: The Department is reviewing its procedural rules for drug and alcohol testing. This review is intended to lead to a notice of proposed rulemaking that will not include major substantive changes to how we test but rather to update and clarify provisions of the rules. This ANPRM seeks suggestion for possible changes to the regulation and the focus is expected to be on drug testing.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20593
Phone: 202 366-9306

RIN: 2105-AC49

DEPARTMENT OF TRANSPORTATION (DOT)

Proposed Rule Stage

Office of the Secretary (OST)

2004. +PROPOSED POLICY ON PEAK PERIOD PRICING OF AIRPORT LANDING FEES

Priority: Other Significant

Legal Authority: 49 USC 1301 et seq

CFR Citation: 14 CFR 399

Legal Deadline: None

Abstract: The Department proposes to establish a set of guidelines to encourage the voluntary development of peak and off-peak pricing systems

for airport landing fees at congested U.S. airports. The guidelines would encourage the application of economic incentive to promote more efficient use of existing airport facilities, which would reduce congestion and delays. This policy statement is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	09/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local

Agency Contact: Larry Phillips, Chief, Industry Economics and Finance Div., Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4382

RIN: 2105-AB63

DOT—OST

Proposed Rule Stage

2005. +PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG-TESTING PROGRAMS (MISCELLANEOUS AMENDMENTS)**Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 101; 49 USC 102; 49 USC 301; 49 USC 302; 49 USC 322**CFR Citation:** 49 CFR 40**Legal Deadline:** None**Abstract:** This action would propose technical changes in the procedures to improve administration of the drug-testing program. The NPRM in 1990 concerned the question of to whom reports of negative drug test results may be sent. The SNPRM will address comments to the NPRM as well as proposing technical changes in procedures. This action is significant because of substantial public and congressional interest, and multimodal impact.**Timetable:**

Action	Date	FR Cite
NPRM	07/13/90	55 FR 28782
NPRM Comment Period End	08/13/90	
SNPRM	08/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation
07/13/90 (55 FR 28782)**Agency Contact:** Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306**RIN:** 2105-AB71**2006. +PASSENGER MANIFEST INFORMATION****Priority:** Other Significant**Legal Authority:** 49 USC 44909**CFR Citation:** 14 CFR 243**Legal Deadline:** Final, Statutory, March 16, 1991.**Abstract:** In 1990, Congress mandated by statute that the Secretary of

Transportation require all U.S. airlines to comply with a Passenger Manifest Collection Regulation for international flights. Comments were requested on the most cost-effective methods. This rulemaking is considered significant because of substantial public interest and the congressional mandate.

Timetable:

Action	Date	FR Cite
ANPRM	01/31/91	56 FR 3810
ANPRM Correction	02/12/91	56 FR 5665
ANPRM Comment Period End	02/19/91	
Notice: Public Meeting	03/15/96	61 FR 10706
	3/29/96	
NPRM	05/00/96	

Small Entities Affected: Businesses**Government Levels Affected:** None**Additional Information:** This entry was formerly titled Aviation Security: Passenger Manifest Information.**Agency Contact:** Arnold Levine, Director, Office of International Transportation and Trade, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4368**RIN:** 2105-AB78**2007. +ACCESSIBILITY OF PASSENGER VESSELS TO INDIVIDUALS WITH DISABILITIES****Priority:** Other Significant**Legal Authority:** 42 USC 12101 et seq; PL 101-336, Americans with Disabilities Act**CFR Citation:** 49 CFR 37**Legal Deadline:** Final, Statutory, July 26, 1991.**Abstract:** The Department's Americans with Disabilities Act (ADA) final rule, published September 6, 1991 (56 FR 45584), reserved portions of the rule concerning passenger vessels. The ADA covers passenger vessels, but issuing accessibility requirements for vessels involves complex issues unlike those affecting land transportation. This action will address these issues and propose feasible requirements to make passenger vessels accessible to, and usable by, individuals with disabilities. This rulemaking is considered significant because of substantial public and congressional interest.**Timetable:**

Action	Date	FR Cite
NPRM	11/00/96	

Small Entities Affected: Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306**RIN:** 2105-AB87**2008. +TRANSPORTATION FOR INDIVIDUALS WITH DISABILITIES (OVER THE ROAD BUSES)****Priority:** Other Significant**Legal Authority:** 49 USC 322; PL 101-336, Americans with Disabilities Act (ADA)**CFR Citation:** 49 CFR 27**Legal Deadline:** Final, Statutory, May 16, 1994.**Abstract:** The Department is seeking responses to questions concerning requirements for accessibility of over-the-road buses (OTRBs). DOT is required to consider the recent report of the Office of Technology Assessment in drafting OTRB access rules. This project is considered significant because of substantial public interest.**Timetable:**

Action	Date	FR Cite
ANPRM	10/12/93	58 FR 52735
ANPRM Comment Period End	11/26/93	
NPRM	12/00/96	

Small Entities Affected: Undetermined**Government Levels Affected:** Undetermined**Additional Information:** Telephone number for TDD is (202) 755-7687.**Agency Contact:** Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306**RIN:** 2105-AC00

DOT—OST

Proposed Rule Stage

2009. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) AND REQUIREMENTS FOR DRUG-FREE WORKPLACE (GRANTS)**Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 41 USC 701 et seq; 49 USC 322(a)**CFR Citation:** 49 CFR 29**Legal Deadline:** None**Abstract:** This rule allows for submission of annual certifications by grantees. The current rule requires individual project-by-project certifications. This action would implement a National Performance Review recommendation, reduce administrative requirements and promote the automation of the grant application and award process. This action would also provide for consistency with Federal Acquisition Regulation (48 CFR 14.213) which allows annual certifications.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: Businesses**Government Levels Affected:** Undetermined**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Paul Larsen, Office of the General Counsel, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9161**RIN:** 2105-AC24**2010. AIR CARRIER ACCESS ACT: MISCELLANEOUS AMENDMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 374(a); 49 USC 374(c)**CFR Citation:** 14 CFR 382**Legal Deadline:** None**Abstract:** This action proposes additional accommodations for disabled air carrier passengers with respect to seat assignments and storage of portable electric wheelchairs.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: Businesses**Government Levels Affected:** None**Agency Contact:** Robert Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306**RIN:** 2105-AC28**2011. USE OF OXYGEN BY AIR CARRIER PASSENGERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 1324(a); 49 USC 1324(c)**CFR Citation:** 14 CFR 382**Legal Deadline:** None**Abstract:** The Department is considering the use of regulatory negotiation to seek consensus among air carrier, consumer, airports, equipment manufacturers, oxygen suppliers, and safety regulators concerning the use of oxygen by passengers on air carriers when individuals need special private supplies. The need for action stems from a current situation where all carriers do not allow passengers to bring their own oxygen aboard. Issues involve conforming with FAA hazardous materials rules and the question of providing oxygen during long layovers.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: Businesses**Government Levels Affected:** Local**Agency Contact:** Robert Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306**RIN:** 2105-AC29**2012. • AMENDMENT TO DEFINITION OF SUBSTANCE ABUSE PROFESSIONAL****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 5331; 49 USC 20140; 49 USC 45102; 49 USC 31306**CFR Citation:** 49 CFR 40**Legal Deadline:** None**Abstract:** This rule consolidates the definition of a substance abuse professional in each of the Department's alcohol testing rules into its Department-wide testing procedures rule. It also adds to the definition substance abuse professionals certified by the International Certification Reciprocity Consortium.**Timetable:**

Action	Date	FR Cite
NPRM	03/12/96	61 FR 9969
NPRM Comment Period End	04/11/96	
Final Action	08/00/96	

Small Entities Affected: Businesses**Government Levels Affected:** None**Additional Information:** This rulemaking includes FAA, FHWA, FRA, RSPA and FTA rules.**Agency Contact:** Robert Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306**RIN:** 2105-AC33**2013. • CHANGES TO INTERNATIONAL DATA SUBMISSIONS BY LARGE AIR CARRIERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 329; 49 USC 40109; 49 USC 40113; 49 USC 41701; 49 USC 41708; 49 USC 41709 et seq**CFR Citation:** 14 CFR 217.5(b); 14 CFR 241**Legal Deadline:** None**Abstract:** This rulemaking would reduce the period of confidentiality for T-100 data from three years to six months. It would also require foreign

DOT—OST

Proposed Rule Stage

carriers to report capacity data regarding available seats and available payload weight. Finally, it would consolidate reporting of international revenue passenger and capacity data by large U.S. carriers.

Timetable:

Action	Date	FR Cite
NPRM	02/15/96	61 FR 5963
NPRM Comment Period End	04/15/96	
Final Action	08/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Harman, Deputy Director, Office of Aviation Analysis, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1059

RIN: 2105-AC34

2014. • +COMPUTER RESERVATIONS SYSTEM REGULATIONS AND AMENDMENTS

Priority: Other Significant

Legal Authority: 49 USC 41712

CFR Citation: 49 CFR 255.6

Legal Deadline: None

Abstract: This rulemaking would prohibit contract clauses unreasonably restricting an airline's ability to choose the level of service it wishes to purchase from a computer reservation system (CRS). These contract clauses bar airlines participating in a CRS from participating at a higher level in other systems. This action is expected to increase competition in both the Airline and CRS industries. The rule is significant because the affected aviation travel industries have substantial interest in it.

Timetable:

Action	Date	FR Cite
Request for Comments by 1/9/95	12/09/94	59 FR 63736
NPRM	04/00/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Thomas Ray, Office of General Counsel, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4731

RIN: 2105-AC35

2015. • AMENDMENTS TO LABORATORY CERTIFICATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 102; 49 USC 301; 49 USC 322; 49 USC 5331; 49 USC 20140; 49 USC 31306; 49 USC 45101 to 45106

CFR Citation: 49 CFR 40

Legal Deadline: None

Abstract: This rule would permit drug testing laboratories located outside the U.S. to participate in the Department's drug testing program.

Timetable:

Action	Date	FR Cite
NPRM	03/28/96	61 FR 13809
NPRM Comment Period End	05/13/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AC37

2016. • USE OF THE OFFICIAL SEAL

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 102(e)

CFR Citation: 49 CFR 3

Legal Deadline: None

Abstract: This rule would remove regulations governing what uses may be made of the Department's Official Seal and which officials have the authority to affix it. This information already exists in DOT's internal directives and it will continue to appear in those directives.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert Ross, Office of the General Counsel, C-10, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-9156

RIN: 2105-AC39

2017. • MEDALS OF HONOR

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 80504

CFR Citation: 49 CFR 79

Legal Deadline: None

Abstract: This rulemaking revises regulations regarding award of Medals of Honor for bravery in land transportation accidents/incidents. These regulations were last amended in 1968. These revisions simplify language and otherwise make them easier to understand.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert Ross, Office of the General Counsel, C-10, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9156

RIN: 2105-AC41

2018. • OVERBOOKING OF FLIGHTS: ELIMINATION OF AIRPORT NOTICE SIGNS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: Not yet determined

CFR Citation: 14 CFR 250

Legal Deadline: None

Abstract: This action would eliminate a consumer notice about airline overbooking of flights that is required to appear on signs at airports, city ticket offices, and travel agencies. However, that information must accompany every ticket.

DOT—OST

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Other related rulemakings are RIN 2105-AA88, Simplified Airline Counter-Sign Notices, and RIN 2105-AC36, Ticketless Travel: Passenger Notices.

Agency Contact: Tim Kelly, Aviation Consumer Protection Division, Office of the General Counsel C-75, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5952

RIN: 2105-AC45

2019. • FEES AND CHARGES FOR SPECIAL SERVICES: REINVENTION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 31 USC 9701; 49 USC 40101; 49 USC 46101

CFR Citation: 14 CFR 389

Legal Deadline: None

Abstract: This action would remove or update obsolete provisions and organizational references, and adjust the fee schedule for certain special services related to aviation economic proceedings that the Department makes available to the public. The regulation has not been comprehensively updated since 1985 and the revisions will take the form of a complete reissuance of part 389.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Carol A. Woods, Analyst, Air Carrier Fitness Division, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2340

RIN: 2105-AC47

2020. • RULES OF PRACTICE IN AVIATION ECONOMIC PROCEEDINGS: REINVENTION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC 511; 39 USC 5402; 42 USC 4321; 49 USC 40101; 49 USC 41101; 49 USC 41301; 49 USC 41501; 49 USC 41701; 49 USC 41901; 49 USC 46101; 49 USC 46301

CFR Citation: 14 CFR 302

Legal Deadline: None

Abstract: This action would reorganize in a more logical fashion, regulations that govern the conduct of all aviation economic proceedings before the Department. It would also streamline the regulation to remove redundancies. Procedures relating only to oral evidentiary hearings are being grouped together separate from procedures pertaining only to non-hearing cases. Updates to terminology will be made to reflect the revision and recodification of the Federal Aviation Act. This rule has not been comprehensively updated since 1985 and the revisions will take the form of a complete reissuance of part 302.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Carol A. Woods, Analyst, Air Carrier Fitness Division, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2340

RIN: 2105-AC48

2021. • AMENDMENTS TO MODAL ALCOHOL TESTING RULES: PRE-EMPLOYMENT TESTING

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 102; 49 USC 301; 49 USC 5331; 49 USC 20140; 49 USC 31306; 49 USC 45101; 49 USC 45106

CFR Citation: 49 CFR 121; 49 CFR 219; 49 CFR 382; 49 CFR 653; 49 CFR 654

Legal Deadline: None

Abstract: This rule would implement a recent statutory change required by the National Highway Systems Act of 1995, Section 342, to the existing pre-employment alcohol testing provisions. It would make pre-employment testing voluntary.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AC50

DEPARTMENT OF TRANSPORTATION (DOT)
Office of the Secretary (OST)

Final Rule Stage

**2022. DIRECT AIR CARRIER
 RESPONSIBILITY FOR RETURNING
 STRANDED CHARTER PASSENGERS**

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 1324; 49 USC 1371

CFR Citation: 14 CFR 207; 14 CFR 208

Legal Deadline: None

Abstract: This action proposed to make direct air carriers responsible for returning charter passengers stranded by strikes or other service interruptions, by eliminating the force majeure clause from charter contracts. However, the CAB subsequently issued an interpretive rule (ER-1387, 49 FR 33436) which was affirmed in court. (Arrow Air, Inc. v. Dole, 784 F2d 1118 (1986).) Therefore, this action is now moot; the NPRM will be withdrawn.

Timetable:

Action	Date	FR Cite
NPRM	07/11/80	45 FR 46812
NPRM Comment Period End	09/25/80	
Reply Comment Period End	10/10/80	
To Be Withdrawn	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: EDR 405, Docket 37169.

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-9306

RIN: 2105-AA40

**2023. AIR TRAVELERS: AGE
 DISCRIMINATION**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6102

CFR Citation: 14 CFR 376

Legal Deadline: None

Abstract: This rulemaking action was initiated by the Civil Aeronautics Board to implement the Age Discrimination Act of 1975. A draft final rule was submitted to HHS, as required by that Act, and was approved. However, in view of current airline practices with respect to travel by the elderly, and the absence of complaints of discrimination based on age, there no longer appears to be a need for further rulemaking

action, and the NPRM will be withdrawn.

Timetable:

Action	Date	FR Cite
NPRM	09/26/79	44 FR 55383
Final Action Adopted by the Board	04/10/80	
HHS Approved Final Rule With Changes	07/13/84	
To Be Withdrawn	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SPDR-74, Docket 36639.

Agency Contact: Robert Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-9306

RIN: 2105-AA45

2024. DIRECT FLIGHTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 1381

CFR Citation: 14 CFR 399

Legal Deadline: None

Abstract: Donald L. Pevsner petitioned the CAB to institute a rulemaking proceeding to ban use of the term "direct flight" because it is deceptive, and to declare use of the term to be a prima facie violation of section 411 of the Federal Aviation Act of 1958. The Department is now considering what action to take in response to the petition.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The petition is filed in Docket 41217.

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-9306

RIN: 2105-AA73

**2025. DIVERSION OF FLIGHTS WITHIN
 A METROPOLITAN AREA**

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 1301; 49 USC 1302; 49 USC 1305; 49 USC 1324; 49 USC 1371; 49 USC 1375; 49 USC 1377 to 1379; 49 USC 1381; 49 USC 1382; 49 USC 1386; 49 USC 1461; 49 USC 1481; 49 USC 1482; 49 USC 1502; 49 USC 1504

CFR Citation: 14 CFR 253; 14 CFR 399

Legal Deadline: None

Abstract: The CAB proposed to amend its rules requiring notice of contract terms for domestic travel to require that actual notice be given passengers of terms absolving carriers from any responsibility to transport a passenger to the destination named on the ticket, or to reimburse the passenger for expenses in reaching the airport noted on the ticket when a flight is diverted to another airport in the same metropolitan area. Alternatively, the Board proposed to declare it to be an unfair and deceptive practice to divert a passenger without arranging and paying for alternate transportation to the destination airport named on the passenger's ticket. The Board considered a final rule but did not decide what action to take. DOT is terminating this proceeding as unnecessary since it appears that carriers no longer have the policies that promoted the CAB's concern.

Timetable:

Action	Date	FR Cite
NPRM	09/23/83	48 FR 43343
NPRM Comment Period End	11/07/83	
To Be Withdrawn	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: ADDITIONAL LEGAL AUTHORITIES: PL 96-354; 5 USC 601. Docket 41683, EDR 468/PSDR-81.

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-9306

RIN: 2105-AA78

DOT—OST

Final Rule Stage

2026. SIMPLIFIED AVIATION EXEMPTION PROCEDURES**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 1371; 49 USC 1372; 49 USC 1386**CFR Citation:** 14 CFR 302; 14 CFR 389; 14 CFR 399**Legal Deadline:** None

Abstract: A Civil Aeronautics Board rulemaking proposed to revise and simplify the requirements and procedures for applying for exemptions under section 416(b) of the Federal Aviation Act. This action has become unnecessary since the Department included most of its provisions in its rule transferring the CAB's rules to DOT. Therefore, the NPRM will be withdrawn.

Timetable:

Action	Date	FR Cite
NPRM	10/05/84	49 FR 39337
NPRM Comment Period End	12/04/84	
To Be Withdrawn	06/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** PDR-88/ODR-27/PSDR-83.

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AA82**2027. SIMPLIFIED AIRLINE COUNTER—SIGN NOTICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 1301; 49 USC 1302; 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1381; 49 USC 1386; 49 USC 1481; 49 USC 1482**CFR Citation:** 14 CFR 221; 14 CFR 250; 14 CFR 256**Legal Deadline:** None

Abstract: The American Association of Airport Executives, the Airport Operators Council International, and the Air Transport Association of America petitioned the CAB to simplify its counter-sign requirements. Presently, airlines are required to display four different consumer protection notices on their ticket counters. The petitioners alleged that

the current notices are hard to read and, therefore, do not provide much notice to passengers. They proposed replacing the four notices with one simplified counter sign. A CAB NPRM proposed a number of alternatives, such as a long and/or short notice, where the notices would be required to be posted, and whether a smoking notice should be included. DOT decided not to act on these "counter signs" separately, but rather to consider whether there should be a comprehensive re-examination of all forms of notice to passengers, including notices on tickets. This NPRM will be withdrawn.

Timetable:

Action	Date	FR Cite
NPRM	08/01/84	49 FR 30742
NPRM Comment Period End	09/17/84	
Reply Comment Period End	10/02/84	
To Be Withdrawn	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** Docket 41971; EDR-474

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AA88**2028. +UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS****Priority:** Other Significant**Legal Authority:** 49 USC 322(a)**CFR Citation:** 49 CFR 18**Legal Deadline:** None

Abstract: This action would have revised the Administration's requirements on grants to State and local governments. It was part of a governmentwide common rule effort which ceased in January 1993. There has been no activity on this NPRM since, and most Federal agencies have already removed this item from their Agendas. Therefore, the Department is also withdrawing this action.

Timetable:

Action	Date	FR Cite
NPRM	11/04/88	53 FR 44716
NPRM Comment Period End	01/03/89	
To Be Withdrawn	04/00/96	

Small Entities Affected: None**Government Levels Affected:** State, Local**Analysis:** Regulatory Evaluation 11/04/88 (53 FR 44716)

Additional Information: This RIN was completed in error in the 5/8/95 Agenda. In a related, nonsignificant action, (RIN 2105-AC12) the Department raised the threshold for local governments to use small-purchase procedures and to increase procurement review levels.

Agency Contact: Robert G. Taylor, Chief, Grants Management Division, M-62, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4289

RIN: 2105-AB46**2029. +NEW RESTRICTIONS ON LOBBYING****Priority:** Other Significant**Legal Authority:** 49 USC 322(a); 31 USC 1352**CFR Citation:** 49 CFR 20**Legal Deadline:** Final, Statutory, March 22, 1990.

Abstract: This regulation will implement the provisions of a new section 1352 to title 31, United States Code, that prohibits the use of appropriated funds to influence certain Federal contracting and financial transactions. Organizations that use their own funds to pay for lobbying activities are required to disclose such activity. The rule will be issued as a common rule based on guidance issued by the Office of Management and Budget on December 20, 1989 (54 FR 52305). Final action is awaiting revisions to OMB guidance based on changes to section 1352 in the Lobbying Disclosure Act of 1995. This action is considered significant because it involves agencies or departments governmentwide.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/26/90	55 FR 6736

DOT—OST

Final Rule Stage

Action	Date	FR Cite
Comment Period End	04/27/90	
Final Action	08/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Additional Information: OMB has control of development of the final rule. Proposed revisions to OMB guidance were published January 19, 1996, (61 FR 1412).

Agency Contact: Robert G. Taylor, Chief, Grants Management Division, M-62, Office of Acquisition and Grant Management, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4289

RIN: 2105-AB57

2030. +NONDISCRIMINATION ON THE BASIS OF HANDICAP IN AIR TRAVEL (AIR CARRIER ACCESS ACT)

Priority: Other Significant

Legal Authority: 49 USC 1374(a); 49 USC 1374(c)

CFR Citation: 14 CFR 382

Legal Deadline: None

Abstract: An SNPRM proposed three additions to part 382 to implement the Air Carrier Access Act of 1986. The additions concern standards for boarding chairs; airport terminal transportation systems; and substitute service for persons denied the opportunity to fly because of inaccessible small aircraft. In view of other rulemaking concerning airport and small aircraft accessibility, the Department has determined that further action on these proposals is unnecessary.

Timetable:

Action	Date	FR Cite
SNPRM: Final Rule Amendments: Comment Period End	03/06/90	55 FR 8076
Comment Period Extended to	06/08/90	55 FR 23450
To Be Withdrawn	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 03/06/90 (55 FR 8076)

Additional Information: The telephone number for TDD is (202) 755-7687; a taped copy of the SNPRM is available on request.

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AB61

2031. +NONDISCRIMINATION ON THE BASIS OF HANDICAP IN FEDERALLY ASSISTED PROGRAMS AND IN AIR TRAVEL (AIR CARRIER ACCESS ACT)

Priority: Other Significant

Legal Authority: 29 USC 794

CFR Citation: 49 CFR 27; 14 CFR 382

Legal Deadline: None

Abstract: The pending final action addresses three issues: harmonizing section 504, Air Carrier Access Act (ACAA) and the American's With Disabilities Act (ADA) requirement for airport accessibility (action on this issue commenced under RIN 2105-AB62); boarding assistance on small commuter aircraft (action commenced under RIN 2105-AB60); and communicable diseases (action commenced under RIN 2105-AB60/AB62). The Department is commencing proposed action on other ACAA-related subjects under RINs 2105-AC28 and AC29.

Timetable:

Action	Date	FR Cite
NPRM	03/06/90	55 FR 8081
NPRM Comment Period End	06/04/90	
Second NPRM	09/10/93	58 FR 47681
NPRM Comment Period Extended to	11/30/93	58 FR 63154
Second NPRM Comment Period End	01/07/94	
Second NPRM Comment Period End	12/09/93	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 03/06/90 (55 FR 8081)

Additional Information: The telephone number for TDD is (202) 755-7687; a taped copy of the NPRM is available on request. The issue of lifts for small commuter aircraft was removed from RIN 2105-AB60 and consolidated into this proceeding.

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AB62

2032. AVIATION CHARTER RULES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 85-726, as amended

CFR Citation: 14 CFR 207 to 208; 14 CFR 212; 14 CFR 294; 14 CFR 298; 14 CFR 380; 14 CFR 389

Legal Deadline: None

Abstract: This rule governs the activities of public charter operators, a type of indirect air carrier that sells charter air transportation to consumers, and airlines that perform the direct air transportation. DOT is revising and updating the rules to recognize: (1) current usage of credit cards for payment to charter operators, and (2) certain changes in procedural practices.

Timetable:

Action	Date	FR Cite
NPRM	09/16/92	57 FR 42864
NPRM Comment Period End	10/16/92	
Comment Period Extended to	10/22/92	57 FR 48193
Final Action	05/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation 09/16/92 (57 FR 42864)

Agency Contact: C. W. McGuire, Chief, Regulatory Affairs Division, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

DOT—OST

Final Rule Stage

Phone: 202 366-1037

RIN: 2105-AB91

2033. +DISADVANTAGED BUSINESS ENTERPRISE (DBE) REGULATION; GENERAL UPDATE

Priority: Other Significant

Legal Authority: Intermodal Surface Transportation Efficiency Act (ISTEA); PL 102-240; 49 USC 47017(e); 49 USC 47113

CFR Citation: 49 CFR 23

Legal Deadline: None

Abstract: This rule would revise the Department's regulations for the disadvantaged business enterprise program to clarify regulatory provisions and revise program elements in light of experience in administering the program since 1980 and the Administration's review of affirmative action programs. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	12/09/92	57 FR 58288
NPRM Comment Period Extended to 4/8/93	03/03/93	58 FR 12207
NPRM Comment Period End	03/09/93	
Final Action	04/00/96	

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Analysis: Regulatory Evaluation
12/09/92 (57 FR 58288)

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AB92

2034. +PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN AIRPORT CONCESSIONS

Priority: Other Significant

Legal Authority: PL 102-581; PL 97-248

CFR Citation: 49 CFR 23

Legal Deadline: Final, Statutory, April 30, 1993.

Abstract: This action would implement recent changes to the Airport and Airway Improvement Act to allow airport sponsors to count new forms of disadvantaged business enterprise (DBE) participation toward the overall goals of a DBE concession plan. These new forms include purchases from DBEs of goods and services used in operating a concession, as well as management contracts and subcontracts with DBEs. This action is significant because of substantial public interest. Final action may be combined with RIN 2105-AB92, DBE Regulation: General Update.

Timetable:

Action	Date	FR Cite
NPRM	10/06/93	58 FR 52050
NPRM Comment Period End	11/22/93	
NPRM Comment Period Extended to 12/14/93	11/30/93	58 FR 63153
Final Action	04/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local

Analysis: Regulatory Evaluation
10/06/93 (58 FR 52050)

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AB99

2035. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NONPROFIT ORGANIZATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322(a)

CFR Citation: 49 CFR 19

Legal Deadline: None

Abstract: This action will implement OMB Circular A-110, providing uniform guidance for administering grants to institutions of higher education, hospitals, and other nonprofit organizations. The regulation is essentially a word-for-word issuance of the requirements in OMB Circular A-110. An interim final rule was issued because of the limited ability to change

the requirements from those in the Circular.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/04/94	59 FR 15637
Comment Period End	06/03/94	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Robert G. Taylor, Chief, Grants Management Division, M-62, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4289

RIN: 2105-AC02

2036. +TRANSPORTATION FOR INDIVIDUALS WITH DISABILITIES (ACCESSIBILITY GUIDELINES)

Priority: Other Significant

Legal Authority: 5 USC 552a

CFR Citation: 49 CFR 27; 49 CFR 37

Legal Deadline: None

Abstract: This action would amend the rules implementing the Americans with Disabilities Act by adopting the revised accessibility guidelines issued by the Architectural and Transportation Barriers Compliance Board, published June 20, 1994 (59 FR 31676) as Interim final rules. The proposed rule herein would also conform the Department's rule implementing section 504 of the Rehabilitation Act of 1973. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	06/20/94	59 FR 31818
NPRM Comment Period End	08/19/94	
Final Action	10/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local

Analysis: Regulatory Flexibility Analysis

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC.

DOT—OST

Final Rule Stage

Phone: 202 366-9306

RIN: 2105-AC06

2037. DOMESTIC BAGGAGE LIABILITY

Priority: Substantive, Nonsignificant

Legal Authority: 49 app USC 1324; 49 app USC 1373 to 1374; 49 app USC 1381

CFR Citation: 14 CFR 254.4; 14 CFR 254.5

Legal Deadline: None

Abstract: The Department is proposing to amend its rule governing the amount by which certain U.S. air carriers may limit their liability to passengers for lost, damaged, and delayed baggage. This action is in response to a petition by Public Citizen and Aviation Consumer Action Project to increase the minimum liability limit from \$1,250 to \$1,850 per passenger. The Department is also requesting comment on two alternate proposals: (1) to raise the limit to \$1,850 with a mechanism that automatically provides for periodic future increases, or (2) to raise the minimum liability limit to \$2,000.

Timetable:

Action	Date	FR Cite
NPRM	09/30/94	59 FR 49867
NPRM Comment Period End	11/29/94	
Comment Period Extended	11/29/94	59 FR 60926
Notice Summarizing Aggregated Data	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Carrier data was due 11/29/94. The comment period would end 30 days after the data has been aggregated and placed in the docket.

Agency Contact: Joanne Petrie, Senior Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-9306

RIN: 2105-AC07

2038. DISCLOSURE OF CODE-SHARING ARRANGEMENTS AND LONG-TERM WET LEASES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 40113; 49 USC 41712

CFR Citation: 14 CFR 257

Legal Deadline: None

Abstract: The action would strengthen the Department's current rules requiring airlines to notify passengers of a code-sharing arrangement or long-term wet lease. In these operations, the operator of the aircraft differs from the airline in whose name the transportation was sold. The Department would require that the name of the transporting carrier be disclosed. This action is being undertaken to ensure that consumers have pertinent information about airline code-sharing arrangements on domestic and international flights.

Timetable:

Action	Date	FR Cite
NPRM	08/10/94	59 FR 40836
NPRM Comment Period End	10/11/94	
SNPRM Comment Period End 2/16/95	01/17/95	60 FR 3359
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Laura Trejo, Attorney Advisor, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-9183

RIN: 2105-AC10

2039. USE OF DIRECT FINAL RULEMAKING

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 1657

CFR Citation: 49 CFR 5.21; 49 CFR 5.35

Legal Deadline: None

Abstract: The Department is considering a new rulemaking procedure to expedite the processing of noncontroversial changes to its regulations. Rules that the Secretary judges to be unlikely to result in public comment would be published as "direct final" rules. Such direct final rules would advise the public that no adverse comment is anticipated and that, unless written adverse comment

or notice of intent to submit such comment is received within a specified number of days, the rule will become effective 60 days from the date of publication in the Federal Register.

Timetable:

Action	Date	FR Cite
NPRM	08/04/95	60 FR 39919
NPRM Comment Period End	10/03/95	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Neil Eisner, Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-9306

RIN: 2105-AC11

2040. +TRANSPORTATION FOR INDIVIDUALS WITH DISABILITIES (MISC. AMENDMENTS)

Priority: Other Significant

Legal Authority: 42 USC 12101 to 12213; 49 USC 322

CFR Citation: 49 CFR 37; 49 CFR 38

Legal Deadline: None

Abstract: This rulemaking would create an exception to the provisions requiring transit providers to allow persons with disabilities to use every stop in the system, change the requirements affecting certain private schools that provide fixed route transportation, change the DOT technical standards concerning gaps for higher-speed people-mover vehicles, and eliminate the provision requiring paratransit systems to allow reservations 14 days in advance. Certain minor or technical clarifications will also be made. This action is significant since it involves issues of potential controversy.

Timetable:

Action	Date	FR Cite
NPRM	07/21/94	59 FR 37208
NPRM Comment Period End	10/19/94	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement,

DOT—OST

Final Rule Stage

Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AC13

2041. DISINSECTION OF AIRCRAFT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 40113; 49 USC 41712

CFR Citation: 14 CFR 259

Legal Deadline: None

Abstract: The Department is considering a rule that would require airlines and ticket agents (including travel agents) to notify prospective passengers if the country to which they are traveling requires the passenger cabin to be sprayed with insecticide. Currently, about 5 countries routinely require such spraying. This rulemaking is being undertaken by departmental initiative.

Timetable:

Action	Date	FR Cite
NPRM	01/18/95	60 FR 3596
NPRM Comment Period End	03/20/95	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Arnold Konheim, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4849

RIN: 2105-AC14

2042. DISCLOSURE OF CHANGE-OF-GAUGE SERVICES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 41712

CFR Citation: 14 CFR 257

Legal Deadline: None

Abstract: To ensure that consumers are given pertinent information on the nature of change-of-gauge services, the Department is proposing to codify and augment its current disclosure requirements for itineraries with one flight number that involve a change of aircraft. The Department requested comments on the following three proposed requirements, which would apply to U.S. air carriers, foreign air carriers, and, where appropriate, ticket

agents (including travel agents) doing business in the United States: (1) that transporting carriers include notice of aircraft changes in their written or electronic schedule information provided to the public, in the Official Airline Guide, and in computer reservation systems; (2) that consumers be given reasonable and timely notice before they book transportation that a particular service with a single flight number entails a change of aircraft en route, and (3) that written notice of the aircraft change be provided on or with each ticket for such service. This proposal, in part, responds to the petition of American Airlines in Docket 47546 to ban the practice of "funnel flights." The Department intends also to address the complaints of TACA International Airlines, Aviateca, and Nicaraguense de Aviacion (NICA) in Dockets 49511, 49512, and 49513, respectively, against Continental Airlines for operating funnel flights.

Timetable:

Action	Date	FR Cite
NPRM	01/19/95	60 FR 3778
NPRM Comment Period End	03/20/95	
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Further action on this rule is awaiting the final rule in a related code share issue in RIN 2105-AC10.

Agency Contact: Betsy L. Wolf, Senior Trial Attorney, Office of Aviation Enforcement & Proceedings, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9356

RIN: 2105-AC17

2043. +GREAT LAKES PILOTAGE RATE METHODOLOGY

Priority: Other Significant

Legal Authority: 46 USC 2103; 46 USC 6101; 46 USC 7701; 46 USC 9303; 46 USC 9304; 46 USC 3507

CFR Citation: 46 CFR 401; 46 CFR 403; 46 CFR 404

Legal Deadline: None

Abstract: The Department amended the regulations concerning Great Lakes pilotage by revising the procedures for determining Great Lakes pilotage rates

and revising the financial reporting requirements mandated for Great Lakes pilot associations. The purpose of these changes was to improve the ratemaking process. The final rule with request for comments was issued in April, 1995. A final rulemaking document responding to the comments received will be issued shortly. The Department considers this action to be significant because the setting of pilotage rates is controversial and of significant interest to the public and Congress.

Timetable:

Action	Date	FR Cite
NPRM	04/12/94	59 FR 17303
Notice of Meetings	04/20/94	59 FR 18744
NPRM Comment Period End	07/11/94	
Final Rule: Request for Comments by 5/11/95	04/11/95	60 FR 18366
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/12/94 (59 FR 17303)

Additional Information: This had been Coast Guard RIN 2115-AE45. In the last Agenda, this item was entered as a completed action in error.

Agency Contact: Scott A. Poyer, Project Manager, Office of Great Lakes Pilotage, Department of Transportation, Saint Lawrence Seaway Development Corporation, 400 Seventh Street SW., Washington, DC 20590
Phone: 800 785-2779

RIN: 2105-AC21

2044. PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING: SHY BLADDER AND OTHER CLARIFICATIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 102; 49 USC 301; 49 USC 322; 49 USC 5331; 49 USC 20140; 49 USC 31306; 49 USC 45101 to 45106

CFR Citation: 49 CFR 40

Legal Deadline: None

DOT—OST

Final Rule Stage

Abstract: This rule would revise DOT drug testing procedures in so-called "shy bladder" situations. It would also remove an obsolete provision that can potentially cause confusion concerning the proper relationship of laboratories and medical review officers, add language concerning unresolved laboratory positive test results, and provide guidance concerning the role of consortia and third party administrators in the DOT drug and alcohol testing programs. The Department is undertaking a regulatory evaluation.

Timetable:

Action	Date	FR Cite
NPRM	07/25/95	60 FR 38200
NPRM Comment Period End	09/25/95	
Final Action	10/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: The Department published a Notice: Guidance on the Role of Consortia and Third-Party Administrators in DOT Drug and Alcohol Testing Programs 7/25/95 (60 FR 38204).

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AC22

2045. ELECTRONIC FILING OF INTERNATIONAL AIR PASSENGER SERVICE RULES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 40101; 49 USC 40109; 49 USC 40113; 49 USC 40101 to 41112; 49 USC 40301 to 41310; 49 USC 41501 to 41511; 49 USC 41701 to 41713; 49 USC 46101 to 46102

CFR Citation: 14 CFR 221; 49 CFR 1.56(j)(2)(ii)

Legal Deadline: None

Abstract: This rule permits official filing of international air carrier rules tariffs in an electronic format. Currently they are filed in paper form. Nearly all official filings are filed for effect on less than bilateral/statutory notice, with an accompanying Special Tariff Permission Application. The carriers are thus filing each rule provision on paper twice. This rule allows a single electronic filing to replace two paper filings. About 43,000 rule pages are changed each year in 9,000 submissions.

Timetable:

Action	Date	FR Cite
NPRM	05/19/95	60 FR 26848
NPRM Comment Period End	06/19/95	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Responsibility for this rule was transferred to the Office of the Secretary from RSPA.

Agency Contact: John H. Kiser, Chief, Pricing and Multilateral Affairs Division, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20509-0001
Phone: 202 366-2435

RIN: 2105-AC23

2046. NONPROCUREMENT DEBARMENT AND SUSPENSION

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 322; EO 12549; EO 12689; 31 USC 6101

CFR Citation: 49 CFR 29

Legal Deadline: None

Abstract: This revision to the nonprocurement common rule is issued in response to Executive Order 12689 and section 2455 of the Federal Acquisition Streamlining Act of 1994. The Executive Order requires agencies to establish regulations for reciprocal governmentwide effect across procurement and nonprocurement debarment and suspension actions, after technical differences between the procurement and nonprocurement

regulations are resolved. This regulation establishes that reciprocity.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/26/95	60 FR 33036
Comment Period End	07/26/95	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Paul B. Larsen, Office of the General Counsel, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-9161

RIN: 2105-AC25

2047. REVISED FILING PROCEDURES FOR OST DOCKET

Priority: Other

Legal Authority: 5 USC 551 et seq; 49 USC 40101 et seq

CFR Citation: 14 CFR 302

Legal Deadline: None

Abstract: The Office of the Secretary is revising its document filing requirements to conform to its new electronic docket system. Documents will be scanned into images and stored on unalterable disks. The changes will facilitate one physical scanning process and ensure that the highest quality image is captured. The rule will also reduce the required number of paper copies and provide for submission of a disk copy in one of several specified formats.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: See explanation of the centralization and computerization of DOT dockets, March 15, 1995 (60 FR 14050).

Agency Contact: Paulette Twine, Chief, Documentary Services Division, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

DOT—OST

Final Rule Stage

Phone: 202 366-9329

RIN: 2105-AC26

2048. COAST GUARD BOARD FOR CORRECTION OF MILITARY RECORDS: PROCEDURAL REGULATION

Priority: Substantive, Nonsignificant

Legal Authority: 10 USC 1552

CFR Citation: 32 CFR 52

Legal Deadline: None

Abstract: This action is being taken on the Department's initiative in order to streamline processing of these cases and to clarify the circumstances under which final decisions can be reconsidered. This rule would make it possible for the Board to expedite reconsideration and increase the resources available to meet the requirement that all cases be decided within ten months of the receipt of a completed application.

Timetable:

Action	Date	FR Cite
NPRM	12/11/95	60 FR 63489
NPRM Comment Period End	02/09/96	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert Joost, Chairman, Board of Correction of Military Records, (C-60), Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-9335

RIN: 2105-AC31

2049. • STAFF ASSIGNMENTS AND REVIEW OF ACTION UNDER ASSIGNMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 40101; 49 USC 41101; 49 USC 41301; 49 USC 41501; 49 USC 41701

CFR Citation: 49 CFR 385

Legal Deadline: None

Abstract: This action removes or updates obsolete provisions and

organizational references. It reorders the sequence of assignments in a more logical manner and to more closely reflect the Department's staff organization.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Carol Woods, Air Carrier Fitness Division, X-56, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-9721

RIN: 2105-AC38

2050. • NATIONAL SECURITY INFORMATION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: EO 12958; EO 12968

CFR Citation: 14 CFR 311

Legal Deadline: None

Abstract: This rule would eliminate regulations regarding National Security Information that the Department inherited from the Civil Aeronautics Board. These regulations merely reference DOT's own rules on the same subject.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert Ross, Office of the General Counsel, C-10, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-9156

RIN: 2105-AC40

2051. • RELEASE OF INTERNAL STAFF MEMORANDA RELATING TO PUBLIC MEETINGS OF THE CIVIL AERONAUTICS BOARD

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing

Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 40101 to 40102; 49 USC 40105; 49 USC 40109; 49 USC 40113 to 40115; 49 USC 41101 to 41110; 49 USC 41301 to 41310; 49 USC 41501; 49 USC 41503 to 41504; 49 USC 41506 to 41511; 49 USC 41701 to 41702; 49 USC 41705 to 41709; 49 USC 41711 to 41713; 49 USC 41901 to 41912; 49 USC 42111 to 42112; 49 USC 46301; ...

CFR Citation: 14 CFR 399

Legal Deadline: None

Abstract: This rulemaking would remove provisions concerning release of internal staff memoranda after public meetings of the Civil Aeronautics Board (CAB). The CAB was sunsetted in 1985 and the provisions no longer have any relevancy. Analogous information is available from DOT via the Freedom of Information Act process.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert Ross, Office of General Counsel, C-10, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-9156

RIN: 2105-AC42

2052. • POLICIES RELATING TO ACCOUNTS AND REPORTS

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 40101 et seq

CFR Citation: 14 CFR 399

Legal Deadline: None

Abstract: The Department is amending its regulations to eliminate superfluous and redundant provisions relating to aviation accounts and reports.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

DOT—OST

Final Rule Stage

Agency Contact: Bernie Stankus, Systems Accountant, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-4387
 Fax: 202 366-3383
RIN: 2105-AC43

2053. ● AUDITS OF STATE AND LOCAL GOVERNMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 322(a)

CFR Citation: 49 CFR 90; 49 CFR 18

Legal Deadline: None

Abstract: This action will eliminate part 90 which is merely a re-publication of OMB Circular A-128, the audit requirements for State and local grantees. The requirements will be

replaced by a reference to the circular in Part 18, Non-Federal Audits.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Robert G. Taylor, Chief, Grants Management Division (M-62), Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-4289

RIN: 2105-AC44

2054. ● AVIATION ECONOMIC RULES: CORRECTING OBSOLETE REFERENCES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

Legal Authority: 49 USC 40101; 49 USC 41101; 49 USC 41301; 49 USC 41701

CFR Citation: 14 CFR 205; 14 CFR 323

Legal Deadline: None

Abstract: This action corrects obsolete references in field office addresses and terminology that requires updating due to revisions and recodification of the Federal Aviation Act.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Carol A. Woods, Analyst, Air Carrier Fitness Division, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-2340

RIN: 2105-AC46

DEPARTMENT OF TRANSPORTATION (DOT)

Long-Term Actions

Office of the Secretary (OST)

2055. POLICY STATEMENT ON AIRLINE PREEMPTION

Priority: Substantive, Nonsignificant

CFR Citation: 14 CFR 399

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/15/79	44 FR 9948
Request for Comments on Interim Rule (PSDR-56, Docket 34684)	02/15/79	44 FR 9953
Comment Period End	04/16/79	
Next Action Undetermined		

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Agency Contact: Paul Smith
 Phone: 202 366-9285

RIN: 2105-AA46

Timetable:

Action	Date	FR Cite
NPRM	12/18/84	49 FR 49111
NPRM Comment Period End	03/19/85	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Joanne Petrie
 Phone: 202 366-9306

RIN: 2105-AA84

2057. +STATEMENT OF ENFORCEMENT POLICY ON REBATING

Priority: Other Significant

CFR Citation: 14 CFR 399.80; 14 CFR 399.85

Timetable:

Action	Date	FR Cite
NPRM	10/21/88	53 FR 41353
NPRM Comment Period End	12/20/88	
Comment Period Extended to	02/03/89	54 FR 5497
		Extended to 2/21/89

2056. BAGGAGE LIABILITY NOTICES IN INTERNATIONAL AIR TRANSPORTATION

Priority: Substantive, Nonsignificant

CFR Citation: 14 CFR 221

Timetable:

Action	Date	FR Cite
Correction	02/10/89	54 FR 6475
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Betsy Wolf
 Phone: 202 366-9356

RIN: 2105-AB39

2058. +PRICE ADVERTISING

Priority: Other Significant

CFR Citation: 14 CFR 380; 14 CFR 399

Timetable:

Action	Date	FR Cite
NPRM	07/26/89	54 FR 31052
Comment Period Extended to	08/23/89	54 FR 35005
NPRM Comment Period End	08/25/89	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steven Farbman
 Phone: 202 366-9307

RIN: 2105-AB50

DOT—OST

Long-Term Actions

2059. SMOKING ABOARD AIRCRAFT**Priority:** Substantive, Nonsignificant**CFR Citation:** 14 CFR 252**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/13/90	55 FR 4991
Next Action Undetermined		

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Joanne Petrie
Phone: 202 366-9306**RIN:** 2105-AB58**2060. IMPLEMENTATION OF AMENDMENTS TO THE EQUAL ACCESS TO JUSTICE ACT****Priority:** Substantive, Nonsignificant**CFR Citation:** 49 CFR 6; 48 CFR 6301; 14 CFR 14**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Joanne Petrie
Phone: 202 366-9306**RIN:** 2105-AB73**2061. • TICKETLESS TRAVEL: PASSENGER NOTICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 41712**CFR Citation:** 14 CFR 221; 14 CFR 250; 14 CFR 253; 14 CFR 254**Legal Deadline:** None**Abstract:** This action is a request for comments on passenger notice requirements as applied to ticketless air travel. Current DOT rules require notices in tickets that give information

about baggage liability limits, overbooking, and other matters.

Timetable:

Action	Date	FR Cite
Request for Comments by 3/19/96	01/19/96	61 FR 1309
Next Action Undetermined		

Small Entities Affected: Undetermined**Government Levels Affected:** None**Agency Contact:** Tim Kelly, Office of the General Counsel, C-75, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5952**RIN:** 2105-AC36

DEPARTMENT OF TRANSPORTATION (DOT)

Completed Actions

Office of the Secretary (OST)

2062. NONDISCRIMINATION ON THE BASIS OF AGE IN DOT FINANCIAL ASSISTANCE PROGRAMS**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 94-135**CFR Citation:** 29 CFR 1691**Legal Deadline:** None**Abstract:** The NPRM proposed to prohibit age discrimination by recipients of DOT financial assistance programs. However, it was concluded that exceptions to the statute would result in no substantive coverage of DOT programs. Moreover, the paperwork requirements of recipients, without substantive coverage, would have been counterproductive. Therefore, the NPRM was withdrawn. However, the Department indicated an intention to consider, in light of any changes in DOT programs, whether resultant substantive coverage would then warrant a new rulemaking proceeding. Currently, the Department is in the process of undertaking such considerations and will reinstate the NPRM or take another course of action if it is determined that such action is warranted.**Timetable:**

Action	Date	FR Cite
NPRM	10/22/79	44 FR 60946

Action	Date	FR Cite
NPRM Comment Period End	01/21/80	
Action Withdrawn	04/23/90	55 FR 16442

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation
10/22/79 (44 FR 60946)**Agency Contact:** Marc Brenman, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1119**RIN:** 2105-AA09**2063. +COMMERCIAL SPACE TRANSPORTATION: FINANCIAL RESPONSIBILITY REQUIREMENTS FOR LICENSED LAUNCH ACTIVITIES****Completed:**

Reason	Date	FR Cite
Transfer Development to RIN 2120-AF98	12/08/95	

RIN: 2105-AA26**2064. PRICE ADVERTISING****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 1371; 49 USC 1381**CFR Citation:** 14 CFR 380.30(e); 14 CFR 399.84**Legal Deadline:** None**Abstract:** The DOT rules cited above state that any price stated for air transportation, a tour or a tour component must be the entire price for that transportation, tour or component. In this petition, Mr. Donald Pevsner complains that some tour operators advertise prices which do not include additional features which must be purchased and which cost extra. He asks that the rules be amended to state that such additional features may only be priced separately if they may be purchased separately, i.e., if they are optional rather than mandatory. The petition was denied in a letter of 9/6/95. An explanation of the Department's current guidance on how these charges should be advertised was also provided.**Timetable:**

Action	Date	FR Cite
Petition for Rulemaking (Dkt 43147)	05/22/85	
Petition for Rulemaking Denied	09/06/95	

Small Entities Affected: Businesses**Government Levels Affected:** None

DOT—OST

Completed Actions

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306
RIN: 2105-AB25

2065. +LICENSING COMMERCIAL SPACE LAUNCH ACTIVITIES

Completed:

Reason	Date	FR Cite
Transfer Development to RIN 2120-AF99	12/13/95	

RIN: 2105-AB85

2066. EXEMPTION FROM PROPERTY TARIFF-FILING REQUIREMENTS

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 40101; 49 USC 40105; 49 USC 40109; 49 USC 40113; 49 USC 40114; 49 USC 41504; 49 USC 41701; 49 USC 41707 to 41709; 49 USC 41712; 49 USC 46101

CFR Citation: 14 CFR 221; 49 CFR 1.56(j)(2)(ii)

Legal Deadline: None

Abstract: This rulemaking grants an exemption to United States and foreign air carriers from the requirement in 14 CFR Part 221 that they file with the Department tariffs applicable to the foreign air transportation of property. This information is no longer necessary to fulfill departmental policy objectives and, because of the common practice of using freight forwarders, does not necessarily reflect actual prices paid by the public.

Timetable:

Action	Date	FR Cite
NPRM	10/24/94	59 FR 53377
NPRM Comment Period End	12/23/94	
Final Action	11/30/95	60 FR 61472

Small Entities Affected: None
Government Levels Affected: None
Additional Information: Responsibility for this rule was transferred to OST from RSPA on 6/30/94. The NPRM of 10/24/94 inadvertently indicated the RSPA RIN 2137-AC48.

Agency Contact: John H. Kiser, Chief, Pricing and Multilateral Affairs Division, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20509-0001
Phone: 202 366-2435

RIN: 2105-AC09

2067. DATA COLLECTION AND PROHIBITION AGAINST MARKETING

Priority: Substantive, Nonsignificant
Legal Authority: 5 USC 301; 41 USC 418(b)

CFR Citation: 48 CFR 1213; 48 CFR 1237; 48 CFR 1252; 48 CFR 3.1

Legal Deadline: None

Abstract: This action amends transportation acquisition regulation to require contractors who provide training services to the Department to sign a certification that the background data submitted with their contract proposal is accurate, complete, and current at the time of submission. In addition, contractors providing training services under contract to DOT are prohibited from soliciting, advertising, or otherwise marketing other training they offer during the conduct of the contracted-for training services.

Timetable:

Action	Date	FR Cite
NPRM	11/03/95	60 FR 55827
NPRM Comment Period End	12/04/95	
Final Action	01/05/96	61 FR 391

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Barbara Weakley, Procurement Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4967
Fax: 202 366-7510

RIN: 2105-AC30

2068. ADMINISTRATIVE AND EDITORIAL CORRECTIONS TO ACQUISITION REGULATIONS

Priority: Other

Legal Authority: 5 USC 301; 41 USC 418(b)

CFR Citation: 48 CFR 1201.403; 48 CFR 1201.404; 48 CFR 1215.413; 48 CFR 1252; 48 CFR 3.1; 48 CFR 1253

Legal Deadline: None

Abstract: This rulemaking revises the Transportation Acquisition Regulation (TAR) to make minor editorial or administrative corrections including changes to the TAR Matrix to adhere to Federal Acquisition Regulation guidance for incorporating provisions and clauses in solicitations and contracts by reference to the maximum practical extent.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/03/95	60 FR 55801
Final Action	01/04/96	61 FR 273

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Elaine Wheeler, Procurement Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW. Room 9401, Washington, DC 20590
Phone: 202 366-4272
Fax: 202 366-7510

RIN: 2105-AC32

DEPARTMENT OF TRANSPORTATION (DOT)
U.S. Coast Guard (USCG)

Prerule Stage

2069. +FACILITY RESPONSE PLANS FOR HAZARDOUS SUBSTANCES (CGD 94-048)

Priority: Economically Significant

Legal Authority: 33 USC 1321(j); PL 101-380

CFR Citation: 33 CFR 154

Legal Deadline: None

Abstract: This project would implement provisions of the Oil Pollution Act of 1990 that require an owner or operator of a marine transportation-related facility transferring bulk hazardous substances to develop and operate in accordance with an approved response plan. The regulations would apply to marine transportation-related facilities that, because of their location, could cause substantial or significant and substantial harm to the environment by discharging a hazardous substance into or on the navigable waters or adjoining shoreline. This would be defined as any facility capable of transferring hazardous substances regulated under 46 CFR Subchapters D and O to or from a vessel with a capacity of 250 barrels or more. A separate rulemaking under RIN 2115-AE88 would address hazardous response plan requirements for tank vessels. This action is considered significant because of substantial public interest.

Statement of Need: This rulemaking is intended to reduce the impact from hazardous substance spills from vessels and marine transportation-related facilities.

Summary of the Legal Basis: Section 4202(a) of the Oil Pollution Act of 1990 (OPA 90), codified at 33 USC 1321(j)(5), mandates that the President issue regulations requiring the preparation of oil and hazardous substance discharge response plans. Although 4202(b)(4) of OPA 90 established an implementation schedule for these response plans for oil, it did not establish a deadline for submission or approval of hazardous substances response plans. The Coast Guard has issued separate interim rules governing response plan requirements for vessels carrying oil in bulk as cargo and facilities that handle, store, or transport oil in bulk. Under section 1321, "hazardous substances" are designated by the Administrator of the Environmental Protection Agency. The Administrator has designated 297 chemicals as hazardous substances under this section. However, the Coast

Guard has identified only 83 hazardous substances currently transferred in bulk by marine transportation-related facilities.

Alternatives: The Coast Guard intends to determine what types of response strategies would be required to address spills of different types of hazardous substances. For some substances, containment and recovery may be the appropriate response. However, some spilled substances may not be recoverable from the water and other actions may be necessary. Plans would be required, by statute, to address responses to a "worst case discharge." For facilities, a "worst case discharge" is "the largest foreseeable discharge in adverse weather conditions." The Coast Guard is considering requirements for response plans for less than "worst case discharges," similar to the requirements adopted in the vessel and facility response plans rules for oil discharges. Additionally, as in the vessel and facility response plans for oil discharges, owners or operators are required by statute to maintain contracts or other acceptable arrangements with spill-response organizations.

Anticipated Costs and Benefits: The potential costs of this rulemaking may include the costs of developing and implementing a hazardous substance response plan, maintaining contracts with spill response organizations, reviewing and updating hazardous substance response plans, maintaining any required equipment, and training and exercising response personnel. Potential benefits include enhanced environmental quality from improved ability to respond to, contain, and recover spilled hazardous substances and a reduction in the severity of the impact of accidental hazardous substance discharges. The Coast Guard does not yet have sufficient information to estimate the potential monetary costs and benefits of this rule. A key element in developing effective regulations for hazardous substance response plans will be the development of an approach for addressing different types of hazardous substances.

Risks: Response plans are required by statute. A response plan will not prevent a discharge of a hazardous substance, but it may improve the response and, in certain cases, help to minimize personal injury and damage to the environment. This rule should

not affect the economic viability of facilities involved in transferring hazardous substances in bulk or have a significant impact on the volume of hazardous substances shipped by marine transportation-related facilities. Most facilities involved in transferring hazardous substances in bulk have developed plans, but there have not been requirements for standardization.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: LT Cliff Thomas, Project Manager, G-MES-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
 Phone: 202 267-1099

RIN: 2115-AE87

2070. +TANK VESSEL RESPONSE PLANS FOR HAZARDOUS SUBSTANCES (CGD 94-032)

Priority: Other Significant

Legal Authority: 33 USC 1231; 33 USC 1321(j); PL 101-380

CFR Citation: 33 CFR 155

Legal Deadline: None

Abstract: This project would implement provisions of the Oil Pollution Act of 1990 that require an owner or operator of a tank vessel carrying bulk hazardous substances to develop and operate in accordance with an approved response plan. The regulations would apply to vessels operating on the navigable waters or within the Exclusive Economic Zone (EEZ) of the U.S. that carry bulk hazardous substances regulated under 46 CFR Subchapters D and O. A separate rulemaking under RIN 2115-AE87 would address hazardous substances response plan requirements for marine transportation-related facilities. This action is considered significant because of substantial public interest.

Statement of Need: This rulemaking is intended to reduce the impact from hazardous substance spills from vessels.

Summary of the Legal Basis: Section 4202(a) of the Oil Pollution Act of 1990

DOT—USCG

Prerule Stage

(OPA 90), codified at 33 USC 1321(j)(5), mandates that the President issue regulations requiring the preparation of oil and hazardous substance discharge response plans. Although 4202(b)(4) of OPA 90 established an implementation schedule for these response plans for oil, it did not establish a deadline for submission or approval of hazardous substances response plans. The Coast Guard has issued separate interim rules governing response plan requirements for vessels carrying oil in bulk as cargo and facilities that handle, store, or transport oil in bulk. Under section 1321, "hazardous substances" are designated by the Administrator of the Environmental Protection Agency. The Administrator has designated 297 chemicals as hazardous substances under this section. However, the Coast Guard has identified only 83 hazardous substances currently transferred in bulk by marine transportation-related facilities.

Alternatives: The Coast Guard intends to determine what types of response strategies would be required to address spills of different types of hazardous substances. For some substances, containment and recovery may be the appropriate response. However, some spilled substances may not be recoverable from the water and other actions may be necessary. Plans would be required, by statute, to address responses to a "worst case discharge." For vessels, a "worst case discharge" is "a discharge in adverse weather conditions of its entire cargo." The Coast Guard is considering requirements for response plans for less than "worst case discharges," similar to the requirements adopted in the vessel and facility response plans rules for oil discharges. Additionally, as in the vessel and facility response plans for oil discharges, owners or operators are required by statute to maintain contracts or other acceptable arrangements with spill response organizations.

Anticipated Costs and Benefits: The potential costs of this rulemaking may include the costs of developing and

implementing a hazardous substance response plan, maintaining contracts with spill-response organizations, reviewing and updating hazardous substance response plans, maintaining any required equipment, and training and exercising response personnel. Potential benefits include enhanced environmental quality from improved ability to respond to, contain, and recover spilled hazardous substances and a reduction in the severity of the impact of accidental hazardous substance discharges. The Coast Guard does not yet have sufficient information to estimate the potential monetary costs and benefits of this rule. A key element in developing effective regulations for hazardous substance response plans will be the development of an approach for addressing different types of hazardous substances.

Risks: Response plans are required by statute. A response plan will not prevent a discharge of a hazardous substance, but it may improve the response and, in certain cases, help to minimize personal injury and damage to the environment. This rule should not affect the economic viability of vessels involved in transferring hazardous substances in bulk, or have a significant impact on the volume of hazardous substances shipped by vessel. Most vessels carrying hazardous substances in bulk have developed plans, but there have not been requirements for standardization.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: LT Cliff Thomas, Project Manager, G-MES-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1099

RIN: 2115-AE88

2071. • PROPELLER INJURY PREVENTION ABOARD RENTAL BOATS (CGD 95-041)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 4302 et seq

CFR Citation: 33 CFR S

Legal Deadline: None

Abstract: The Coast Guard published a notice of inquiry on this subject on May 11, 1995. It received 1983 comments, most of which were very general. It is clear that two boating accidents involving fatalities caused by propeller strikes on rented houseboats on Lake Shasta and Lake Havasu and several instances of crippling injuries in the last several years have generated a great deal of concern. This rulemaking would examine the number and nature of injuries sustained from vessel propellers and help the Coast Guard to determine the need for Federal or State regulation of these vessels, the livery companies leasing these vessels, or the operators of these vessels. Any regulation issued would be implemented to reduce future injuries and fatalities involving houseboats.

Timetable:

Action	Date	FR Cite
Request for Comments, Comment Period End 7/10/95	05/11/95	60 FR 25191
Comment Period Reopened to 11/7/95	08/09/95	60 FR 40545
ANPRM	03/26/96	61 FR 13123
ANPRM Comment Period End	09/01/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Randolph J. Doubt, Project Manager, G-NAB-6, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6810

RIN: 2115-AF28

DEPARTMENT OF TRANSPORTATION (DOT)
U.S. Coast Guard (USCG)

Proposed Rule Stage

2072. REPORTING MARINE CASUALTIES (CGD 91-216)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 6101; 33 USC 1901 et seq

CFR Citation: 33 CFR 151; 46 CFR 4

Legal Deadline: None

Abstract: This action would add to the definition of a reportable marine casualty "significant harm to the environment." Some casualty reporting requirements are extended to include foreign tank vessels operating in U.S. waters, including the exclusive economic zone.

Timetable:

Action	Date	FR Cite
Notice of Meeting; Request for Comments, Comment Period End 2/20/95	12/20/94	59 FR 65522
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: ENS Quan Nguyen, Project Manager, G-MES-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-1100

RIN: 2115-AD98

2073. +USER FEES FOR APPROVALS OF EQUIPMENT, LABORATORIES, AND SERVICING FACILITIES (CGD 92-013)

Priority: Other Significant

Legal Authority: 46 USC 2110; 46 USC 664; 31 USC 9701

CFR Citation: 33 CFR 159

Legal Deadline: None

Abstract: This regulatory project would establish direct user fees for Coast Guard services relating to equipment approvals, factory inspections, acceptance of independent laboratories and acceptance of servicing, repair, and testing facilities. The proposed fees are based on average workload, personnel, and overhead costs. The fees collected will be deposited in the general funds of the U.S. Treasury as offsetting receipts for Coast Guard activities. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: This project is being reviewed for cost-effectiveness and may be withdrawn in a future edition of the Regulatory Agenda.

Agency Contact: Mr. Jack Klingel, Project Manager, G-MES-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-1044

RIN: 2115-AE18

2074. HANDLING OF EXPLOSIVES OR OTHER DANGEROUS CARGOES WITHIN OR CONTIGUOUS TO WATERFRONT FACILITIES (CGD 92-026)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1231

CFR Citation: 33 CFR 126

Legal Deadline: None

Abstract: This action would update regulations governing the handling of breakbulk, containerized, and dry bulk dangerous cargoes on waterfront facilities.

Timetable:

Action	Date	FR Cite
ANPRM	01/13/93	58 FR 4127
ANPRM Comment Period End	04/13/93	
NPRM	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: Independent study has been completed and incorporated with comments from the public in the preparation of the proposed rulemaking.

Agency Contact: CDR Dennis Haise, Project Manager, G-MOS-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-6451

RIN: 2115-AE22

2075. AMENDMENTS TO HULL IDENTIFICATION NUMBER REGULATIONS AND NEW REQUIREMENTS FOR CERTIFICATES OF ORIGIN (CGD 92-065)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 4302; 46 USC 12501

CFR Citation: 33 CFR 181

Legal Deadline: None

Abstract: This rulemaking would expand the length of the hull identification number (HIN) to include information about a vessel and function as a vessel identification number. The rulemaking would also require manufacturers to supply a Certificate of Origin (COO) with each vessel produced to ensure documented certification of this information and establish a chain of ownership. These regulations to provide information identifying vessels and establishing evidence of vessel ownership are needed to help develop a Vessel Identification System (VIDS).

Timetable:

Action	Date	FR Cite
NPRM	05/06/94	59 FR 23651
NPRM Comment Period End	09/06/94	
Notice of Workshop; Comment Period Reopened to 01/09/95	11/09/94	59 FR 55823
SNPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Alston Colihan, Project Manager, G-NAB-6, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0984

RIN: 2115-AE37

2076. +ESCORT VESSELS IN CERTAIN U.S. WATERS (91-202A)

Priority: Other Significant

Legal Authority: PL 101-380; 46 USC 3703

CFR Citation: 33 CFR 168

Legal Deadline: None

Abstract: This regulation would designate those U.S. waters, other than Prince William Sound and Puget

DOT—USCG

Proposed Rule Stage

Sound, where tankers and other vessels must be escorted by a towing vessel or other appropriate vessel. This action is considered significant because of substantial public and State government interest.

Timetable:

Action	Date	FR Cite
ANPRM	04/27/93	58 FR 25766
ANPRM Comment Period End	06/28/93	
Notice of Meeting; Request for Comments, Comment Period End 2/13/95	12/21/94	59 FR 65741
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: This rulemaking is a companion to 2115-AE10, which concerns Prince William Sound and Puget Sound.

Agency Contact: Tom Jordan, Project Manager, G-MMS-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593

Phone: 202 267-2988

RIN: 2115-AE56

2077. ELECTRONIC RECORDS OF SHIPPING ARTICLES AND CERTIFICATES OF DISCHARGE (CGD 94-004)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 2103; 46 USC 2113; 46 USC 3306; 46 USC 10104; 46 USC 10302; 46 USC 10320

CFR Citation: 46 CFR 14

Legal Deadline: None

Abstract: The Coast Guard proposes to eliminate the requirement for maritime operating companies to submit to it shipping articles, copies of certificates of discharge, and other documents on the employment of seamen. Companies will still have to submit information contained in the certificates of discharge, but may submit the required information electronically.

Timetable:

Action	Date	FR Cite
NPRM	03/28/96	61 FR 13796
NPRM Comment Period End	05/28/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: Funding to maintain shipping articles and certificates of discharge has been eliminated beginning October 01, 1994. The amount is \$460,000 per year.

Agency Contact: Justine Bunnell, Project Manager, NMC, Department of Transportation, U.S. Coast Guard, National Maritime Center, 4200 Wilson Boulevard, Suite 510, Arlington, VA 22203

Phone: 703 235-1951

RIN: 2115-AE72

2078. HARMONIZATION WITH INTERNATIONAL SAFETY STANDARDS (CGD 95-028)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 3306; 46 USC 4104

CFR Citation: 46 CFR 26; 46 CFR 30 to 35

Legal Deadline: None

Abstract: This rulemaking will revise or remove sections of 46 CFR that are excessive when compared to various international standards.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: LCDR R. K. Butturini, Project Manager, G-MMS-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0027

RIN: 2115-AF10

2079. NUMBERING OF UNDOCUMENTED BARGES (CGD 93-091)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 12301

CFR Citation: 33 CFR 189

Legal Deadline: None

Abstract: The rulemaking would establish a mandatory numbering system, as required by law, for the numbering of undocumented barges over 100 gross tons. The numbering of

undocumented barges will allow identification of owners of barges found abandoned and help to prevent future marine pollution from abandoned barges.

Timetable:

Action	Date	FR Cite
Notice of Request for Comments	10/18/94	59 FR 52646
Comment Period Ends	01/17/95	
NPRM	12/00/96	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Analysis: Regulatory Evaluation

Agency Contact: Carlton Perry, Project Manager, G-NAB, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0979

RIN: 2115-AF13

2080. U.S. ATON SYSTEMS: WESTERN RIVERS MARKING SYSTEM AND PRIVATE AIDS TO NAVIGATION (CGD 94-091)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 14 USC 83; 14 USC 85; 33 USC 1233; 43 USC 1333

CFR Citation: 33 CFR 62.45; 33 CFR 62.51; 33 CFR 66.10

Legal Deadline: None

Abstract: Regulations will be revised to: (1) allow the Western Rivers Marking System to use all six flash characteristics that are in use in the US ATON system; and (2) remove some of the characteristics of the Uniform State Waterway Marking System (USWMS) so that it is similar to the US Aids to Navigation System. This change will allow the Coast Guard to provide more flash characteristics to ATON to enable the mariner to better differentiate between Federal and private aids to navigation.

Timetable:

Action	Date	FR Cite
ANPRM	12/29/95	60 FR 67345
ANPRM Comment Period End	02/12/96	

DOT—USCG

Proposed Rule Stage

Action	Date	FR Cite
NPRM	03/27/96	61 FR 13470
NPRM Comment Period End	04/26/96	

Small Entities Affected: None

Government Levels Affected: State, Federal

Analysis: Regulatory Evaluation

Agency Contact: LTJG Chad Asplund, Project Manager, G-NSR-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-1386

RIN: 2115-AF14

2081. ATON ON ARTIFICIAL ISLANDS AND FIXED STRUCTURES (CGD 95-052)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 14 USC 85; 33 USC 1233; 43 USC 1333

CFR Citation: 33 CFR 67.05; 33 CFR 67.10

Legal Deadline: None

Abstract: Regulations will be revised to make the light flashing scheme less confusing for the mariner. This will also change the procedure for marine industry manufacturers to have their products (fog signal emitters) inspected. Industry will send their fog signal emitters to independent laboratories instead of Coast Guard District Offices. (sec. 67.05-10 & 67.10-15).

Timetable:

Action	Date	FR Cite
Request for Comments; Comment Period End 02/09/96	01/10/96	61 FR 708
NPRM	03/27/96	61 FR 13472
NPRM Comment Period End	04/26/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: LTJG Chad Asplund, Project Manager, G-NSR-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-1386

RIN: 2115-AF15

2082. REGATTAS AND MARINE PARADES: PERMIT APPLICATION REQUIREMENTS (CGD 95-054)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1233

CFR Citation: 33 CFR 100

Legal Deadline: None

Abstract: The Coast Guard is conducting a regulatory review of regatta and marine parade permitting. This regulatory review will develop appropriate amendments to the current regatta and marine parade permitting regulations to acquire needed permit application information related to potential impacts on navigation safety and sensitive environment areas in the event area in the permit application process. This would enable the Coast Guard to process marine event permit applications in a timely manner.

Timetable:

Action	Date	FR Cite
ANPRM	12/26/95	60 FR 67345
ANPRM Comment Period End	02/09/96	
NPRM	04/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal

Analysis: Regulatory Evaluation

Agency Contact: Carlton Perry, Project Manager, G-NAB, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0979

RIN: 2115-AF17

2083. ADVANCE NOTICE OF ARRIVALS, DEPARTURES, AND CERTAIN DANGEROUS CARGOES (CGD 94-089)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1223; 33 USC 1231

CFR Citation: 33 CFR 160

Legal Deadline: None

Abstract: This project will amend the requirements for notice of arrival and departure in 33 CFR 160, Subpart C. Section 160.207 will now apply to non-excepted vessels over 300 gross tons destined for or departing from all ports and places of the United States, and to all non-excepted foreign vessels, regardless of tonnage, destined for or departing from all ports and places of the Seventh District. A vessel's owner, operator, classification society, International Maritime Organization (IMO) Number, and 24-hour point of contact will become reportable under the requirements of notice in sections 160.207 through .213, with exceptions for barges carrying certain dangerous cargo. These changes will aid in the elimination of substandard ships from U.S. waters, improve emergency response, and facilitate the enforcement of requirements for Certificate of Financial Responsibility.

Timetable:

Action	Date	FR Cite
NPRM	01/17/96	61 FR 1183
NPRM Comment Period End	04/16/96	
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: CDR Dennis Haise, Project Manager, G-MOS-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-6451

RIN: 2115-AF19

2084. • LICENSING AND MANNING FOR OPERATORS OF TOWING VESSELS (CGD 94-055)

Priority: Substantive, Nonsignificant

Legal Authority: 14 USC 633; 31 USC 9701; 44 USC 3507; 46 USC 2103; 46 USC 7101; 46 USC 7106; 46 USC 7107; 46 USC 7701

CFR Citation: 46 CFR 10; 46 CFR 15

Legal Deadline: None

Abstract: This rulemaking is necessary as part of an overall initiative by the Coast Guard to improve navigational safety for towing vessels. It will help ensure that the mariner piloting a

DOT—USCG

Proposed Rule Stage

towing vessel has the proper training and qualifications to handle the tug and tow. It will introduce levels of licenses where there has been only one license. Each level will require greater experience and proficiency. This will prevent the new operator with minimal experience from commanding the largest flotillas; it will prevent any operator with any experience from commanding the largest flotillas until he or she has gained, and shown, the necessary competence. This rulemaking also introduces a requirement for demonstration of proficiency as a prerequisite to being issued a license. This will be in addition to the current requirements for sea service and successful testing.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: LCDR Don Darcy, Project Manager, G-MOS-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0021

RIN: 2115-AF23

2085. • IMPLEMENTATION OF THE 1995 AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978 (STCW) (CGD 95-062)

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 9701; 44 USC 3507; 46 USC 2103; 46 USC 7101; 46 USC 7107

CFR Citation: 46 CFR 10; 46 CFR 12; 46 CFR 15

Legal Deadline: None

Abstract: The International Maritime Organization (IMO) comprehensively amended the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), in 1995. The amendments come into force on February 1, 1997. This project is intended to implement them by revising 46 CFR Parts 10, 12, and 15 to ensure that the United States complies with their requirements on (1)

the training of merchant mariners, (2) the documenting of their qualifications, and (3) watch-standing and other arrangements aboard seagoing merchant ships of the United States.

Timetable:

Action	Date	FR Cite
Notice of Meeting; Request for Comments; Comments Due 9/29/95	08/02/95	60 FR 39306
Notice of Inquiry; Comment Period End 1/12/96	11/13/95	60 FR 56970
NPRM	03/26/96	61 FR 13284
NPRM Comment Period End	07/24/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Christopher Young, Project Manager, G-MOS, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0216

RIN: 2115-AF26

DEPARTMENT OF TRANSPORTATION (DOT)

Final Rule Stage

U.S. Coast Guard (USCG)

2086. TANKERMEN (CGD 79-116)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 3703; 46 USC 7317; 46 USC 8703; 46 USC 9101; 46 USC 9102

CFR Citation: 33 CFR 154; 33 CFR 155; 46 CFR 7; 46 CFR 12; 46 CFR 13; 46 CFR 30; 46 CFR 31; 46 CFR 35; 46 CFR 78; 46 CFR 90; 46 CFR 97; 46 CFR 98; 46 CFR 105; 46 CFR 151; 46 CFR 153; ...

Legal Deadline: None

Abstract: This Rulemaking redefines and establishes more stringent qualifying criteria for individuals engaged in transporting and transferring various categories of oil and dangerous liquid cargoes. The Port and Tanker Safety Act of 1978 mandated the establishment of personnel qualification and manning standards for tank vessels. In addition, the International Convention on the Standards for Training, Certification, and Watchkeeping for Seafarers 1978 (STCW) has entered into effect and

establishes international standards for tank vessel personnel qualifications. In view of the length of time since publication of the NPRM, a supplemental NPRM was issued.

Timetable:

Action	Date	FR Cite
NPRM	12/18/80	45 FR 83268
NPRM Comment Period End	03/18/81	
SNPRM; Comment Period End 01/16/90	10/17/89	54 FR 42624
Interim Final Rule	04/04/95	60 FR 17134
Interim Final Rule Comment Period End	06/30/95	
Comment Period Reopened	03/26/96	61 FR 13098
Comment Period End	05/18/96	
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/18/80 (45 FR 83268)

Additional Information: Former title: Qualifications of the Person in Charge

of Oil Transfer Operations: Tankerman Requirements (79-116). Public meetings were held during January and February of 1981. Docket 79-116a (RIN 2115-AD18) has been included in this project and will no longer be listed as a separate Regulatory Agenda item.

Agency Contact: Mark Gould, Project Manager, G-MOS-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6890

RIN: 2115-AA03

2087. +OFFSHORE SUPPLY VESSEL REGULATIONS (CGD 82-004 & CGD 86-074)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

DOT—USCG

Final Rule Stage

Legal Authority: 46 USC 3301; 46 USC 3305; 46 USC 3306

CFR Citation: 46 CFR 90; 46 CFR 125 to 136; 46 CFR 170; 46 CFR 174; 46 CFR 175

Legal Deadline: None

Abstract: These regulations consolidate existing Offshore Safety Vessel standards and policy into a single subchapter and make specific revisions to accommodate the unique characteristics and methods of operation and the service in which the vessels are engaged. Rules specifically applicable to liftboats are included. Because of substantial public interest in certain aspects of this rulemaking, it has been classified as significant.

Timetable:

Action	Date	FR Cite
ANPRM	02/14/83	48 FR 6636
Comment Period Extended to 09/12/83	06/09/83	48 FR 26631
ANPRM Comment Period End	06/14/83	
ANPRM of Consolidated RIN 2115-AC63	04/16/87	52 FR 12439
NPRM	05/09/89	54 FR 20006
Comment Period Extended to 12/06/89	08/31/89	54 FR 36040
NPRM Comment Period End	09/06/89	
Interim Final Rule	11/16/95	60 FR 57630
Comment Period Reopened to 3/31/96	02/28/96	61 FR 7425
Interim Final Rule Effective	03/15/96	
Final Action	09/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 05/09/89 (54 FR 20006)

Additional Information: Coast Guard Docket 86-074 (RIN 2115-AC63) titled Regulations for Self-Elevating Offshore Service and Support Vessels was combined with this project. Public hearing was held in New Orleans 09/13/89 in response to House subcommittee request.

Agency Contact: Jim Magill, Project Manager, G-MOS-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-1082

RIN: 2115-AA77

2088. SAFETY/SECURITY ZONE REGULATIONS

Priority: Routine and Frequent

Legal Authority: 33 USC 1233; 33 USC 1225

CFR Citation: 33 CFR 100; 33 CFR 165

Legal Deadline: None

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected to continue through October 1996: 300.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/96	

Actions Will Continue Through 10/00/96

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This is an open docket for routine field regulations.

Agency Contact: Margie G. Hegy, Project Manager, G-MVO-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0415

RIN: 2115-AA97

2089. ANCHORAGE AREA REGULATIONS

Priority: Routine and Frequent

Legal Authority: 33 USC 471; 33 USC 2030; 33 USC 2035; 33 USC 2071

CFR Citation: 33 CFR 110

Legal Deadline: None

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected to continue through October 1996: 6.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/96	

Actions Will Continue Through 10/00/96

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This is an open docket for routine field regulations.

Agency Contact: Margie G. Hegy, Project Manager, G-MVO-3, Department

of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0415

RIN: 2115-AA98

2090. LIFESAVING EQUIPMENT—IMPLEMENTATION OF 1983 AMENDMENTS TO SOLAS 1974 (CGD 84-069)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 31; 46 CFR 33; 46 CFR 35; 46 CFR 70; 46 CFR 71; 46 CFR 75; 46 CFR 78; 46 CFR 91; 46 CFR 94; 46 CFR 97; 46 CFR 107; 46 CFR 108; 46 CFR 109; 46 CFR 154; 46 CFR 160; ...

Legal Deadline: None

Abstract: This project would implement the provisions of the 1983 amendments to SOLAS 1974 (Safety of Life at Sea) which came into force in July of 1986. It would also reorganize the lifesaving equipment regulations in order to simplify, clarify, and reduce redundancy. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	12/31/84	49 FR 50745
ANPRM Comment Period End	03/01/85	
NPRM	04/21/89	54 FR 16198
NPRM Comment Period End	08/21/89	
Comment Period Reopened to 01/03/90	10/05/89	54 FR 41124
Notice of Public Hearing in Seattle 10/17/89	10/05/89	54 FR 41124
Interim Final Rule	06/00/96	

ANPRM 12/31/84 49 FR 50745

ANPRM Comment 03/01/85

NPRM 04/21/89 54 FR 16198

NPRM Comment 08/21/89

Comment Period 10/05/89 54 FR 41124

Reopened to 01/03/90

Notice of Public 10/05/89 54 FR 41124

Hearing in Seattle 10/17/89

Interim Final Rule 06/00/96

Interim Final Rule 06/00/96

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/21/89 (54 FR 16198)

Additional Information: CFR CITATION CONT: 46 CFR 30; 46 CFR 90; 46 CFR 112; 46 CFR 125; 46 CFR 133; 46 CFR 161; 46 CFR 167; 46 CFR 168; 46 CFR 188; 46 CFR 192; 46 CFR 196; 46 CFR 199.

DOT—USCG

Final Rule Stage

Agency Contact: Bob Markle, Project Manager, G-MMS-4, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-1076

RIN: 2115-AB72

2091. +SMALL PASSENGER VESSEL INSPECTION AND CERTIFICATION (CGD 85-080)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 170; 46 CFR 171; 46 CFR 173; 46 CFR 175 to 185

Legal Deadline: None

Abstract: This rulemaking revises subchapters S and T, creates a new subchapter K to reflect statutory changes, incorporates new technology, and improves safety requirements. Among the changes are changes in inspection intervals, drydocking intervals, lifesaving equipment requirements, and fire protection requirements. This action is considered significant because it affects a broad class of vessels, and there has been substantial public interest evidenced.

Timetable:

Action	Date	FR Cite
NPRM	01/30/89	54 FR 4412
Notice of Hearings and Comment Period Extended to 07/31/89	04/26/89	54 FR 17997
Notice of Public Hearing Change	05/25/89	54 FR 22608
NPRM Comment Period End	05/30/89	
Notice of Intent to Publish SNPRM	09/18/89	54 FR 38410
SNPRM Comment Period End 6/13/94	01/13/94	59 FR 1994
Notice of Public Hearing	03/25/94	59 FR 14132
Interim Final Rule	01/10/96	61 FR 864
Notice of Meeting	02/23/96	61 FR 6961
Interim Final Rule Effective	03/11/96	
Comment Period End	06/10/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 01/30/89 (54 FR 4412)

Additional Information: On January 13, 1994 the Coast Guard published a Supplemental Notice of Proposed Rulemaking (SNPRM) containing the proposed completed revision of the regulations governing small passenger vessels. A new Subchapter K was introduced for small passenger vessels carrying more than 150 passengers or more than 49 overnight passengers. Seven public hearings were held throughout the country and the comment period closed June 13, 1994. An Interim Final Rule (IFR) was published on January 10, 1996. It provides an opportunity for public comment on those solutions.

Agency Contact: LT Eric P. Christensen, Project Manager, G-MOS-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1055

RIN: 2115-AC22

2092. +IMPLEMENTATION OF THE COMMERCIAL FISHING-INDUSTRY VESSEL SAFETY ACT (CGD 88-079)

Priority: Other Significant

Legal Authority: 46 USC 4502; 46 USC 4506; 46 USC 6104(c); 46 USC 10603(b)

CFR Citation: 46 CFR 28

Legal Deadline: Final, Statutory, January 1, 1993.

Abstract: The Commercial Fishing Industry Act of 1988 requires the Secretary of Transportation to prescribe regulations for certain safety equipment and vessel operating procedures. A final rule establishing requirements for navigation, radio, firefighting, and lifesaving equipment, and fuel, ventilation, and electrical systems was published in August, 1991. Regulations have also been proposed to address lifesaving appliances. Additionally, an interim final rule established immersion suit requirements. Regulations for immersion suits on vessels operating on seasonally cold waters have also been proposed. This rulemaking is considered significant because of its impact on the commercial fishing industry.

Timetable:

Action	Date	FR Cite
ANPRM of Consolidated RIN 2115-AC34	07/09/87	52 FR 25890
ANPRM Correction of Consolidated RIN 2115-AC34	08/10/87	52 FR 29556
ANPRM	12/29/88	53 FR 52735
ANPRM Comment Period End	02/27/89	
ANPRM Comment Period Extended to 04/15/89	03/02/89	54 FR 8765
NPRM	04/19/90	55 FR 14924
NPRM Comment Period End	08/20/90	
Notice of Intent to Publish SNPRM	08/31/90	55 FR 35694
Final Action Except SNPRM Issues; Final Action Effective 09/15/91	08/14/91	56 FR 40364
Final Rule Correction	09/20/91	56 FR 47679
Correcting Amendments to Final Action of 08/14/91	01/06/92	57 FR 363
Interim Final Rule Immersion Suits	08/03/92	57 FR 34188
SNPRM To Address Stability and Other Small Fishing Vessel Issues	10/27/92	57 FR 48670
SNPRM Correction	12/03/92	57 FR 57129
SNPRM Comment Period Extended to 02/28/93	12/18/92	57 FR 60158
SNPRM Correction	01/06/93	58 FR 630
NPRM Seasonally Cold Waters	05/20/93	58 FR 29502
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 10/27/92 (57 FR 48670)

Additional Information: The final rule published 08/14/91 addressed most issues raised in the NPRM. A final rule implementing provisions of the Aleutian Trade Act is being handled under RIN 2115-AE77. Stability for vessels less than 79 feet in length, survival for vessels operating near shore with less than four persons on board, and requirements for carriage of immersion suits have been addressed separately. These remaining issues will be subject of a combined final rule. Coast Guard docket 86-024 titled Uninspected Fish Processing Vessels (RIN 2115-AC34) has been incorporated into this project.

DOT—USCG

Final Rule Stage

Agency Contact: LCDR Mark D. Bobal, Project Manager, G-MOS-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0836
RIN: 2115-AD12

2093. PERMITS FOR THE TRANSPORTATION OF MUNICIPAL AND COMMERCIAL WASTES (CGD 89-014)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 2602

CFR Citation: 33 CFR 151

Legal Deadline: Final, Statutory, June 15, 1989.

See discussion in the Abstract.

Abstract: In May 1989, the Coast Guard began a rulemaking to incorporate into regulation certain elements of the Shore Protection Act. Its objective was to help prevent trash, medical debris, and other unsightly and potentially harmful materials from being deposited into the coastal waters of the United States as a result of sloppy waste-handling procedures. Because no additional regulations are needed, the Coast Guard is discontinuing rulemaking under docket number 89-014.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/24/89	54 FR 22546
Interim Final Rule Correction	06/05/89	54 FR 24078
Notice	12/13/96	60 FR 64001
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 05/24/89 (54 FR 22546)

Additional Information: Further action depends on Environmental Protection Agency's regulatory decisions and/or legislation to define classes of vessels to be permitted and the appeal process for denial or revocation. This project was formerly known as Implementation of the Shore Protection Act of 1988.

Agency Contact: LTJG Lauren Kabler, Project Manager, G-MRO-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0423

RIN: 2115-AD23

2094. +SECURITY FOR PASSENGER VESSELS AND PASSENGER TERMINALS (CGD 91-012)

Priority: Other Significant

Legal Authority: 33 USC 1226

CFR Citation: 33 CFR 120; 33 CFR 128

Legal Deadline: None

Abstract: The purpose of this action is to improve security measures on passenger vessels engaged in international voyages of 24 hours or more, and on the port facilities serving these vessels. This rulemaking is significant because of substantial public interest and safety implications. It is a high-priority project and involves important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	03/25/94	59 FR 14290
NPRM Comment Period End	06/23/94	
Comment Period Reopened to 11/30/94	09/07/94	59 FR 46211
Notice of Public Hearings	09/07/94	59 FR 46211
Interim Final Rule	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Public Compliance Cost: Initial Cost: \$546,368; Yearly Recurring Cost: \$28,000; Base Year for Dollar Estimates: 1996

Analysis: Regulatory Evaluation 03/25/94 (59 FR 14290)

Agency Contact: CDR Dennis Haise, Project Manager, G-MOS-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6451

RIN: 2115-AD75

2095. CLAIMS PROCEDURES UNDER THE OIL POLLUTION ACT OF 1990 (CGD 91-035)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 2713; 33 USC 2714

CFR Citation: 33 CFR 136

Legal Deadline: None

Abstract: This rulemaking will implement section 1013 (Claims Procedures) and section 1014 (Designation of Source and Advertisement) of the Oil Pollution Act

of 1990. This rulemaking was designated significant because of anticipated public interest. However, few comments were received on the interim final rule, and there has been limited claims activity. Since the final rule will consist of clarifications and editorial corrections, this action is now considered nonsignificant.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/12/92	57 FR 36314
Interim Final Rule Correction	09/09/92	57 FR 41104
Interim Final Rule Comment Period End	12/10/92	
Final Action	09/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/12/92 (57 FR 36314)

Additional Information: On October 30, 1995, the Comptroller General of the U.S. issued a decision on natural resource damage claims under the Oil Pollution Act of 1990. In his decision, he determined that the Trustees for natural resources may not submit claims against the Oil Spill Liability Trust Fund for natural resources damages pursuant to the general claims provisions of the Oil Pollution Act. Claims previously held in abeyance will be processed or returned as appropriate. Development of the final rule may now proceed.

Agency Contact: Robert M. Skall, Project Manager, National Pollution Fund Center, Department of Transportation, U.S. Coast Guard, 4200 Wilson Blvd, Suite 1000, Arlington, VA 22203-1804
Phone: 703 235-4704

RIN: 2115-AD90

2096. +STRUCTURAL AND OPERATIONAL MEASURES TO REDUCE OIL SPILLS FROM EXISTING TANK VESSELS WITHOUT DOUBLE HULLS (CGD 91-045)

Priority: Economically Significant

Legal Authority: 46 USC 3703; PL 101-380

CFR Citation: 33 CFR 157

Legal Deadline: Final, Statutory, August 26, 1991.

Abstract: This rulemaking will address the interim measures existing vessels

DOT—USCG

Final Rule Stage

must take to provide substantial protection to the environment. The interim measures will apply to existing vessels until the vessel must comply with the double-hull regulations. No tank vessel without a double hull may operate after January 15, 2015. Interim measures are to include structural and operational standards to provide substantial protection to the environment that are economically and technologically feasible. This rulemaking is considered significant due to substantial public interest and environmental impact.

Statement of Need: This rulemaking is intended to reduce the likelihood of, and impact from, oil spills from existing tank vessels.

Summary of the Legal Basis: Section 4115(b) of OPA 90, codified at 46 USC 3703a, mandates that the Secretary of Transportation "... issue a final rule to require that tank vessels over 5,000 gross tons ... comply until January 1, 2015, with structural and operational requirements that the Secretary determines will provide as substantial protection to the environment as is economically and technologically feasible."

Alternatives: In 1989, the Coast Guard commissioned the National Academy of Sciences to conduct a study of alternative tank vessel designs. The study addressed the feasibility and ramifications of implementing various design options. An advance notice of proposed rulemaking (ANPRM) was published on November 1, 1991, and solicited comments on a number of possible structural and operational measures. Comments were specifically solicited on the number of vessels affected, technical feasibility, and costs of various measures. Based on comments received and the Coast Guard's own analysis, the range of possible alternatives was narrowed. Remaining options included protectively located noncargo tanks (PL/Spaces), emergency rapid transfer systems, emergency rescue systems, under pressure systems, and hydrostatically balanced loading (HBL). Following publication of a notice of proposed rulemaking (NPRM) on October 22, 1993, the Coast Guard conducted a public meeting and received additional comments. Several comments expressed concern over the effectiveness of some of the proposed structural and operational measures,

such as protectively located spaces and hydrostatic balance loading. Therefore, the Coast Guard is considering a three-prong approach. A partial final rule addressed emergency lightering equipment and prearrival notification requirements. Two SNPRMs addressed operational and structural measures respectively and solicit additional comments.

Anticipated Costs and Benefits: The costs of the proposed rule will depend on what combination of alternatives is eventually selected. Costs may range from approximately \$50,000 to create PL/Spaces on a small, pre-MARPOL ship to approximately \$25 million to add a double bottom to a very large crude carrier. Lost cargo capacity may also impose substantial costs for certain alternatives, especially HBL, double sides, and double bottoms. The principal benefit of the proposed rule will be a potential reduction in oil spillage into U.S. waters. This should result in reduced cleanup costs and natural resource damages. The proposed regulation would provide environmental benefits during the period of time that single-hull vessels remain in service.

Risks: The effectiveness of this rulemaking will depend on the combination of alternatives selected.

Timetable:

Action	Date	FR Cite
ANPRM	11/01/91	56 FR 56284
ANPRM Comment Period End	12/31/91	
ANPRM Comment Period Extended to 01/30/92	01/13/92	57 FR 1243
NPRM	10/22/93	58 FR 54870
NPRM Correction	11/19/93	58 FR 61143
Notice of Meeting and Comment Period Extended to 02/21/94	12/16/93	58 FR 65683
NPRM Comment Period End	12/20/93	
Final Rule Arrival Notice and Lightering Equipment	08/05/94	59 FR 40186
SNPRM Operational Measures, Comment Period End 2/1/96	11/03/95	60 FR 55904
SNPRM Structural Measures, Comment Period End 3/27/96	12/28/95	60 FR 67226
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation; Environmental Impact

Additional Information: This entry was previously titled Existing Tank Vessel Hull Requirements. The correct docket number is 91-045. The rulemaking project has been divided into three distinct parts: A final rule was published that requires an advance notice of arrival for all tank vessels 5,000 GT or more entering U.S. ports and the carriage of lightering equipment on these vessels. Two separate supplemental notices of proposed rulemakings were published for Structural Measures and Operational Measures using RIN 2115-AE01. Further action on Operational Measures will continue under RIN 2115-AE01. Structural Measures will use RIN 2115-AF27.

Agency Contact: LCDR S Englebert, Project Manager, G-MES-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6490

RIN: 2115-AE01

2097. +STATE ACCESS TO THE OIL SPILL LIABILITY TRUST FUND (CGD 92-014)

Priority: Other Significant

Legal Authority: 33 USC 2712

CFR Citation: 33 CFR 133

Legal Deadline: NPRM, Statutory, February 18, 1991.

Abstract: Pursuant to the Oil Pollution Act of 1990 (OPA 90), this action will specify how the authority to obligate the pollution trust fund for oil spill response and cleanup efforts and to enter into agreements with the States will be exercised.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/13/92	57 FR 53968
Interim Final Rule Comment Period End	02/11/93	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 11/13/92 (57 FR 53968)

Additional Information: Based on experience under the interim rule, the

DOT—USCG

Final Rule Stage

Coast Guard is reconsidering whether further rulemaking is necessary.

Agency Contact: Al Thuring, Project Manager, National Pollution Fund Center, Department of Transportation, U.S. Coast Guard, 4200 Wilson Blvd, Suite 1000, Arlington, VA 22203-1804
Phone: 703 235-4746

RIN: 2115-AE19

2098. NEW YORK VESSEL TRAFFIC SERVICE (CGD 92-052)

Priority: Other

Legal Authority: 33 USC 1231

CFR Citation: 33 CFR 161

Legal Deadline: None

Abstract: The Coast Guard originally intended to expand the geographic boundaries of VTS New York in two phases. An Interim Final Rule was published on 09/01/93 implementing the first phase of the expansion. The planned final phase will not be completed due to Fiscal Year 1996 operating budget cutbacks. As a result, the Final Rule will encompass the geographic boundaries described in the 1993 Interim Final Rule.

Timetable:

Action	Date	FR Cite
NPRM	05/25/93	58 FR 30098
NPRM Comment Period End	07/09/93	
Interim Final Rule	09/01/93	58 FR 46081
Interim Final Rule Effective	10/18/93	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
09/01/93 (58 FR 46081)

Agency Contact: Irene Hoffman, Project Manager, G-MVO-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6277

RIN: 2115-AE36

2099. REGATTA REGULATIONS

Priority: Routine and Frequent

Legal Authority: 33 USC 1233

CFR Citation: 33 CFR 100

Legal Deadline: None

Abstract: Nonsignificant regulations issued routinely and frequently to

ensure the safety of life on navigable waters before, during and after approved regatta and marine parade events. Total actions expected to continue through October 1996: 250.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: This is an open docket for routine field regulations.

Agency Contact: Carlton Perry, Project Manager, G-NAB, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 2115-AE46

2100. DRAWBRIDGE REGULATIONS

Priority: Routine and Frequent

Legal Authority: 33 USC 499

CFR Citation: 33 CFR 117

Legal Deadline: None

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected to continue through October 1996: 50.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: This is an open docket for routine field regulations.

Agency Contact: Alesia Steinberger, Project Manager, G-NBR-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6215

RIN: 2115-AE47

2101. FACILITIES TRANSFERRING OIL AND HAZARDOUS MATERIAL IN BULK (CGD 93-056)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1231; 33 USC 1321

CFR Citation: 33 CFR 154

Legal Deadline: None

Abstract: The object of this rulemaking is to revise the provisions of 33 CFR part 154 to provide regulations covering facilities transferring oil or hazardous materials that are clearer than the current regulations and promote a high level of safety and environmental protection.

Timetable:

Action	Date	FR Cite
NPRM	02/23/95	60 FR 10044
NPRM Comment Period End	05/24/95	
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: LCDR John Farthing, Project Manager, G-MCO-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-0505

RIN: 2115-AE59

2102. INLAND NAVIGATION RULES; LIGHTING PROVISIONS (CGD 94-011)

Priority: Substantive, Nonsignificant

Legal Authority: 14 USC 2; 14 USC 633; 33 USC 151(a); 33 USC 2071

CFR Citation: 33 CFR 80; 33 CFR 82; 33 CFR 84; 33 CFR 87; 33 CFR 88; 33 CFR 90

Legal Deadline: None

Abstract: This rulemaking would amend certain technical lighting provisions and interpretive regulations which supplement the Inland Navigation Rules and the International Regulations for Preventing Collisions at Sea (72 COLREGS). These changes would bring certain technical rules into conformity with amendments to the 72 COLREGS scheduled to become effective in November, 1995. The Coast Guard is also proposing several interpretive regulations to clarify ambiguities in the rules.

DOT—USCG

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	07/20/94	59 FR 37003
NPRM Correction	08/24/94	59 FR 43620
NPRM Comment	09/19/94	
Period End		
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: Final effective date will be no earlier than October 1995 to correspond with effective date of COLREGS amendments. The NPRM of 07/20/94 erroneously indicated RIN 2115-AE72.

Agency Contact: Diane Appleby, Project Manager, G-MVO-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0352

RIN: 2115-AE71

2103. REGULATED NAVIGATION AREAS

Priority: Routine and Frequent

Legal Authority: 33 USC 1233; 50 USC 191; 33 CFR 1.05-1(g); 33 CFR 6.04-1; 33 CFR 6.04-6; 33 CFR 160.5

CFR Citation: 33 CFR 165

Legal Deadline: None

Abstract: Nonsignificant local regulations issued routinely and frequently as part of an established body of technical requirements to keep those requirements operationally current. Occasionally, Regulated Navigation Areas which are more extensive will be listed separately. Fifteen actions expected to continue through October 1996.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: This is an open docket for routine field regulations.

Agency Contact: Margie G. Hegy, Project Manager, G-MVO-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0415

RIN: 2115-AE84

2104. +VESSEL REBUILD DETERMINATIONS (CGD 94-040)

Priority: Other Significant

Legal Authority: 14 USC 664; 31 USC 9701; 42 USC 9118; 46 USC 2103; 46 USC 2107; 46 USC 2110; 46 app USC 841a; 46 app USC 876

CFR Citation: 46 CFR 67

Legal Deadline: None

Abstract: This rulemaking would define relevant terms and develop a standard to determine the character and scope of work on a vessel that will result in a determination that the vessel has been rebuilt. Initiation of this proceeding is contemplated under the North American Free Trade Agreement. It is significant because it is of substantial interest to the maritime industry and the Canadian government.

Timetable:

Action	Date	FR Cite
NPRM	04/05/95	60 FR 17290
NPRM Comment	07/05/95	
Period End		
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: A policy statement published May 10, 1994 (59 FR 24060), described the Coast Guard's regulatory standard for rebuild determinations and related practices and procedures, pending publication of a final rule.

Agency Contact: Patricia Williams, Project Manager, Department of Transportation, U.S. Coast Guard, National Vessel Documentation Center, Martinsburg, WV 25401
Phone: 800 799-8362

RIN: 2115-AE85

2105. NAVIGATION SAFETY EQUIPMENT FOR TOWING VESSELS (CGD 94-020)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1223; 33 USC 1231

CFR Citation: 33 CFR 164

Legal Deadline: None

Abstract: This regulation will require towing vessels to carry certain

navigation safety equipment such as radar, compasses, depth sounders, charts and publications. This rulemaking is necessary as part of a comprehensive initiative to improve navigation safety for towing vessels.

Timetable:

Action	Date	FR Cite
NPRM	11/03/95	60 FR 55890
NPRM Comment	02/01/96	
Period End		
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: LCDR Suzanne Englebert, Project Manager, G-MES-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6490

RIN: 2115-AE91

2106. PROGRAMS FOR CHEMICAL DRUG AND ALCOHOL TESTING OF COMMERCIAL VESSEL PERSONNEL: REMOVAL OF FOREIGN IMPLEMENTATION DATE (CGD 95-011)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 2103; 46 USC 3306; 46 USC 7101; 46 USC 7301; 46 USC 7701

CFR Citation: 46 CFR 16

Legal Deadline: None

Abstract: This project would remove the effective date of regulations governing drug testing onboard vessels within waters subject to a foreign jurisdiction.

Timetable:

Action	Date	FR Cite
NPRM	08/21/95	60 FR 43426
NPRM Comment	10/20/95	
Period End		
Interim Final Rule	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: LCDR D. Darcy, Project Manager, G-MOS-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0221

RIN: 2115-AF02

DOT—USCG

Final Rule Stage

2107. ADOPTION OF INDUSTRY STANDARDS (CGD 95-027)**Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** 46 USC 3306; 46 USC 4104**CFR Citation:** 46 CFR 26; 46 CFR 31; 46 CFR 32; 46 CFR 34; 46 CFR 35; 46 CFR 38; 46 CFR 54; 46 CFR 56; 46 CFR 61; 46 CFR 72; 46 CFR 76 to 78; 46 CFR 92; 46 CFR 95 to 97; 46 CFR 108; 46 CFR 109; ...**Legal Deadline:** None**Abstract:** This rulemaking will revise or remove sections of 46 CFR that are obsolete, unnecessary or excessive when compared to International Marine Safety Standards. In many cases regulations will be replaced by incorporated industry standards.**Timetable:**

Action	Date	FR Cite
NPRM	12/20/95	60 FR 65988
NPRM Comment Period End	02/20/96	
Final Action	06/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation**Agency Contact:** LCDR R. K. Butturini, Project Manager, G-MMS-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0027**RIN:** 2115-AF09**2108. ALTERNATE COMPLIANCE VIA RECOGNIZED CLASSIFICATION SOCIETY AND U.S. SUPPLEMENT TO RULES (CGD 95-010)****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1333; 46 USC 3306; 46 USC 5115**CFR Citation:** 46 CFR 30 to 31; 46 CFR 70 to 71; 46 CFR 90 to 91; 46 CFR 107**Legal Deadline:** None**Abstract:** This rulemaking will provide owners of U.S. tank vessels, passenger vessels, cargo vessels, miscellaneous vessels and mobile offshore drilling units an alternative method to fulfill the requirements for vessel design,

inspection, and certification. Under the rule, the Coast Guard will issue a certificate of inspection based upon a recognized classification society's report that the vessel complies with the International Convention for the Safety of Life at Sea, as amended (SOLAS), other applicable international conventions, classification society rules, and other specified requirements. This will reduce the burden on vessel owners and operators by eliminating duplicative plan reviews and inspections by the classification society and the Coast Guard.

Timetable:

Action	Date	FR Cite
NPRM	06/22/95	60 FR 32478
NPRM Comment Period End	09/20/95	
Final Action	07/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation**Agency Contact:** LCDR G. Cummings, Project Manager, G-MMS, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0171**RIN:** 2115-AF11**2109. • ELECTRICAL ENGINEERING REGULATIONS FOR MERCHANT VESSELS (CGD 94-108)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 46 USC 2103; 46 USC 2113; 46 USC 3306; 46 USC 3703**CFR Citation:** 46 CFR 108; 46 CFR 110 to 113; 46 CFR 161**Legal Deadline:** None**Abstract:** The Coast Guard needs to revise the technical content of subchapter J and related material to address changes in technology, to implement new requirements of international conventions to which the U.S. is signatory and to reflect experiences gained since the previous revision in 1982. Some special purpose cable is not readily available to show compliance with flame propagation resistance standards. The Coast Guard

must modify regulations to provide appropriate, but attainable, fire safety for these cable installations. The contracting governments to the International Convention for the Safety of Life at Sea (SOLAS 74) have adopted amendments since 1982; the Coast Guard may integrate them into our regulations. The increased tendency toward overseas construction of U.S. flag vessels and the variety of equipment manufactured abroad have created a need to more readily recognize design and installation in accordance with international standards. To eliminate needless regulatory burden, the Coast Guard is deleting and extensively revising obsolete or confusing regulation. Engine order telegraphs, sound powered phones and fire protective systems are but a few of the areas affected.

Timetable:

Action	Date	FR Cite
NPRM	02/02/96	61 FR 4132
Correction	02/23/96	61 FR 7050
Notice of Meeting and Comment Period Extended to 4/2/96	02/26/96	61 FR 7090
Correction to NPRM	03/05/96	61 FR 8539
NPRM Comment Period End	03/18/96	
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Gerald P. Miantie, Project Manager, G-MMS-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-2206**RIN:** 2115-AF24**2110. • +STRUCTURAL MEASURES TO REDUCE OIL SPILLS FROM EXISTING TANK VESSELS WITHOUT DOUBLE HULLS (91-045A)****Priority:** Economically Significant**Legal Authority:** 46 USC 3703; PL 101-380**CFR Citation:** 33 CFR 157**Legal Deadline:** Final, Statutory, August 18, 1991.**Abstract:** This rulemaking will address the interim measures existing vessels must take to provide substantial protection to the environment. The interim measures will apply to existing vessels until the vessel must comply with the double-hull regulations. No

DOT—USCG

Final Rule Stage

tank vessel without a double hull may operate after January 15, 2015. Interim measures may include structural standards to provide substantial protection to the environment that are economically and technologically feasible. This rulemaking is considered significant due to substantial public interest and environmental impact.

Timetable:

Action	Date	FR Cite
ANPRM	11/01/91	56 FR 56284
ANPRM Comment Period End	12/31/91	

Action	Date	FR Cite
NPRM	10/22/93	58 FR 54870
NPRM Comment Period End	12/20/93	
SNPRM	12/28/95	60 FR 67226
Notice of Meeting and Comment Period Extended to 4/10/96	02/20/96	61 FR 6334
Notice of Correction to SNPRM	02/21/96	61 FR 6590
SNPRM Comment Period End	03/27/96	
Final Action	03/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: This action was part of RIN 2115-AE01 until the SNPRM stage. Correction published 2/21/96, 61 FR 6590, under this RIN corrects Table 2. The public meeting was 3/19/96.

Agency Contact: LCDR S. Englebert, Project Manager, G-MES-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-6490

RIN: 2115-AF27

DEPARTMENT OF TRANSPORTATION (DOT)

Long-Term Actions

U.S. Coast Guard (USCG)

2111. REVISION TO INFLATABLE LIFE RAFT APPROVAL: SOLAS 74/83 (CGD 85-205)

Priority: Substantive, Nonsignificant

CFR Citation: 46 CFR 159; 46 CFR 160

Timetable:

Action	Date	FR Cite
ANPRM; RIN 2115-AA50	06/29/81	46 FR 33341
NPRM; RIN 2115-AA50	01/11/85	50 FR 7558
Comment Period Extended to 10/14/85; RIN 2115-AA50	07/05/85	50 FR 27628
Comment Period Extended to 01/10/86; RIN 2115-AA50	09/09/85	50 FR 36639
ANPRM; RIN 2115-AA57	08/14/86	51 FR 29117
Notice of Public Meeting; RIN 2115-AA57	12/22/86	51 FR 45783
NPRM	10/18/94	59 FR 52590
NPRM Comment Period End	02/15/95	

Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mr. Kurt Heinz
Phone: 202 267-1079

RIN: 2115-AC51

2112. VESSEL IDENTIFICATION SYSTEM (CGD 89-050)

Priority: Substantive, Nonsignificant

CFR Citation: 33 CFR 187

Timetable:

Action	Date	FR Cite
ANPRM	09/15/89	54 FR 38358
ANPRM Comment Period End	12/14/89	
NPRM	10/05/93	58 FR 51920
NPRM Correction	10/15/93	58 FR 53624
NPRM Comment Period End	01/03/94	
NPRM Comment Period Reopened to 03/28/94	02/24/94	59 FR 8881
Interim Final Rule	04/25/95	60 FR 20310
Interim Final Rule Comment Period End	07/24/95	
Interim Final Rule Comment Period Reopened to 12/31/95	10/17/95	60 FR 53727
Interim Final Rule: Change in Effective Date	02/23/96	61 FR 6943
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: LCDR Rick Ferraro
Phone: 202 267-0386

RIN: 2115-AD35

2113. +DISCHARGE-REMOVAL EQUIPMENT FOR VESSELS CARRYING OIL (CGD 90-068)

Priority: Other Significant

CFR Citation: 46 CFR 165

Timetable:

Action	Date	FR Cite
ANPRM	08/30/91	56 FR 43534
ANPRM Comment Period End	10/16/91	

Timetable:

Action	Date	FR Cite
NPRM	09/29/92	57 FR 44912
NPRM Comment Period Extended to 11/16/92	10/26/92	57 FR 48489
NPRM Comment Period End	10/29/92	
Interim Final Rule	12/22/93	58 FR 67988
Interim Final Rule Effective	01/22/94	
Interim Final Rule Correction	01/26/94	59 FR 3749
Interim Final Rule Comment Period End	02/22/94	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: LT Cliff Thomas
Phone: 202 267-1099

RIN: 2115-AD66

2114. TANK LEVEL OR PRESSURE MONITORING DEVICES (CGD 90-071)

Priority: Substantive, Nonsignificant

CFR Citation: 46 CFR 32

Timetable:

Action	Date	FR Cite
ANPRM	05/07/91	56 FR 21116
ANPRM Comment Period End	10/04/91	
Notice of Availability of Technical Feasibility Study	02/05/93	58 FR 2292
Notice of Public Meeting	11/15/94	59 FR 58810
NPRM	08/21/95	60 FR 43427
NPRM Comment Period End	11/20/95	
Final Action	10/00/97	

DOT—USCG

Long-Term Actions

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Randy Crenwelge
Phone: 202 267-6220

RIN: 2115-AD69

2115. +OVERFILL DEVICES (CGD 90-071A)

Priority: Other Significant

CFR Citation: 33 CFR 155 to 156

Timetable:

Action	Date	FR Cite
NPRM	01/12/93	58 FR 4040
NPRM Comment Period End	03/15/93	
Notice of Public Meeting	10/21/93	58 FR 54315
Interim Final Rule	10/21/94	59 FR 53286
Interim Final Rule Comment Period End	01/19/95	
Interim Final Rule Effective	01/19/95	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Randy Crenwelge
Phone: 202 267-6220

RIN: 2115-AD87

2116. +ESCORT VESSELS FOR CERTAIN TANKERS (CGD 91-202)

Priority: Other Significant

CFR Citation: 33 CFR 168

Timetable:

Action	Date	FR Cite
NPRM	07/07/92	57 FR 30058
NPRM Comment Period End	09/08/92	
NPRM Comment Period Reopened to 07/24/93	03/26/93	58 FR 16391
ANPRM: Further Comments Due 6/28/93	04/27/93	58 FR 25766
Notice of Public Hearings	04/29/93	58 FR 25959
Notice of Public Hearings Correction	05/19/93	58 FR 29157
Notice of Availability of Part 1 of Study	01/10/94	59 FR 1411
Final Rule: Effective	08/19/94	59 FR 42962
11/17/94		
Final Rule: Partial Suspension: Effective 11/17/94	11/01/94	59 FR 54519

Action	Date	FR Cite
Final Rule: Request for Comments: Comment Period to 01/30/95	11/01/94	59 FR 54519
Notice of Availability of Part II of Study	02/01/95	60 FR 6345
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Tom Jordan
Phone: 202 267-0142

RIN: 2115-AE10

2117. +FEDERAL AGENCY ACCESS TO THE OIL SPILL LIABILITY TRUST FUND (CGD 92-074)

Priority: Other Significant

CFR Citation: 33 CFR 134; 33 CFR 137;
33 CFR 153

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected:
Undetermined

Agency Contact: Al Thuring
Phone: 703 235-4746

RIN: 2115-AE34

2118. NOTICE OF HAZARDOUS CONDITIONS (CGD 94-027)

Priority: Substantive, Nonsignificant

CFR Citation: 33 CFR 160

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/03/94	59 FR 39458
Interim Final Rule Effective	08/03/94	
Interim Final Rule Comment Period End	12/01/94	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: CDR Dennis Haise
Phone: 202 267-6451

RIN: 2115-AE82

2119. IMMEDIATE REPORTING OF CASUALTIES (CGD 94-030)

Priority: Substantive, Nonsignificant

CFR Citation: 46 CFR 4

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/03/94	59 FR 39469

Action	Date	FR Cite
Interim Final Rule Effective	08/03/94	
Interim Final Rule Comment Period End	11/01/94	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: LCDR P. A. Jensen
Phone: 202 267-6134

RIN: 2115-AE89

2120. RADAR-OBSERVER ENDORSEMENT FOR OPERATORS OF UNINSPECTED TOWING VESSELS (CGD 94-041)

Priority: Substantive, Nonsignificant

CFR Citation: 46 CFR 10; 46 CFR 15

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/26/94	59 FR 53754
Interim Final Rule Effective 11/25/94	10/26/94	
Interim Final Rule Comment Period End	01/24/95	
Comment Period Reopened to 6/1/95	02/14/95	60 FR 8308
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: LCDR Don Darcy
Phone: 202 267-0221

RIN: 2115-AE92

2121. MODERNIZATION OF EXAMINATION METHODS (CGD 94-029)

Priority: Other

CFR Citation: 46 CFR 10; 46 CFR 12

Timetable:

Action	Date	FR Cite
NPRM	02/23/95	60 FR 10053
NPRM Comment Period End	05/24/95	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark Gould
Phone: 202 267-6890

RIN: 2115-AE94

DEPARTMENT OF TRANSPORTATION (DOT)

Completed Actions

U.S. Coast Guard (USCG)

2122. TRAINING IN THE USE OF AUTOMATIC RADAR PLOTTING AIDS (ARPA) (CGD 85-089)**Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1223; 46 USC 3703**CFR Citation:** 33 CFR 164; 46 CFR 10**Legal Deadline:** None

Abstract: This rulemaking was initiated to establish a requirement for training in the use of ARPA for licensed deck officers on vessels fitted with ARPA units. Existing International Maritime Organization (IMO) guidelines were used in drafting the proposed requirements. These IMO guidelines are being replaced with the implementation of the 1995 Amendments to the International Convention on Standards of Training, Certification, and Watchkeeping for Seafarers (STCW). As a result, the Coast Guard is withdrawing this rulemaking with the intention of initiating another rulemaking implementing the new requirements when they become effective in February 1997.

Timetable:

Action	Date	FR Cite
ANPRM	10/24/85	50 FR 43258
ANPRM Comment Period End	12/23/85	
NPRM	03/07/90	55 FR 8155
NPRM Comment Period End	06/05/90	
Withdrawn	10/24/95	60 FR 54466

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 03/07/90 (55 FR 8155)

Agency Contact: Robert S. Spears, Jr., Project Manager, NMC, Department of Transportation, U.S. Coast Guard, National Maritime Center, 4200 Wilson Boulevard, Suite 510, Arlington, VA 22203

Phone: 703 235-1864

RIN: 2115-AB99

2123. REGATTAS AND MARINE PARADES (CGD 87-087)**Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1233**CFR Citation:** 33 CFR 100.15**Legal Deadline:** None

Abstract: This proposal would amend current regatta and marine parade regulations to increase the minimum time requirement for submitting regatta permit applications. The rulemaking would allow the Coast Guard additional time to review regatta permit applications, conduct appropriate coordination, and provide necessary public notice relating to regattas and marine events. The Coast Guard has reconsidered the benefits of proceeding with this single issue regulatory project and has decided instead to withdraw the rulemaking and reexamine the issue of permit application submission times as part of a broader regulatory review of the entire regatta and marine parade permitting process. The rulemaking docket 87-087 is being merged with the rulemaking docket 95-054.

Timetable:

Action	Date	FR Cite
NPRM	02/04/88	53 FR 3221
NPRM Comment Period End	04/04/88	
Withdrawn	12/26/95	60 FR 66772

Small Entities Affected: Organizations**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 02/04/88 (53 FR 3221)

Agency Contact: Carlton Perry, Project Manager, G-NAB, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 2115-AC84

2124. +FINANCIAL RESPONSIBILITY FOR WATER POLLUTION (VESSELS) (CGD 91-005)**Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 33 USC 2716; 42 USC 9608**CFR Citation:** 33 CFR 130 to 132; 33 CFR 137**Legal Deadline:** None

Abstract: This rulemaking implements the provisions concerning financial

responsibility for vessels in the Oil Pollution Act of 1990 and the Comprehensive Environmental Response Compensation and Liability Act. It prescribes the means by which owners and operators of vessels establish and maintain evidence of insurance or other evidence of financial responsibility sufficient to meet their potential limits of liability under these Acts. This rule is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	09/26/91	56 FR 49006
NPRM Comment Period End	11/25/91	
NPRM Comment Period Extended to 01/24/92	12/02/91	56 FR 61216
Notice of Availability of Draft Regulatory Impact Analysis	07/21/93	58 FR 38993
Interim Final Rule	07/01/94	59 FR 34210
Interim Final Rule Comment Period End	09/29/94	
Final Action	03/07/96	61 FR 9264

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 07/01/94 (59 FR 34210)

Additional Information: The Oil Pollution Act of 1990 (OPA) repealed or superseded certain oil spill liability provisions under the Federal Water Pollution Control Act (33 USC 1321), title III of the Outer Continental Shelf Lands Act Amendments of 1978 (43 USC 1814), the Trans-Alaska Pipeline Authorization Act (43 USC 1653), and the Deepwater Port Act of 1974 (33 USC 1517). The financial responsibility provisions of those Acts were replaced by a single financial responsibility regime under OPA and keyed to the broader liability of OPA. In addition to financial responsibility requirements under OPA, which is limited to oil, this project would include financial responsibility requirements under the Comprehensive Environmental Response, Compensation, and Liability Act, which concerns hazardous substances. This consolidation would allow the issuance of a single, unified Certificate of Financial Responsibility for vessels, replacing separate certificates and financial responsibility regimes under the previously mentioned Acts.

DOT—USCG

Completed Actions

Agency Contact: Robert M. Skall, Project Manager, G-NPFC, Department of Transportation, U.S. Coast Guard, National Pollution Funds Center, 4200 Wilson Blvd, Suite 1000, Arlington, VA 22203-1804
Phone: 703 235-4704

RIN: 2115-AD76

2125. +TANK VESSEL RESPONSE PLANS (CGD 91-034)

Priority: Other Significant

Legal Authority: 33 USC 1231; 33 USC 1321(j); 33 USC 1903(b); 33 USC 2735; 46 USC 3715; PL 101-380

CFR Citation: 33 CFR 155

Legal Deadline: Final, Statutory, August 18, 1992.

Abstract: This rulemaking partially implements sections 4202(b)(4) and 5005 of the Oil Pollution Act of 1990, P.L. 101-380 (OPA-90), concerning tank vessel and facility response plans. Section 4202(b)(4) of the OPA-90 amends section 311(j)(5) of the Federal Water Pollution Control Act (FWPCA), which requires owners and operators of tank vessels and facilities to develop response plans for responding to worst-case discharges (or substantial threat thereof) of oil or hazardous substances. Section 5005 requires that response plans for tank vessels operating in Prince William Sound, Alaska, and facilities permitted under the Trans-Alaska Pipeline Authorization Act provide for additional measures of oil spill preparedness. This action is considered significant because of substantial public interest and environmental considerations. This rulemaking covers tank vessel requirements for oil-spill response plans. A separate rulemaking under RIN 2115-AE88 will address tank vessel response plans for hazardous substances. Facility response plan requirements for oil and hazardous substances will also be addressed by separate rulemakings under RINs 2115-AD82 and 2115-AE87, respectively.

Timetable:

Action	Date	FR Cite
ANPRM	08/30/91	56 FR 43534
ANPRM Comment Period End	10/16/91	
NPRM	06/19/92	57 FR 27514
NPRM Correction	07/01/92	57 FR 29354
Notice of Meetings	07/28/92	57 FR 33287
NPRM Comment Period End	08/03/92	

Action	Date	FR Cite
Interim Final Rule	02/05/93	58 FR 7376
Interim Final Rule Correction	03/15/93	58 FR 13708
Interim Final Rule Comment Period End	04/06/93	58 FR 7376
Final Action	01/12/96	61 FR 1052
Final Action Effective	04/11/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis; Regulatory Evaluation 02/05/93 (58 FR 7376)

Additional Information: The status of development of response plans was published 08/21/92 (57 FR 37920). A workshop notice was published 07/16/93 (58 FR 38450), and an additional day added 07/22/93 (58 FR 39272).

Agency Contact: LT Cliff Thomas, Project Manager, G-MES-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1099

RIN: 2115-AD81

2126. +FACILITY RESPONSE PLANS (CGD 91-036)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1321(j); PL 101-380

CFR Citation: 33 CFR 154

Legal Deadline: Final, Statutory, August 18, 1992.

Abstract: This rulemaking partially implements sections 4202(b)(4) and 5005 of the Oil Pollution Act of 1990, P.L. 101-380 (OPA 90), concerning tank vessel and facility response plans. Section 4202(b)(4) of OPA-90 amends section 311(j)(5) of the Federal Water Pollution Control Act (FWPCA), which requires owners and operators of tank vessels and facilities to develop response plans for responding to worst-case discharges (or substantial threat thereof) of oil or hazardous substances. Section 5005 requires that response plans for tank vessels operating in Prince William Sound, Alaska, and

facilities permitted under the Trans-Alaska Pipeline Authorization Act provide for additional measures of oil spill preparedness. This action is considered significant because of substantial public interest and environmental considerations. This rulemaking covers facility requirements for oil-spill response plans. A separate rulemaking under RIN 2115-AE87 will address facility response plans for hazardous substances. Tank vessel response plan requirements for oil and hazardous substances will also be addressed by separate rulemakings under RINs 2115-AD81 and 2115-AE88, respectively.

Timetable:

Action	Date	FR Cite
ANPRM	03/11/92	57 FR 8708
ANPRM Comment Period End	04/27/92	
Interim Final Rule	02/05/93	58 FR 7330
Interim Final Rule Correction	03/12/93	58 FR 13550
Interim Final Rule Comment Period End	04/06/93	58 FR 7330
Final Action	02/29/96	61 FR 7890
Final Action Effective	05/29/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 02/05/93 (58 FR 7330)

Additional Information: A workshop notice was published 07/16/93 (58 FR 38450), and an additional day added 07/22/93 (58 FR 39272).

Agency Contact: LT Cliff Thomas, Project Manager, G-MES-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1099

RIN: 2115-AD82

2127. CRIMINAL RECORD REVIEWS AND ACCESS TO THE NATIONAL DRIVER REGISTER (CGD 91-212)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 7101; 46 USC 7109; 46 USC 7302

CFR Citation: 46 CFR 10; 46 CFR 12

Legal Deadline: None

Abstract: This action provides the Coast Guard discretionary authority to review the criminal record of each applicant for a merchant mariner credential and require that each

DOT—USCG

Completed Actions

merchant mariner credential applicant make available information contained in the National Driver Register (NDR). The regulation creates procedures to allow an applicant for a license, Certificate of Registry, or merchant mariner document to comment upon any data received from the NDR before the data could be used against an individual merchant mariner's application. RIN-AD96, concerning national driver registry data, has been consolidated into this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	03/13/95	60 FR 13570
NPRM Comment Period End	06/12/95	
Final Action	12/19/95	60 FR 65478
Final Action Effective	01/18/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Jim Cratty, Project Manager, G-MES-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6742

RIN: 2115-AD93

2128. SUSPENSION AND REVOCATION OF LICENSES, CERTIFICATES OF REGISTRY, AND MERCHANT MARINERS' DOCUMENTS (CGD 94-101)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 2101; 46 USC 7701; 46 USC 7702; 46 USC 7703

CFR Citation: 46 CFR 1; 46 CFR 5

Legal Deadline: None

Abstract: Amendments to 46 CFR 5 would add (1) guidance for prehearing suspension of licenses, certificates of registry, and merchant mariners' documents (credentials); (2) two new provisions under which a merchant mariner's credentials may be suspended or revoked; and (3) a new requirement that must be satisfied before a merchant mariner's credentials can be issued after revocation or surrender. The subject matter of this rulemaking will be addressed in a new project entitled "Consolidation of Procedures for Administrative Hearings on Suspension and Revocation of Merchant Mariners' Credentials and on Class II Civil

Penalties" (CGD 94-111). Therefore, this project is terminated.

Timetable:

Action	Date	FR Cite
Action Terminated	12/20/95	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Janet Walton, Project Manager, G-MES-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0257

RIN: 2115-AD94

2129. APPROVAL OF INFLATABLE PERSONAL FLOTATION DEVICES (PFDS) FOR RECREATIONAL BOATERS (CGD 93-055)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 46 USC 4302; 46 USC 4310

CFR Citation: 33 CFR 175; 33 CFR 179; 33 CFR 181; 46 CFR 2; 46 CFR 159; 46 CFR 160

Legal Deadline: None

Abstract: The Coast Guard is establishing approval procedures for recreational inflatable personal flotation devices (PFDs), revising the approval procedures for other kinds of recreational PFDs, and making editorial changes to the equipment approval procedures. These procedures are intended to establish an efficient approval procedure for PFDs and other equipment relying more heavily on accepted independent or recognized laboratories. The Coast Guard anticipates that recreational boaters will be more likely to wear inflatable PFDs than currently approved devices, thereby increasing use of PFDs by the boating public and saving lives.

Timetable:

Action	Date	FR Cite
ANPRM	11/09/93	58 FR 59428
Notice of Meeting	02/24/94	59 FR 9015
ANPRM Comment Period End	03/09/94	

Action	Date	FR Cite
NPRM	06/23/95	60 FR 32861
NPRM Comment Period End	10/23/95	
Final Action	03/28/96	61 FR 13924
Final Action Effective	04/29/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: Related item is Recreational Inflatable Personal Flotation Device Standards (CGD 94-110) RIN 2115-AE96 published 3/28/96, 61 FR 13931.

Agency Contact: Kurt Heinz, Project Manager, G-MMS-4, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593

Phone: 202 267-1444

RIN: 2115-AE58

2130. REVISION OF DAMAGE STABILITY REQUIREMENTS FOR NEW PASSENGER SHIP DESIGNS (CGD 94-010)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 1333(d); 46 USC 3306; 46 USC 3703; 46 USC 5115; 50 USC 198

CFR Citation: 46 CFR 171.080(d); 46 CFR 171.080(e); 46 CFR 171.080(f); 46 CFR 171.080(g)

Legal Deadline: None

Abstract: This rule revises the passenger vessel damage stability criteria in 46 CFR 171.080 for new domestic passenger vessels.

Timetable:

Action	Date	FR Cite
NPRM	08/10/94	59 FR 40855
Notice of Public Hearing	08/10/94	59 FR 40855
Notice of Meeting and Comment Period Extended to 12/16/94	11/04/94	59 FR 55232
NPRM Comment Period End	12/16/94	
Final Action	10/17/95	60 FR 53710
Final Action Effective	04/15/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: LCDR R. Holzman, Project Manager, G-MMS-2, Department of Transportation, U.S. Coast Guard,

DOT—USCG

Completed Actions

2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0143

RIN: 2115-AE75

2131. ALEUTIAN TRADE ACT (CGD 94-025)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 3316; 46 USC 4502; 46 USC 4506; 46 USC 6104; 46 USC 10603; 49 app USC 1804

CFR Citation: 46 CFR 28

Legal Deadline: None

Abstract: This rulemaking creates a separate project limited to implementation of the Aleutian Trade Act (ATA). It establishes safety requirements for common carriers. Regulations proposed for these vessels in a Supplemental Notice of Proposed Rulemaking published October 27, 1992 (57 FR 48670), are modified and published separately under this rulemaking.

Timetable:

Action	Date	FR Cite
SNPRM; Comment Period End	09/13/94	59 FR 47034
SNPRM Comment Period Extended to	11/22/94	59 FR 60110
	12/31/94	
Final Action	10/24/95	60 FR 54441
Final Action Effective	04/22/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: The rulemaking initiated under RIN 2115-AD12 addressed seven separate topics related to improving commercial fishing vessel safety, including stability, equipment, and carriage of exposure suits. It also addressed implementation of the Aleutian Trade Act provisions. This rulemaking addresses only the implementation of the Aleutian Trade Act. The remaining topics will remain under RIN 2115-AD12.

Agency Contact: LCDR Mark D. Bobal, Project Manager, G-MOS-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0836

RIN: 2115-AE77

2132. INLAND WATERWAYS NAVIGATION REGULATIONS; WRANGELL NARROWS, AK (CGD 94-026)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1231

CFR Citation: 33 CFR 162

Legal Deadline: None

Abstract: This rule allows single barge tows of up to 100 feet in width overall to transit Wrangell Narrows, AK. Previous size restriction is 80 feet in width overall.

Timetable:

Action	Date	FR Cite
NPRM	09/15/95	60 FR 47905
NPRM Comment Period End	11/14/95	
Final Action	12/12/95	60 FR 63623
Final Action Effective	01/11/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Diane Appleby, Project Manager, G-MVO-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0352

RIN: 2115-AE78

2133. RECREATIONAL INFLATABLE PERSONAL FLOTATION DEVICE STANDARDS (CGD 94-110)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 4302; 46 USC 4310

CFR Citation: 46 CFR 160

Legal Deadline: None

Abstract: This rule adds regulations for the approval of inflatable personal flotation devices (PFDs) for use on recreational boats. These new regulations establish structural and performance standards for these inflatable PFDs, as well as the procedures for Coast Guard approval of such inflatable PFDs. Most of the technical requirements are based on an industry consensus standard. The costs to the industry include such items as approval testing and production testing similar to other approved lifesaving equipment, and are optional since no one will be required to replace an existing PFD with one of these devices. Costs will be minimal.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/23/95	60 FR 32836
Notice of Meeting; Request for Comments, Comment Period End	08/02/95	60 FR 39268
Interim Final Rule Comment Period Reopened to	10/10/95	60 FR 52631
	11/6/95	
Interim Final Rule Comment Period End	10/23/95	
Final Action	03/28/96	61 FR 13931
Final Action Effective	09/24/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: See related item Approval of Inflatable Personal Flotation Devices for Recreational Boaters (CGD 93-055) published 3/28/96, 61 FR 13924.

Agency Contact: Samuel E. Wehr, Project Manager, G-MMS-4, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1444

RIN: 2115-AE96

2134. INTERNATIONAL NAVIGATION RULES (CGD 95-053)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1051 to 1094

CFR Citation: 33 CFR 81

Legal Deadline: None

Abstract: This administrative rulemaking removes unnecessary appendix A which contains the text of the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS); and updates the list of U.S. Territories and possessions where the treaty applies. This administrative action has no impact on the marine industry as it does not change any requirements imposed upon them.

DOT—USCG

Completed Actions

Timetable:

Action	Date	FR Cite
Direct Final Rule Comment Period End 3/4/96	01/02/96	61 FR 8
Final Action	03/14/96	61 FR 10466
Final Action Effective	04/01/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Diane Appleby, Project Manager, G-MVO-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0352
RIN: 2115-AF16

2135. RECREATIONAL VESSEL FEES (CGD 95-055)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 46 USC 2110; PL 102-582

CFR Citation: 33 CFR 1

Legal Deadline: None

Abstract: The Coast Guard removed regulations requiring payment of recreational vessel fees (RVF). The High Seas Driftnet Fisheries Enforcement Act of 1992 repealed the authority for RVF beginning with fiscal year 1995. The Coast Guard stopped collecting the fees on October 1, 1994. The RVF regulations are no longer valid and will be removed from the Code of Federal Regulations.

Timetable:

Action	Date	FR Cite
Final Action	02/21/96	61 FR 6542

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Carlton Perry, Project Manager, G-NAB, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 2115-AF18

2136. • FIFTH AND EIGHTH COAST GUARD DISTRICT MARINE INSPECTION AND CAPTAIN OF THE PORT ZONE BOUNDARIES (CGD 95-081)

Priority: Other

Legal Authority: 14 USC 633

CFR Citation: 33 CFR 3

Legal Deadline: None

Abstract: This rule amends descriptions of Marine Inspection and Captain of the Port zone boundaries in Title 33 CFR. The Coast Guard is reorganizing its Marine Safety Office Baltimore and Group Baltimore units by consolidating them into a single unit, Activities Baltimore. Concurrently, this rulemaking redefines the Philadelphia and Hampton Roads marine inspection zones and Captain of the Port zones to cover those areas of Delaware, eastern Maryland, northern Virginia, and the Atlantic Ocean, which were, but are no longer, within the Baltimore Marine Inspection Zone and Captain of the Port zone boundaries. Additionally, this rulemaking revises Title 33 CFR to reflect the merger of the former OCMi and COTP zones for Houston, TX and Galveston, TX into one OCMi and COTP zone designated as Houston-Galveston, TX.

Timetable:

Action	Date	FR Cite
Final Action	12/28/95	60 FR 67060
Final Action Effective	12/28/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Janet Walton, Project Manager, G-MES-2, Department of

Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0257

RIN: 2115-AF22

2137. • PROGRAMS FOR CHEMICAL AND ALCOHOL TESTING OF COMMERCIAL VESSEL PERSONNEL; DELAY OF IMPLEMENTATION DATES (CGD 95-090)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 2103; 46 USC 3306; 46 USC 7101; 46 USC 7301; 46 USC 7701

CFR Citation: 46 CFR 16

Legal Deadline: None

Abstract: The Coast Guard is delaying the effective date of regulations governing drug testing, insofar as those regulations would require testing of persons onboard U.S. vessels in waters that are subject to the jurisdiction of a foreign government. Under this final rule, the Coast Guard continues to delay the effective date for foreign implementation to allow completion of a permanent change to the regulations affecting foreign implementation of its drug testing rules.

Timetable:

Action	Date	FR Cite
Final Action	12/28/95	60 FR 67062
Final Action Effective	12/28/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This final rule is related to RIN 2115-AF02, CGD 95-011, NPRM published August 21, 1995.

Agency Contact: LT J. Hilton, Project Manager, G-MAO, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0686

RIN: 2115-AF25

DEPARTMENT OF TRANSPORTATION (DOT)

Proposed Rule Stage

Federal Aviation Administration (FAA)

2138. AIRWORTHINESS STANDARDS; CRASH-RESISTANT FUEL SYSTEMS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 40 USC 44701 to 44702; 49 USC 44704**CFR Citation:** 14 CFR 23**Legal Deadline:** None

Abstract: This action proposes changes to the airworthiness standards to improve the crash resistance of fuel systems on normal, utility, acrobatic, and commuter category airplanes. The FAA has determined that improved crash resistance of these fuel systems is necessary to prevent deaths and injuries due to fire in survivable crashes. The proposed design changes would limit fuel spillage near ignition sources and would provide additional time for the survivors to evacuate the airplane.

Timetable:

Action	Date	FR Cite
ANPRM	03/05/85	50 FR 8948
ANPRM Comment Period End	07/03/85	
NPRM	02/28/90	55 FR 7280
NPRM Comment Period End	06/28/90	
SNPRM	12/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 02/28/90 (55 FR 7280)

Additional Information: Formerly titled "Amend part 23 To Include Requirements for Crash-Resistant Fuel Systems." Project No. ACE-82-005R.

Agency Contact: Norman Vetter, Standards Office, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 601 E. 12th Street, Kansas City, MO 64106
Phone: 816 426-5688

RIN: 2120-AA57**2139. REVIEW OF PART 47, AIRCRAFT REGISTRATION, AND PART 49, RECORDING OF AIRCRAFT TITLES AND SECURITY DOCUMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113 to 40114; 49 USC 44101 to 44108; 49 USC 44110 to 44111; 49 USC 44713; 49 USC 45302; 49 USC 46104; 49 USC 46301**CFR Citation:** 14 CFR 47; 14 CFR 49**Legal Deadline:** None

Abstract: This notice would propose to update parts 47 and 49 of the Federal Aviation Regulations to reflect changes in the law, legal interpretations, other recent rulemaking actions, and the FAA's current aircraft registry practices. The intent of these proposed changes is to articulate, modernize, and simplify the existing regulations rather than alter established procedures.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 12/00/96**Additional Information:** Project Number AFS-89-201R.

Agency Contact: Sharon Ashford, Flight Standards Service, Department of Transportation, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Boulevard, Oklahoma City, Oklahoma 73125
Phone: 405 954-7038

RIN: 2120-AC17**2140. +PART 145 REVIEW: REPAIR STATIONS****Priority:** Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44703; 49 USC 44705; 49 USC 44707; 49 USC 44709; 49 USC 44710; 49 USC 44711; 49 USC 44713; 49 USC 44717; 49 USC 45102 to 45103; 49 USC 45301 to 45302

CFR Citation: 14 CFR 43; 14 CFR 65; 14 CFR 145**Legal Deadline:** None

Abstract: The FAA proposes to update and revise the regulations for repair stations. This action is necessary because many portions of the current repair station regulations do not reflect technical advances in aircraft maintenance practices or aircraft technology. The revisions would reorganize the repair station rules to reduce duplication of regulatory language and eliminate obsolete information. The proposal also would establish new requirements that relate to repair station ratings and classes, manual requirements, recordkeeping,

and personnel. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Notice of Public Meetings	07/24/89	54 FR 30866
Notice Correction NPRM	08/08/89 06/00/96	54 FR 32563

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 06/00/96

Additional Information: Project No. AFS-87-045R. This project was formerly entitled Review and Revision of Repair Station Requirements, and Repair Station and Repairmen Certification Rules.

Agency Contact: Richard Nowak, Aircraft Maintenance Division, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7228

RIN: 2120-AC38**2141. 1-G STALLING SPEED AS A BASIS FOR COMPLIANCE WITH PART 25 OF THE FEDERAL AVIATION REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 4321; 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44715**CFR Citation:** 14 CFR 25; 14 CFR 36**Legal Deadline:** None

Abstract: This action would amend the Federal Aviation Regulations to redefine the airplane reference stalling speed as the 1-g stalling speed in lieu of the minimum stalling speed. It would: (1) provide for a consistent, repeatable reference stalling speed; (2) ensure consistent and dependable maneuvering margins; (3) clarify the requirement for the use of 1-g stalling speeds in determining structural design speeds; (4) increase the head-on gust structural design requirement; and (5) provide for adjusted multiplying factors to maintain essentially equivalent requirements in areas where the use of minimum stalling speed has proven adequate. These changes are needed since the stalling characteristics of modern jet transports as determined by current methods can result in

DOT—FAA

Proposed Rule Stage

inconsistent reference stalling speeds. These changes may result in a higher level of safety where current methods have resulted in artificially low reference stalling speeds.

Timetable:

Action	Date	FR Cite
NPRM	01/18/96	61 FR 1260
Correction	02/26/96	61 FR 7157
NPRM Comment Period End	05/17/96	
Final Action	01/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
01/18/96 (61 FR 1260)

Additional Information: Project No.
ANM-86-041R.

Agency Contact: Don Stimson, Flight Test and Systems Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 206 227-1320

RIN: 2120-AD40

2142. +REVISION OF PART 108, AIRPLANE OPERATOR SECURITY

Priority: Other Significant

Legal Authority: 40 USC 106(g); 49 USC 5103; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44901 to 44905; 49 USC 44907; 49 USC 44913 to 44914; 49 USC 44932; 49 USC 44935 to 44936; 49 USC 46105

CFR Citation: 14 CFR 108

Legal Deadline: None

Abstract: This action would amend part 108 of the Federal Aviation Regulations to incorporate new requirements in response to worldwide terrorist activity. This rulemaking is considered significant because of its safety implications and substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Additional Information: Project Number
ACS-87-107R.

Agency Contact: Craig Stier, Office of Civil Aviation Security, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3413

RIN: 2120-AD45

2143. +REVISION OF PART 107, AIRPORT SECURITY

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 5103; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44706; 49 USC 44901 to 44905; 49 USC 44907; 49 USC 44913 to 44914; 49 USC 44932; 49 USC 44935 to 44936; 49 USC 46105

CFR Citation: 14 CFR 107

Legal Deadline: None

Abstract: This notice would propose to amend part 107 of the Federal Aviation Regulations to incorporate new requirements in response to the worldwide terrorist activity. This rulemaking is considered significant because of its safety implications and substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Additional Information: Project Number
ACS-87-106R.

Agency Contact: Linda Bruce, Office of Civil Aviation Security, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8553

RIN: 2120-AD46

2144. +ALTERNATIVE MEANS OF COMPLIANCE

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40101; 49 USC 40103; 40 USC

40105; 49 USC 40109; 49 USC 40113; 49 USC 44110; 49 USC 44502; 49 USC 44701 to 44702; 49 USC 44711; 49 USC 46102

CFR Citation: 14 CFR 11

Legal Deadline: None

Abstract: This action would revise the Federal Aviation Regulations to provide for the granting of relief from the literal compliance with certain rules provided the applicant justifies this relief and that the FAA finds that the provisions not complied with are compensated for by factors that have an equivalent level of safety or that there will be no adverse effect on safety. This action is considered significant because of a substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
12/00/96

Additional Information: Project Number
ARM-90-045R. Formerly titled
"Exemption Process."

Agency Contact: Linda Williams, Office of Rulemaking, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9685

RIN: 2120-AD66

2145. +COST OF SERVICES AND TRANSFER OF FEES TO PART 187 FROM PARTS 47, 49, 61, 63, 65, AND 143

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40109; 49 USC 40113 to 40114; 49 USC 44101 to 44108; 49 USC 44110 to 44111; 49 USC 44701; 49 USC 44702; 49 USC 44703 to 44704; 49 USC 44707; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 45102 to 45103; 49 USC 45106; 49 USC 45301; ...

CFR Citation: 14 CFR 47; 14 CFR 49; 14 CFR 61; 14 CFR 63; 14 CFR 65; 14 CFR 143; 14 CFR 187

Legal Deadline: None

Abstract: This action would assess reasonable charges for certain services provided by the FAA. The charges

DOT—FAA

Proposed Rule Stage

would be set at a level approximating the cost to the Government to provide these services and would be adjusted periodically as the cost of these services change or as prescribed in the Anti-Drug Abuse Act of 1988. The cost of providing services for aircraft registration and recording and replacement of airmen certificates is not being fully recouped in accordance with the changes reflected in the Consumer Price Index of All Urban Consumers, which was published by the Bureau of Labor Statistics of the Department of Labor, or as set by the Anti-Drug Abuse Act of 1988. This rulemaking would also consolidate all service fees by placing them in part 187 of the Federal Aviation Regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
10/00/96

Additional Information: Project Number AFS-90-347R.

Agency Contact: Sharon Ashford, Registry Modernization Staff, Mike Monroney Aeronautical Center, Department of Transportation, Federal Aviation Administration, 6500 South MacArthur Boulevard, Oklahoma City, Oklahoma 73125-4939
Phone: 405 954-7038

RIN: 2120-AD91

2146. VISUAL DESCENT POINTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; ...

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This notice would propose to incorporate visual descent point (VDP) requirements into Part 135 of the Federal Aviation Regulations (FAR). In addition, this notice would amend the VDP requirements in Part 121 of the FAR to be consistent with the VDP requirements in Part 135 of the FAR.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
07/00/96

Additional Information: Project Number AFS-91-206R.

Agency Contact: Alberta Brown, Regulations Branch, Air Transportation Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8321

RIN: 2120-AE34

2147. +AGING AIRCRAFT SAFETY

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901 to 44904; 49 USC 44906; ...

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 129; 14 CFR 135

Legal Deadline: Other, Statutory, April 24, 1992.

Aging Aircraft Safety Act of 1991; action must be initiated by 04/24/92.

Abstract: This action would require air carriers of certain aircraft used in air transportation to demonstrate that the aircraft's maintenance has been adequate to ensure the highest degree of safety. Based on the comments received to the notice of proposed rulemaking, the FAA is considering other actions in lieu of the operational limit requirement, certain reporting requirements, and maintenance check requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/05/93	58 FR 51944
NPRM Comment Period End	02/02/94	
NPRM Comment Period Extended to 03/04/94	02/08/94	59 FR 5741
SNPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis; Regulatory Evaluation
10/05/93 (58 FR 51944)

Additional Information: Project Number AFS-92-029R.

Agency Contact: Frederick Sobeck, Aircraft Maintenance Division, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7355

RIN: 2120-AE42

2148. +REDUCED ALTITUDE SEPARATION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306; ...

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: In the 1950's, a vertical separation minimum of 2,000 feet was established for use between aircraft operating above flight level 290. Reducing the 2,000-foot separation requirement to 1,000 feet would increase flight level availability, increase en route airspace capacity, enable aircraft to fly at more fuel efficient altitudes, and increase air traffic controller flexibility. This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Public Meeting Notice	07/22/93	58 FR 39273
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Additional Information: Project Number: AFS-92-279R

Agency Contact: Roy Grimes, Technical Programs Division, Flight

DOT—FAA

Proposed Rule Stage

Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
 Phone: 202 267-3755
RIN: 2120-AE51

2149. +AIRPORT NOISE COMPATIBILITY PLANNING

Priority: Other Significant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44715; 49 USC 471-1; 49 USC 47501 to 47504
CFR Citation: 14 CFR 150
Legal Deadline: None

Abstract: This action would revise the requirements for developing noise exposure maps and noise compatibility programs and submitting them for FAA approval. The revisions are intended to expedite and simplify the part 150 process. Under the revised process, the mandatory set of noise abatement measures which are presently required to be considered by each airport sponsor would be limited in scope depending on the characteristics of each airport and its surrounding community. The new process would be supported by appropriate guidance, training, review, standardization, and consultation requirements. This project is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	01/00/97	

Small Entities Affected: None
Government Levels Affected: None
Analysis: Regulatory Evaluation 01/00/97

Additional Information: Project Number: AEE-90-410R.

Agency Contact: Alan V. Trickey, Policy and Regulations Division, Office of Environment and Energy, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
 Phone: 202 267-3496
RIN: 2120-AE64

2150. MODE S TRANSPONDER REQUIREMENT FOR PART 135 OPERATORS

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; ...
CFR Citation: 14 CFR 121; 14 CFR 135
Legal Deadline: None

Abstract: This action would revise the Mode S transponder requirement for all aircraft operating under part 135 and certain aircraft operating under part 121 based on the expected availability of operational capabilities of Mode S ground sensors. For part 121 operators, the action would affect only those aircraft not required to have Traffic Alert and Collision Avoidance System II. An aviation rulemaking advisory committee has recommended that the FAA conduct a study of the installed Mode S ground sensor to determine the extent of the benefits derived and the costs involved in equipage. This action is a relieving action made necessary by the fact that ground sensors are not in place to support the requirement. Further, FAA is studying the need for Mode S transponders in Part 135 and certain Part 121 operations in light of the fact that transponders may not substantially increase ATC ability to view air traffic. This rulemaking is considered significant because of the substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: Undetermined
Government Levels Affected: None
Analysis: Regulatory Evaluation 04/00/96
Additional Information: Project Number: AFS-92-297R.
Agency Contact: Daniel V. Meier, Jr., Airplane Rules and Aeronautical Information Division, Department of

Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
 Phone: 202 267-3749
RIN: 2120-AE81

2151. NASHVILLE, TN, CLASS B AIRSPACE

Priority: Substantive, Nonsignificant
Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; EO 10854
CFR Citation: 14 CFR 71
Legal Deadline: None
Abstract: This notice proposes to establish Nashville Class B airspace and revoke Nashville Class C airspace in Tennessee. The Nashville Class B Airspace would consist of an area up to and including 8,000 feet mean sea level from the surface or higher within a 27-mile radius of the Nashville International Airport. This action is intended to increase the capability of the air traffic control system to separate aircraft in the terminal airspace around the Nashville International Airport.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None
Government Levels Affected: None
Analysis: Regulatory Evaluation 06/00/96
Additional Information: Project Number: ATP-93-361T

Agency Contact: Patricia Crawford, Airspace and Obstruction Evaluation Branch, Air Traffic Rules and Procedures Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
 Phone: 202 267-9255
RIN: 2120-AE93

2152. CINCINNATI, OH, CLASS B AIRSPACE

Priority: Substantive, Nonsignificant
Legal Authority: 49 USC 106(g); 49 USC 40101; 49 USC 40103; 49 USC 40105; 49 USC 40109; 49 USC 40113; 49 USC 44110; 49 USC 44502; 49 USC 44701 to 44702; 49 USC 44711; 49 USC 46102
CFR Citation: 14 CFR 11

DOT—FAA

Proposed Rule Stage

Legal Deadline: None

Abstract: This action would alter the Cincinnati, OH, Terminal Control Area (TCA) to redefine the airspace around the Cincinnati/Northern International Airport. The objective of this proposal is to substantially increase safety while accommodating the legitimate concerns of airspace users.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Additional Information: Project
Number: ATP-93-476T

Agency Contact: Patricia Crawford, Airspace and Obstruction Evaluation Branch, Airspace Rules & Aeronautical Info Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9255

RIN: 2120-AE97

2153. FLIGHT OPERATIONAL QUALITY ASSURANCE PROGRAM

Priority: Other

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; ...

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: This action would codify the Federal Aviation Administration's policy not to use information from voluntary Flight Operational Quality Assurance programs in any enforcement actions taken against operators or pilots. The proposed amendment responds to industry groups that have been reluctant to participate. These programs benefit aviation safety by providing information that can lead to improvements in training and operations. In 1995 the FAA will initiate a two-year concept demonstration study in partnership

with industry. Based on the study, the FAA will issue an Advisory Circular. The FAA will use the information from the study to determine if it is appropriate to codify in the rules the immunity provisions.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
06/00/96

Additional Information: Project
Number: AFS-93-154R

Agency Contact: Dan Meier, Flight Standards Service, Regulations Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3789

RIN: 2120-AF04

2154. +AIR TOUR STANDARDS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44702; 49 USC 44705; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716; ...

CFR Citation: 14 CFR 91; 14 CFR 135

Legal Deadline: None

Abstract: FAA is seeking information on air tour and sightseeing operations that are currently allowed to operate under less stringent regulations than those applied to other types of commercial operations. Over the past decade the number of these operations and the number of accidents and incidents associated with these operations have increased. Hot air balloons and gliders would not be included in this amendment. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
10/00/96

Additional Information: Project
Number: AFS-91-012R. RIN 2120-AF61 which was proposed as a new item for this agenda was a duplicate of this rulemaking and has been terminated. This rulemaking was previously titled, "Sightseeing Operations."

Agency Contact: Dave Metzbower, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3749

RIN: 2120-AF07

2155. ORLANDO, FL, CLASS B AIRSPACE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; EO 10854

CFR Citation: 14 CFR 71

Legal Deadline: None

Abstract: This action will propose to alter the Orlando, FL, Class B airspace area. This action would maintain the altitude of the upper limit of the Class B airspace area at 10,000 feet mean sea level and redefine several existing subareas to improve safety while providing the most efficient use of the terminal airspace.

Timetable:

Action	Date	FR Cite
NPRM	08/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
08/00/96

Additional Information: Project
Number: ATP-94-150T

Agency Contact: Patricia Crawford, Airspace and Obstruction Evaluation Branch, Air Traffic Rules and Procedures Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9258

RIN: 2120-AF17

2156. AVIATION INSURANCE

Priority: Other

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44301 to 44310

CFR Citation: 14 CFR 198

DOT—FAA

Proposed Rule Stage

Legal Deadline: None

Abstract: This rulemaking would revise and update the aviation insurance requirements. This action is being taken to reflect current legislative language, to be current with industry practices, to reflect industry concerns, and to recapture administrative expenses incurred. This action will clarify the language and make it conform with the current legislative language and intent.

Timetable:

Action	Date	FR Cite
NPRM	01/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
01/00/97

Additional Information: Project
Number: APO-93-512R

Agency Contact: Ellie Eilenberg, Office of Policy, Plans, and Management Analysis, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3090

RIN: 2120-AF23

2157. NORMAL CATEGORY MAXIMUM WEIGHT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 27; 14 CFR 29

Legal Deadline: None

Abstract: The FAA announced a public meeting to discuss the use of Aviation Rulemaking Advisory Commission procedures in future harmonized rulemaking. One specific rulemaking discussed was a proposed increase in the current maximum gross weight limitation of 6,000 pounds for certification as a normal category rotorcraft. This project has been assigned to ARAC.

Timetable:

Action	Date	FR Cite
Notice of Public Meeting	02/05/94	59 FR 554
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
10/00/96

Agency Contact: Kim Smith, Rotorcraft Standards Staff, Rotorcraft Directorate, Department of Transportation, Federal Aviation Administration, ASW-110, FAA, Fort Worth, TX 76193-0110
Phone: 817 222-5128

RIN: 2120-AF33

2158. +CONTROLLED REST ON THE FLIGHT DECK

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121

Legal Deadline: None

Abstract: This proposal would allow part 121 certificate holders who operate aircraft that require three flight crewmembers, two pilots and a flight engineer, to implement a controlled rest on the flight deck program. Under the program, when cockpit workload permits, one flight crewmember at a time would be given the opportunity to sleep for a brief period of time at his or her duty station during the cruise portion of a flight. Before using the controlled rest concept, however, the certificate holder would have to obtain approval for its program from the FAA. This proposal originated as a recommendation from the Aviation Rulemaking Advisory Committee and responds to industry interest in developing a controlled rest program that is approved by the FAA. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
06/00/96

Additional Information: Project
Number: AFS-92-764A

Agency Contact: Larry Youngblut, Air Transportation Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3755

RIN: 2120-AF54

2159. PROPOSED MODIFICATION OF THE PHOENIX, AZ, CLASS B AIRSPACE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; EO 10854

CFR Citation: 14 CFR 71

Legal Deadline: None

Abstract: This action will propose to alter the Phoenix, AZ, Class B airspace area by redefining several existing subareas to improve air traffic procedures. The goal of this action is to improve safety while providing the most efficient use of the terminal airspace.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
10/00/96

Additional Information: Project
Number: ATP-94-623R

Agency Contact: Norman W. Thomas, Airspace and Obstruction Evaluation Branch, Rules and Aeronautical Information Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9230

RIN: 2120-AF58

2160. +SUBMISSION TO DRUG TESTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701 to 44703; 49 USC 44707;

DOT—FAA

Proposed Rule Stage

49 USC 44709 to 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 45102 to 45103; ...

CFR Citation: 14 CFR 61; 14 CFR 63; 14 CFR 91

Legal Deadline: None

Abstract: This action would propose amendments to require aircraft crewmembers to submit to tests that show the presence of alcohol, drugs, or drug metabolites when requested by Federal, State, or local law enforcement officers investigating violations of Federal, State, or local law. The proposed amendments are intended to reduce aircraft accidents and incidents attributed to the use of drugs by crewmembers. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/96

Additional Information: Project Number: AFS-90-082

Agency Contact: Thomas K. Glista, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8150

RIN: 2120-AF64

2161. TYPE CERTIFICATION PROCEDURES FOR CHANGED PRODUCTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7572; 49 USC 106(g); 49 USC 40101; 49 USC 40103; 49 USC 40105; 49 USC 40109; 49 USC 40113; 49 USC 44110; 49 USC 44502; 49 USC 44701 to 44702; 49 USC 44707; 49 USC 44709; 49 USC 44711; 49 USC 44713; 49 USC 44715; ...

CFR Citation: 14 CFR 11; 14 CFR 21; 14 CFR 25

Legal Deadline: None

Abstract: This action would amend the procedural regulations for the certification of changes to type certificated products. The amendments are needed to accommodate the trend toward fewer products that are of completely new design and more products with repeated changes of previously approved designs.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 06/00/96

Additional Information: Project Number: AIR-95-053A. This is an Aviation Rulemaking Advisory Committee project.

Agency Contact: Lyle Davis, Office of Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-9583

RIN: 2120-AF68

2162. +PASSENGER FACILITY CHARGES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40116 to 40117; 49 USC 47111; 49 USC 47114 to 47116

CFR Citation: 14 CFR 158

Legal Deadline: None

Abstract: This action proposes to increase the amount of compensation that a carrier may earn for collecting and remitting a passenger facility charge from eight cents to ten cents. In addition, the NPRM proposes to clarify that monthly remittances must be received by airport public agencies collecting PFCs on the last day of each month. The NPRM also proposes to amend the regulation to reflect the statutory prohibition on collection of PFCs from passengers using frequent flyer bonus awards. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/96

Additional Information: Project Number: APP-94-568P.

Agency Contact: Sheryl Scarborough, Airport Financial Assistance Division, Office of Airports Planning and Programming, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8825

RIN: 2120-AF69

2163. WATER AND HAIL INGESTION STANDARDS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 33

Legal Deadline: None

Abstract: This action proposes changes to the water and hail ingestion standards for aircraft turbine engines. This proposal addresses an engine power-loss instability phenomena attributed to operation in extreme rain or hail that is not adequately addressed by current requirements. This proposal also harmonizes with requirements being drafted by the Joint Aviation Authorities (JAA). The proposed changes, if adopted, will establish one set of common requirements, thereby reducing the hardship on the United States and worldwide aviation industry, by eliminating the need for manufacturers to comply with different sets of standards when seeking validation from the FAA and JAA.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	

Small Entities Affected: None

Government Levels Affected: None

DOT—FAA

Proposed Rule Stage

Analysis: Regulatory Evaluation
07/00/96

Additional Information: Project Number: ANE-93-734A. This is an Aviation Rulemaking Advisory Committee project.

Agency Contact: John Golinski, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803-5299
Phone: 617 238-7114

RIN: 2120-AF75

2164. +FLIGHT DATA RECORDERS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901 to 44904; 49 USC 44906; 49 USC 44912; ...

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 129; 14 CFR 135

Legal Deadline: None

Abstract: This notice would revise the Federal Aviation Regulations to require additional recorded parameters on Flight Data Recorders. This action follows a recommendation from the National Transportation Safety Board. If adopted, these amendments would allow for more comprehensive accident and incident information to be gathered, thereby potentially reducing future accidents and incidents. This rulemaking is considered significant because of anticipated costs and substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Additional Information: Project Number: AIR-95-267R.

Agency Contact: Frank Rock, Office of Aircraft Certification, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9567

RIN: 2120-AF76

2165. MISCELLANEOUS CABIN SAFETY CHANGES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121

Legal Deadline: None

Abstract: This action proposes to revise the airworthiness standards for transport category airplanes relating to flight attendant assist space, flight attendant assist handles, door hold open features, outside viewing means, interior compartment doors and portable oxygen equipment. With one exception, these proposals are not the result of any specific incident or recommendation, but are part of the FAA's continuing effort to upgrade the regulations to improve the overall level of safety in areas where the state-of-the-art and good design practice have indicated that such upgrades are warranted. These proposals would result in both new type design regulations as well as requirements applicable to existing designs implemented via the operating rules.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
06/00/96

Additional Information: Project Number: ANM-90-016R.

Agency Contact: Jeff Gardlin, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 206 227-2114

RIN: 2120-AF77

2166. REVISION OF HYDRAULICS SYSTEMS AIRWORTHINESS STANDARDS TO HARMONIZE WITH EUROPEAN AIRWORTHINESS STANDARDS FOR TRANSPORT CATEGORY AIRPLANES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This notice proposes to amend the airworthiness standards for transport category airplanes to harmonize hydraulic systems design and test requirements with standards proposed for the European Joint Aviation Requirements. These proposals were developed in cooperation with the Joint Aviation Authorities of Europe and the US and European aviation industry through the Aviation Rulemaking Advisory Committee (ARAC). These changes are intended to benefit the public interest by standardizing certain requirements, concepts, and procedures contained in the airworthiness standards without reducing and potentially enhancing the current level of safety.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
07/00/96

Additional Information: Project Number: ANM-93-730A. This is an Aviation Rulemaking Advisory Committee project.

Agency Contact: Manhidner Wahi, Transport Airplane Directorate, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 206 227-2112

RIN: 2120-AF79

2167. BRAKED ROLL CONDITIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 25

DOT—FAA

Proposed Rule Stage

Legal Deadline: None

Abstract: This proposed rulemaking would amend the requirements for landing gear braking on transport category airplanes to require that the airplane be designed to withstand main landing gear maximum braking forces during ground operations. This action would ensure that the landing gear and fuselage are capable of withstanding the dynamic loads associated with the maximum dynamic braking condition, and would also relieve a burden on industry by eliminating differences between the Federal Aviation Regulations (FAR) and European Joint Aviation Requirements (JAR).

Timetable:

Action	Date	FR Cite
NPRM	08/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/00/96

Additional Information: Project Number: ANM-94-462A. This is an Aviation Rulemaking Advisory Committee project.

Agency Contact: Iven Connally, Transport Airplane Directorate, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 206 227-2120

RIN: 2120-AF83

2168. BIRD INGESTION STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 33

Legal Deadline: None

Abstract: This action proposes changes to amend the type certification standards for aircraft turbine engines that concern bird ingestion. This proposal updates the current bird ingestion standards to reflect recent analysis defining the actual bird threat encountered by turbine engines. This proposal also harmonizes the FAA's type certification standards on this issue with requirements being drafted by the Joint Aviation Authorities (JAA). The proposed changes, if adopted, would establish one set of common

requirements, and thereby reduce the regulatory hardship on the aviation industry by eliminating the need for manufacturers to comply with different sets of standards when seeking type certification from the FAA and validation from the JAA.

Timetable:

Action	Date	FR Cite
NPRM	01/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 01/00/97

Additional Information: Project Number: ANE-93-733A. This is an Aviation Rulemaking Advisory Committee project.

Agency Contact: John Golinski, Engine and Propeller Directorate, Department of Transportation, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803-5299
Phone: 617 238-7119

RIN: 2120-AF84

2169. HOUSTON, TEXAS, CLASS B AIRSPACE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; EO 10854

CFR Citation: 14 CFR 71

Legal Deadline: None

Abstract: This action will propose to modify the Houston, Texas, Class B Airspace area. This action would maintain the altitude of the upper limit of the Class B airspace area at 10,000 feet mean sea level and redefine several existing subareas to improve safety while providing the most efficient use of the terminal airspace.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 10/00/96

Additional Information: Project Number: ATP-95-417T.

Agency Contact: William C. Nelson, Air Traffic Rules and Procedures

Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9295

RIN: 2120-AF88

2170. • NON-FEDERAL AIR TRAFFIC CONTROL FACILITIES

Priority: Substantive, Nonsignificant

Legal Authority: Not yet determined

CFR Citation: None

Legal Deadline: None

Abstract: The FAA proposes to establish rules governing the minimum operational requirements for those air traffic control facilities not operated by the United States (non-Federal). The FAA is taking this action to ensure that these entities operate at a level equivalent to those facilities presently being operated by the Federal Government.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 10/00/96

Additional Information: Project Number: ATP-95-021R.

Agency Contact: Joseph C. White, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8783

RIN: 2120-AF91

2171. • +AIRSPACE MANAGEMENT OVER GRAND CANYON NATIONAL PARK

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306; ...

CFR Citation: 14 CFR 93

Legal Deadline: None

Abstract: On August 18, 1987, Congress enacted legislation that

DOT—FAA

Proposed Rule Stage

required a study of aircraft noise impacts at a number of National parks and imposed flight restrictions at three parks, including Grand Canyon National Park (Pub.L 100-91). Among other requirements, Pub.L. 100-91 mandated the Department of Interior/National Park Service (DOI/NPS) to submit a final report and recommendations to Congress on the effectiveness of the airspace management plan over Grand Canyon National Park. This proposed rulemaking is the result of the Federal Aviation Administration's (FAA) review of the DOI/NPS report and recommendations, which were submitted to Congress on September 14, 1995. The FAA is considering proposing to restrict flight operations in certain areas of the park and modify some of the current flight areas. The proposed rule is considered significant because of its potential impact on air tour operators.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Additional Information: Project Number: ATP-95-236R.

Agency Contact: Ellen Crum, Air Traffic Rules Branch, Air Traffic Rules and Procedures Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9859

RIN: 2120-AF93

2172. • NATIONAL SECURITY AREAS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40120; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; ...

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: This action will propose to add a new section to part 91 of the Code of Federal Regulations that would address National Security Areas and

the associated NOTAM responsibility of the FAA Administrator in issuing temporary flight restrictions governing the operational responsibilities of pilots operating aircraft near national security areas.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
10/00/96

Agency Contact: Joseph C. White, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8783

RIN: 2120-AF97

2173. +COMMERCIAL SPACE TRANSPORTATION: FINANCIAL RESPONSIBILITY REQUIREMENTS FOR LICENSED LAUNCH ACTIVITIES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 70101 to 70119

CFR Citation: None

Legal Deadline: None

Abstract: Persons authorized to conduct commercial launch activities by a license issued by the Office of Commercial Space Transportation (OCST) are required to obtain insurance or demonstrate financial responsibility, in amounts and on terms prescribed by OCST, to protect against third-party or government property damage claims resulting from the licensed activities. Licensees and other launch participants are also required to enter into reciprocal waivers of claims arising out of licensed activities. In addition, persons engaged in commercial launch operations must provide proof of financial responsibility, or offer other assurances, adequate to protect the Government when its property or personnel are involved in such operations. This rulemaking codifies the procedures by which OCST sets

appropriate levels and terms of insurance and financial responsibility required to be carried by persons subject to its authority. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	05/07/85	50 FR 19280
ANPRM Comment Period End	07/08/85	
Public Meeting Notice and Request for Comments	10/13/94	59 FR 52020
Comment Period Extended to 12/16/94	12/05/94	59 FR 62359
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Analysis: Regulatory Evaluation

Additional Information: The rulemaking entitled Commercial Space Transportation: Reciprocal Waiver of Claims, RIN 2105-AB76, has been consolidated into this rulemaking.

This rule was transferred from the Office of the Secretary, Department of Transportation, to the Federal Aviation Administration due to Transfer of Delegations. See 60 FR 62762, December 7, 1995, for information of the delegation.

Project Number: AST-96-142R.

Agency Contact: Esta Rosenberg, Attorney Advisor, Department of Transportation, Federal Aviation Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9305

RIN: 2120-AF98

2174. +LICENSING COMMERCIAL SPACE LAUNCH ACTIVITIES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 70101 to 70119

CFR Citation: 14 CFR 400 to 415

Legal Deadline: None

Abstract: The Commercial Space Launch Act of 1984, as amended, grants the Department of Transportation's

DOT—FAA

Proposed Rule Stage

Office of Commercial Space Transportation authority to license and otherwise regulate commercial launches and the commercial operation of launch sites. The Office must ensure that commercial space launch activities are conducted in a manner that does not jeopardize public health and safety and the safety of property, without, however, imposing unnecessary regulatory burdens on the commercial launch industry. The industry has grown in size and complexity since the original regulations were published in 1988, and the Office's licensing program continues to evolve to reflect these changes. This rulemaking would modify the current regulations to reflect a streamlined and more mature licensing regime developed over the past few years. Such changes would benefit the industry by reducing regulatory burdens, thus reducing costs. This rulemaking is significant because of substantial public interest.

Statement of Need: On April 4, 1988, the Office of Commercial Space Transportation (OCST) published final regulations for licensing commercial space launch activities. The regulations include the general administrative procedures of OCST as well as revised and expanded policies for licensing commercial launch activities. The industry has grown in size and complexity since the licensing regulations were first published in 1988. As a result, the Office has continued to refine its approach to licensing launch proposals in a manner that facilitates private sector launch activities. This rulemaking would modify the current regulations to reflect a more efficient licensing regime. In addition, the rulemaking will address the procedures and requirements applicable to the licensing of commercial spaceport operators.

Summary of the Legal Basis: The Commercial Space Launch Act of 1984, as amended, 49 USC 70101 to 70119, confers upon the Department of Transportation the responsibility to license and otherwise regulate launches by the private sector of launch vehicles and the commercial operation of launch sites. The Department's Office of Commercial Space Transportation carries out this responsibility for ensuring that these commercial launch activities do not jeopardize public health and safety, the safety of property, and national security and

foreign policy interests of the United States.

Alternatives: No alternatives were considered. OCST is required by the Commercial Space Launch Act to review and act upon applications for licenses to conduct commercial launches and commercial launch site operations. The Act does not permit OCST to follow alternative approaches in carrying out this responsibility. Therefore, although this rulemaking will make further refinements to the licensing process, the basic regulatory approach will not change.

Anticipated Costs and Benefits: The rule should impose no additional costs on the commercial space transportation industry. By streamlining the licensing process that is already in place, the rule should benefit the industry by reducing the regulatory burden. The rule should benefit the Office by establishing a more efficient licensing mechanism, thereby reducing staff time.

Risks: DOT's Office of Commercial Space Transportation must ensure that commercial space launch activities do not jeopardize public health and safety and the safety of property and also ensure compliance with international obligations of the United States. Although the historical safety record of government and commercial launch firms is excellent, significant risks or hazards are presented by the launch of launch vehicles. Risks or hazards include possible explosions and fires involving liquid or solid rocket propellants and ordnance, as well as the generation of launch vehicle and payload debris. Launch accidents, including in-flight failures of guidance or destruction systems, may result in injury to launch personnel and the public and in damages to or loss of government and private property. The potential maximum probable loss for injuries and damages from a single launch typically is in the tens of millions of dollars. The OCST licensing process, in conjunction with U.S. Government launch facilities' range safety control procedures, are directed at ensuring that these launch activities do not jeopardize public safety or U.S. national interests. In addition, OCST imposes financial responsibility requirements on licensees to protect the public and the government, pursuant to the 1988 amendments to the Commercial Space Launch Act.

Timetable:

Action	Date	FR Cite
Public Meeting Notice and Request for Comments	10/13/94	59 FR 52020
Comment Period Extended to 12/16/94	12/05/94	59 FR 62359
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Analysis: Regulatory Evaluation

Additional Information: This rule was transferred from the Office of the Secretary, Department of Transportation, to the Federal Aviation Administration due to Transfer of Delegations. See 60 FR 62762, December 7, 1995, for information of the delegation.

Project Number: AST-96-142R.

Agency Contact: Frank Weaver, Director, Office of Commercial Space Transportation, Department of Transportation, Federal Aviation Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2937

RIN: 2120-AF99

2175. • ALTERATION OF THE DALLAS-FORT WORTH INTERNATIONAL (DFW) AIRPORT CLASS B AIRSPACE AREA, DALLAS, TEXAS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; EO 10854

CFR Citation: 14 CFR 71

Legal Deadline: None

Abstract: This action will alter the existing Class B airspace area. This alteration redefines several existing sub-areas and will raise the upper limit of the Dallas-Fort Worth airspace area from 10,000 feet to 11,000 feet mean sea level (MSL), except for the reconfigured northern and southern sections. This action will improve safety, air traffic procedures, and air traffic flow in Dallas-Fort Worth area.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

DOT—FAA

Proposed Rule Stage

Analysis: Regulatory Evaluation
10/00/96

Additional Information: Project
Number: ATP-95-271T.

Agency Contact: William Nelson, Air
Traffic Rules and Procedures Service,
Department of Transportation, Federal
Aviation Administration, 800
Independence Avenue SW.,
Washington, DC 20591
Phone: 202 267-9295

RIN: 2120-AG00

2176. • REVISION OF CERTIFICATION REQUIREMENTS: AIRCRAFT DISPATCHERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49
USC 40113; 49 USC 44701 to 44703;
49 USC 44707; 49 USC 44709 to 44711;
49 USC 45102 to 45103; 49 USC 45301
to 45302

CFR Citation: 14 CFR 65

Legal Deadline: None

Abstract: This action proposes to
amend the regulations that prescribe
the certification and training
requirements for aircraft dispatchers.
Current regulations prescribing these
certification requirements do not reflect
the significant technological advances
that have occurred in the aviation
industry and the enhancements in
training and instructional methods that
have affected all aircraft dispatchers.
The proposal would consolidate and
clarify all certification, training, and
experience requirements for aircraft
dispatchers in newly revised part 65,
subpart C, and appendix A of part 65.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Additional Information: Project
Number: AFS-94-171A.

Agency Contact: Tom Toula, Flight
Standards Service, Department of
Transportation, Federal Aviation
Administration, 800 Independence
Avenue SW., Washington, DC 20591
Phone: 202 267-3718

RIN: 2120-AG04

2177. • REMOVAL OF PART 159: NATIONAL CAPITAL AIRPORTS

Priority: Substantive, Nonsignificant

Reinventing Government: This
rulemaking is part of the Reinventing
Government effort. It will eliminate
existing text in the CFR.

Legal Authority: 49 USC 2402; 49 USC
2404; PL 99-591

CFR Citation: 14 CFR 159

Legal Deadline: None

Abstract: This action would remove a
rule from the Code of Federal
Regulations that is no longer needed.
Part 159 deals with airport rules and
regulations at Washington and Dulles
Airports when they were owned and
operated by the Federal Aviation
Administration. As these airports are
no longer part of the agency, and the
current airport operator, Metropolitan
Washington Airport Authority, has
adequate statutory authority to regulate
operations, this regulation is
unnecessary.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
06/00/96

Additional Information: Project
Number: AAS-96-147R.

Agency Contact: Donald P. Byrne,
Assistant Chief Counsel, Regulations
Division, Department of Transportation,
Federal Aviation Administration, 800
Independence Avenue SW.,
Washington, DC 20707
Phone: 202 267-3073

RIN: 2120-AG05

2178. • +DURATION BETWEEN EXAMINATIONS FOR FIRST- AND SECOND-AIRMAN MEDICAL CERTIFICATES

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49
USC 40113; 49 USC 44701 to 44703;
49 USC 44707; 49 USC 44709 to 44711;
49 USC 45102 to 45103; 49 USC 45301
to 45302

CFR Citation: 14 CFR 61

Legal Deadline: None

Abstract: This proposed action would
reduce the required frequency of

medical examinations for many holders
of first- and second-class airman
medical certifications, based on the age
of the airman. This rulemaking is
significant because of substantial public
interest.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation
02/00/97

Additional Information: Project
Number: AAM-95-065R.

Agency Contact: Dennis McEachen,
Office of Aviation Medicine,
Department of Transportation, Federal
Aviation Administration, 800
Independence Avenue SW.,
Washington, DC 20591
Phone: 202 493-4075

RIN: 2120-AG06

2179. • FEES FOR AEROMEDICAL EDUCATION TRAINING SERVICES

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 9701; 49 USC
106(g); 49 USC 40104; 49 USC 40105;
49 USC 40109; 49 USC 40113 to 40114;
49 USC 44702; 49 USC 45301 to 45303

CFR Citation: 14 CFR 187

Legal Deadline: None

Abstract: This action would establish
(1) a schedule of fees for all
aeromedical education training
services, (2) the methodology for
computing user fees, and (3) a timetable
for periodical updates of established
fees. The proposal is necessary to
permit the FAA to recover the costs
incurred in sponsoring aeromedical
education training services.

Timetable:

Action	Date	FR Cite
NPRM	01/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation
01/00/97

Additional Information: Project
Number: AAM-95-065R.

Agency Contact: B. J. Hudson,
Aeromedical Standards Branch,
Department of Transportation, Federal

DOT—FAA

Proposed Rule Stage

Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 493-4077

RIN: 2120-AG07

2180. • +FALSE AND MISLEADING STATEMENTS REGARDING AIRCRAFT PARTS

Priority: Other Significant

Legal Authority: 49 USC 44913

CFR Citation: None

Legal Deadline: None

Abstract: This action proposes additional rules that would prohibit certain false or misleading statements regarding civil aircraft, airframes, aircraft engines, propellers, appliances, component parts, and materials, including standard parts, that are used, or may be used, on civil aircraft. The proposals would also permit increased inspection by the FAA of records regarding the quality of aircraft parts. The additional rules are needed to help prevent persons from representing parts as suitable for use on civil aircraft when in fact they may not be. The proposals are intended to provide assurance that aircraft owners and operators, and persons who maintain aircraft, have truthful information on which to determine whether a part may be used in a given civil aircraft application.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
03/00/97

Additional Information: Project Number: AGC-94-549R.

Agency Contact: Mardi Ruth Thompson, Regulations Division, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3073

RIN: 2120-AG08

2181. • +SPECIAL FLIGHT RULES IN THE VICINITY OF THE ROCKY MOUNTAIN NATIONAL PARK

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40119; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; ...

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 127; 14 CFR 135

Legal Deadline: None

Abstract: The FAA is considering whether to propose an SFAR that would be of limited duration and would propose certain operating procedures for air tour flights operated in the airspace over Rocky Mountain National Park (RMNP). The purpose of the NPRM is to solicit comments on the need for Federal intervention and the appropriateness of various alternative actions listed in the NPRM. The NPRM is in response to several requests for action from various individuals and local, State, and Federal elected officials. This is considered significant because of interagency effect and important policy.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Additional Information: Project Number: ATO-96-207R

Agency Contact: Terry Brown, Airspace and Rules Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9193

RIN: 2120-AG11

DEPARTMENT OF TRANSPORTATION (DOT)

Final Rule Stage

Federal Aviation Administration (FAA)

2182. +FUEL SYSTEM VENT FIRE PROTECTION

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44721; 49 USC 44722; 49 USC 44901; ...

CFR Citation: 14 CFR 25; 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This action would amend the airworthiness standards for transport category airplanes to require fuel vent system protection during post-crash ground fires. This proposed rule would

apply to air carriers, air taxi operators, and commercial operators of transport category airplanes, as well as the manufacturers of such airplanes. This action is considered significant because of substantial public interest and the safety implications.

Timetable:

Action	Date	FR Cite
ANPRM	09/26/84	49 FR 38078
ANPRM Comment Period End	01/25/85	
NPRM	02/02/95	60 FR 6632
NPRM Comment Period End	06/02/95	
Final Action	12/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation
12/00/96

Additional Information: Docket 24251. Formerly entitled Implementation of SAFER Propulsion System Recommendations. Project No. ANM-82-050R.

Agency Contact: Mike McRae, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, Washington 98055-4056
Phone: 206 227-2116

RIN: 2120-AA49

DOT—FAA

Final Rule Stage

2183. MISCELLANEOUS AMENDMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7572; 49 USC 106(g); 49 USC 5103; 49 USC 40105; 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44703; 49 USC 44705; 49 USC 44706; 49 USC 44707; 49 USC 44709; 49 USC 44710; 49 USC 44711; 49 USC 44712; ...**CFR Citation:** 14 CFR 21; 14 CFR 65; 14 CFR 107; 14 CFR 121; 14 CFR 135; 14 CFR 145**Legal Deadline:** None**Abstract:** This FAA is withdrawing a previously published Notice of Proposed Rulemaking (NPRM) that proposed to amend various sections of the regulations. The proposal was to clarify language, correct improper or obsolete references, and to relax certain existing requirements. Since publication of the NPRM, many other completed, in-process, or planned actions have addressed or will address many of the issues involved. The FAA has determined that all unresolved issues should be included in more recent actions dealing with the specific sections of the regulations.**Timetable:**

Action	Date	FR Cite
NPRM	10/03/83	48 FR 45214
NPRM Comment Period End	12/02/83	
Withdrawal Notice	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 10/03/83 (48 FR 45214)**Additional Information:** Docket No. 23781. Project No. ARM-81-128R.**Agency Contact:** Jean Casciano, Office of Rulemaking, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-9683**RIN:** 2120-AA50**2184. PART 95 INSTRUMENT FLIGHT RULES****Priority:** Routine and Frequent**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40113; 49 USC 40114; 49 USC 40120; 49 USC 44502; 49 USC 44514; 49 USC 44719; 49 USC 44721**CFR Citation:** 14 CFR 95**Legal Deadline:** None**Abstract:** Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected--1,000. 10/00/95 - 10/00/96.**Timetable:**

Action	Date	FR Cite
Final Action	10/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Louis C. Cusimano, General Aviation and Commercial Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8212**RIN:** 2120-AA63**2185. AIRWORTHINESS DIRECTIVES****Priority:** Routine and Frequent**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701**CFR Citation:** 14 CFR 39**Legal Deadline:** None**Abstract:** Nonsignificant regulations issued routinely and frequently in order to correct known or expected safety problems on type certificated products. Total actions expected--400. 10/00/95 to 10/00/96.**Timetable:**

Action	Date	FR Cite
Final Action	10/00/96	

Small Entities Affected: Undetermined**Government Levels Affected:** None**Agency Contact:** Jack McGrath, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-9580**RIN:** 2120-AA64**2186. STANDARD INSTRUMENT APPROACH PROCEDURES****Priority:** Routine and Frequent**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC

40113 to 40114; 49 USC 40120; 49 USC 44502; 49 USC 44514; 49 USC 44701; 49 USC 44719; 49 USC 44721 to 44722

CFR Citation: 14 CFR 97**Legal Deadline:** None**Abstract:** Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected--1,000. 10/00/95 - 10/00/96.**Timetable:**

Action	Date	FR Cite
Final Action	10/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Louis C. Cusimano, General Aviation and Commercial Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8212**RIN:** 2120-AA65**2187. AIRSPACE ACTIONS****Priority:** Routine and Frequent**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; EO 10854**CFR Citation:** 14 CFR 71; 14 CFR 73; 14 CFR 75**Legal Deadline:** None**Abstract:** Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected--240. 10/00/95 through 10/00/96.**Timetable:**

Action	Date	FR Cite
Final Action	10/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Richard Huff, Manager, Airspace Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-3075**RIN:** 2120-AA66

DOT—FAA

Final Rule Stage

2188. +AIRCRAFT FLIGHT SIMULATOR USE IN PILOT TRAINING, TESTING, AND CHECKING AND AT TRAINING CENTERS**Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40119; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701 to 44703; 49 USC 44705; 49 USC 44707; 49 USC 44709 to 44711; 49 USC 44712 to 44713; 49 USC 44713; 49 USC 44715 to 44717; 49 USC 44722; ...**CFR Citation:** 14 CFR 61; 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 135; 14 CFR 141; 14 CFR 142**Legal Deadline:** None**Abstract:** This action would amend the pilot and flight instructor certification rules to include additional use of aircraft, aircraft flight simulators, and flight training devices for pilot training, testing, and checking. This action also would establish a new part 142 that would govern a new concept called training centers. This new concept will emphasize the use of flight simulators in training applicants for pilot certificates. This rulemaking is considered significant because of substantial public interest; it involves a major change in the way industry trains applicants.**Statement of Need:** The training roles of several elements of the aviation community have expanded during the past 10 years. In October 1989, an advisory committee studying matters relating to training and qualification recommended that the FAA standardize the use of flight simulators and flight training devices, provide a means to certificate entities called training centers, and permit the training centers to apply for national approval of core curriculums that could be used by individuals receiving training. This rulemaking project responds to this recommendation by including the concept of a certificated training center.**Summary of the Legal Basis:** Secs. 601 and 602 of the Federal Aviation Act: section 601 empowers the Administrator to prescribe the minimum standards governing

appliances such as simulators; section 602 empowers the Administrator to issue airmen certificates.

Alternatives: Since the FAA accepted the recommendations of the advisory committee, it will not pursue any nonregulatory options.**Anticipated Costs and Benefits:** The total 10-year cost to implement part 142 is estimated to be about \$1.3 million discounted. The benefits of this rule, however, far outweigh its costs. Most of the cost savings come from lowered operations costs. The estimated savings from existing simulator training centers training pilots will be \$808 million, discounted over the next 10 years.**Risks:** Flight simulators will expand under the changes in the simulator rule. The future use of simulators should reduce the need for pilot instructional flights and the incidence of instructional flight accidents. Each year many student pilots and their instructors die in instructional flight accidents. In the 10-year period 1983 through 1993, the National Transportation Safety Board reported 307 fatal instructional accidents resulting in 553 fatalities. The FAA estimates the average value of such an accident equals \$4.8 million. Instructional flight accidents are a risk that would follow in the absence of the simulator rule.**Timetable:**

Action	Date	FR Cite
NPRM	08/11/92	57 FR 35888
NPRM Comment Period End	12/09/92	
SNPRM Comment Period End 3/22/93	02/19/93	58 FR 9514
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 08/11/92 (57 FR 35888)**Additional Information:** This project was formerly entitled "Aircraft Simulator Use in Airman Training and Certification." Project Number AFS-83-105R.

The SNPRM clarified or eliminated certain provisions found to be unclear or inappropriate for present consideration.

Agency Contact: Warren Robbins, Manager, Regulations Branch, Office of Flight Standards, Department of Transportation, Federal AviationAdministration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8150**RIN:** 2120-AA83**2189. +IMPROVED STANDARDS FOR DETERMINING REJECTED TAKEOFF AND LANDING PERFORMANCE****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40119; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716;

...

CFR Citation: 14 CFR 25; 14 CFR 121; 14 CFR 135; 14 CFR 1; 14 CFR 91**Legal Deadline:** None**Abstract:** This action would amend parts 25, 121, and 135 of the Federal Aviation Regulations to add new standards for transport category airplanes which would provide for approval of a reduced takeoff decision speed (V1) methodology for takeoff on wet and contaminated runways. As a result of extensive review and due to the increasing emphasis on harmonizing certification standards with the Joint Aviation Authorities (JAA) of Europe, the NPRM of 11/30/87 was withdrawn and a revised one published. This rulemaking is significant because of substantial public interest in both the United States and Europe.**Timetable:**

Action	Date	FR Cite
NPRM	11/30/87	52 FR 45578
NPRM Comment Period End	03/30/88	
NPRM Withdrawn	07/02/93	58 FR 36116
Second NPRM	07/08/93	58 FR 36738
Second NPRM Comment Period End	11/05/93	
Final Action	12/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 07/08/93 (58 FR 36738)**Additional Information:** This project was formerly entitled "Standards for Approval of a Wet Runway Reduced V1 Methodology and Improved Takeoff and Landing Braking Performance." Project Number ANM-83-030R.

Agency Contact: Don Stimson, Flight Test and Systems Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 206 227-1129

RIN: 2120—AB17

2190. STANDARDS FOR APPROVAL FOR HIGH-ALTITUDE OPERATION OF SUBSONIC TRANSPORT AIRPLANES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action would amend the Federal Aviation Regulations to specify airplane and equipment airworthiness standards for subsonic transport airplanes to be operated up to an altitude of 51,000 feet. This proposal was prompted by an increase in the number of applications received to raise the maximum certificated operating altitude for transport category airplanes. This action is intended to ensure an acceptable level of safety for airplanes operated at high altitudes.

Timetable:

Action	Date	FR Cite
NPRM	11/22/89	54 FR 48538
NPRM Comment Period End	05/21/90	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: Multiple

Analysis: Regulatory Evaluation 11/22/89 (54 FR 48538)

Additional Information: Project No. ANM-83-022R.

Agency Contact: Bob McCracken, Transport Airplane Directorate, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 206 227-2118

RIN: 2120—AB18

2191. AIRWORTHINESS STANDARDS; TRANSPORT CATEGORY ROTORCRAFT PERFORMANCE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 29

Legal Deadline: None

Abstract: This action would revise the performance requirements for transport category rotorcraft. The changes are needed to define more clearly the factors for determining takeoff distances for transport category rotorcraft and to add several other relevant standards. These changes would provide for an improved level of safety achievable because of recent technological advances in turboshaft engine design and associated rotorcraft design. The SNPRM proposed to add a minimum descent height of 15 feet.

Timetable:

Action	Date	FR Cite
ANPRM	10/17/85	50 FR 42126
ANPRM Comment Period End	06/06/86	
NPRM	01/08/90	55 FR 698
NPRM Comment Period End	07/09/90	
SNPRM	06/29/94	59 FR 33598
SNPRM Comment Period End	08/29/94	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 01/08/90 (55 FR 698)

Additional Information: Project No. ASW-83-006R.

Agency Contact: Thomas Archer, Regulations Group, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Southwest Region, 4400 Blue Mound Road, Fort Worth, TX 76193
Phone: 817 222-5112

RIN: 2120—AB36

2192. LOW FUEL QUANTITY ALERTING SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action would amend the airworthiness standards for transport category airplanes to require a means to alert the flight crew of potentially unsafe low fuel quantities. There have been several fuel depletion incidents involving loss of power or thrust on all engines that could have resulted in forced landings and injury or loss of life. Most of these incidents resulted from improper fuel management techniques. This proposed amendment would require new transport category airplane designs to incorporate a low fuel quantity alert system that would allow for correction of certain fuel management errors or provide the flightcrew the opportunity to make a safe landing prior to engine fuel starvation.

Timetable:

Action	Date	FR Cite
NPRM	05/12/87	52 FR 17890
NPRM Comment Period End	09/09/87	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 05/12/87 (52 FR 17890)

Additional Information: Docket No. 25213. Project No. ANM-83-039R.

Agency Contact: Neil Schalekamp, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, Washington 98055-4056
Phone: 206 227-2135

RIN: 2120—AB46

2193. +FLIGHT ATTENDANT REQUIREMENTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

DOT—FAA

Final Rule Stage

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121

Legal Deadline: None

Abstract: The FAA is withdrawing a previously published Notice of Proposed Rulemaking (NPRM) that proposed to clarify or change the number of flight attendants required when passengers are on board an airplane, including at stops. In view of the fact that the NPRM was issued in 1989, and in view of the opposition and alternative proposals presented by a number of commenters, the FAA wants to reanalyze its proposal in view of current operating practices.

Timetable:

Action	Date	FR Cite
NPRM	04/14/89	54 FR 15134
NPRM Comment Period End	07/13/89	
Withdrawal Notice	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/14/89 (54 FR 15134)

Additional Information: Project No. AFS-86-077R.

Agency Contact: Donnell Pollard, Air Transportation Division, Office of Flight Standards, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8096

RIN: 2120-AC32

2194. +TYPE AND NUMBER OF PASSENGER EMERGENCY EXITS REQUIRED IN TRANSPORT CATEGORY AIRPLANES

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44703; 49 USC 44705; 49 USC 44707; 49 USC 44711; 49 USC 44713; 49 USC 44717

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action would amend the current requirements for passenger

emergency exits and adopt two new exit types into the regulations. These proposals are intended to provide more consistent standards with respect to passenger seating allowed for each exit type, and the type and number of exits required for passenger seating configurations. This notice proposed to reduce the maximum inflation time of an escape slide to reflect the current state of the art. These changes resulted from the Public Technical Conference on Emergency Evacuation of Transport Airplanes held in Seattle, Washington, on September 3-6, 1985. This rulemaking is considered significant because it involves an important cabin-safety issue.

Timetable:

Action	Date	FR Cite
NPRM	02/22/90	55 FR 6344
NPRM Comment Period End	08/21/90	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 02/22/90 (55 FR 6344)

Additional Information: Project No. ANM-87-006R.

Agency Contact: Gary Killion, Regulations Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 206 227-2114

RIN: 2120-AC43

2195. +IMPROVED SURVIVAL EQUIPMENT FOR INADVERTENT WATER LANDINGS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; ...

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: NPRM, Statutory, June 28, 1988.

PL 100-223, Section 303, Airport and Airway Safety and Capacity Enhancement Act of 1987.

Abstract: This action would add new requirements for water survival equipment carried aboard airplanes and rotorcraft. The requirements would apply, after specified dates, to U.S.-certificate holders that conduct common-carriage operations with airplanes and rotorcraft. This action is in response to the Airport and Airway Safety and Capacity Enhancement Act of 1987 (PL 100-223) and relates to safety recommendations by the National Transportation Safety Board. The requirements are intended to increase the likelihood of aircraft passengers surviving a crash landing in water and, thus, this rulemaking is significant because of the safety implications.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	53 FR 24890
NPRM Comment Period End	11/28/88	
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 06/30/88 (53 FR 24890)

Additional Information: Project No. AIR-85-265R.

Agency Contact: John Petrakis, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9574

RIN: 2120-AC72

2196. +RETROFIT OF IMPROVED SEATS IN AIR CARRIER TRANSPORT CATEGORY AIRPLANES

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; ...

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: NPRM, Statutory, April 28, 1988.

PL 100-223 Sec 303

Abstract: This action would require that all seats of transport category airplanes used in air carrier operations and transport category airplanes used

DOT—FAA

Final Rule Stage

in scheduled intrastate service comply with improved crashworthiness standards. The Airport and Airways Safety and Capacity Expansion Act of 1987 directs the Secretary of Transportation to initiate a rulemaking proceeding to consider requiring all seats onboard all air carrier aircraft to meet improved crashworthiness standards based upon the best available testing standards. The intended effect of this action is to increase passenger protection and survivability in survivable impact accidents. This rulemaking is considered significant because of its safety implications and statutory requirements.

Timetable:

Action	Date	FR Cite
NPRM	05/17/88	53 FR 17650
NPRM Comment Period End	10/14/88	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
05/17/88 (53 FR 17650)

Additional Information: Docket 25611.
Project No. AIR-88-136R.

Agency Contact: John Petrakis, Aircraft Engineering Division, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9274

RIN: 2120-AC84

2197. INSTALLATION OF CRASHWORTHY FUSELAGE FUEL TANKS AND FUEL LINES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: NPRM, Statutory, February 3, 1989.
Public Law 100-591, Aviation Safety Research Act of 1988.

Abstract: This preliminary action was initiated to determine the feasibility of installing, in all air carrier aircraft, crashworthy fuselage fuel tanks and fuselage fuel lines which are rupture resistant and which disconnect and seal in the event of an accident. This notice solicited public participation in identifying and selecting a regulatory

course of action by inviting interested persons to submit specific comments and arguments concerning this proposed regulatory action. Originally this rulemaking was considered significant. However, because there is no substantial public interest, this rulemaking is no longer significant.

Timetable:

Action	Date	FR Cite
ANPRM	05/02/89	54 FR 18824
ANPRM Comment Period End	10/30/89	
Final Action	02/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: Project No.
ANM-89-005R.

Agency Contact: Mike Dostert, Transport Airplane Directorate, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 206 227-2132

RIN: 2120-AC87

2198. +DRUG ENFORCEMENT ASSISTANCE

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 5121 to 5124; 49 USC 40113 to 40114; 49 USC 44101 to 44108; 49 USC 44110 to 44111; 49 USC 44702 to 44703; 49 USC 44704; 49 USC 44709 to 44710; 49 USC 44713; 49 USC 46101 to 46110; 49 USC 46301 to 46316; 49 USC 46501 to 46502; 49 USC 46504 to 46507; 49 USC 47106; 49 USC 47111; ...

CFR Citation: 14 CFR 13; 14 CFR 47

Legal Deadline: Final, Statutory, September 18, 1989.
FAA Drug Enforcement Assistance Act of 1988.

Abstract: This action would revise certain requirements concerning registration of aircraft, certification of pilots, and penalties associated with registration and certification violations. This notice also announced new procedures for processing major repair and alteration forms which pertain to fuel system modifications. Actions announced in this notice respond to the FAA Drug Enforcement Assistance Act. The requirements and adopted

procedures are intended to assist law enforcement agencies in their efforts to stop drug trafficking in general aviation aircraft. This rulemaking is significant because of substantial and public interest.

Timetable:

Action	Date	FR Cite
NPRM	03/12/90	55 FR 9270
NPRM Comment Period End	05/11/90	
Comment Period Extended to 07/11/90	05/16/90	55 FR 20394
Final Action	08/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
03/12/90 (55 FR 9270)

Additional Information: Project No.
AFS-89-035R.

Agency Contact: Sharon Ashford, Flight Standards Service, Department of Transportation, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 MacArthur Boulevard, Oklahoma City, Oklahoma 73125
Phone: 405 954-7038

RIN: 2120-AD16

2199. AIRWORTHINESS STANDARDS: AIRCRAFT ENGINES; PROPOSAL FOR NEW ONE-ENGINE-INOPERATIVE RATINGS, DEFINITIONS, AND TYPE CERTIFICATION STANDARDS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 1; 14 CFR 33

Legal Deadline: None

Abstract: The Aerospace Industries Association of America, Inc., petitioned the FAA to provide new one-engine-inoperative ratings for rotorcraft engines and their application to rotorcraft. This action responds to that petition and defines and establishes type certification standards for new one-engine-inoperative ratings for rotorcraft engines.

DOT—FAA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	09/22/89	54 FR 39080
Notice of Public Hearing	10/13/89	54 FR 41986
NPRM Comment Period End	03/27/90	
SNPRM Comment Period End 3/24/95	02/07/95	60 FR 7380
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 09/22/89 (54 FR 39080)

Additional Information: Project No. ANE-85-001R.

Agency Contact: Chung Hsieh, Engine and Propeller Directorate, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803
Phone: 617 238-7116

RIN: 2120-AD21

2200. +SOLE RADIO NAVIGATION SYSTEM; MINIMUM STANDARDS FOR CERTIFICATION

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306

CFR Citation: 14 CFR 91

Legal Deadline: Final, Statutory, September 30, 1989.
Airway Safety and Capacity Expansion Act of 1987 (PL 100-223)

Abstract: The FAA is withdrawing a previously published Advance Notice of Proposed Rulemaking (ANPRM) that proposed to establish minimum standards under which a radio navigation system may be certified as the sole radio navigation system required in an aircraft conducting Instrument Flight Rules en route and terminal area operations, including nonprecision approach, in controlled airspace of the United States. This rulemaking was considered to be significant because of a congressional mandate. However, the provision was REPEALED in 1994 as part of the recodification of Title 49. The provision was originally enacted as Section 310(c)

in FAA's 1987 Reauthorization bill, Pub. L. No. 100-123.

Timetable:

Action	Date	FR Cite
ANPRM	01/22/90	55 FR 2206
ANPRM Comment Period End	05/22/90	
Withdrawal Notice	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: Project No. AFS-89-215R. This project was formerly entitled Sole Means Radio Navigation System.

Agency Contact: James Crowling, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-5215

RIN: 2120-AD26

2201. +AIRWORTHINESS STANDARDS; OCCUPANT PROTECTION STANDARDS FOR COMMUTER CATEGORY AIRPLANES

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 23

Legal Deadline: None

Abstract: This action would amend the airworthiness standards for normal, utility, acrobatic, and commuter category airplanes by upgrading the requirements for both seat/restraint systems and for flammability standards for seat cushions used in commuter category airplanes. These amendments are needed to improve the occupant protection provisions for these types of airplanes. These new requirements would result in a level of safety commensurate with that provided by the seat/restraint requirements and the flammability standards for transport category airplanes. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	07/14/93	58 FR 38028
NPRM Correction	07/28/93	58 FR 40389
NPRM Comment Period End	11/12/93	
Reopening of Comment Period	11/04/94	59 FR 55225
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 07/14/93 (58 FR 38028)

Additional Information: Project No. ACE-87-014R. This project was formerly entitled "Improved Seat Safety Standards for Commuter Category Airplanes."

Agency Contact: Michael Downs, Standards Office, Small Airplane Directorate, Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106
Phone: 816 426-5688

RIN: 2120-AD27

2202. AIRPLANE ENGINE COWLING RETENTION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action would amend the airworthiness standards for transport category airplanes to require improved cowling retention devices. A review of a number of inflight incidents where engine cowlings were lost revealed that the largest single cause of such losses was improper latching of the cowlings. If adopted, this proposal would provide additional design standards to detect improperly latched cowlings and ensure the integrity of the latching system.

Timetable:

Action	Date	FR Cite
NPRM	09/19/89	54 FR 38610
NPRM Comment Period End	03/19/90	
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 09/19/89 (54 FR 38610)

Additional Information: Project No. ANM-87-004R.

Agency Contact: Mike McRae, Airframe and Propulsion Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, WA 98055-4056

DOT—FAA

Final Rule Stage

Phone: 206 227-2133

RIN: 2120-AD34

2203. +FATIGUE EVALUATION OF STRUCTURE**Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: This action would revise the fatigue requirements for damage-tolerant structures on transport category airplanes to require full-scale fatigue testing and to require that the thresholds for inspections be based on crack growth from initial flaws in the structure. These proposed changes are based on the service history of airplanes evaluated to the current damage tolerance requirements and are intended to ensure that, should serious fatigue damage occur within the operational life of the airplane, the remaining structure can withstand reasonable loads without failure until the damage is detected. This rulemaking is considered significant because of its safety implications and substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	07/19/93	58 FR 38642
Notice: Additional Compliance Guidance	10/19/93	58 FR 53987
NPRM Comment Period End	11/16/93	
Final Action	08/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 07/19/93 (58 FR 38642)**Additional Information:** Project Number ANM-88-013R.

Agency Contact: Rich Yarges, Airframe and Propulsion Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 206 227-2143

RIN: 2120-AD42

2204. ALLOWABLE CARBON DIOXIDE CONCENTRATION IN TRANSPORT CATEGORY AIRPLANE CABINS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: This action has been reestablished to review part 25 to determine if the current allowable concentration of carbon dioxide in the airplane cabin and flight deck is appropriate in light of standards established for air quality in buildings occupied by the general public and with workplace exposure limits adopted by other regulatory agencies. This rulemaking is no longer considered significant since no actual incremental costs are expected to be incurred as a result of this action.

Timetable:

Action	Date	FR Cite
NPRM	05/02/94	59 FR 22718
NPRM Comment Period End	08/30/94	
Final Action	09/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 05/02/94 (59 FR 22718)

Additional Information: This project was formerly entitled "Carbon Dioxide Concentration." Project ANM-87-017R. This entry was temporarily removed from the Agenda and is now reactivated to resume rulemaking.

Agency Contact: Bob McCracken, Flight Test and Systems Branch, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 206 227-2118

RIN: 2120-AD47

2205. PROTECTIVE BREATHING EQUIPMENT; CARGO-ONLY AIRPLANES**Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121**Legal Deadline:** None

Abstract: This action would revise the Federal Aviation Regulations governing portable protective breathing equipment (PBE) required for crewmembers' use in combatting in-flight fires. This action addresses concerns and issues identified by the Air Transport Association and several operators regarding required portable PBE for cargo-only operations. This action also would clarify the Federal Aviation Regulations governing required portable PBE in passenger compartments. Originally this rulemaking was considered significant. However, because there is no substantial public interest, this rulemaking is no longer significant.

Timetable:

Action	Date	FR Cite
NPRM	03/29/93	58 FR 16584
NPRM Comment Period End	05/28/93	
SNPRM: Comment Period End	04/11/94	59 FR 17166
Final Action	06/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 04/11/94 (59 FR 17166)**Additional Information:** Project Number AFS-90-324R.

Agency Contact: Gary Davis, Air Transportation Division, Office of Flight Standards, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3747

RIN: 2120-AD74

2206. REVISIONS TO MAINTENANCE AND PREVENTIVE MAINTENANCE RULE**Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

DOT—FAA

Final Rule Stage

duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44703; 49 USC 44705; 49 USC 44707; 49 USC 44711; 49 USC 44713; 49 USC 44717

CFR Citation: 14 CFR 43

Legal Deadline: None

Abstract: This action would amend the maintenance rules to allow, under certain conditions, properly trained pilots of rotorcraft and small (nine passengers or less) airplanes that are used in on-demand types of air carrier or commercial operations to perform certain preventive maintenance tasks on their aircraft. It also would add to the definition of preventive maintenance the removal and installation of approved seats, litters, and doors, and the removal and replacement of medical oxygen bottles under certain conditions.

Timetable:

Action	Date	FR Cite
NPRM	07/18/95	60 FR 36926
NPRM Comment Period End	09/18/95	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
06/00/96

Additional Information: Project No.: AFS-92-070R. This rulemaking was formerly titled, "Persons Authorized to Perform Maintenance, Preventive Maintenance, Rebuilding, and Alterations."

Agency Contact: Ed Ortiz, Aircraft Maintenance Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9952

RIN: 2120-AE57

2207. +AIRCRAFT GROUND DEICING AND ANTI-ICING PROGRAM

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121

Legal Deadline: None

Abstract: This action establishes a requirement for part 121 certificate holders to develop an FAA-approved ground deicing/anti-icing program and to comply with that program any time conditions are such that frost, ice, or snow could adhere to the aircraft's wings, control surfaces, or propellers. This action is necessary because several accidents and the recent International Conference on Airplane Ground Deicing indicate that, under present procedures, the pilot in command may be unable to effectively determine whether critical airplane components are free of all frost, ice, or snow prior to attempting a takeoff. The action provides an added level of safety to flight operations in adverse weather conditions, and is considered significant because of its safety implications.

Timetable:

Action	Date	FR Cite
NPRM	07/23/92	57 FR 32846
NPRM Comment Period End	08/07/92	
Interim Final Rule	09/29/92	57 FR 44924
Interim Final Rule Effective	11/01/92	
Interim Final Rule Correction	11/09/92	57 FR 53385
Interim Final Rule Comment Period End	04/15/93	
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
09/29/92 (57 FR 44924)

Additional Information: Project Number: AFS-92-280-R.

A proposed advisory circular providing guidance on the program elements that should be included in an air carrier's approved ground deicing and anti-icing program was published September 29, 1992, requesting comments (57 FR 44944).

Various documents of this proceeding were erroneously published under RIN 2120-AE51.

Agency Contact: Larry Youngblut, Regulations Branch, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591

Phone: 202 267-3755

RIN: 2120-AE70

2208. +PILOT, FLIGHT INSTRUCTOR, GROUND INSTRUCTOR, AND PILOT SCHOOL CERTIFICATION RULES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44703; 49 USC 44707; 49 USC 44709 to 44711; 49 USC 45102 to 45103; 49 USC 45301 to 45302

CFR Citation: 14 CFR 61

Legal Deadline: None

Abstract: This action would update and revise part 61, Certification: Pilots and Flight Instructors; part 141, Pilots Schools; and part 143, Ground Instructors. In order to be more compatible with the current operating environment and evolving demands of the national airspace system, this action would update training, certification, and recency-of-experience requirements. It is considered significant because of substantial public interest in pilot and instructor certification and training issues.

Timetable:

Action	Date	FR Cite
NPRM	08/11/95	60 FR 41160
NPRM Comment Period End	12/11/95	
NPRM Comment Period Extended to 02/12/96	12/14/95	60 FR 64129
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
08/11/95 (60 FR 41160)

Additional Information: Project No.: AFS-90-025R. RIN 2120-AD59 entitled, "Operations Over the High Seas and Within the North Atlantic Minimum Navigation Performance Specification Airspace," has been incorporated into this document (previous Project No.: AFS-89-175R). The present action was formerly entitled "Part 61, Phase II."

Agency Contact: John Lynch, Flight Standards Service, Department of

DOT—FAA

Final Rule Stage

Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3844

RIN: 2120—AE71

2209. STAGE 2 AIRPLANE OPERATIONS IN HAWAII

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 39 USC 46306; ...

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: This action would revise the airplane operating rules to provide reporting requirements for operators of Stage 2 airplanes in Hawaii. These revisions would require any U.S. operator or foreign air carrier that operated Stage 2 airplanes in Hawaii on November 5, 1990, to include certain information in its annual progress reports to the FAA.

Timetable:

Action	Date	FR Cite
NPRM	05/11/95	60 FR 25554
Correction	06/27/95	60 FR 33163
NPRM Comment Period End	08/09/95	
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/00/96

Additional Information: Project Number: AEE-92-265R

Agency Contact: Alan V. Trickey, Policy and Regulatory Division, Office of Environment and Energy, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3496

RIN: 2120—AE83

2210. +CIVIL PENALTY ASSESSMENT PROCEDURES

Priority: Other Significant

Legal Authority: 18 USC 6002; 49 USC 106(g); 49 USC 5121 to 5124; 49 USC 40113 to 40114; 49 USC 44103 to

44106; 49 USC 44702 to 44703; 49 USC 44709 to 44710; 49 USC 44713; 49 USC 46101 to 46110; 49 USC 46301 to 46316; 49 USC 46501 to 46502; 49 USC 46504 to 46507; 49 USC 47106; 49 USC 47111; 49 USC 47122; ...

CFR Citation: 14 CFR 13

Legal Deadline: None

Abstract: This action would revise the procedures for the assessment of civil penalties for violations of the Federal Aviation Regulations and other provisions. The procedures proposed would implement the requirements of the FAA Civil Penalty Administrative Assessment Act of 1992, as they modify the procedures for adjudicating a civil penalty against a person acting in the capacity of a pilot, flight engineer, mechanic, or repairman. This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	08/05/94	59 FR 40192
NPRM Comment Period End	10/04/94	
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/05/94 (59 FR 40192)

Additional Information: Project Number: AGC-93-076R

Agency Contact: Mardi Ruth Thompson, Regulations Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3073

RIN: 2120—AE84

2211. MANNED FREE BALLOONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 31

Legal Deadline: None

Abstract: This action would amend the test requirements for burners used on

manned free balloons. The current test requirements do not test the burner's most critical operating conditions. This amendment reduces the costs to balloon manufacturers seeking certification, and increases the current level of safety by requiring more realistic tests.

Timetable:

Action	Date	FR Cite
NPRM	12/07/93	58 FR 64450
NPRM Comment Period End	02/07/94	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/07/93 (58 FR 64450)

Additional Information: Project Number: ACE-92-021R

Agency Contact: J. Lowell Foster, Central Region Headquarters, Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106
Phone: 816 426-5688

RIN: 2120—AE87

2212. +REVISED ACCESS TO TYPE III EXITS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 25; 14 CFR 121

Legal Deadline: None

Abstract: This action would adjust recently adopted requirements for access to type III emergency exits in transport category airplanes with 60 or more passenger seats. The adjustments would reflect new data from tests conducted at the FAA's Civil Aeromedical Institute and are intended to improve the ability of occupants to evacuate an airplane under emergency conditions. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	01/30/95	60 FR 5794

DOT—FAA

Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	05/01/95	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Project
Number: ANM-93-005R

Agency Contact: Gary Killion,
Transport Airplane and Engine
Directorate, Aircraft Certification
Service, Department of Transportation,
Federal Aviation Administration, 1601
Lind Avenue SW., Renton, WA 98055-
4056
Phone: 206 227-2114

RIN: 2120-AF01

2213. TRAINING AND QUALIFICATION REQUIREMENTS FOR CHECKING AIRMEN AND FLIGHT INSTRUCTORS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; ...

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This rule would amend the training and testing requirements for check airmen and flight instructors who perform their functions in training programs conducted by part 121 and part 135 certificate holders. The proposed amendments are needed to allow check airmen and flight instructors who perform their functions only in flight simulators and flight training devices to do so without having to possess a current medical certificate. The proposed amendments are also needed to make these regulations compatible with proposed regulations for simulator training centers and with the regulations for advanced qualification training programs. Upon reevaluation by FAA, it was determined that this action is not considered significant.

Timetable:

Action	Date	FR Cite
NPRM	02/22/96	61 FR 6898
NPRM Comment Period End	03/25/96	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
02/22/96 (61 FR 6898)

Additional Information: Project
Number: AFS-92-747A

Agency Contact: Tom Toula, Air
Carrier Training Branch, Flight
Standards Service, Department of
Transportation, Federal Aviation
Administration, 800 Independence
Avenue SW., Washington, DC 20591
Phone: 202 267-3718

RIN: 2120-AF08

2214. +TRAINING AND CHECKING IN GROUND ICING CONDITIONS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44710 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722

CFR Citation: 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: This proposed amendment would require parts 125 and 135 certificate holders to provide pilot training or testing in ground deicing/anti-icing procedures and to check the airplane for contamination by frost, ice, or snow during ground icing conditions. The proposal is intended to provide an added level of safety to flight operations in adverse weather conditions under parts 125 and 135. This rulemaking is significant because it affects a substantial portion of the aviation industry.

Timetable:

Action	Date	FR Cite
NPRM	09/21/93	58 FR 49164
NPRM Comment Period End	10/06/93	
Interim Final Rule	12/30/93	58 FR 69620
Advisory Circular Published	12/30/93	58 FR 69631
Interim Final Rule: Effective Date	01/31/94	58 FR 69620
Interim Final Rule Comments Due	04/15/94	
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Flexibility
Analysis; Regulatory Evaluation
12/30/93 (58 FR 69620)

Additional Information: Project
Number: AFS-93-459R

Agency Contact: Larry Youngblut,
Flight Standards Service, Department of
Transportation, Federal Aviation
Administration, 800 Independence
Avenue SW., Washington, DC 20591
Phone: 202 267-3755

RIN: 2120-AF09

2215. AMENDMENT OF THE TYPE CERTIFICATION PROCEDURES FOR CHANGES IN TYPE DESIGN TO ATTACH OR REMOVE EXTERNAL EQUIPMENT (HELICOPTER)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7572; 49 USC 106(g); 49 USC 40105; 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44707; 49 USC 44709; 49 USC 44711; 49 USC 44713; 49 USC 44715; 49 USC 45303

CFR Citation: 14 CFR 21

Legal Deadline: None

Abstract: This action would provide an exclusion for the attachment, or removal, of external equipment for specific purposes from the existing noise certification requirements for changes in type design of helicopters.

Timetable:

Action	Date	FR Cite
NPRM	09/20/95	60 FR 48790
Correction	09/28/95	60 FR 50244
NPRM Comment Period End	11/20/95	
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
10/00/96

Additional Information: Project
Number: AEE-93-558R

Agency Contact: Kenneth Jones,
Technical Division, Office of
Environment and Energy, Department
of Transportation, Federal Aviation
Administration, 800 Independence
Avenue SW., Washington, DC 10592
Phone: 202 267-5594

RIN: 2120-AF10

DOT—FAA

Final Rule Stage

2216. LOS ANGELES, CA, CLASS B AIRSPACE**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; EO 10854**CFR Citation:** 14 CFR 71**Legal Deadline:** None

Abstract: This action proposed to alter the Los Angeles, CA, Class B airspace area. This action would lower certain ceilings while raising others to provide more visual flight rules altitudes to circumnavigate the Los Angeles Class B airspace and to provide for better containment of arrival turbojets. This action is intended to improve safety while providing the most efficient use of the terminal airspace.

Timetable:

Action	Date	FR Cite
NPRM	11/22/94	59 FR 60244
NPRM Comment Period End	01/23/95	
Final Action	10/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 11/22/94 (59 FR 60244)

Additional Information: Project Number: ATP-94-035T RIN number 2120-AF38 was inadvertently used when this rulemaking was published in the Federal Register on November 22, 1994. The correct RIN number is 2120-AF16.

Agency Contact: Norman W. Thomas, Airspace and Obstruction Evaluation Branch, Air Traffic Rules and Procedures Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-9250

RIN: 2120-AF16**2217. MINIMUM ALTITUDES FOR THE USE OF AN AUTOPILOT****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC

44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 40709 to 40711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; ...

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135**Legal Deadline:** None

Abstract: This action would amend the regulations governing the use of approved flight control guidance systems with automatic capability (autopilot). The current regulations prohibit the use of an autopilot at altitudes less than 500 feet above ground level during the takeoff and initial climb phases of flight. The FAA proposes to amend the regulations to permit air carriers to take advantage of technological improvements in the capabilities of autopilot systems and thus enhance safety by decreasing pilot workload during the critical takeoff phase of flight.

Timetable:

Action	Date	FR Cite
NPRM	12/09/94	59 FR 63868
NPRM Comment Period End	01/09/95	
Final Action	06/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 12/09/94 (59 FR 63868)**Additional Information:** Project Number: AFS-92-608R

Agency Contact: Richard A. Temple, Technical Programs Division, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-5824

RIN: 2120-AF19**2218. +REVISION OF EMERGENCY EVACUATION DEMONSTRATION PROCEDURES TO IMPROVE PARTICIPANT SAFETY****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704**CFR Citation:** 14 CFR 25; 49 CFR 1.47**Legal Deadline:** None

Abstract: This action would amend part 25 of the FAR by revising

Appendix J, Emergency Evacuation, to allow certain alternative procedures in conducting full-scale emergency evacuation demonstrations for transport category airplanes. This is in response to recommendations from the Aviation Rulemaking Advisory Committee. The changes, which are intended to make full-scale emergency evacuation demonstrations safer for participants and to codify existing practices, would also affect manufacturers and operators of transport category airplanes. This action is considered significant because of substantial public interest and safety implications.

Timetable:

Action	Date	FR Cite
NPRM	07/18/95	60 FR 36932
Correction	08/25/95	60 FR 44387
NPRM Comment Period End	10/16/95	
Final Action	02/00/97	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 02/00/97**Additional Information:** Project Number: ANM-94-124A

Agency Contact: Franklin Tiangsing, Regulations Branch, ANM-114, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056 Phone: 206 227-2121

RIN: 2120-AF21**2219. ADVANCED SIMULATION PLAN REVISIONS****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121**Legal Deadline:** None

Abstract: This action would revise certain requirements of the Advanced

DOT—FAA

Final Rule Stage

Simulation Plan for air carriers to allow certain initial training for second-in-command pilots to be conducted in simulators; to redefine some of the experience and training required for an upgrade from second-in-command to pilot-in-command; and to remove the current 1-year employment requirement for instructor and check airmen used in advanced simulation training programs.

Timetable:

Action	Date	FR Cite
NPRM	02/14/95	60 FR 8490
NPRM Comment Period End	03/16/95	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Project Number: AFS-94-005R. Correction to rule published 03/09/95 60 FR 13008.

Agency Contact: Gary Davis, Regulations Branch, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8096

RIN: 2120-AF29

2220. +SUSPENSION OF CERTAIN AIRCRAFT OPERATIONS FROM THE TRANSPONDER WITH AUTOMATIC PRESSURE ALTITUDE REPORTING CAPABILITY REQUIREMENT

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306; ...

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: This action would extend and modify SFAR 62, issued December 5, 1990, which suspends the Mode C transponder requirement for operations to and from certain specific airports located within 30 miles of a Class B airspace primary airport. The operations and routings approved under SFAR 6 include routes within 2 nautical miles of the specified airports and at altitudes that were not excluded from the Mode C transponder requirement. Airports that are served

primarily by aircraft required to install Traffic Alert and Collision Avoidance Systems are not included in this exception. This rulemaking was accomplished in 1990 because the scheduled radar system upgrades, required to provide Mode C transponder coverage, have not been placed into full service in all Class B sites. The present action would extend the current exclusions to those airports that have not received the improved radar coverage, and amend the exclusions provided airports that have received improved radar coverage through operational verification of the new radar systems.

Timetable:

Action	Date	FR Cite
NPRM	08/25/94	59 FR 43994
NPRM Correction	09/14/94	59 FR 47210
NPRM Comment Period Extended to 11/25/94		59 FR 49360
NPRM Comment Period End	10/11/94	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/25/94 (59 FR 43994)

Additional Information: Project Number: ATP-93-474R. As this action merely involves extension of a suspension of a requirement, it is not a rulemaking requiring OMB review in the context of EO 12866. However, it is significant under DOT's regulatory policies and procedures.

Agency Contact: Reginald Matthews, Air Traffic Branch, Airspace Rules and Aeronautical Info. Div., Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3731

RIN: 2120-AF30

2221. +PROCEDURES FOR COMPLAINTS INVOLVING FEDERALLY ASSISTED AIRPORTS

Priority: Other Significant

Legal Authority: 18 USC 6002; 49 USC 106(g); 49 USC 5121 to 5124; 49 USC 40113 to 40114; 49 USC 44103 to 44106; 49 USC 44702 to 44703; 49 USC 44709 to 44710; 49 USC 44713; 49 USC 46101 to 46110; 49 USC 46301 to 46316; 49 USC 46501 to 46502; 49 USC

46504 to 46507; 49 USC 47106; 49 USC 47111; 49 USC 47122; ...

CFR Citation: 14 CFR 13; 14 CFR 16

Legal Deadline: None

Abstract: This action would establish rules of practice for the filing of complaints and adjudication of compliance matters involving federally assisted airports. This action is intended to expedite substantially the handling and disposition of airport-related complaints, and to provide an efficient process for the agency to resolve disputes between air carriers and airport proprietors regarding whether airport fees and charges comply with Federal requirements. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	06/09/94	59 FR 29880
Proposed Policy Notice	06/09/94	59 FR 29874
NPRM Comment Period End	08/08/94	
NPRM Comment Period Extended to 09/15/94	08/10/94	59 FR 41192
Proposed Policy Comment Period Extended to 09/15/94	08/10/94	59 FR 41194
NPRM Partial Withdrawal and Comment Period Extended	09/16/94	59 FR 47568
Proposed Policy Notice Comment Period Extended	09/16/94	59 FR 47668
NPRM Comment Period Extended to 12/01/94	12/01/94	
Proposed Policy Notice Comment Period End	12/01/94	
Final Action	08/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 06/09/94 (59 FR 29880)

Additional Information: A notice of public meeting was published June 29, 1994 (59 FR 33567), in connection with the proposed policy notice. Intent to issue a supplemental notice was published September 16, 1994 (59 FR 47668). The NPRM-proposed special procedures for handling of airport fee complaints (subpart J) were withdrawn and will be handled in separate rulemaking under a new RIN.

DOT—FAA

Final Rule Stage

Project Number: AGC-94-319R.

Agency Contact: Barry Molar, Airport Law Branch, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3473

RIN: 2120-AF43

2222. SENSITIVE SECURITY INFORMATION**Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 5103; 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44706; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44906; ...

CFR Citation: 14 CFR 107 to 109; 14 CFR 121; 14 CFR 191

Legal Deadline: None

Abstract: The FAA proposes to strengthen the rules protecting information from release to unauthorized persons. This rule would specify all sensitive security information that must be protected and would require air carriers, airport operators, indirect air carriers, foreign air carriers, and individuals to be responsible for protecting it from disclosure to unauthorized persons.

Timetable:

Action	Date	FR Cite
NPRM	12/06/94	59 FR 62956
NPRM Comment Period End	02/06/95	
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None

Analysis: Regulatory Evaluation
12/06/94 (59 FR 62956)

Additional Information: Project No.:
ACS-94-221R

Agency Contact: Eugene Cunningham, Office of Aviation Security Policy and Planning, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8701

RIN: 2120-AF49

2223. +CHILD RESTRAINT SYSTEMS**Priority:** Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40119; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; ...

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: This action proposes to amend the Federal Aviation Regulations by withdrawing approval for the use of booster seats and vest and harness-type child restraint systems on aircraft. Recent research shows that these systems are a hazard to children in the event of an accident. This rule would increase safety for children on board aircraft. The FAA has already taken action, by way of press releases, pamphlets, and advisories to U.S. airlines, to notify the public and the aviation industry that these seats should no longer be used on aircraft. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Notice of Availability of Study	09/27/94	59 FR 49276
NPRM	06/09/95	60 FR 30690
NPRM Comment Period End	07/10/95	
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None

Analysis: Regulatory Evaluation
06/09/95 (60 FR 30690)

Additional Information: Project
Number: AFS-94-526R

Agency Contact: Donell Pollard, Air Transportation Division, AFS-200, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9685

RIN: 2120-AF52

2224. WINDMILLING AND ROTOR BLOCKING TESTS; AND VIBRATION TESTS**Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 33**Legal Deadline:** None

Abstract: This action proposes changes to the windmilling and vibration airworthiness standards for the issue of type certificates, and changes to type certificates, for aircraft engines. This proposal resulted from an effort to harmonize FAA requirements with European (JAA) requirements to create one set of common requirements.

Timetable:

Action	Date	FR Cite
NPRM	03/06/95	60 FR 12360
NPRM Comment Period End	06/05/95	
Final Action	06/00/96	

Small Entities Affected: None**Government Levels Affected:** None

Analysis: Regulatory Evaluation
03/06/95 (60 FR 12360)

Additional Information: Project
Number: ANE-94-588A

Agency Contact: John Golinski, Engine & Propeller Standards Staff, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803
Phone: 617 238-7114

RIN: 2120-AF57

2225. +FLIGHT CREWMEMBER DUTY LIMITATIONS AND REST REQUIREMENTS**Priority:** Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; ...

DOT—FAA

Final Rule Stage

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This action would amend the pilot rest and duty requirements for pilots operating under Parts 121 and 135 by ensuring that pilots receive adequate rest opportunities while assigned to reserve status and by preventing lengthy duty periods that could contribute to acute and cumulative fatigue. Specifically, the rulemaking will propose a definition of rest period. This action also proposes that all commercial flying or flying under Part 91 that is done by a pilot for a certificate holder will be included in the total flight time limitations of Parts 121 or 135, as applicable. This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	12/20/95	60 FR 65951
NPRM Comment Period End	03/19/96	
NPRM Comment Period Extended to 6/19/96	03/20/96	61 FR 11492
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
12/29/95 (60 FR 65951)

Additional Information: Project Number
AFS-94-443R

Agency Contact: Larry Youngblut, Air
Transportation Division, Department of
Transportation, Federal Aviation
Administration, 800 Independence
Avenue SW., Washington, DC 20591
Phone: 202 267-3755

RIN: 2120-AF63

**2226. ROTORCRAFT REGULATORY
CHANGES BASED ON EUROPEAN
JOINT AIRWORTHINESS
REQUIREMENTS PROPOSALS**

Priority: Substantive, Nonsignificant

Reinventing Government: This
rulemaking is part of the Reinventing
Government effort. It will revise text in
the CFR to reduce burden or
duplication, or streamline
requirements.

Legal Authority: 49 USC 106(g); 49
USC 40113; 49 USC 44701 to 44702;
49 USC 44701

CFR Citation: 14 CFR 27; 14 CFR 29

Legal Deadline: None

Abstract: This action proposes changes
to the type certification requirements
for both normal and transport category
aircraft. These changes are based on
standards that are being incorporated
by the European Joint Aviation
Authorities for the Joint Aviation
Requirements (JAR) 27 and 29. These
proposed changes are intended to
harmonize the Federal Aviation
Regulations rotorcraft type certification
requirements and the European JAR.

Timetable:

Action	Date	FR Cite
NPRM	12/28/94	59 FR 67068
NPRM Comment Period End	03/28/95	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
12/28/94 (59 FR 67068)

Additional Information: Project
Number: ASW-94-536A. RIN Number
2120-AC27 was inadvertently used
when this rulemaking was published in
the Federal Register on December 28,
1994. The correct RIN Number is 2120-
AF65.

Agency Contact: Carroll Wright,
Rotorcraft Directorate, Aircraft
Certification Service, Department of
Transportation, Federal Aviation
Administration, 2601 Meacham Blvd.,
Fort Worth, TX 76193-0111
Phone: 817 222-5120

RIN: 2120-AF65

**2227. REVISED STRUCTURAL LOADS
REQUIREMENTS FOR TRANSPORT
AIRPLANES**

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49
USC 40113; 49 USC 44701 to 44702;
49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action proposes to revise
the structural loads design
requirements of the Federal Aviation
Regulations (FAR) for transport
category airplanes by incorporating
changes developed in cooperation with
the Joint Aviation Authorities of
Europe, and the U.S. and European
aviation industry through the Aviation
Rulemaking Advisory Committee. This

action is necessary because differences
between current U.S. and European
requirements impose unnecessary costs
on airplane manufacturers. These
proposals are intended to achieve
common requirements and language
between the requirements of the FAR
and the Joint Aviation Requirements
without reducing the level of safety
provided by the regulations.

Timetable:

Action	Date	FR Cite
NPRM	08/29/95	60 FR 44998
NPRM Comment Period End	11/27/95	
Final Action	01/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
01/00/97

Additional Information: Project Number
ANM-95-238A.

Agency Contact: James Haynes,
Airframe and Propulsion Branch, ANM-
112, Aircraft Certification Service,
Department of Transportation, Federal
Aviation Administration, 1601 Lind
Avenue SW., Renton, WA 98055-4056
Phone: 206 227-2131

RIN: 2120-AF70

**2228. +POLICY REGARDING AIRPORT
RATES AND CHARGES**

Priority: Other Significant

Legal Authority: 49 USC 47129

CFR Citation: None

Legal Deadline: None

Abstract: This statement of policy was
required by Congress as part of the
DOT authorization Act of 1994. The
statement announces DOT and FAA
policy on the fees charged by Federally-
assisted airports to air carriers and
other aeronautical users. While the
policy statement was issued in
February 1995, the department
requested further comments and will be
issuing a supplemental statement to
address the comments received. This
policy statement is considered
significant due to substantial industry
interest.

Timetable:

Action	Date	FR Cite
Policy Statement: Comments Due 5/4/95	02/03/95	60 FR 6906

DOT—FAA

Final Rule Stage

Action	Date	FR Cite
SNPP: Comment Period End 10/23/95	09/08/95	60 FR 47012
Notice: Comments Due 11/07/95	10/10/95	60 FR 54282
Supplemental Statement	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The Department issued a final rule 2/3/95 (60 FR 6919), RIN 2105-AC18, Rules of Practice for Proceedings Concerning Airport Fees. This rulemaking had its origins in two related notices on the subject of Federal policy on airport rates and charges.

A notice of meeting was published 9/12/95 (60 FR 47433).

A notice of meeting was published 9/29/95 (60 FR 50661).

Agency Contact: Barry Molar, Manager, Airports Law Branch, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3473

RIN: 2120-AF90

2229. • CRITERIA FOR AN EXPLOSIVE DETECTION SYSTEM (EDS), STANDARDS FOR DETONATOR DETECTION

Priority: Substantive, Nonsignificant

Legal Authority: Not yet determined

CFR Citation: None

Legal Deadline: None

Abstract: This action would result in the issuance of a performance standard for the certification of equipment, designed to locate improvised explosive devices through automatic detection of detonators, as an Explosive Detection System (EDS). Establishment of minimum performance requirements is a prerequisite to the testing and ultimate deployment of EDS equipment. The proposed notice will include portions of the criteria that do not contain sensitive security information. This notice deals only with the standards for the certification of the equipment and any ultimate deployment decision would be the basis for separate rulemaking.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Quint Johnson, Office of Civil Aviation Security, Policy and Planning, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8058

RIN: 2120-AF95

2230. • +POLICY AND PROCEDURES CONCERNING THE USE OF AIRPORT REVENUE

Priority: Other Significant

Legal Authority: Not yet determined

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This document proposes a statement of policy and procedures concerning the use of airport revenue. This statement of policy discusses in detail the requirement that revenue at public airports that have received Federal grants generally be used only for airport purposes. A statement of policy is required by the Federal Aviation Administration Authorization Act of 1994. The FAA is issuing a proposed policy and requesting public comment because of substantial public and industry interest in the subject matter.

Timetable:

Action	Date	FR Cite
Notice of Proposed Policy: Comment Period End 04/26/96	02/26/96	61 FR 7134
Final Policy	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Barry Molar, Manager, Airports Law Branch, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3473

RIN: 2120-AG01

2231. • SMALL AIRPLANE AIRWORTHINESS REVIEW PROGRAM AMENDMENT NO. 3; CORRECTION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 23

Legal Deadline: None

Abstract: This final rule contains corrections to the final regulation which was published April 9, 1993 (58 FR 18958). The regulation amended the powerplant and equipment airworthiness standards for normal, utility, acrobatic, and commuter category airplanes. This action replaces two paragraphs that were inadvertently deleted in the April 19, 1993, final rule.

Timetable:

Action	Date	FR Cite
Correction; FR Request For Comments Comment Period End 04/03/96	01/04/96	61 FR 252
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The final rule published April 9, 1993, used RIN 2120-AD30. That RIN was incorrectly used for this rulemaking published on January 4, 1996 (61 FR 252).

Agency Contact: Norman Vetter, Small Airplane Directorate, ACE-111, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106
Phone: 816 426-5688

RIN: 2120-AG09

2232. • PROHIBITION AGAINST CERTAIN FLIGHTS WITHIN THE TERRITORY AND AIRSPACE OF AFGHANISTAN

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306; ...

CFR Citation: 14 CFR 91

Legal Deadline: None

DOT—FAA

Final Rule Stage

Abstract: Special Federal Aviation Regulation (SFAR) 67, which prohibited flight operations over Afghanistan, was issued on May 10, 1995, and expires on May 10, 1996. Conditions that warranted the imposition of SFAR 67 still remain. Therefore, this action amends SFAR 67 to extend the prohibition on flight operations within the territory and airspace of Afghanistan by any United States air carrier and commercial operator, by any person exercising the privileges of an airman certificate

issued by the FAA, or by an operator using an aircraft registered in the United States unless the operator of such an aircraft is a foreign air carrier. This action is taken to prevent an undue hazard to persons and aircraft engaged in such flight operations as a result of the ongoing civil war in Afghanistan.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
05/00/96

Agency Contact: Reginald Mathews, Manager, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 2-591
Phone: 202 267-8783

RIN: 2120-AG10

**DEPARTMENT OF TRANSPORTATION (DOT)
Federal Aviation Administration (FAA)**

Long-Term Actions

**2233. OBJECTS AFFECTING
NAVIGABLE AIRSPACE**

Priority: Substantive, Nonsignificant

CFR Citation: 14 CFR 77

Timetable:

Action	Date	FR Cite
Notice of Review	06/19/78	43 FR 26322
Review Conference	12/08/80	
National Airspace Review Begins	07/09/84	
NPRM	08/03/90	55 FR 31722
NPRM Correction	08/13/90	55 FR 32999
NPRM Correction	08/16/90	55 FR 33577
NPRM Correction	08/28/90	55 FR 35152
NPRM Correction	09/10/90	55 FR 37287
NPRM Comment Period End	12/31/90	
SNPRM Comment Period End 11/30/95	10/16/95	60 FR 53680
Final Action	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Janet Apple
Phone: 202 267-8783

RIN: 2120-AA09

**2234. AIRCRAFT ENGINES: FUEL AND
INDUCTION SYSTEMS**

Priority: Substantive, Nonsignificant

CFR Citation: 14 CFR 33

Timetable:

Action	Date	FR Cite
ANPRM	02/28/86	51 FR 7224
ANPRM Comment Period End	04/29/86	
NPRM	10/20/92	57 FR 47934
NPRM Comment Period End	02/17/93	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Locke Easton
Phone: 617 273-7088

RIN: 2120-AB76

**2235. TYPE CERTIFICATES FOR
SOME SURPLUS AIRCRAFT OF THE
ARMED FORCES**

Priority: Substantive, Nonsignificant

CFR Citation: 14 CFR 21

Timetable:

Action	Date	FR Cite
NPRM	04/21/94	59 FR 19114
NPRM Comment Period End	06/20/94	
NPRM Comment Period Reopened: Comment Period End 08/26/94	07/07/94	59 FR 34779
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Brian Yanez
Phone: 202 267-6561

RIN: 2120-AE41

**2236. +ANTI-DRUG AND ALCOHOL
MISUSE PREVENTION PROGRAMS
FOR EMPLOYEES OF FOREIGN AIR
CARRIERS ENGAGED IN SPECIFIED
AVIATION ACTIVITIES**

Priority: Other Significant

CFR Citation: 14 CFR 121; 14 CFR 129

Timetable:

Action	Date	FR Cite
ANPRM	12/15/92	57 FR 59473

Action	Date	FR Cite
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ANPRM Comment 02/16/93

Period End

ANPRM Comment 02/18/93 58 FR 8917
Period Extended to
04/01/93

Next Action Undetermined

Small Entities Affected: Undetermined

Government Levels Affected:
Undetermined

Agency Contact: Julie B. Murdoch
Phone: 202 267-6584

RIN: 2120-AE79

**2237. +CORROSION CONTROL
PROGRAM**

Priority: Other Significant

CFR Citation: 14 CFR 121; 14 CFR 125;
14 CFR 129; 14 CFR 135

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Frederick Sobek
Phone: 202 267-7355

RIN: 2120-AE92

**2238. FLIGHT ATTENDANT ENGLISH
LANGUAGE PROFICIENCY**

Priority: Substantive, Nonsignificant

CFR Citation: 14 CFR 91; 14 CFR 121;
14 CFR 125; 14 CFR 135

Timetable:

Action	Date	FR Cite
ANPRM	04/18/94	59 FR 18456

DOT—FAA

Long-Term Actions

Action	Date	FR Cite
ANPRM Comment	07/18/94	
Period End		
Next Action	Undetermined	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Donell Pollard
 Phone: 202 267-3735
RIN: 2120—AE98

2239. TAMPA, FL, CLASS B AIRSPACE

Priority: Substantive, Nonsignificant
CFR Citation: 14 CFR 71
Timetable: Next Action Undetermined
Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Lewis W. Still
 Phone: 202 267-9250
RIN: 2120—AF18

2240. REVISION OF CERTIFICATION REQUIREMENTS: MECHANICS AND REPAIRMEN

Priority: Substantive, Nonsignificant
CFR Citation: 14 CFR 65; 14 CFR 66
Timetable:

Action	Date	FR Cite
NPRM	08/17/94	59 FR 42430
NPRM Comment	10/17/94	
Period End		
Next Action	Undetermined	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Leslie Vipond
 Phone: 202 267-3269
RIN: 2120—AF22

2241. STREAMLINED ENFORCEMENT PROCESS TEST PROGRAM

Priority: Substantive, Nonsignificant
CFR Citation: 14 CFR 13
Timetable:

Action	Date	FR Cite
Test and Evaluation Program Established, Comment Period Ends 10/25/94	08/26/94	59 FR 44266
Test and Evaluation Correction	09/09/94	59 FR 46533
Next Action	Undetermined	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Brian Reed
 Phone: 202 267-5998
RIN: 2120—AF36

2242. +OVERFLIGHTS OF UNITS OF THE NATIONAL PARK SYSTEM

Priority: Other Significant
CFR Citation: 14 CFR 91; 14 CFR 135
Timetable:

Action	Date	FR Cite
ANPRM	03/17/94	59 FR 12740
ANPRM Correction	04/01/94	59 FR 15350
ANPRM Comment	06/15/94	
Period End		
ANPRM Comment	06/20/94	59 FR 31883
Period Extended to	07/15/94	
Next Action	Undetermined	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Reginald Matthews
 Phone: 202 267-9239
RIN: 2120—AF46

2243. +MOUNTAIN FLYING

Priority: Other Significant
CFR Citation: 14 CFR 91
Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: John Wensel
 Phone: 202 267-7771
RIN: 2120—AF67

2244. OPERATIONAL AND STRUCTURAL DIFFICULTY REPORTS

Priority: Substantive, Nonsignificant
CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 127; 14 CFR 135; 14 CFR 145
Timetable:

Action	Date	FR Cite
NPRM	08/14/95	60 FR 41992
NPRM Comment	11/13/95	
Period End		
Final Action	06/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Benjamin Burton

Phone: 202 267-3797
RIN: 2120—AF71

2245. BIRD STRIKE

Priority: Substantive, Nonsignificant
CFR Citation: 14 CFR 25
Timetable: Next Action Undetermined
Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Bill Perrella
 Phone: 206 227-2116
RIN: 2120—AF80

2246. REPAIR ASSESSMENT FOR PRESSURIZED FUSELAGES

Priority: Substantive, Nonsignificant
CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 129
Timetable: Next Action Undetermined
Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Dayton Curtis
 Phone: 206 227-2109
RIN: 2120—AF81

2247. REVISION OF GATE REQUIREMENTS FOR HIGH-LIFT DEVICE CONTROLS

Priority: Substantive, Nonsignificant
CFR Citation: 14 CFR 25
Timetable: Next Action Undetermined
Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Don Stimson
 Phone: 206 227-1129
RIN: 2120—AF82

2248. TWO APPROACH CHARTS

Priority: Substantive, Nonsignificant
CFR Citation: 14 CFR 121; 14 CFR 135
Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Bernie Busby
 Phone: 202 267-8086
RIN: 2120—AF86

DEPARTMENT OF TRANSPORTATION (DOT)

Completed Actions

Federal Aviation Administration (FAA)

2249. +REVISION OF MEDICAL STANDARDS AND CERTIFICATION PROCEDURES**Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44703; 49 USC 44707; 49 USC 44709 to 44711; 49 USC 45102 to 45103; 49 USC 45301 to 45303**CFR Citation:** 14 CFR 67**Legal Deadline:** None**Abstract:** This action revised the medical standards and the medical certification procedures of the Federal Aviation Regulations. This action follows the completion of a comprehensive review of the medical standards which was announced in previous notices. These revised standards for airman medical certification and associated administrative procedures will better provide for safety in the aviation system and reflect current medical knowledge, practice, and terminology. This rulemaking is considered significant because of substantial public interest.**Timetable:**

Action	Date	FR Cite
NPRM	10/21/94	59 FR 53226
Notice of Public Meetings	01/04/95	60 FR 395
NPRM Comment Period End	02/21/95	
Final Action	03/19/96	61 FR 11238
Final Action Effective	09/16/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 10/21/94 (59 FR 53226)**Additional Information:** The FAA contracted with the American Medical Association (AMA) on August 29, 1983, to develop a comprehensive report which was used by the FAA as part of its evaluation of Part 67 standards. AMA completed a professional review of the medical standards for civil airmen. The FAA announced the availability of the AMA report in the Federal Register on May 23, 1986 (51 FR 19040). RIN 2120-AB13 has been

combined into this review. Project No. AAM-82-288R.

Agency Contact: Dennis P. McEachen, Special Projects Officer, Office of Aviation Medicine, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 493-4075**RIN:** 2120-AA70**2250. AIRWORTHINESS STANDARDS; TURBOSHAFT ENGINE ROTOR BURST PROTECTION****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704**CFR Citation:** 14 CFR 29**Legal Deadline:** None**Abstract:** This rulemaking amends the Federal Aviation Regulations to minimize the failure hazards of high speed powerplant rotor systems used in turboshaft engines in newly designed transport category rotorcraft. Engine rotor failures have occurred resulting in the release of high energy rotor fragments or other engine component fragments. These fragments have impacted and damaged critical rotorcraft structures, systems, controls, and adjacent engines, as well as caused serious or fatal injuries to passengers and crewmembers. This rule is intended to eliminate these hazards.**Timetable:**

Action	Date	FR Cite
NPRM	10/17/89	54 FR 42716
Comment Period Extended to 10/16/90	03/08/90	55 FR 8474
NPRM Comment Period End	04/16/90	
NPRM Comment Period Reopened to 3/15/93	01/14/93	58 FR 4566
Final Action	11/02/95	60 FR 55774
Final Action Effective	01/31/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 10/17/89 (54 FR 42716); Regulatory Evaluation 11/02/95 (60 FR 55774)**Additional Information:** Formerly entitled "Turbine Burst Protection for Transport Category Helicopters." Project No. ASW-84-002.**Agency Contact:** Ron Dalton, Rotorcraft Directorate, Rotorcraft Standards Staff, Department of Transportation, Federal Aviation Administration, Southwest Region, 4400 Blue Mound Road, Fort Worth, TX 76193

Phone: 817 222-5127

RIN: 2120-AB91**2251. +PASSENGER-CARRYING AND CARGO AIR OPERATIONS FOR COMPENSATION OR HIRE****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 46105**CFR Citation:** 14 CFR 119; 14 CFR 121; 14 CFR 125; 14 CFR 127; 14 CFR 135**Legal Deadline:** None**Abstract:** This action amends the Federal Aviation Regulations to update, clarify, and consolidate into one part, new part 119, the certification and operations specifications requirements for persons who conduct passenger-carrying or cargo-carrying air operations for compensation or hire. Significant changes included defining what must be included in operations specifications; defining "scheduled" and "domestic" operations; increasing the lead-time period for application for a certificate; defining a "wet lease" operation; including in the regulations criteria to determine who has operational control of an operation; and standardizing the requirements and qualifications for management personnel. This action establishes permanent minimum safety standards following the "sunset" of the Civil Aeronautics Board on December 31, 1984, and the enactment of the Airline Deregulation Act of 1978. This action will replace SFAR 38, as amended, which has provided interim certification and operations specifications regulation. This rulemaking is considered significant because of substantial public interest.

DOT—FAA

Completed Actions

Timetable:

Action	Date	FR Cite
NPRM	10/12/88	53 FR 39852
NPRM Comment Period End	01/10/89	
Comment Period Reopened To	04/17/90	55 FR 14404
SNPRM Comment Period End	06/08/93	58 FR 32248
Final Action	12/20/95	60 FR 65832
Final Action Effective	01/19/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis; Regulatory Evaluation 06/08/93 (58 FR 32248)

Additional Information: Project No. AFS-84-190R. This new part is contained in the proposed rule, RIN number: 2120-AF62, entitled, "Commuter Operations and General Certification and Operations Requirements."

Agency Contact: Gary Davis, Air Transportation Division, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-3750

RIN: 2120-AC08

2252. +AIR CARRIER TRAINING PROGRAMS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44703; 49 USC 44705; 49 USC 44707; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; ...

CFR Citation: 14 CFR 61; 14 CFR 63; 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This rulemaking revises and upgrades parts 121 and 135 training, checking, certification, and qualification requirements, including cockpit resource management. In addition, commuter air carriers

conducting part 135 commuter operations in airplanes that require two pilots would be required to meet the proposed upgraded part 121 requirements. This rule is in response to recommendations of the joint Government/Industry Task Force on Flight Crew Performance and is significant because of its safety implications.

Timetable:

Action	Date	FR Cite
NPRM	12/13/94	59 FR 64272
NPRM Comment Period End	03/14/95	
Final Action	12/20/95	60 FR 65940
Correction	01/29/96	61 FR 2869
Final Action Effective	03/19/96	60 FR 65940

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/13/94 (49 FR 64272); Regulatory Evaluation 12/20/95 (60 FR 65940)

Additional Information: Project No. AFS-88-301R. Former title: "parts 121 and 135--Training, Checking, Certification, and Qualifications Requirements."

Agency Contact: Larry Youngblood, Project Development Branch, Air Transportation Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8096

RIN: 2120-AC79

2253. +CHILD RESTRAINT SYSTEMS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; ...

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: This action would have amended several sections of the Federal Aviation Regulations related to the seating and restraint of children in child restraint systems. The FAA is considering whether rulemaking is needed on this issue. If it is determined to be needed, the FAA will submit an entry to the Agenda.

Timetable:

Action	Date	FR Cite
Action Terminated	02/13/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Project Number AFS-90-323R.

Agency Contact: Donell Pollard, Air Transportation Division, Office of Flight Standards, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8096

RIN: 2120-AD90

2254. +AIRWORTHINESS STANDARDS: SYSTEMS AND EQUIPMENT RULES BASED ON EUROPEAN JOINT AVIATION REQUIREMENTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 23

Legal Deadline: None

Abstract: The FAA established an aviation rulemaking advisory committee (56 FR 20492, May 3, 1991), to provide advice and recommendations to the FAA on the full range of aviation-related issues. The committee has been tasked to provide advice and recommendations to the Director, Aircraft Certification Service, regarding the airworthiness standards for standard and commuter category airplanes and engines in part 23 of the Federal Aviation Regulations. These revisions will reduce the regulatory burden on U.S. and European airplane manufacturers by relieving them of the need to show compliance with different standards each time they seek certification approval of an airplane in a different country.

Timetable:

Action	Date	FR Cite
NPRM	07/22/94	59 FR 37620

DOT—FAA

Completed Actions

Action	Date	FR Cite
NPRM Comment Period End	11/21/94	
Final Action	02/09/96	61 FR 5151
Final Rule Correction	02/28/96	61 FR 7410
Final Action Effective	03/11/96	
Final Rule Correction	03/13/96	61 FR 10269

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 07/22/94 (59 FR 37620); Regulatory Evaluation 02/09/96 (61 FR 5151)

Additional Information: Project No.: ACE-94-288A. Refer to Regulatory Plan entry for RIN 2120-AE61. This rulemaking was formerly titled, "JAR/FAR Harmonization Initiatives -- Systems and Equipment."

Agency Contact: Earsa Tankesley, Aircraft Certification Service, ACE-100, Small Planes Directorate, Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106
Phone: 816 426-6932

RIN: 2120-AE59

2255. +AIRWORTHINESS STANDARDS: POWERPLANT RULES BASED ON EUROPEAN JOINT AVIATION REQUIREMENTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 23

Legal Deadline: None

Abstract: The FAA established an aviation rulemaking advisory committee (56 FR 20492, May 3, 1991), to provide advice and recommendations to the FAA on the full range of aviation-related issues. The committee has been tasked to provide advice and recommendations to the Director, Aircraft Certification Service, regarding the Airworthiness standards for standard and commuter category airplanes and engines in part 23 of the Federal Aviation Regulations. These revisions will reduce the regulatory burden on U.S. and European airplane manufacturers by

relieving them of the need to show compliance with different standards each time they seek certification approval of an airplane in a different country.

Timetable:

Action	Date	FR Cite
NPRM	06/30/94	59 FR 33822
NPRM Comment Period End	10/28/94	
Final Action	02/09/96	61 FR 5130
Final Action Effective	03/11/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 06/30/94 (59 FR 33822); Regulatory Evaluation 02/09/96 (61 FR 5130)

Additional Information: Project No.: ACE-94-287A. Refer to Regulatory Plan entry RIN 2120-AE61. This rulemaking was formerly titled, "JAR/FAR Harmonization Initiatives -- Propulsion."

Agency Contact: Norman Vetter, Aircraft Certification Service, ACE-111, Small Planes Directorate, Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106
Phone: 816 426-5688

RIN: 2120-AE60

2256. +AIRWORTHINESS STANDARDS: FLIGHT RULES BASED ON EUROPEAN JOINT AVIATION REQUIREMENTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 23

Legal Deadline: None

Abstract: The FAA established an Aviation Rulemaking Advisory Committee (56 FR 20492, May 3, 1991), to provide advice and recommendations to the FAA on the full range of aviation-related issues. The ARAC has been tasked to recommend airworthiness standards for standard and commuter category airplanes in part 23 of Title 14 of the CFR. The FAA has also committed to

harmonizing its requirements applicable to type certification of new airplanes, rotocraft, aircraft engines, and propellers with those of the European members of the Joint Aviation Authorities (JAA). This final rule and the three related final rules, which resulted from recommendations from the ARAC, will harmonize the airworthiness requirements of part 23 with those of the JAA, and will result in significant cost savings to applicants for type certification for part 23 airplanes.

Timetable:

Action	Date	FR Cite
NPRM	07/25/94	59 FR 37878
NPRM Comment Period End	11/22/94	
Final Action	02/09/96	61 FR 5171
Final Action Effective	03/11/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 07/25/94 (59 FR 37878); Regulatory Evaluation 02/09/96 (61 FR 5171)

Additional Information: Project No.: ACE-94-286A.

Agency Contact: Lowell Foster, Aircraft Certification Service, ACE-111, Small Planes Directorate, Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106
Phone: 816 426-5688

RIN: 2120-AE61

2257. +AIRWORTHINESS STANDARDS: AIRFRAME RULES BASED ON EUROPEAN JOINT AVIATION REQUIREMENTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 23

Legal Deadline: None

Abstract: The FAA established an aviation rulemaking advisory committee (56 FR 20492, May 3, 1991), to provide advice and recommendations to the FAA on the

DOT—FAA

Completed Actions

full range of aviation-related issues. The committee has been tasked to provide advice and recommendations to the Director, Aircraft Certification Service, regarding the airworthiness standards for standard and commuter category airplanes and engines in part 23 of the Federal Aviation Regulations. These revisions will reduce the regulatory burden on U.S. and European airplane manufacturers by relieving them of the need to show compliance with different standards each time they seek certification approval of an airplane in a different country.

Timetable:

Action	Date	FR Cite
NPRM	07/08/94	59 FR 35196
NPRM Comment Period End	11/07/94	
Final Action	02/09/96	61 FR 5138
Final Action Effective	03/11/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 07/08/94 (59 FR 35196); Regulatory Evaluation 02/09/96 (61 FR 5138)

Additional Information: Project Number: ACE-94-285A. Refer to Regulatory Plan entry RIN 2120-AE61. This rulemaking was formerly titled, "JAR/FAR Harmonization Initiatives -- Airframe."

Agency Contact: Kenneth W. Payauys, Aircraft Certification Service, ACE-111, Small Planes Directorate, Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106
Phone: 816 426-5688

RIN: 2120-AE62

2258. ACCELERATED STALLS IN COMMUTER CATEGORY AIRPLANES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 23

Legal Deadline: None

Abstract: The FAA is withdrawing a previously published Notice of Proposed Rulemaking (NPRM) that proposed to eliminate the certification requirement to demonstrate an accelerated entry stall for commuter category airplanes. The proposed rule would have removed an unwarranted

hazard during flight demonstrations required for airplane type certification, and would not compromise passenger safety. This hazard was a direct result of the high power-to-weight ratios of new commuter airplanes. The FAA has proposed a similar requirement in the Airworthiness Standards; Flight Proposals Based on European Joint Aviation Requirements, Docket No. 27807, Notice No. 94-22 (59 FR 37878), published on July 25, 1994.

Timetable:

Action	Date	FR Cite
NPRM	06/07/93	58 FR 32034
NPRM Comment Period End	09/07/93	
Final Action Withdrawal Notice	11/01/95	60 FR 55491

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 06/07/93 (58 FR 32034)

Additional Information: Project No. ACE-92-683A.

Agency Contact: J. Lowell Foster, Small Airplane Directorate, ACE-112, Department of Transportation, Federal Aviation Administration, 601 East Twelfth Street, Room 1544, Kansas City, MO 64106
Phone: 816 426-5688

RIN: 2120-AE86

2259. OCCUPANT PROTECTION IN NORMAL AND TRANSPORT CATEGORY ROTORCRAFT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44704

CFR Citation: 14 CFR 27; 14 CFR 29

Legal Deadline: None

Abstract: The Federal Aviation Administration (FAA) established an aviation rulemaking advisory committee (56 FR 20492, May 3, 1991) to provide advice and recommendations to the FAA on the full range of aviation-related issues. The committee has been tasked to provide advice and recommendations

to the Director, Aircraft Certification Service, regarding the airworthiness standards for occupant protection in normal and transport category rotorcraft in parts 27 and 29 of the Federal Aviation Regulations. The occupant protection requirements eliminate the unnecessary cost burden that would be imposed by separate European and U.S. standards. The proposed standard is harmonized with the European Joint Airworthiness Authority. While it was being worked through the advisory committee, final wording was developed which is noncontroversial. Therefore, this project is no longer considered significant.

Timetable:

Action	Date	FR Cite
NPRM	04/11/94	59 FR 17156
NPRM Comment Period End	07/11/94	
Final Action	03/13/96	61 FR 10436
Final Action Effective	06/11/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/11/94 (59 FR 17156)

Additional Information: Project Number: ASW-93-771A

Agency Contact: Mike Mathias, Regulations Group, ASW-111, Rotorcraft Directorate, Department of Transportation, Federal Aviation Administration, Southwest Region, Fort Worth, TX 76193-0111
Phone: 817 222-5123

RIN: 2120-AE88

2260. NIAGARA FALLS

Priority: Other

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40109; 49 USC 40113; 49 USC 44502; 49 USC 44514; 49 USC 44701; 49 USC 44719; 49 USC 46301

CFR Citation: 14 CFR 93

Legal Deadline: None

Abstract: The FAA is evaluating comments from a public meeting to determine whether to propose rulemaking to implement special flight rules in the vicinity of Niagara Falls, New York. The FAA is considering the issues related to this project. If it is determined that rulemaking is appropriate, any proposal will be issued under RIN 2120-AF07, the Air Tour Standards project.

DOT—FAA

Completed Actions

Timetable:

Action	Date	FR Cite
Withdrawn	02/13/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Project Number: ATP-93-155R

Agency Contact: Melodie M. DeMarr, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-9247

RIN: 2120-AE95

2261. EXTENDED OVERWATER OPERATIONS WITH A SINGLE HIGH-FREQUENCY COMMUNICATION SYSTEM (HF) AND A SINGLE LONG-RANGE NAVIGATION SYSTEM (LRNS)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40119; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; ...

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: This action revised the Federal Aviation Regulations for certain overwater operations for air carriers, commercial operators, and general aviation operators of large and turbine-powered multiengine airplanes. This rule will authorize air carriers and commercial operators to use a single high-frequency communication system (HF) and a single LRNS for extended overwater routes detailed in their operation specifications. This action gives the FAA greater flexibility in responding to advances in aviation technology and changes in the operational environment and to allow operators to conduct extended overwater operations without carrying unnecessary communication and navigation equipment.

Timetable:

Action	Date	FR Cite
NPRM	10/05/93	58 FR 51938
NPRM Comment	10/20/93	
Period End		
Final Action	02/26/96	61 FR 7186
Correction	03/13/96	61 FR 10430

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 10/05/93 (58 FR 51938)

Additional Information: Project Number: AFS-93-130R

Agency Contact: Dan Meier, Project Development Branch, Air Transportation Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-3749

RIN: 2120-AF12

2262. RALEIGH/DURHAM, NC, CLASS B AIRSPACE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; EO 10854

CFR Citation: 14 CFR 71

Legal Deadline: None

Abstract: This action was to establish the Raleigh/Durham Class B airspace area and revoke the Class C airspace area in North Carolina. The FAA has determined that the Raleigh/Durham does not meet the criteria for Class B airspace.

Timetable:

Action	Date	FR Cite
Action Terminated	02/13/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Project Number: ATP-93-578T

Agency Contact: Patricia Crawford, Airspace and Obstruction Evaluation Branch, Air Traffic Rules and Procedures Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-9250

RIN: 2120-AF20

2263. REVISED DISCRETE GUST LOAD DESIGN REQUIREMENT; TRANSPORT CATEGORY AIRPLANES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This final rule revised the gust load design requirements of the Federal Aviation Regulations. The changes will: (1) replace the current discrete gust requirement with a new requirement for a discrete tuned gust; (2) modify the method of establishing the design airspeed for maximum gust intensity; and, (3) provide for an operational rough air speed. These changes were needed in order to provide a more rational basis to account for the aerodynamic and structural dynamic characteristics of the airplane. These changes will also provide for harmonization of the discrete gust requirements with the Joint Aviation Requirements of Europe as recently amended.

Timetable:

Action	Date	FR Cite
NPRM	09/16/94	59 FR 47756
NPRM Comment	12/15/94	
Period End		
Final Action	02/09/96	61 FR 5218
Correction	03/08/96	61 FR 9533
Final Action Effective	03/11/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 02/09/96 (61 FR 5218)

Additional Information: Project Number: ANM-94-108A

Agency Contact: James R. Haynes, Airframe and Propulsion Branch, ANM-112, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056 Phone: 206 227-2131

RIN: 2120-AF27

2264. +OPERATIONS OF JET AIRCRAFT IN COMMUTER SLOTS AT LAGUARDIA AIRPORT AND JOHN F. KENNEDY INTERNATIONAL AIRPORT

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC

DOT—FAA

Completed Actions

40109; 49 USC 40113; 49 USC 44502; 49 USC 44514; 49 USC 44701; 49 USC 44719; 49 USC 46301

CFR Citation: 14 CFR 93

Legal Deadline: None

Abstract: This proposal would have amended the definition of commuter operator slots (i.e., allocated instrument flight rules takeoff and landing reservations) at LaGuardia Airport and John F. Kennedy International Airport to expand the category of aircraft that may be used in those slots. The FAA has determined this rulemaking is not needed at this time. Priorities have allocated the resources to other projects ahead of this one.

Timetable:

Action	Date	FR Cite
Action Terminated	02/14/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Project Number: AGC-93-090P

Agency Contact: Patricia Lane, Airspace and Air Traffic Law Branch, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3491

RIN: 2120-AF31

2265. NOTIFICATION TO ATC OF DEVIATIONS FROM ATC CLEARANCE AND INSTRUCTIONS IN RESPONSE TO TRAFFIC ALERT AND COLLISION AVOIDANCE SYSTEM RESOLUTION ADVISORIES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306; ...

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: This rule codified the authority previously granted to pilots in command during the initial testing of TCAS to deviate from an air traffic control clearance or instruction in non-emergency situations in response to a traffic alert and collision avoidance system (TCAS) resolution advisory (RA). The FAA has consistently

encouraged pilots to comply with TCAS RAs. The language contained in current regulations suggests that deviation from an ATC clearance is only authorized in an emergency situation. This rulemaking action added the TCAS RA as a reason to deviate from a clearance, and would require that whenever a pilot deviates from an ATC clearance or instruction, ATC would be advised as soon as possible.

Timetable:

Action	Date	FR Cite
NPRM	04/29/94	59 FR 22142
NPRM Comment Period End	05/31/94	
Final Action	09/29/95	60 FR 50676
Final Action Effective	10/30/95	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/29/94 (59 FR 22142); Regulatory Evaluation 09/29/95 (60 FR 50676)

Agency Contact: Ellen Crum, Air Traffic Branch, ATP-230, Airspace Rules and Aeronautical Info. Div., Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW.
Phone: 202 267-9859

RIN: 2120-AF35

2266. POWERPLANT INSTRUMENTS; FUEL PRESSURE INDICATION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 23

Legal Deadline: None

Abstract: This action amends the certification requirement for fuel pressure indicators on pump-fed engines to permit other regulatory alternatives to warn pilots of imminent fuel pressure loss. A fuel pressure indicator is not the only means currently available in the marketplace to warn the pilot of a fuel pump failure. The proposed change will allow manufacturers to utilize new technology to improve operation, economy, and engine life.

Timetable:

Action	Date	FR Cite
NPRM	12/28/94	59 FR 67114
NPRM Comment Period End	02/27/95	
Final Action	03/27/96	61 FR 13642
Final Action Effective	07/25/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/28/94 (59 FR 67114)

Additional Information: Project No: ACE-94-266A This is a recommendation of the Aviation Rulemaking Advisory Committee, received February 15, 1994; accepted March 8, 1994.

Agency Contact: J. Lowell Foster, Standards Office, ACE-112, Airplane Certification Service, Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106
Phone: 816 426-5688

RIN: 2120-AF41

2267. DIRECT FINAL RULEMAKING PROCEDURE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40101; 49 USC 40103; 49 USC 40105; 49 USC 40109; 49 USC 40113; 49 USC 44110; 49 USC 44502; 49 USC 44701 to 44702; 49 USC 44711; 49 USC 46102

CFR Citation: 14 CFR 11

Legal Deadline: None

Abstract: This rule responds to the President's Executive Order on Regulatory Planning and Review, the Vice President's National Performance Review, and the Administration's Civil Aviation Initiative. It implements a new and more efficient procedure for adopting non-controversial or consensual rules. This "direct final rulemaking" procedure involves issuing a rule with a statement that the FAA anticipates no public comment. If the FAA receives no adverse or negative comment, or notice of intent to file such a comment within a specified time period, the the rule will become

DOT—FAA

Completed Actions

effective on a designated date. If the FAA does receive such a comment or notice of intent, a notice of withdrawal of the direct final rule will be published in the Federal Register, and a notice of proposed rulemaking will be published with a new comment period. This new procedure is expected to reduce significantly the time needed to publish routine or non-controversial final rules.

Timetable:

Action	Date	FR Cite
NPRM	10/04/94	59 FR 50676
Final Action	03/19/96	61 FR 11278
Final Action Effective	04/18/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
10/04/94 (59 FR 50676)

Agency Contact: Donald P. Byrne, Assistant Chief Counsel for Regulations, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3073

RIN: 2120-AF55

2268. PROPOSED MODIFICATION OF THE SALT LAKE CITY, UT, CLASS B AIRSPACE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; EO 10854

CFR Citation: 14 CFR 71

Legal Deadline: None

Abstract: This action alters the Salt Lake City, UT, Class B airspace area by redefining several existing subareas to improve air traffic procedures. The goal of this action is to improve safety while providing the most efficient use of the terminal airspace.

Timetable:

Action	Date	FR Cite
Final Action	09/18/95	60 FR 48350
Final Action Effective	11/09/95	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
09/18/95 (60 FR 48350)

Additional Information: Project
Number: ATP-94-361R

Agency Contact: Norman W. Thomas, Airspace and Obstruction Evaluation

Branch, Air Traffic Rules and Procedures Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9230

RIN: 2120-AF56

2269. +COMMUTER OPERATIONS AND GENERAL CERTIFICATION AND OPERATIONS REQUIREMENTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; ...

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This action responded to the 10 recommendations from the National Transportation Safety Board dated November 15, 1994. The primary objective of this action is to revise the Federal Aviation Regulations (FAR) to require all scheduled passenger operations conducted with airplanes with more than nine passenger seats to be conducted under the requirements of Part 121. Other projects that the FAA already has ongoing include: Part 142, Training Centers; Flight Crewmember Duty Limitations and Rest Requirements; and the 121/135 Training Program. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	03/29/95	60 FR 16230
NPRM Comment Period End	06/27/95	
Final Action	12/20/95	60 FR 65832
Final Action Effective	01/19/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
12/20/96 (60 FR 65832)

Additional Information: Project
Number: AFS-95-064

49 USC 46103, 49 USC 46105.

Agency Contact: Alberta Brown, Air Transportation Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8321

RIN: 2120-AF62

2270. SALT LAKE CITY, UTAH, CLASS B AIRSPACE

Completed:

Reason	Date	FR Cite
Terminated - Duplicate of RIN 2120-AF56	02/13/96	

RIN: 2120-AF89

2271. • DEFINITIONS OF SPECIAL USE AIRSPACE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701

CFR Citation: 14 CFR 1

Legal Deadline: None

Abstract: This action amended the Federal Aviation Regulations by adding the definitions of the various forms of special use airspace. This action is needed to consolidate and define those categories in a single part, including the definitions of warning area and non-regulatory warning area found in Special Federal Aviation Regulation (SFAR) No. 53.

Timetable:

Action	Date	FR Cite
NPRM	11/27/95	60 FR 58494
NPRM Comment Period End	12/27/95	
Final Action Effective	01/15/96	
Final Action	01/24/96	61 FR 2080

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
11/27/95 (60 FR 58494)

Additional Information: Project
Number: ATP-96-003R.

Agency Contact: Joseph White, Air Traffic Rules Branch, ATP-230, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8783

RIN: 2120-AF92

DOT—FAA

Completed Actions

2272. • INDEFINITE SUSPENSION OF THE PROHIBITION AGAINST CERTAIN FLIGHTS BETWEEN THE UNITED STATES AND THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO)

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306; ...

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: This action suspends indefinitely the provisions of SFAR No. 66-2, which prohibits, with certain exceptions, the takeoff from, landing, or overflight of the territory of the United States by any aircraft on a flight to or from the territory of Federal Republic of Yugoslavia (Serbia and Montenegro).

Timetable:

Action	Date	FR Cite
Notice Suspension of Effectiveness	01/09/96	61 FR 629

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The previous RIN for this rulemaking was 2120-AF72.

Agency Contact: Patricia R. Lane, Airspace and Air Traffic Law Branch, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3491

RIN: 2120-AF94

2273. • THE AGE 60 RULE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121

Legal Deadline: None

Abstract: This action responds to the comments requested in 1993 (April 20, 1993, 58 FR 21336) regarding various aspects of the Age 60 Rule. After

reviewing all of the comments, studies and other pertinent information, the Federal Aviation Administration (FAA) has determined not to initiate rulemaking to change the Age 60 Rule at this time. The FAA also has decided not to grant any of the pending petitions for exemption or rulemaking.

Timetable:

Action	Date	FR Cite
Final Action - Disposition of Comments and Notice of Agency Decisions.	12/20/95	60 FR 65977

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Daniel V. Meier, Jr., Regulations Branch, AFS-240, Department of Transportation, Federal Aviation Administration
Phone: 202 267-3749

RIN: 2120-AF96

2274. • AIRSPACE AND FLIGHT OPERATIONS REQUIREMENTS FOR THE 1996 SUMMER OLYMPIC GAMES, ATLANTA, GA

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: This action establishes a Special Federal Aviation Regulation for the period July 5 through August 11, 1996, to establish temporary flight restricted (TFR) areas overlying the various competition venues for the XXVI Olympic Games. In addition, this action announces other Federal Aviation Administration (FAA) services that will be available to the National and International air commerce community prior to and during the games. The FAA finds that this action is necessary for the protection of security and law enforcement aircraft operating within these areas.

Timetable:

Action	Date	FR Cite
NPRM	12/29/95	60 FR 67506
NPRM Comment Period End	01/22/96	

Action	Date	FR Cite
Final Action	02/12/96	61 FR 5492
Correction	02/29/96	61 FR 7855
Final Action Effective	03/13/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/29/95 (60 FR 67506); Regulatory Evaluation 02/12/96 (61 FR 5492)

Additional Information: Project Number: ATP-96-076R.

Agency Contact: Janet Apple, Air Traffic Rules Branch(ATP-230), Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8783

RIN: 2120-AG02

2275. • OPERATING REQUIREMENTS: DOMESTIC, FLAG, SUPPLEMENTAL, COMMUTER, ON-DEMAND OPERATIONS: EDITORIAL AND TERMINOLOGY CHANGES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40101; 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This amendment adopts changes to certain references and language in the regulations governing the operations of certificate holders under parts 121 and 135. Many of these changes are made necessary as a result of the issuance of new part 119, which has made numerous references in parts 121 and 135 incorrect or obsolete. The changes to parts 121 and 135 in this amendment will not impose any additional restrictions or requirements on persons affected by these regulations.

Timetable:

Action	Date	FR Cite
Final Action	01/26/96	61 FR 2608
Final Action Effective	02/26/96	
Correction	03/11/96	61 FR 9612

Small Entities Affected: None

Government Levels Affected: None

DOT—FAA

Completed Actions

Additional Information: Project Number: ARM-96-137R. Correction published on 3/11/96 refers to RIN 2120-AC79, which was published on 12/20/95.

Agency Contact: Linda Williams, Office of Rulemaking, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591

Phone: 202 267-9685

RIN: 2120-AG03

**DEPARTMENT OF TRANSPORTATION (DOT)
Federal Highway Administration (FHWA)**

Prerule Stage

2276. HIGHWAY BEAUTIFICATION

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 131; 23 USC 315; 49 USC 1651

CFR Citation: 23 CFR 750, subpart B; 23 CFR 750, subpart E; 23 CFR 750, subpart G

Legal Deadline: None

Abstract: The revision of these subparts will reduce their complexity, recognize the existence of State laws, regulations, and organizations implementing 23 USC 131, and emphasize the position of the State as the initial, primary, and principal focal point regarding the requirement of effective control. Potential costs should be reduced, albeit minimally. The principal benefit will be to give the States greater ability, in the context of the broad requirements of 23 USC 131, to respond to concepts and issues relevant to the States. We are reviewing these regulations and we intend to focus on changes necessitated by ISTEA.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: The FHWA has determined that changes to 23 CFR part 750 should be made to conform these regulations to the Dire Emergency Supplemental Appropriations Act of 1992. These changes will be made under 2125-AD88. Meanwhile, FHWA will continue its rulemaking under RIN2125-AD24 to propose additional changes to reduce the complexity of the highway beautification regulations and to emphasize the role of the State.

Agency Contact: Robert P. Harter, Realty Specialist, Special Programs and Evaluation Branch, Department of Transportation, Federal Highway

Administration, 400 Seventh Street SW., Washington DC 20590
Phone: 202 366-2026

RIN: 2125-AD24

2277. +ADVANCED TECHNOLOGY IN COMMERCIAL MOTOR VEHICLE OPERATIONS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 395

Legal Deadline: None

Abstract: Current Federal Motor Carrier Safety Regulations limit the hours of service of commercial motor vehicle (CMV) drivers in order to reduce fatigue-related accidents. These regulations include substantial recordkeeping requirements to monitor drivers' hours of service. The Federal Highway Administration (FHWA) is considering ways to reduce the recordkeeping burden while maintaining or improving safety. This is significant because of the broad industry impact.

Statement of Need: The hours-of-service regulations adopted by the FHWA are intended to address the issue of driver fatigue and to enhance highway safety by reducing the number and severity of accidents caused by fatigue. The recordkeeping associated with this regulation, primarily the requirement for drivers to maintain daily records of duty status, imposes a significant burden on drivers and motor carriers.

The FHWA believes that advances in technology may hold the promise for substantially reducing the paperwork burden of this rule while improving compliance with the underlying hours-

of-service limitations, thus enhancing highway safety.

Summary of the Legal Basis: The FHWA is authorized to regulate hours of service of CMV drivers in order to enhance highway safety. Beginning in 1935, the Federal Government (first the Interstate Commerce Commission and then the Federal Highway Administration) has regulated the hours of service of interstate drivers. See 49 USC 31502. In 1984, the Congress directed the Secretary of Transportation to prescribe regulations to ensure that commercial motor vehicles are operated safely and that the physical condition of operators of CMVs is adequate to enable them to operate safely. See 49 USC 31136. Finally the Congress has provided that, if the Secretary prescribes a regulation about the use of monitoring devices in CMVs to increase compliance with hours of service regulations, the regulation is to ensure that the devices are not used to harass vehicle operators. See 49 USC 31137(a).

Alternatives: Current Federal safety regulations require drivers to maintain records of duty status on handwritten forms or alternatively, at a motor carrier's option, electronically through the use of on-board recording devices (49 CFR 395).

The FHWA has considered the use of satellite tracking technology to replace handwritten records of duty status. The FHWA believes that system modifications necessary to allow the use of this technology for this purpose is not cost effective at this time. Satellite tracking systems, as currently configured, are primarily designed to track vehicle location. They do not provide driver identification or supporting documentation for roadside enforcement.

The FHWA is now planning further study of the use of on-board recording devices to monitor drivers' hours of service. This study will include recent

DOT—FHWA

Prerule Stage

advances in technology and current costs.

Anticipated Costs and Benefits: Current recordkeeping requirements directly affect 3.3 million drivers who are required to complete records of duty status. The motor carrier industry expends 14.8 million burden hours at an estimated cost of \$340 million annually.

Risks: Hours of service recordkeeping requirements are intended to reduce safety risks associated with driver fatigue. No risks have been identified with increased use of onboard recording devices.

Timetable:

Action	Date	FR Cite
Notice: Request for Information	09/07/95	60 FR 46682
Comments Period End	11/06/95	
Study To Be Completed	10/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Bryan Price, Transportation Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5720

RIN: 2125-AD65

2278. • INSPECTION, REPAIR, AND MAINTENANCE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 31133; 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 396

Legal Deadline: None

Abstract: This action involves the use of technology to reduce recordkeeping. The FHWA issued a notice (60 FR 46682) requesting comments from motor carriers, vehicle and component manufacturers, technology vendors and the public on the use of advanced driver, vehicle and inspection technology. The FHWA plans to evaluate existing technologies to determine if they could be used to simplify or automate compliance with any of the FMCSRs without compromising public safety.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Larry Minor, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4012

RIN: 2125-AD82

**DEPARTMENT OF TRANSPORTATION (DOT)
Federal Highway Administration (FHWA)**

Proposed Rule Stage

2279. ACQUISITION OF REAL PROPERTY FOR RIGHTS-OF-WAY

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 315; PL 100-17, sec 126; PL 100-17, sec 146; 42 USC 4601 et seq

CFR Citation: 23 CFR 172; 23 CFR 710; 23 CFR 712; 23 CFR 713; 23 CFR 720; 23 CFR 740; 23 CFR 620; 23 CFR 635; 23 CFR 645

Legal Deadline: None

Abstract: The Federal Highway Administration (FHWA) is proposing to revise and consolidate several right-of-way regulations to improve the organization of the subject matter and update the content. This action will also implement sections 126 and 146 (airspace and donations) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

Timetable:

Action	Date	FR Cite
ANPRM	11/06/95	60 FR 56004
ANPRM Comment Period End	01/05/96	
NPRM	12/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local

Analysis: Regulatory Evaluation

Additional Information: Two related rulemaking actions are: (1) a proposed rule entitled "Right-of-Way" which appeared in a prior Agenda under RIN 2125-AB58 and (2) a proposed rule entitled "Property Management; Disposals and Airspace" which appeared in a prior Agenda under RIN 2125-AB60. Those entries have been consolidated into this rulemaking. The FHWA has determined that several right-of-way regulations are duplicated or otherwise covered elsewhere in DOT regulations. Accordingly, the FHWA has decided to remove these provisions from its regulations. Meanwhile, the FHWA intends to issue an ANPRM in this rulemaking action to propose

additional changes to reduce burdens in State and local governments.

Agency Contact: Marshall Schy, Chief, Policy Development Branch, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2021

RIN: 2125-AC17

2280. TRUCK LENGTH AND WIDTH EXCLUSIVE DEVICES

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 315; PL 97-424, sec 411; PL 97-424, sec 416

CFR Citation: 23 CFR 658

Legal Deadline: None

Abstract: The FHWA requested public comment on how, under section 411(h) and 416(b) of the Surface Transportation Act of 1982 (STA) (PL 97-424, 96 Stat. 2097), the Secretary may determine which safety or efficiency-enhancing devices are to be excluded when measuring the length and width of vehicles for compliance with federally mandated dimensions. The present system of employing

DOT—FHWA

Proposed Rule Stage

rulemaking proceedings is too time-consuming and cumbersome to meet the needs of industry and is needlessly burdensome for FHWA. Therefore, a new approach will be proposed.

Timetable:

Action	Date	FR Cite
ANPRM	12/26/89	54 FR 52951
ANPRM Comment Period Extended to 06/01/90	03/21/90	55 FR 10468
ANPRM Comment Period End	03/26/90	
ANPRM Docket Reopened; Comment Period Extended to 08/21/90	06/22/90	55 FR 25673
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: State

Analysis: Regulatory Evaluation

Agency Contact: Max Pieper, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4029

RIN: 2125-AC30

2281. PERIODIC INSPECTION REQUIREMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 31131; 49 USC 31137; 49 USC 31142

CFR Citation: 49 CFR 396

Legal Deadline: None

Abstract: The FHWA is proposing to rescind the periodic inspection requirements for commercial motor vehicles (CMVs). Under the President's Regulatory Reinvention Initiative and the FHWA's Zero-Based Regulatory Review, the FHWA has examined the effectiveness of the periodic inspection requirements established in response to the Motor Carrier Safety Act of 1984 (The Act) and determined that the requirements can be rescinded without reducing safety. The periodic inspection requirements have not provided any greater assurance of the safety of operation of CMVs than the driver vehicle inspection and

systematic repair and inspection requirements, which were in existence prior to the passage of the Act. This action would not relieve motor carriers of their responsibility to ensure that CMVs subject to their control are in safe and proper operating conditions at all times. It is the intent of this action to eliminate unnecessary regulations and achieve performance-based inspection, repair, and maintenance requirements under the Federal Motor Carrier Safety Regulations.

Timetable:

Action	Date	FR Cite
Notice: Request for Comments	03/16/89	54 FR 11020
Final Rule: Delay in Compliance Date	12/08/89	54 FR 50722
Notice: State Inspection Programs	12/08/89	54 FR 50726
Petition: Comments Invited Through 07/02/90	05/02/90	55 FR 18355
Notice: State Inspection Programs	09/23/91	56 FR 47982
Denial of Petition NPRM	07/02/92 04/00/96	57 FR 29457

Small Entities Affected: None

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation

Agency Contact: Larry W. Minor, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2981

RIN: 2125-AC47

2282. COMMERCIAL LEARNER PERMITS AND CDL EFFECTIVENESS

Priority: Substantive, Nonsignificant

Legal Authority: PL 99-570; 49 USC 3102; 49 USC 31136; 49 CFR 1.48

CFR Citation: 49 CFR 383; 49 CFR 384; 49 CFR 386; 49 CFR 395

Legal Deadline: None

Abstract: To reconcile the training needs of the motor carrier industry with the requirements of the Commercial Driver's License (CDL) program and the Commercial Motor Vehicle Safety Act of 1986, the FHWA is proposing additional minimum Federal standards for State-issued learner's permits that allow drivers to be trained in the operation of commercial motor vehicles (CMVs).

Among the alternatives under consideration: Applicants for Commercial Driver Instruction Permits (CDIPs) might need to possess drivers' licenses and undergo record checks analogous to those now required for CDLs; CDIP transactions might be entered in the Commercial Driver's License Information System (CDLIS); and CDIP holders might be explicitly subject to the same disqualifications as CDL holders. Since driver training is nationwide in scope, the FHWA is proposing options that would allow a State to issue a CDIP to a driver trainee. In addition, the FHWA is proposing to amend existing regulations to incorporate interpretations made since the original CDL regulations were issued. This will also address some issues currently under consideration for increased effectiveness of the CDL program.

Timetable:

Action	Date	FR Cite
NPRM	08/22/90	55 FR 34478
NPRM Comment Period End	10/22/90	
NPRM Comment Period Extended to 11/30/90	10/23/90	55 FR 42741
SNPRM	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
08/22/90 (55 FR 34478)

Additional Information: Because other regulatory changes have been made since the NPRM was published in 1990, the FHWA intends to issue a supplemental NPRM to solicit comments on including additional requirements consistent with changes in the CDL program.

Agency Contact: David Goettee, Transportation Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4001

RIN: 2125-AC54

2283. REVISION OF MEDICAL EXAMINATION FORM AND PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 2505; 49 USC 3102

CFR Citation: 49 CFR 391

Legal Deadline: None

DOT—FHWA

Proposed Rule Stage

Abstract: This rulemaking action will seek information for the redesign of the existing medical examination form as well as amend the examination procedures to reflect the latest medical and technological advances.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: State

Analysis: Regulatory Evaluation

Additional Information: This action was formerly titled "Qualification of Drivers; Medical Examination Form."

Agency Contact: Sandra L. Zywockarte, Health and Welfare Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2981

RIN: 2125-AC63

2284. +MINIMUM TRAINING REQUIREMENTS FOR OPERATORS AND TRAINING INSTRUCTORS OF MULTIPLE TRAILER COMBINATION VEHICLES

Priority: Other Significant

Legal Authority: PL 102-240, sec 4007(b)(2); Intermodal Surface Transportation Efficiency Act (ISTEA)

CFR Citation: 49 CFR 383

Legal Deadline: Final, Statutory, December 18, 1993.

Abstract: This action will establish minimum training requirements for operators of multiple trailer combination vehicles and the instructors who train these operators. The training would include certification of an operator's proficiency by an instructor who has met the requirements established by the Secretary of Transportation. This action is significant due to public interest.

Timetable:

Action	Date	FR Cite
ANPRM	01/15/93	58 FR 4638
ANPRM Comment	03/16/93	
Period End		
NPRM	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Robert Redmond, Transportation Specialist, Office of

Motor Carrier Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5014

RIN: 2125-AC92

2285. +COMMERCIAL DRIVER PHYSICAL FITNESS AS PART OF THE CDL PROCESS

Priority: Other Significant

Legal Authority: 49 USC app 2704(a)(8); 49 USC app 2505; 49 USC app 3102

CFR Citation: 49 CFR 391; 49 CFR 383; 49 CFR 1.48; 49 CFR 391.11; 49 CFR 391.45

Legal Deadline: None

Abstract: The FHWA is proposing to include the certification of fitness to operate a CMV in the commercial driver's license (CDL) process. Incorporating the commercial driver fitness determination into State administered CDL procedures could allow elimination of the requirement that CMV drivers carry a separate medical certificate. The CDL would be evidence that the CMV driver is physically fit as well as operationally qualified to operate CMVs safely. This action addresses the driver's physical qualifications as they relate to the CDL process; it does not address whether those standards are correct or should be changed. The FHWA has determined that the negotiated rulemaking process will be used to provide a proposed rule. Action is being taken to obtain a convener/facilitator to contact prospective participants to represent affected parties and the convener/facilitator will oversee the process. After the FHWA has secured a contract with a convener/facilitator, a notice of intent to establish a negotiated rulemaking committee will be published in the Federal Register with time allowed for comments.

Timetable:

Action	Date	FR Cite
ANPRM	07/15/94	59 FR 36338
ANPRM Comment	11/14/94	
Period End		
Notice of Intent to Establish Advisory Committee	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation

Additional Information: The FHWA considers this a significant action due to anticipated substantial public interest.

Agency Contact: Teresa Doggett, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2990

RIN: 2125-AD20

2286. +DEPARTMENT OF TRANSPORTATION (FHWA, FTA, FRA AND USCG) NEPA AND RELATED PROCEDURES FOR TRANSPORTATION DECISION MAKING

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 4321; 23 USC 109; 23 USC 128; 23 USC 138; 23 USC 315; PL 102-240; 49 USC 303(c); 49 USC 1602(d); 49 USC 1604(h); 49 USC 1604(i); 49 USC 1610; 33 USC 401; 33 USC 491 et seq; 33 USC 511 et seq; 33 USC 525 et seq; ...

CFR Citation: 23 CFR 771; 49 CFR 622; 40 CFR 1500 to 1508; 49 CFR 1.48(b); 49 CFR 1.51; 33 CFR 114.05

Legal Deadline: None

Abstract: The Federal Highway Administration and the Federal Transit Administration have a joint environmental regulation at 23 CFR 771, "Environmental Impact and Related Procedures." Nevertheless, each agency's guidance for implementing those regulations is procedurally different. This causes difficulties and inconsistencies for sponsors of transportation projects, particularly where joint FHWA and FTA funds are involved. In the ISTEA, the Congress recognized the importance of providing uniformity and consistency between FHWA and FTA environmental procedures. This is needed to accommodate the increased funding flexibility for surface transportation provided by ISTEA. Because of an increased emphasis on intermodal planning and proposals to advance a high speed rail program, the proposed, new joint regulations will include the

DOT—FHWA

Proposed Rule Stage

Federal Railroad Administration (FRA), and the United States Coast Guard (USCG) bridge permit program. Section 134(h)(4) of title 23, United States Code and section 8(h)(4) of the Federal Transit Act, as amended, direct the Secretary of Transportation to initiate a rulemaking proceeding to conform review requirements for transit projects under the National Environmental Policy Act of 1969 to comparable requirements for highway projects. This action is considered significant because of potential public, congressional and environmental concerns and because it involves several interested departmental modes.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State

Analysis: Regulatory Evaluation

Agency Contact: Harold Peaks, Senior Staff Specialist, Office of Environment and Planning, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1598

RIN: 2125-AD32

2287. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; GENERAL AMENDMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 390; 49 CFR 392; 49 CFR 393; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA is proposing to amend part 393 of the Federal Motor Carrier Safety Regulations (FMCSRs), Parts and Accessories Necessary for Safe Operation. The proposed amendments are intended to: remove obsolete and redundant regulatory language; respond to several petitions for rulemaking; provide improved definitions of vehicle types and vehicle

components; resolve inconsistencies between part 393 and the National Highway Traffic Safety Administration's Federal Motor Vehicle Safety Standards (49 CFR 571); and codify certain FHWA interpretations of the requirements of part 393.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation

Agency Contact: Larry W. Minor, Mechanical Engineer, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2125-AD40

2288. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; MANUFACTURED HOME TIRES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31136; 49 USC 31502; 42 USC 5403; 42 USC 3535(d)

CFR Citation: 49 CFR 393.75; 24 CFR 3280.904; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA and HUD are proposing amendments to the Federal Motor Carrier Safety Regulations (FMCSRs) and the Manufactured Home Construction and Safety Standards concerning the transportation of manufactured homes. The FHWA and HUD propose to adopt mutually consistent and readily enforceable regulations that promote the safe and effective transportation of manufactured homes. These changes would clarify FHWA and HUD respective regulations to resolve differences between Federal regulations for the overloading of tires used in the transportation of manufactured homes.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation

Agency Contact: Larry Minor, Mechanical Engineer, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2125-AD41

2289. ANTILOCK BRAKE SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 393; 49 CFR 1.48

Legal Deadline: None

Abstract: This rulemaking requests comments on the intent of the FHWA to initiate a rulemaking concerning requirements for antilock brake systems (ABS) on commercial motor vehicles engaged in interstate commerce. The National Highway Traffic Safety Administration (NHTSA) has proposed requiring certain newly manufactured vehicles to be equipped with ABS. The FHWA intends to initiate a rulemaking addressing requirements for motor carriers to maintain the ABS on those vehicles which would be subject to the NHTSA's final rule and address certain other ABS issues related to vehicles subject to the Federal Motor Carrier Safety Regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Larry W. Minor, Mechanical Engineer, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2125-AD42

2290. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL; MOTOR VEHICLE MARKING

Priority: Other Significant

Legal Authority: 49 USC 104; 49 USC 504; 49 USC 521(b)(5)(A); 49 USC 31502; 49 USC 5113; 49 USC 31136; 49 USC 31144; 49 USC 5113

CFR Citation: 49 CFR 390

Legal Deadline: None

DOT—FHWA

Proposed Rule Stage

Abstract: The FHWA is proposing to revise its regulations dealing with the identification and marking of commercial motor vehicles (CMVs). Five changes are being proposed which would: (1) Apply the marking requirements to all CMVs operated in interstate commerce, including those common and contract motor carriers of property or passengers authorized by the Interstate Commerce Commission (ICC); (2) require motor carriers to mark both sides of each CMV with a specific legal name or name under which it does business (DBA name); (3) require motor carriers to mark each CMV with the city and State of its principal place of business; (4) require all new motor carriers to file Form MCS-150 within 30 days after beginning operations; and (5) move sec. 385.21, and sec. 385.23 and the appendix to part 385 to a new section in part 390. The States would also be allowed and encouraged to use United States Department of Transportation (USDOT) identification numbers to identify intrastate motor carriers. The proposed changes would improve the identification of motor carriers and CMVs, aid enforcement, and enhance data collection and analysis.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Phillip J. Forjan, Transportation Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6817

RIN: 2125-AD49

2291. +HOURS OF SERVICE OF DRIVERS; SUPPORTING DOCUMENT RECORDKEEPING

Priority: Other Significant

Legal Authority: PL 103-311

CFR Citation: 49 CFR 395.8

Legal Deadline: NPRM, Statutory, August 1995. Final, Statutory, February 1996.

Abstract: A record of duty status (49 CFR 395.8) is required to be prepared for each day a driver operates a

commercial motor vehicle in interstate commerce. All motor carriers are required to maintain the record of duty status for at least 6 months along with all documents that support the accuracy of the record of duty status (sec. 395.8(k)). The Hazardous Materials Transportation Authorization Act of 1994 (Pub. L. 103-311) mandates the Federal Highway Administration (FHWA) to specify what documents must be maintained to support the accuracy of the record of duty status. This rule will implement the statutory mandate that requires the agency to describe the type of supporting documents to be generated and maintained, as well as specify the quantity and length of time to maintain the supporting documents.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: David Miller, Transportation Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC
Phone: 202 366-1790

RIN: 2125-AD52

2292. FEDERAL AID PROJECT AGREEMENT AND CONTRACT PROCEDURES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 110; 23 USC 121(c); 23 USC 315

CFR Citation: 23 CFR 630; 23 CFR 635; 49 CFR 1.48

Legal Deadline: None

Abstract: This action presents FHWA policies and procedures related to the formal agreement between a State highway agency and the FHWA required for Federal-aid projects. Changes are proposed to provide more flexibility in the format of the agreement document, to shorten its length, and to incorporate provisions reflecting recent changes in Federal statute. This action also proposes to

amend FHWA's regulation on contract procedures by incorporating into it provisions regarding overruns in contract time for Federal-aid projects that are currently set forth in the project agreement regulations.

Timetable:

Action	Date	FR Cite
NPRM	01/30/96	61 FR 2973
NPRM Comment Period End	04/01/96	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: State

Analysis: Regulatory Evaluation
10/00/95

Agency Contact: Jack Wasley, Federal-Aid Program Branch, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4658

RIN: 2125-AD58

2293. RULES OF PRACTICE FOR MOTOR CARRIER PROCEEDINGS; INVESTIGATIONS; DISQUALIFICATIONS AND PENALTIES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 104; 49 USC 307

CFR Citation: 49 CFR 301; 49 CFR 302; 49 CFR 303; 49 CFR 304; 49 CFR 385; 49 CFR 386

Legal Deadline: None

Abstract: The FHWA proposes to amend its rules of practice for motor carrier safety, hazardous materials, and other enforcement proceedings, motor carrier safety ratings, driver qualification proceedings and its schedule of penalties for violations of the FMCSRs and the Hazardous Materials Regulations. The FHWA further proposes to add provisions on investigative authority and procedures and general motor carrier responsibilities. These rules would increase the efficiency of the procedures, enhance due process and the awareness of the public and regulated community, and accommodate recent programmatic changes. The rules would apply to all motor carriers, other business entities and individuals involved in motor carrier safety and hazardous materials administrative actions on the effective date of the final rule.

DOT—FHWA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Paul Brennan, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0834

RIN: 2125-AD64

2294. • SAFETY PERFORMANCE HISTORY OF NEW DRIVERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31133; 49 USC 31136; 49 USC 31301 et seq; 49 USC 31502; PL 103-311

CFR Citation: 49 CFR 382; 49 CFR 383; 49 CFR 390; 49 CFR 391; 49 CFR 1.48

Legal Deadline: NPRM, Statutory, February 1996.

Abstract: This action proposes amending FHWA regulations to specify minimum safety information that new or prospective employers must seek from former employers during the investigation of a driver's employment record. This action also proposes to increase the period of time for which carriers must record accident information in the accident register from one to three years. This proposal was mandated by section 114 of the Hazardous Materials Reauthorization Act of 1994.

Timetable:

Action	Date	FR Cite
NPRM	03/14/96	61 FR 10548
NPRM Comment Period End	05/13/96	
Final Action	08/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Valerie Height, Office of Motor Carrier, Research and Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1790

RIN: 2125-AD66

2295. • STANDARDS FOR CENTER LINE AND EDGE LINE MARKINGS ON STREETS AND HIGHWAYS

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 109(d); 23 USC 114(a); 23 USC 315; 23 USC 402(a); PL 102-388

CFR Citation: 23 CFR 655

Legal Deadline: None

Abstract: The Manual on Uniform Traffic Control Devices (MUTCD) is incorporated by reference in 23 CFR part 655, subpart F, and recognized as the national standard for traffic control on all public roads. The DOT and Related Agencies Appropriations Act of 1992, Pub. L. 102-388, sec. 406, requires that the MUTCD include a national standard to define the roads that must have center line or edge line markings or both. The MUTCD amendments proposed in this action are intended to improve traffic operations and safety-providing national standards and guidance to establish uniform application and use of center line and edge line markings on streets and highways.

Timetable:

Action	Date	FR Cite
Notice of Proposed Amendments	11/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ernest D.L. Huckaby, Office of Highway Safety, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9064

RIN: 2125-AD68

2296. • ZERO-BASE REVIEW OF THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS: REGULATORY REMOVALS AND SUBSTANTIVE AMENDMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 31502; 49 USC 31101 et seq; 49 USC 31136

CFR Citation: 49 CFR 383; 49 CFR 387; 49 CFR 390; 49 CFR 391; 49 CFR 392; 49 CFR 395; 49 CFR 396; 49 CFR 397

Legal Deadline: None

Abstract: This action requests comments on the intent of the FHWA to remove, amend, and redesignate certain regulations on a variety of subjects. (Ex: commercial driver's licenses; general applicability and definitions; accident recordkeeping requirements; transportation of hazardous materials.) This action is in response to the FHWA's Zero Base Regulatory Review.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Peter C. Chandler, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5763

RIN: 2125-AD72

2297. • HIGHWAY SYSTEMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 103(b); 23 USC 103(e)(1); 23 USC 103(e)(3); 23 USC 103(f); 23 USC 315

CFR Citation: 23 CFR 470

Legal Deadline: None

Abstract: The proposed regulatory action will amend 23 CFR 470 in accordance with legislation enacted in 1991 and 1995. The Intermodal Surface Transportation Efficiency Act of 1991 rescinded the Federal-aid Primary and Secondary and Urban Systems; established an interim National Highway System (NHS); and defined Federal-aid highways. The NHS Designation Act of 1995 authorized the initial National Highway System and also authorized the Secretary to approve modifications.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

DOT—FHWA

Proposed Rule Stage

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Tom Weeks, Team Leader, NHS Team, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5002
Fax: 202 493-2198

RIN: 2125-AD74

2298. • PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; TELEVISION RECEIVERS AND DATA DISPLAY UNITS

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-240; 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 393; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA is proposing to rescind restrictions on the locations of television viewers or screens within commercial motor vehicles (CMVs). The FHWA has determined that current restrictions concerning such devices are unnecessary since the unsafe behavior the regulation is intended to discourage is more effectively deterred through motor carrier management policies. The current regulation may have the unintended effect of discouraging the use of certain Intelligent Transportation System Technologies (ITS), such as collision avoidance and traveler information systems which could improve the safety and efficiency of CMV operations. This action is not intended to encourage motor carriers to install display screens for entertainment purposes or otherwise reduce the safety of CMVs.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Larry Minor, Office of Motor Carrier Research and Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2125-AD76

2299. • MITIGATION OF IMPACTS TO PRIVATELY OWNED WETLANDS

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 4321; 23 USC 109(h), 138, 315(i)(1B), 133(b)(11); EO 11990

CFR Citation: 23 CFR 777; 49 CFR 1.48(b)

Legal Deadline: None

Abstract: Revision to the existing rule will bring FHWA's wetland mitigation policies and requirements into full agreement with the provisions of ISTEA sections 1007(b)(11) and section 1006(1)(13). In addition, the revised rule will reflect recent policy issued by the Corps of Engineers and EPA on wetland mitigation banking. FHWA internal policy development on wetland mitigation is also indicated by the proposed revision.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Additional authority DOT Order 5660.1A

Agency Contact: Fred Bank, Leader, Natural and Cultural Resource Team, HEP-40, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC
Phone: 202 366-5004
TDD: 202 366-3409
Fax: 202 366-3409
Email: FBANK@INTERGATE.DOT.GOV

RIN: 2125-AD78

2300. • UNIFORM PROCEDURES FOR STATE HIGHWAY SAFETY PROGRAMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 20; 49 USC 320; 49 USC 913; 49 USC 1012

CFR Citation: 49 CFR 1200

Legal Deadline: None

Abstract: In this action, the FHWA proposes to streamline the Sec. 402 grant approval process. In a separate notice (60 FR 47418) the FHWA announced the creation of a pilot highway safety program for FY 1996 State highway programs under 23 USC 402 and the waiver of certain procedures for States that have elected to participate in the pilot program.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mila Plosky, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6902

RIN: 2125-AD79

2301. • TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING/PARKING RULES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 31132; 49 USC 31136; 49 USC 31502; 49 USC 31504

CFR Citation: 49 CFR 397; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA is proposing to reorganize subpart A of part 397 of the FMCSRs. In response to the President's Regulatory Reinvention initiative, the FHWA has reviewed part 397 and believes this subpart contains requirements that are obsolete and redundant, and should be reorganized in a more understandable format. In addition, the FHWA is proposing to revise the title of part 397 and provide a title for subpart A.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Nathan Root, Department of Transportation, Federal

DOT—FHWA

Proposed Rule Stage

Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8759

RIN: 2125-AD80

2302. • +TRANSPORTATION OF MIGRANT WORKERS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 5901 to 5907; 49 USC 31132; 49 USC 31133; 49 USC 31136; 49 USC 31502; 49 USC 31504

CFR Citation: 49 CFR 390; 49 CFR 392; 49 CFR 398; 49 CFR 1.48

Legal Deadline: None

Abstract: The Federal Highway Administration will propose to remove 49 CFR part 398 "Transportation of Migrant Workers" and to expand the definition of "commercial motor vehicle" in part 390 to include smaller vehicles operated by private motor carriers of migrant agricultural workers and contract carriers of migrant agricultural workers. This action also proposes transferring certain definitions and driving requirements from part 398 to parts 390 and 392. These changes would eliminate redundant regulations in part 398 and enhance the safety of

migrant workers transported in interstate commerce.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: David Miller, Transportation Specialist, Department of Transportation, Federal Highway Administration, Room 3107, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1790

RIN: 2125-AD81

DEPARTMENT OF TRANSPORTATION (DOT)

Final Rule Stage

Federal Highway Administration (FHWA)

2303. +MANAGEMENT AND MONITORING SYSTEMS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 303; 23 USC 315; 23 USC 135; 23 USC 134

CFR Citation: 23 CFR 500; 49 CFR 614

Legal Deadline: Final, Statutory, December 18, 1992.

Abstract: 23 U.S.C. 303 requires the Secretary of Transportation to issue regulations for State development, establishment, and implementation of systems for managing: highway pavement of Federal-aid highways; bridges on and off Federal-aid highways; highway safety; traffic congestion; public transportation facilities and equipment; and intermodal transportation facilities and systems. The Secretary also must issue guidelines and requirements for the State development, establishment, and implementation of a traffic monitoring system for highways and public transportation facilities and equipment. States must be implementing each management system in Federal fiscal year 1995, or the Secretary may withhold up to 10 percent of funds apportioned under title 23, U.S.C., or under the Federal Transit Act for any fiscal year beginning after September

30, 1995. The primary purpose of these systems is to improve the efficiency of, and protect the investment in, existing and future transportation infrastructure. The systems will provide additional information needed to make informed decision for optimum utilization of limited resources.

The economic impact of the regulations is expected to be minimal. The regulations will be issued jointly with the Federal Transit Administration (RIN 2132-AA47). This regulation is considered significant because of substantial State and local government, congressional, and public interest.

Timetable:

Action	Date	FR Cite
ANPRM	06/03/92	57 FR 23460
ANPRM Comment Period End	08/03/92	
NPRM	03/02/93	58 FR 12096
Request for Comments	03/24/93	58 FR 15816
NPRM Comment Period End	05/03/93	
Interim Final Rule	12/01/93	58 FR 63442
Interim Final Rule; Correction	12/07/93	58 FR 64374
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Evaluation 12/01/93 (58 FR 63442)

Additional Information: The interim final rule was effective on 1/3/94;

comments were due by 1/31/94. The issue of replacement of sections 511.1 through 511.10, formerly a part of this RIN, has been removed and consolidated into RIN 2125-AD21. The National Highway System Designation Act of 1995 (P.L. 104-59) enacted on November 28, 1995, allows States to elect to not implement any of the management systems in whole or in part and prohibits the Secretary from imposing any penalties for such elections. The final rule will effect these changes.

Agency Contact: Tony Solury, Community Planner, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5003

RIN: 2125-AC97

2304. +VALUE ENGINEERING

Priority: Economically Significant

Legal Authority: 23 USC 106(d); 23 USC 302; 23 USC 307; 23 USC 315; 23 USC 106(e)

CFR Citation: 23 CFR 627; 49 CFR 18

Legal Deadline: None

Abstract: In this action, the FHWA proposes the application of value engineering (VE) in the design and construction of Federal-aid highway projects funded under the grant-in-aid process. This proposal would require State highway agencies (SHAs) to establish VE programs in accordance

DOT—FHWA

Final Rule Stage

with section 303 of the NHS Designation Act of 1995 and provides guidance on establishing such programs. This action is considered necessary to implement the provisions of 23 USC 106(e), which provides that the Secretary establish a program to require a value engineering analysis for proposed projects on Federal-aid highway projects on the NHS with estimated value of \$25 million or more. This rulemaking is considered economically significant because FHWA has determined that a savings of more than \$100 million per year is likely to occur as a result of the implementation of the regulation.

Timetable:

Action	Date	FR Cite
NPRM	11/16/94	59 FR 59182
NPRM Comment Period End	01/17/95	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Keith Borkenhagen, Value Engineering Coordinator, Department of Transportation, Federal Highway Administration
Phone: 202 366-4630

RIN: 2125-AD33

2305. DESIGN STANDARDS FOR HIGHWAYS; A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS; DESIGN AND CONSTRUCTION CRITERIA

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 109; 23 USC 315; 23 USC 402

CFR Citation: 23 CFR 625

Legal Deadline: None

Abstract: The standards, policies and standard specifications that have been approved by the FHWA for application of projects located on the National Highway System (NHS) are incorporated by reference in 23 CFR Part 625. The American Association of State Highway and Transportation Officials (AASHTO) has revised "A Policy of Geometric Design of

Highways and Streets" to incorporate the latest information on geometric design and to change the numeric values used in the policy exclusively to metric units. Through this rulemaking, the FHWA is proposing to incorporate this revised AASHTO publication into the regulations on design standards for highways, thus adopting controlling metric criteria for use in the design of projects on the NTS.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: RIN 2125-AD23 "Design Standards for Highways, Interim Selected Metric Values for Geometric Design; Design and Construction Criteria," has been consolidated into this action. By notice published June 27, 1994 (59 FR 33037), FHWA announced its decision to delay implementation of any national metric sign conversion until after 1996, or until further indication of the intent of Congress on this subject is received. Section 205(c)(2) of Pub. L. 104-59, the National Highway System Designation Act of 1995, provides that conversion to the metric system may not be required until September 30, 2000.

Agency Contact: Seppo I. Sillan, Chief, Geometric And Roadside Design Branch, Department of Transportation, Federal Highway Administration
Phone: 202 366-1327

RIN: 2125-AD38

2306. FEDERAL AID PROJECT AUTHORIZATION

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 106; 23 USC 118; 23 USC 315

CFR Citation: 23 CFR 630; 49 CFR 1.48(b)

Legal Deadline: None

Abstract: This action presents FHWA policies and procedures related to authorization of Federal-aid highway projects. Changes are proposed to provide more flexibility in establishing funding arrangements, to further clarify the authorization process, and to reflect recent modifications in Federal statutes.

Timetable:

Action	Date	FR Cite
NPRM	02/17/95	60 FR 9306
NPRM Comment Period End	04/18/95	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: State

Analysis: Regulatory Evaluation

Agency Contact: Jack Wasley, Federal-Aid Program Branch, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4658

RIN: 2125-AD43

2307. MAXIMUM DRIVING AND OFF-DUTY TIME; HOURS OF SERVICE FOR FARMERS AND RETAIL FARM SUPPLIERS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 103-311

CFR Citation: 49 CFR 395.3

Legal Deadline: None

Abstract: The Hazardous Materials Transportation Authorization Act of 1994 requires the Secretary of Transportation to initiate a rulemaking proceeding to determine whether or not the requirements of section 395.3 of Title 49, Code of Federal Regulations, relating to hours of service, may be waived for farmers and retail farm suppliers when such farmers and retail farm suppliers are transporting crops or farm supplies for agricultural purposes within a 50 mile radius of their distribution point or farm. Based on the information received in response to this notice, the FHWA intends, in compliance with the Regulatory Flexibility Act, to carefully consider the economic impacts of these potential changes on small entities.

Timetable:

Action	Date	FR Cite
ANPRM	12/08/94	59 FR 63322
ANPRM Comment Period End	02/06/95	
Final Action	05/00/96	

Small Entities Affected: Undetermined

DOT—FHWA

Final Rule Stage

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: This action will be modified according to the requirements contained in Section 345 of the National Highway System Designation Act of 1995 (Pub. L. 104-59)

Agency Contact: Philip J. Roke, Transportation Specialist, Office of Motor Carrier Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5884

RIN: 2125-AD44

2308. NATIONAL STANDARDS FOR TRAFFIC CONTROL DEVICES; REVISION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 109(d); 23 USC 114(a); 23 USC 217; 23 USC 315; 23 USC 402(a)

CFR Citation: 23 CFR 1.32; 23 CFR 655.601; 23 CFR 655.602; 23 CFR 655.603; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA announced its intent to rewrite and reformat the MUTCD published on January 10, 1992, at 57 FR 1134. This effort is currently underway and as work progresses, many changes and modifications are being identified. This action will invite comments on these proposed changes to the MUTCD. These changes are intended to expedite traffic, promote uniformity, and improve safety as well as provide a clearer understanding of the principles contained in the MUTCD.

Timetable:

Action	Date	FR Cite
NPRM	06/12/95	60 FR 31008
NPRM Comment Period End	09/11/95	
Comment Period Extended to 3/11/96	09/21/95	60 FR 49136
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Linda L. Brown, Transportation Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2192

RIN: 2125-AD57

2309. EMERGENCY RELIEF PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 101; 23 USC 120(e); 23 USC 125; 23 USC 315

CFR Citation: 23 CFR 668; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA proposes to amend its regulation on the emergency relief program in order to incorporate changes made in 23 U.S.C. 120 and 125 by the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). The time period in which the Federal share payable for certain eligible emergency repairs is 100 percent would be extended from 90 days to 180 days; the limit for total obligations for ER projects in any fiscal year in the Virgin Islands, Guam, American Samoa, and the Commonwealth of Northern Mariana Islands would be increased from \$5 million to \$20 million; and the term "Federal-aid highway systems" would be replaced with the term "Federal-aid highways" to conform with terminology now used to describe highways eligible for Federal-aid ER assistance. In addition, various statements clarifying eligible uses of ER funding would be incorporated into the regulation.

Timetable:

Action	Date	FR Cite
NPRM	11/13/95	60 FR 56962
NPRM Comment Period End	01/12/96	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mohan Pillay, Office of Engineering, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4655

RIN: 2125-AD60

2310. GENERAL MATERIAL REQUIREMENTS; WARRANTY CLAUSES

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 112; 23 USC 113; 23 USC 114; 23 USC 117; 23 USC

128; 23 USC 315; PL 102-240, sec 10; 23 USC 109; 23 USC 116; 23 USC 119

CFR Citation: 23 CFR 635

Legal Deadline: None

Abstract: The FHWA is revising its regulation that generally prohibits the use of guaranty and warranty clauses on Federal-aid construction contracts. This action will permit greater use of warranties in Federal-aid highway construction contracts within prescribed limits.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/25/95	60 FR 44271
Comment Period End	10/24/95	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
10/00/95

Additional Information: The FHWA has determined that prior notice and opportunity for comment are unnecessary under 5 USC 553(b)(3)(B), because this action, in amending the FHWA's regulation on guaranty and warranty clauses in Federal-aid highway construction contracts to permit States to include such clauses, does not impose any new obligation or requirement on the States or highway contractors.

Agency Contact: James Daves, Office of Engineering, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0355

RIN: 2125-AD61

2311. CERTIFICATION ACCEPTANCE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 101(e); 23 USC 117; 23 USC 315

CFR Citation: 23 CFR 640

Legal Deadline: None

Abstract: Comments and suggested clarifications were received on the FHWA interim policy for certification acceptance which was published in the

DOT—FHWA

Final Rule Stage

Federal Register on October 12, 1978. A final policy will be issued to allow State Highway agencies to use certification acceptance procedures to supplement the flexibility provided in ISTEA.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/13/95	60 FR 47480
Comment Period End	12/12/95	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The FHWA has determined that prior notice of this action to the public is unnecessary and contrary to the public interest because the changes being adopted in this rulemaking involve streamlining and providing more administrative flexibility in the use of the regulation.

Agency Contact: Donald J. Marttila, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4637

RIN: 2125-AD62

2312. NATIONAL STANDARDS FOR TRAFFIC CONTROL DEVICES; METRIC CONVERSION

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 101(a); 23 USC 104; 23 USC 105; 23 USC 109(d); 23 USC 114(a); 23 USC 135; 23 USC 217; 23 USC 307; 23 USC 315; 23 USC 402(a)

CFR Citation: 23 CFR 655; 23 CFR 1.32; 49 CFR 1.48

Legal Deadline: None

Abstract: Based on the National Highway System (NHS) Designation Act of 1995, the Federal Highway Administration (FHWA) no longer requires metric legends on highway signs. After FY 1996, if a State desires to install metric legend signs, the FHWA will not restrict the use of Federal-aid funds. The NHS Designation Act also revises the Metric Conversion Policy to extend the compliance date to September 30, 2000, for having plans, specifications, and estimates PS&E's in metric units (previously September 30, 1996). It is the intent of this rulemaking action to assure that those States and other FHWA partners desiring to convert to metric units will have available a

source for formulating their plans in a consistent manner. Therefore, the FHWA is adopting the following two American Association of State Highway and Transportation Officials (AASHTO) publications as its policy for metric conversion: "Guide to Metric Conversion" and "Traffic Engineering Metric Conversion Factors." The FHWA has determined that the interim metric values selected by the AASHTO documents are functionally equivalent to English system measurements previously adopted by notice and comment rulemaking.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The FHWA initiated a phased five year plan to convert its activities and business operations to the metric system of weights and measures as required by the Metric Conversion Act of 1975 (Pub. L. 94-168, 89 Stat. 1007), as amended by sec. 5164 of the Omnibus Trade and Competitiveness Act of 1988 (Pub. L. 100-418, 102 Stat. 1107, 1451).

Agency Contact: Ernest Huckaby, Office of Highway Safety, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9064

RIN: 2125-AD63

2313. PUBLIC LANDS HIGHWAYS DISCRETIONARY FUNDS PROGRAM; ELIMINATION OF REGULATIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 23 USC 315

CFR Citation: 23 CFR 667; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA is proposing to eliminate its regulations outlining the procedures to be followed in administering Public Lands Highways funds. These provisions have become unnecessary as a result of amendments made by the Intermodal Surface Transportation Efficiency Act of 1991 to statutory provisions in title 23 of the

United States Code which authorize distribution of some of the funds appropriated for Public Lands Highways among the States on the basis of need.

Timetable:

Action	Date	FR Cite
NPRM	12/06/95	60 FR 62359
NPRM Comment Period End	02/05/96	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mohan Pillay, Office of Engineering, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4655

RIN: 2125-AD69

2314. RAILROAD GRADE CROSSING SAFETY

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-240; PL 103-311; 49 USC 5101; 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 392; 49 CFR 1.48

Legal Deadline: Final, Statutory, February 26, 1995.

See P.L. 103-311; sec. 112.

Abstract: In this action, the FHWA is amending the Federal Motor Carrier Safety Regulations (FMCSRs) to prohibit operators of commercial motor vehicles (CMVs) from driving onto a railroad grade crossing unless there is sufficient space to drive completely through the crossing without stopping. The intent of this action is to reduce the incidence of collisions between trains and CMVs. This action is required by the Hazardous Materials Transportation Authorization Act of 1994 (PL 103-311; sec. 112).

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Peter C. Chandler, Office of Motor Carrier Research and Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590

DOT—FHWA

Final Rule Stage

Phone: 202 366-5763

RIN: 2125-AD75

2315. • RAILROAD HIGHWAY PROJECTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 315; 23 USC 109(e); 23 USC 120(c); 23 USC 130

CFR Citation: 23 CFR 140; 23 CFR 646

Legal Deadline: None

Abstract: The FHWA proposes to amend its regulations on railroad highway projects. The proposed amendments would require railroads to submit final billings within one year following completion of work, delete the requirements of a State's certification that work was completed, increase the ceiling for lump sum agreements from \$25,000 to \$100,000 and incorporate changes brought about by ISTEA. The FHWA proposes these changes to conform railroad/highway regulations to more recent laws or regulations, and provide State highway agencies clarification and more flexibility in implementing them.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local

Additional Information: The FHWA intends to dispense with prior notice and opportunity for comment and to publish an interim final rule. The FHWA believes that prior notice and opportunity for comments are unnecessary because the changes it is making to existing regulations deal with billing procedures to be followed by the States, provide States greater flexibility with respect to an option already available to them to use lump sum agreements. The FHWA does not expect to receive useful comment on these changes. Nevertheless, in issuing

an interim final rule, the FHWA is affording interested persons an opportunity to comment on these changes, and the FHWA will carefully consider any comments it receives before making this regulations final.

Agency Contact: Robert Winans, HNG-12, Department of Transportation, Federal Highway Administration, Federal-aid Programs Branch, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-0450

RIN: 2125-AD86

2316. • ACQUISITION OF REAL PROPERTY FOR RIGHTS-OF-WAY; REVISIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 23 USC 315; PL 100-17; PL 100-17; 42 USC 4601

CFR Citation: 23 CFR 710; 23 CFR 712; 23 CFR 720; 23 CFR 740

Legal Deadline: None

Abstract: The Federal Highway Administration is deleting several right-of way regulations whose provisions are essentially duplicated or effectuated elsewhere in FHWA/DOT regulations. The FHWA intends to continue its rulemaking action under 2125-AC17 to propose additional changes to reduce burdens on State and local governments.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Prior notice and opportunity for comment would not be in the public interest since the changes to title 23 are intended to remove duplicative text.

Agency Contact: Robert A. Johnson, Realty Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2020

RIN: 2125-AD87

2317. • HIGHWAY BEAUTIFICATION: AMENDMENTS OF DIRE EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 131; 23 USC 315; 49 USC 1651

CFR Citation: 23 CFR 750.304; 23 CFR 750, subpart E

Legal Deadline: None

Abstract: Subpart E sets forth the procedures by which a State may seek an exemption from the acquisition requirements of 23 USC 131 for signs giving directional information about goods and services in the interest of the traveling public. The deletion of this subpart in its entirety is consistent with the Dire Emergency Supplemental Appropriations Act of 1992. The Dire Emergency Act amended 23 USC 131(n) and made the expenditure of section 104 funds for the purpose of acquiring and removing nonconforming signs entirely discretionary with the States. This means that a State may use Federal-aid funds to acquire nonconforming signs but if it chooses not to do so, there is no risk of penalty. The principal benefit in repealing this subpart is that it eliminates a regulation that has become obsolete due to later Federal legislative action. The lead paragraph of 23 CFR 750.304 and 23 CFR 750.304(a) are being deleted in view of the Dire Emergency Act noted above and 23 CFR 750.705 which otherwise requires State laws, regulations and enforcement procedures.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: See also RIN 2125-AD24 "Highway Beautification".

Agency Contact: Marshall Schy, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2035

RIN: 2125-AD88

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Highway Administration (FHWA)
Long-Term Actions
**2318. +QUALIFICATION OF DRIVERS;
DIABETES**
Priority: Other Significant

CFR Citation: 49 CFR 391.41(b)(3)

Timetable:

Action	Date	FR Cite
ANPRM	11/25/87	52 FR 45204
ANPRM Comment Period End	12/28/87	
ANPRM Comment Period Extended to 02/01/88	01/04/88	53 FR 42
NPRM	10/05/90	55 FR 41028
NPRM Comment Period Extended to 01/03/91	11/01/90	55 FR 46080
NPRM Comment Period End	12/04/90	
Notice of Intent to Issue Waivers: Comment Request	10/21/92	57 FR 48011
Final Action To Accept Waivers	07/29/93	58 FR 40690
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Sandra L. Zywockarte
Phone: 202 366-2981

RIN: 2125-AB91

**2319. +COMMERCIAL DRIVER'S
LICENSE STANDARDS; BIOMETRIC
IDENTIFIER**
Priority: Other Significant

CFR Citation: 49 CFR 383

Timetable:

Action	Date	FR Cite
ANPRM	05/15/89	54 FR 20875
ANPRM Comment Period End	07/14/89	
Information Notice	03/08/91	56 FR 9925
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Phil Forjan
Phone: 202 366-8759

RIN: 2125-AC24

**2320. +FEDERAL MOTOR CARRIER
SAFETY REGULATIONS; GENERAL;
PERIODIC REGISTRATION
REQUIREMENTS FOR MOTOR
CARRIERS**
Priority: Other Significant

CFR Citation: 49 CFR 390

Timetable:

Action	Date	FR Cite
ANPRM	07/17/89	54 FR 29912
ANPRM Comment Period End	09/15/89	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Philip Roke
Phone: 202 366-5884

RIN: 2125-AC28

**2321. CERTIFICATION OF SIZE AND
WEIGHT ENFORCEMENT**
Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 23 CFR 657

Timetable:

Action	Date	FR Cite
ANPRM	12/16/93	58 FR 65830
ANPRM Comment Period Extended to 05/18/94	03/15/94	59 FR 11956
ANPRM Comment Period End	03/16/94	
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Kathy Busby
Phone: 202 366-4026

RIN: 2125-AC60

**2322. +QUALIFICATION OF DRIVERS;
VISION**
Priority: Other Significant

CFR Citation: 49 CFR 391

Timetable:

Action	Date	FR Cite
ANPRM	02/28/92	57 FR 6793
ANPRM Comment Period End	04/28/92	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: Undetermined

Agency Contact: Sandra L. Zywockarte
Phone: 202 366-2981

RIN: 2125-AC62

**2323. +SAFETY FITNESS
PROCEDURES; SAFETY RATINGS**
Priority: Other Significant

CFR Citation: 49 CFR 385

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/16/91	56 FR 40801
Notice: Request for Comments	09/14/94	59 FR 47203
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: William Hill
Phone: 202 366-6347

RIN: 2125-AC71

**2324. PARTS AND ACCESSORIES
NECESSARY FOR SAFE OPERATION:
INTERMODAL CARGO CONTAINERS**
Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 393; 49 CFR 1.48

Timetable:

Action	Date	FR Cite
ANPRM	08/23/93	58 FR 44485
ANPRM Comment Period End	11/22/93	
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Peter C. Chandler
Phone: 202 366-5763

RIN: 2125-AC74

**2325. +FEDERAL MOTOR CARRIER
SAFETY REGULATIONS; GENERAL
TRANSPORTATION OF HAZARDOUS
MATERIALS**
Priority: Other Significant

CFR Citation: 49 CFR 390.3; 49 CFR 397

Timetable:

Action	Date	FR Cite
NPRM	06/17/93	58 FR 33418
NPRM Comment Period End	08/16/93	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Richard Singer
Phone: 202 366-4009

RIN: 2125-AC78

DOT—FHWA

Long-Term Actions

2326. TRANSPORTATION OF HAZARDOUS MATERIALS; ROUTING OF CLASS 7 (RADIOACTIVE) MATERIALS

Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 397; 49 CFR 1.48

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/24/92	57 FR 44129
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Pamela K. Deadrick
Phone: 202 366-2159

RIN: 2125-AD00

2327. +TRAINING FOR ENTRY-LEVEL DRIVERS OF COMMERCIAL MOTOR VEHICLES

Priority: Other Significant

CFR Citation: 49 CFR 383

Timetable:

Action	Date	FR Cite
ANPRM	06/21/93	58 FR 33874
ANPRM Comment	08/20/93	
Period End		
Report to Congress	02/05/96	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ron Finn
Phone: 202 366-0647

RIN: 2125-AD05

2328. +QUALIFICATIONS OF DRIVERS: HEARING DEFICIENCIES

Priority: Other Significant

CFR Citation: 49 CFR 391; 49 CFR 1.48

Timetable:

Action	Date	FR Cite
ANPRM	12/15/93	58 FR 65634
ANPRM Comment	02/04/94	59 FR 5376
Period Extended to 04/05/94		
ANPRM Comment	02/14/94	
Period End		
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Sandra Zywokarte
Phone: 202 366-2987

RIN: 2125-AD22

2329. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; SLEEPER BERTHS ON MOTOR COACHES

Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 393; 49 CFR 1.48

Timetable:

Action	Date	FR Cite
ANPRM	01/12/94	59 FR 1706
ANPRM Comment	03/14/94	
Period End		
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Richard Singer
Phone: 202 366-2994

RIN: 2125-AD25

2330. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; LIGHTING DEVICES, REFLECTORS, AND ELECTRICAL EQUIPMENT

Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 393

Timetable:

Action	Date	FR Cite
ANPRM	01/19/94	59 FR 2811
ANPRM Comment	03/21/94	
Period End		
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Richard Singer
Phone: 202 366-4009

RIN: 2125-AD27

2331. MOTOR CARRIER SAFETY ASSISTANCE PROGRAM (MCSAP) ALLOCATION FORMULA

Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 350

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/03/94	59 FR 5262
Interim Final Rule Effective	03/07/94	
Interim Final Rule Comment Period End	04/04/94	

Next Action Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Linda Taylor
Phone: 202 366-6308

RIN: 2125-AD30

2332. NATIONAL STANDARDS FOR TRAFFIC CONTROL DEVICES; TEMPORARY TRAFFIC SIGNALS

Priority: Substantive, Nonsignificant

CFR Citation: 23 CFR 655

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/04/95	60 FR 363
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Michael E. Robinson
Phone: 202 366-2193

RIN: 2125-AD45

2333. ADVANCED CONSTRUCTION OF FEDERAL AID PROJECTS

Priority: Substantive, Nonsignificant

CFR Citation: 23 CFR 630; 23 CFR 1.32; 49 CFR 1.48

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/19/95	60 FR 36991
Comment Period End	09/18/95	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Max Inman
Phone: 202 366-2853

RIN: 2125-AD59

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Highway Administration (FHWA)
Completed Actions
2334. EQUAL EMPLOYMENT OPPORTUNITY ON FEDERAL AND FEDERAL-AID CONSTRUCTION CONTRACTS (INCLUDING SUPPORTIVE SERVICES); REPORT REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 101; 23 USC 112; 23 USC 117; 23 USC 140; 23 USC 315

CFR Citation: 23 CFR 230

Legal Deadline: None

Abstract: This document amends the current regulation on recordkeeping and reporting requirements for on-the-job training on Federal-aid construction contracts. This amendment eliminates these reporting requirements in order to reduce the administrative burden on contractors as well as States. Additionally, the OMB approval of these forms under the Paperwork Reduction Act has lapsed, and as a matter of common industry practice, compliance by construction contractors and States is not required.

Timetable:

Action	Date	FR Cite
NPRM	11/22/82	47 FR 52470
NPRM Comment Period End	12/22/82	
Final Action	04/03/96	61 FR 14615
Final Action Effective	05/03/96	

Small Entities Affected: None

Government Levels Affected: State

Analysis: Regulatory Evaluation 11/22/82 (47 FR 52470)

Additional Information: The recordkeeping and reporting requirements for the On-The-Job Training (OJT) Program included in Federal-aid contracts will be addressed during an accelerated review and update of all civil rights regulations. This effort will include updating the OJT Program and will address recordkeeping and reporting requirements.

Agency Contact: Linda Brown, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1593

RIN: 2125-AB15

2335. COMMERCIAL DRIVER'S LICENSE PROGRAM AND CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 31136; 49 USC 31301 et seq; 49 USC 31502; 49 USC 3102; 49 USC 31101 et seq; 49 USC 504

CFR Citation: 49 CFR 382; 49 CFR 383; 49 CFR 391; 49 CFR 392; 49 CFR 1.48

Legal Deadline: None

Abstract: The Federal Highway Administration is making technical amendments to its alcohol and drug testing rules and its regulations implementing the commercial driver's license program. The testing rules require employers to test drivers who are required to obtain commercial driver's licenses (CDLs) for the illegal use of alcohol and controlled substances. The amendments are necessary to correct minor errors in the final rule, codify final dispositions of waivers of the commercial driver's license program, and make metrification changes (i.e., correcting English measurements such as weight of commercial motor vehicle in pounds to metric system measurements such as kilograms, while retaining the English measurement parenthetically).

Timetable:

Action	Date	FR Cite
Final Action	03/08/96	61 FR 9546
Technical Correction	04/03/96	61 FR 14677

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: This action amends prior drug and alcohol testing rules issued under the following RINs: 2125-AA79; 2125-AC85; 2125-AD06; 2125-AB68.

Agency Contact: David Miller, Transportation Specialist, Office of Motor Carrier Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington DC 20590
Phone: 202 366-1790

RIN: 2125-AD46

2336. PRIVATE MOTOR CARRIERS OF PASSENGERS: TECHNICAL AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5901; 49 USC 31132; 49 USC 31136; 49 USC 31502; 49 USC 31504; 49 USC 31133

CFR Citation: 49 CFR 390

Legal Deadline: None

Abstract: This action is being terminated since the information collections affecting private motor carriers of passengers will be covered by other specific information collection activities. (OMB Control No. 2125-0561 will be phased out.)

Timetable:

Action	Date	FR Cite
Action Terminated	02/23/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dan Hartman, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2125-AD54

2337. ZERO-BASE REVIEW OF THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS; TECHNICAL CORRECTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 4917; 49 USC 104; 49 USC 501 et seq; 49 USC 5101 et seq; 49 USC 5113; 49 USC 5901 et seq; 49 USC 31101; 49 USC 31102; 49 USC 31103; 49 USC 31104; 49 USC 31108; 49 USC 31131 et seq; 49 USC 31161; 49 USC 31301 et seq; 49 USC 31501 et seq

CFR Citation: 49 CFR 325; 49 CFR 350; 49 CFR 382; 49 CFR 385; 49 CFR 390; 49 CFR 391; 49 CFR 392; 49 CFR 395; 49 CFR 396; 49 CFR 397; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA is making technical corrections to keep the Federal Motor Carrier Safety Regulations accurate and up to date. This rulemaking action is one part of the FHWA's Zero Base Regulatory Review.

Timetable:

Action	Date	FR Cite
Final Action	07/28/95	60 FR 38739

DOT—FHWA

Completed Actions

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Peter Chandler, Transportation Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5763

RIN: 2125-AD55

2338. • STATE COMPLIANCE WITH COMMERCIAL DRIVER'S LICENSE PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31136; 49 USC 31301 et seq; 49 USC 31502

CFR Citation: 49 CFR 384; 49 CFR 1.48

Legal Deadline: None

Abstract: In this action, the FHWA is changing the effective date of 49 CFR 384.231(b)(2) from Oct. 1, 1995, to May 18, 1997, in order to allow the States additional time to solve the problem of disqualifying commercial motor vehicle operators convicted of a disqualifying offense or offenses who do not possess a commercial driver's license and for whom the State cannot identify a social security number.

Timetable:

Action	Date	FR Cite
Final Action	11/16/95	60 FR 57543

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Please note that this action is a technical amendment to rulemaking activity listed in prior regulatory agenda under RIN 2125-AC53.

Agency Contact: Ronald Finn, Office of Motor Carrier Research & Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0647

RIN: 2125-AD70

2339. • FEDERAL MOTOR CARRIER SAFETY REGULATIONS: HAZARDOUS MATERIALS: TECHNICAL AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 et seq

CFR Citation: 49 CFR 382; 49 CFR 385; 49 CFR 391; 49 CFR 393; 49 CFR 397; 49 CFR 1.48

Legal Deadline: None

Abstract: This action makes technical amendments to various sections of the Federal Motor Carrier Safety Regulations to correct erroneous cross-references and to amend references within Chapter III that have been redesignated or removed. In addition, this rulemaking adds a subject heading for Subpart A of the part in title 49, Code of Federal Regulations, that addresses transportation of hazardous materials.

Timetable:

Action	Date	FR Cite
Final Action	01/24/96	61 FR 1842

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The FHWA believes that prior notice and opportunity for comment are unnecessary under 5 U.S.C. 553(b)(3)(B) since this action simply amends or corrects cross references, inserts a missing subpart heading and is purely editorial in nature.

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2125-AD71

2340. • QUALIFICATION OF DRIVERS: VISION AND DIABETES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 504; 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 391

Legal Deadline: None

Abstract: In this action, the FHWA announces a final determination and final rule to allow drivers holding valid waivers from either the vision or the diabetes standards contained in the Federal Motor Carrier Safety Regulations to continue to operate in interstate commerce after March 31, 1996. (This action is necessary because the waiver program termination date is March 31, 1996, and without this action the drivers would no longer be permitted to operate in interstate commerce.) This extension would apply only to those drivers who have been granted temporary waivers to participate in either the Federal vision waiver study or in the Federal diabetes

waiver study as of November 1, 1995. The FHWA's review of its qualification standards for vision and diabetes will continue under RINS 2125-AC62 and 2125-AB91 respectively.

Timetable:

Action	Date	FR Cite
NPRM	01/08/96	61 FR 606
NPRM Comment Period End	02/07/96	
Final Action	03/26/96	61 FR 13338
Final Action Effective	03/31/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Sandra Zywockarte, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2987

RIN: 2125-AD73

2341. • CERTIFICATION OF SPEED LIMIT ENFORCEMENT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 118; 23 USC 141; 23 USC 154; 23 USC 315; PL 104-59

CFR Citation: 23 CFR 1260; 49 CFR 1.48; 49 CFR 1.50

Legal Deadline: None

Abstract: Section 205(d) of the National Highway System Designation Act of 1995 repealed the National Maximum Speed Limit (NMSL) Compliance Program. It made the repeal effective on December 8, 1995, except that it provided that the Governors of certain States could delay the effective date of the repeal. This action provides that 23 CFR part 1260, which contains the procedures for implementing the NMSL, is now applicable only to those States whose Governor delayed the effective date of the repeal of the NMSL. In effect, the regulation is rescinded for all other States. This action also rescinds the provisions of part 1260 concerning speed monitoring, certification requirements and compliance standards.

DOT—FHWA

Completed Actions

Timetable:

Action	Date	FR Cite
Final Action	03/20/96	61 FR 11305

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul Brennan, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC
Phone: 202 366-0834

RIN: 2125-AD77

2342. ● EXEMPTIONS FROM FEDERAL MOTOR CARRIER SAFETY REGULATIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

Legal Authority: PL 104-59; 49 USC 3102; 49 USC app 2505; 49 USC 2701

CFR Citation: 49 CFR 383; 49 CFR 395; 49 CFR 1.48

Legal Deadline: None

Abstract: The National Highway System Designation Act of 1995 creates exemptions from certain requirements of the Federal Motor Carrier Safety Regulations (FMCSRs) for employers engaged in: (1) the transportation of agricultural commodities and farm supplies; (2) the transportation of ground water drilling rigs; (3) the transportation of construction materials and equipment; (4) the operation of utility service vehicles and (5) the operation of snow and ice removal equipment. These exemptions relate to the hours-of-service and the commercial driver's license

requirements of the regulations. This action amends the FMCSRs to conform to these statutory exemptions.

Timetable:

Action	Date	FR Cite
Final Action	04/03/96	61 FR 14677

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The FHWA has determined that prior opportunity for notice and comment are not in the public interest since the changes in the regulations are statutorily mandated.

Agency Contact: Robert F. Schultz, Jr., Office of Motor Carrier Research and Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2718

RIN: 2125-AD83

DEPARTMENT OF TRANSPORTATION (DOT)

Prerule Stage

National Highway Traffic Safety Administration (NHTSA)

2343. +REVIEW: PASSENGER CAR FRONT SEAT OCCUPANT PROTECTION (FEDERAL MOTOR VEHICLE SAFETY STANDARD NO. 208)

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: This standard requires the provision of automatic occupant protection in the front outboard seats of passenger cars after September 1, 1989. Air bags and automatic safety seat belts are being installed to meet the standard. The agency will analyze the actual road experience of vehicles equipped with automatic occupant protection to measure the reduction of fatalities and injuries, observe operational performance, and assess public acceptance and costs. The regulation was selected for review because of its costs, potential benefits, and public interest; this review is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Begin Review	01/17/90	55 FR 1586
Interim Evaluation Report	07/08/92	57 FR 30293
End Review	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Automatic occupant protection, State belt laws, and greater voluntary belt use amount to a winning combination that saves lives and reduces injury severity. Fatality risk of occupants in cars with air bags plus manual belts (at 1991 use rates) is 23 percent lower than in "baseline" cars with manual belts at 1983 use rates. Interim Evaluation Report comments reviewed and docketed 10/28/92.

Agency Contact: Charles J. Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2560
Fax: 202 366-2559

RIN: 2127-AD82

2344. REVIEW: PASSENGER-CAR BACK SEAT OCCUPANT PROTECTION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: Federal Motor Vehicle Safety Standard No. 208 requires passenger cars manufactured after December 11, 1989, to have Type 2 (lap-and-shoulder) belts at the rear outboard seats. The agency will analyze the actual on-the-road experience of vehicles equipped with lap-and-shoulder belts in the rear seats to measure the reduction of fatalities and injuries relative to cars equipped only with lap belts. The regulation was selected for review because of public interest.

Timetable:

Action	Date	FR Cite
Begin Review	07/01/93	
End Review	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Charles J. Kahane, Chief, Evaluation Division, Office of

DOT—NHTSA

Prerule Stage

Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2560
Fax: 202 366-2559

RIN: 2127-AE95

2345. RESCIND CONTROLS AND DISPLAYS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.101

Legal Deadline: None

Abstract: In response to the President's regulatory reinvention initiative, the agency is proposing to rescind this standard. The agency has tentatively concluded that market forces will continue current practices of specifying the location, identification, and illumination of motor vehicle controls and displays. This would afford the vehicle manufacturers more flexibility to provide safety related information in a format that is not design-restrictive.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5280
Fax: 202 366-4329

RIN: 2127-AF86

2346. RESCIND WINDSHIELD DEFROSTING AND DEFOGGING SYSTEMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.103

Legal Deadline: None

Abstract: In response to the President's regulatory reinvention initiative, the agency is proposing to rescind this standard. The agency has tentatively concluded that market forces will continue current practices.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Controls Standard, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5280
Fax: 202 366-4329

RIN: 2127-AF87

2347. RESCIND WINDSHIELD WIPING AND WASHING SYSTEMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.104

Legal Deadline: None

Abstract: In response to the President's regulatory reinvention initiative, the agency is proposing to rescind this standard. The agency has tentatively concluded that market forces will continue current practices.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5280
Fax: 202 366-4329

RIN: 2127-AF88

2348. • +OCCUPANT PROTECTION IN INTERIOR IMPACT

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.201

Legal Deadline: None

Abstract: In response to petitions for rulemaking of a final rule published August 18, 1995 (60 FR 43031), the agency is initiating a new rulemaking to allow more flexible test procedures and not impede innovative designs for head protection. A technical workshop was held in December 1995 to discuss issues concerning the test procedures. This action is considered significant because of public interest.

Timetable:

Action	Date	FR Cite
ANPRM	03/07/96	61 FR 9136
ANPRM Comment Period End	04/22/96	
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James Hackney, Director, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1740
Fax: 202 366-4329

RIN: 2127-AG07

DEPARTMENT OF TRANSPORTATION (DOT)
National Highway Traffic Safety Administration (NHTSA)

Proposed Rule Stage

2349. +TRUCK REAR UNDERRIDE PROTECTION
Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571

Legal Deadline: None

Abstract: This action establishes two Federal Motor Vehicle Safety Standards which will operate together to reduce the number of injuries and fatalities resulting from the collision of passenger vehicles with the rear end of heavy trailers and semitrailers. The first is Standard No. 223, Rear Guards, or the "equipment standard" which specifies performance requirements that rear impact guards must meet before they can be installed on new trailers and semitrailers. It specifies strength requirements as well as test procedures to be used for compliance. The second is Standard No. 224, Rear Impact Protection, or the "vehicle standard" which requires that most new trailers and semitrailers with a Gross Vehicle Weight Rating of 10,000 lbs. or more be equipped with a rear impact guard meeting the equipment standard, requirements for the location, and requirements that the guard be mounted on the trailer or semitrailer in accordance with the instructions of the guard manufacturer. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	01/08/81	46 FR 21361
NPRM Comment Period End	04/08/81	
Comment Period End	01/03/92	57 FR 252
Comment Period Extended to	04/09/92	57 FR 12289
Final Rule: Effective	01/24/96	61 FR 2003
Petitions Due	03/11/96	
Action on Petitions	07/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
01/24/96 (61 FR 2004)

Additional Information: Docket No. 1-11. NPRM, Notice 8.

Agency Contact: Leon DeLarm, Division Chief, Special Vehicles and Systems Division, Department of Transportation, National Highway

Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4920

Fax: 202 366-4329

RIN: 2127-AA43

2350. PROCEDURES FOR CONSIDERING ENVIRONMENTAL IMPACTS
Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 4321 et seq (National Environmental Policy Act-NEPA)

CFR Citation: 49 CFR 520

Legal Deadline: None

Abstract: NHTSA's regulation will be reviewed and reissued, as necessary, where it conflicts with or is duplicative of the regulations of Council on Environmental Quality (CEQ), 40 CFR parts 1500-1508, and with DOT Order 5610.1C, each of which implements the National Environmental Policy Act (NEPA), 42 USC 4321, et seq.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Paul Atelsek, Attorney Advisor, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2992

RIN: 2127-AB79

2351. DRIVING RANGE DETERMINATION FOR DUAL FUEL ELECTRIC PASSENGER AUTOMOBILES
Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 32901; 49 USC 32905; 49 USC 32906

CFR Citation: 49 CFR 538

Legal Deadline: None

Abstract: The agency has requested comments to assist in developing a proposal for a minimum driving range for dual-fueled electric passenger automobiles or hybrid electric vehicles.

Timetable:

Action	Date	FR Cite
Request for Comments by	09/22/94	59 FR 48589
11/24/94		
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Agency Contact: Orron Kee, Chief, Motor Vehicle Requirements Division, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0846

Fax: 202 366-4329

RIN: 2127-AF37

2352. TEST DEVICE PLACEMENT
Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30111; 49 USC 30168

CFR Citation: 49 CFR 571.216

Legal Deadline: None

Abstract: In response to petitions for rulemaking, this action is requesting comments on what changes, if any, are needed to the roof crush compliance testing. Petitions were granted.

Timetable:

Action	Date	FR Cite
Request for Comments Due	12/27/94	59 FR 66504
2/10/95		
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James Hackney, Director, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1740

Fax: 202 366-4329

RIN: 2127-AF40

2353. THEFT DATA FOR CALENDAR YEAR 1994
Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 33104(b)(4)

CFR Citation: 49 CFR 541

DOT—NHTSA

Proposed Rule Stage

Legal Deadline: None

Abstract: This action will publish the final theft data on passenger motor vehicles that occurred in calendar year 1994. The theft data will indicate the overall vehicle theft rate in 1994. Publication of this data fulfill the agency's obligation to periodically obtain accurate and timely data and publish the information for review and comment.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Barbara Gray, Group Leader, Theft Prevention Group, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4808
Fax: 202 366-4329

RIN: 2127-AF57

2354. AUTOMATIC DRAIN VALVE FOR AIR RESERVOIR TANKS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 20166

CFR Citation: 49 CFR 571.121

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is requesting information about devices that remove water and other contaminants from air brake systems. These devices include automatic drain valves and air dryers. It appears from the agency's analysis of the comments that such devices are a cost-effective method of improving heavy vehicle safety, the agency will publish a notice of proposed rulemaking to require such equipment.

Timetable:

Action	Date	FR Cite
Request for Comments by 9/24/95	07/24/95	60 FR 37864
Correction Published NPRM	08/17/95 04/00/96	60 FR 42830

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Agency Contact: Robert Clarke, Division Chief, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5279
Fax: 202 366-4329

RIN: 2127-AF72

2355. REGULATORY NEGOTIATION FOR VISUAL HEADLAMP AIMABILITY REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: This action proposes to establish a Negotiated Rulemaking Advisory Committee under the Negotiated Rulemaking Act of 1990 and the Federal Advisory Committee Act to develop recommended specifications for altering the U.S. lower headlamp beam pattern to be more sharply defined. Such a pattern would facilitate visual aimability of headlamps and might be the basis for a world-wide lower beam pattern. The Committee would develop its recommendations through a negotiation process. The Committee would be composed of persons who represent the interests affected by the rule such as domestic and foreign manufacturers of motor vehicles, headlamps, and headlamp aimers, motor vehicle inspection facilities, consumers, and State and Federal governments.

Timetable:

Action	Date	FR Cite
Notice to Conduct a Regulatory Negotiation NPRM	06/09/95 04/00/96	60 FR 30506

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This action terminates RIN 2127-AF24. The agency announced the establishment of the advisory committee for regulatory negotiation and notice of the first meeting (07/14/95 (60 FR 36253)). On August 16, 1995 (60 FR 42496) the schedule of the Advisory Committee meetings was published. On November 16, 1995 (60 FR 57562) a change in

the dates and location of the November Advisory Committee meeting was published. On December 21, 1995 (60 FR 66247) the final dates and locations of the three remaining Advisory Committee meetings were published. Change in the time and location of the next series of meetings published February 12, 1996 (61 FR 5370).

Agency Contact: Richard VanDerstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5280
Fax: 202 366-4329

RIN: 2127-AF73

2356. ALTERNATIVE GEOMETRIC VISIBILITY REQUIREMENTS FOR LAMPS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is proposing to harmonize the lighting standard's geometric visibility requirements for signal lamps and rear side marker color with those of the ECE. Harmonization of the standard worldwide, without reducing safety, would allow manufacturers to reduce costs by producing to a single world vehicle standard rather than several, thus reducing costs and improving the flow of trade.

Timetable:

Action	Date	FR Cite
NPRM	10/26/95	60 FR 54833
Comment Period Extended to 05/16/96	12/27/95	60 FR 66953
NPRM Comment Period End	05/16/96	
Final Action	09/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
10/26/95 (60 FR 54833)

Agency Contact: Richard VanDerstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety

DOT—NHTSA

Proposed Rule Stage

Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5280
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RIN: 2127-AF75

2357. CURRENT AND FUTURE STATE OF THE ART INNOVATION FOR ACCELERATOR CONTROLS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.124

Legal Deadline: None

Abstract: In response to the President's Regulatory Reinvention Initiative, the agency is requesting comments in anticipation of a complete overhaul of the standard to accommodate current, new technology, and future accelerator control strategies and systems. The standard was last revised in 1973, when only mechanical systems were common on motor vehicles.

Timetable:

Action	Date	FR Cite
Request for Comments Comment Period End 02/02/96	12/04/95	60 FR 62061
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5280
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RIN: 2127-AF76

2358. RESCISSION OF WARNING DEVICES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.125

Legal Deadline: None

Abstract: In response to the President's regulatory reinvention initiative, the agency is proposing to rescind the warning device standard for all motor vehicles. The agency cannot justify the existence or show the benefit to society by retaining the standard. The standard is referenced by Federal Highway Administration for Motor Carrier Use Regulations. FHWA has stated that an industry standard would be as suitable for this purpose. The Society of Automotive Engineers is updating its standard to reflect the performance stated in the federal standard. FHWA will then use the SAE standard.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/96

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5280
Fax: 202 366-4329

RIN: 2127-AF77

2359. ALTERNATIVE MOTORCYCLE HEADLAMP PERFORMANCE REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is proposing to permit optional photometric performances for motorcycle and motor-driven cycle headlamps. The benefits are to reduce the risk of accidents associated with night time driving. Petition was granted.

Timetable:

Action	Date	FR Cite
NPRM	02/21/96	61 FR 6616
NPRM Comment Period End	04/22/96	
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 02/20/96 (61 FR 6616)

Agency Contact: Dr. Patricia Breslin, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC
Phone: 202 366-0842
Fax: 202 366-4329

RIN: 2127-AF78

2360. TRUCK CAMPER LOADING

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.126; 49 CFR 575

Legal Deadline: None

Abstract: In response to the President's regulatory reinvention initiative, the agency is proposing to combine the requirements in Standard No. 126 into the Consumer Information Regulations, Part 575. This will enable the consumer to locate all truck camper loading requirements in one place.

Timetable:

Action	Date	FR Cite
NPRM	02/14/96	61 FR 5730
NPRM Comment Period End	04/15/96	
Final Action	09/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 02/14/96 (61 FR 5730)

Agency Contact: Robert Clarke, Division Chief, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5279
Fax: 202 366-4329

RIN: 2127-AF81

DOT—NHTSA

Proposed Rule Stage

2361. POWER-OPERATED WINDOWS: ROOF PANELS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.118**Legal Deadline:** None**Abstract:** In response to a petition for rulemaking, the agency is considering whether to amend the test procedure used to demonstrate compliance by adding an alternative testing specification for non-contact automatic reversal system, in order to provide a more meaningful and realistic method for evaluating the compliance of such systems which do not rely on contact to sense an obstruction. Petition was granted.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 04/00/96**Agency Contact:** Richard Van Iderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590Phone: 202 366-5280
Fax: 202 366-4329**RIN:** 2127-AF83**2362. ENERGY-ABSORBING SUN-VISORS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.201**Legal Deadline:** None**Abstract:** In response to the President's regulatory reinvention initiative, the agency is proposing to remove unenforceable requirements for energy-absorbing sun-visors. The dynamic requirements of the agency's new Upper Interior Head Protection rule, to be applicable to both passenger cars and light trucks (**≤8,500 pounds**) will eliminate the need for the current **S3.4 Sun Visor padding requirement, which is not a performance standard.****Timetable:**

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 04/00/96**Agency Contact:** James Hackney, Director, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590Phone: 202 366-1740
Fax: 202 366-4329**RIN:** 2127-AF85**2363. SEALED BEAM HEADLAMPS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.108**Legal Deadline:** None**Abstract:** In response to the President's regulatory reinvention initiative, the agency is proposing to remove the sealed beam headlamp requirements in the standard. Manufacturers will no longer have to petition for rulemaking to change the specifications of sealed beam lamps.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 04/00/96**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls

Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5280
Fax: 202 366-4329**RIN:** 2127-AF89**2364. RESCIND HEADLAMP CONCEALMENT DEVICES****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.112**Legal Deadline:** None**Abstract:** In response to the President's regulatory reinvention initiative, the agency is proposing to rescind this standard. The requirements will be simplified and incorporated in the lighting standard no. 108. The current standard requires that when headlamps are on, the concealment devices remain fully opened during a power loss or short circuit.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 04/00/96**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590Phone: 202 366-5280
Fax: 202 366-4329**RIN:** 2127-AF90**2365. VOLUNTARILY-INSTALLED SHOULDER BELTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.210**Legal Deadline:** None

DOT—NHTSA

Proposed Rule Stage

Abstract: In response to a petition for rulemaking, the agency is considering whether to permit an optional test procedure for the anchorages of a voluntarily-installed shoulder belt on a motor vehicle safety belt. Currently, if a shoulder belt is voluntarily-installed, only the lap belt anchorages are subject to a performance test. Petition was granted.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Agency Contact: James Hackney, Director, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1740

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RIN: 2127-AF91

2366. INSURER REPORTING REQUIREMENTS FOR OCTOBER 1996

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 33112

CFR Citation: 49 CFR 544

Legal Deadline: None

Abstract: The agency is proposing to update its lists of passenger motor vehicle insurers that are required to file reports on their motor vehicle theft loss experiences. Each insurer included on the agency's final list must file a report for the 1993 calendar year not later than October 25, 1996. As long as they remain listed, they must submit reports by each subsequent October 25.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Barbara Gray, Group Leader, Theft Prevention Group,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4808

Fax: 202 366-4329

RIN: 2127-AF92

2367. AUTOMOTIVE FUEL ECONOMY REPORTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 32907

CFR Citation: 49 CFR 537

Legal Deadline: None

Abstract: In response to the President's regulatory reinvention initiative, the agency is proposing to remove obsolete reporting requirements. These submission requirements include factors such as "breakover angles" for light trucks and essentially are never used by NHTSA. Revising this Part would reduce the costs to the industry of reporting to NHTSA and could be reduced without substantially affecting NHTSA's legitimate data needs.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Agency Contact: Orron Kee, Division Chief, Consumer Programs Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0846

Fax: 202 366-4329

RIN: 2127-AG00

2368. • HIGHWAY SAFETY PROGRAM STANDARDS: APPLICABILITY TO FEDERALLY ADMINISTERED AREAS

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 402

CFR Citation: 23 CFR 1230

Legal Deadline: None

Abstract: In response to the President's Regulatory Reinvention Initiative, NHTSA and FHWA propose to replace the outdated rules of procedure contained in 23 CFR 1206 with new procedures. The action would change the regulation to reflect the current sanction authority of 23 USC 402 and would replace the present burdensome hearing process with a simplified review process. NHTSA and Federal Highway Administration have the ability to work cooperatively with Federal agencies to promote highway safety activities without the need for the compliance and reporting requirements contained in this regulation.

Timetable:

Action	Date	FR Cite
NPRM	03/22/96	61 FR 11794
NPRM Comment Period End	05/06/96	
Final Action	08/00/96	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Gary Butler, Highway Safety Specialist, State and Community Services, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2121
Fax: 202 366-7394

RIN: 2127-AG10

2369. • RULES OF PROCEDURE FOR INVOKING SANCTIONS UNDER THE HIGHWAY SAFETY ACT OF 1966

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 402

CFR Citation: 23 CFR 1206

Legal Deadline: None

Abstract: In response to the President's Regulatory Reinvention Initiative, the agency is proposing changes to Part 1206, the regulation on rules of procedure for invoking sanctions under the Highway Safety Act of 1966. This

DOT—NHTSA

Proposed Rule Stage

proposal will revise the regulation to reflect changes that have taken place in the Section 402 program (including the change from uniform standards to guidelines), and will propose to streamline and simplify the sanction procedures.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Gary Butler, Highway Safety Speciality, State and Community Services, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2121
Fax: 202 366-7394

RIN: 2127-AG11

2370. • +UPGRADED REQUEST FOR AIRCRAFT-CERTIFIED CHILD SEATS

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.213

Legal Deadline: None

Abstract: The agency intends to upgrade the requirements for child seats certified for use on aircraft. It would require child restraints certified for use on aircraft to meet compatibility (fit) requirements and to meet performance criteria when sled tested under conditions more representative of the aircraft environment. This action is considered significant because of the substantial public interest in issues involving child seats on aircraft and because of special interest to another modal Administration.

Timetable:

Action	Date	FR Cite
NPRM	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
05/00/96

Agency Contact: James Hackney, Director, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400

Seventh St. SW., Washington, DC 20590

Phone: 202 366-1740

Fax: 202 366-4329

RIN: 2127-AG12

2371. • +UNDESIREED SIDE EFFECTS OF AIR BAGS

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: Air bags are now standard equipment in millions of passenger cars, light trucks, sport utility vehicles, and vans and widely regarded to be a noteworthy safety advance, especially in higher speed crashes. However, air bags - even air bags with a lap/shoulder belt being used - are not a cure-all for every type of injury in crashes. The agency is aware of situations in which current air bag designs have undesired side effects. These include situations in which an air bag appears to have contributed to serious injuries and even death to vehicle occupants. This action is intended to inform the public about the agency's actions to minimize these adverse side effects and to invite the public to share information and views with the agency. This is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Request for Comments by 12/26/95	11/09/95	60 FR 56554
NPRM	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steve Kratzke, Division Chief, Planning and Review Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5203
Fax: 202 366-4329

RIN: 2127-AG14

2372. • WHEELCHAIR LIFTS AND RAMPS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.206

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is proposing to modify the "Door Locks and Door Retention Components" requirements by exempting wheelchair lifts and to establish uniform requirements for wheelchair lifts and ramps. These modifications are necessary because of changes in the types of vehicles equipped with wheelchair lifts/ramps and changes in lift/ramp structural designs which have come to pass in recent years. Petition was granted.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Agency Contact: James Hackney, Director, Office of Crashworthiness, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1740
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RIN: 2127-AG16

2373. • DUMMY CONTAINMENT DURING COMPLIANCE TESTING

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is proposing to modify the dummy containment area requirements in the vehicle used for occupant protection compliance testing. Petition was granted.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

DOT—NHTSA

Proposed Rule Stage

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Agency Contact: James Hackney,
Director, Office of Crashworthiness,
Department of Transportation, National
Highway Traffic Safety Administration,
400 Seventh Street SW., Washington,
DC 20590

Phone: 202 366-1740

Fax: 202 366-4329

RIN: 2127-AG17

2374. • OPERATION OF MOTOR VEHICLES BY INTOXICATED MINORS

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-59

CFR Citation: 23 CFR 1210

Legal Deadline: None

Abstract: The agency is proposing to implement a new program enacted by the National Highway System Designation Act of 1995, which provides for the withholding of Federal-aid highway funds from any State that does not enact and enforce a "Zero Tolerance" law.

Timetable:

Action	Date	FR Cite
NPRM	03/07/96	61 FR 9121
NPRM Comment Period End	04/22/96	
Final Action	08/00/96	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Gary Butler, Highway
Safety Specialist, Office of State and
Community Services, Department of
Transportation, National Highway
Traffic Safety Administration, 400
Seventh Street SW., Washington, DC
20590

Phone: 202 366-2121

Fax: 202 366-7394

RIN: 2127-AG20

2375. • TRANSITION PROCEDURES FROM CURRENT TO NEW NATIONAL DRIVER REGISTER

Priority: Other

Reinventing Government: This
rulemaking is part of the Reinventing
Government effort. It will eliminate
existing text in the CFR.

Legal Authority: 23 USC 401

CFR Citation: 23 CFR 1325

Legal Deadline: None

Abstract: In response to the President's
Regulatory Reinvention Initiative, the
agency proposes to remove part 1325
from title 23 of the CFR. Part 1325
provided procedures for the orderly
transition from the National Driver
Register (NDR) system established by
PL 86-660 to the new NDR system
established by PL 97-354. The
transition is expected to be completed
by July 31, 1996.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Bill Holden, Chief,
Driver Register Division, Department of
Transportation, National Highway
Traffic Safety Administration, 400
Seventh Street SW., Washington, DC
20590

Phone: 202 366-4800

Fax: 202 366-2746

RIN: 2127-AG21

2376. • SIMPLIFY OCCUPANT CRASH PROTECTION STANDARD

Priority: Substantive, Nonsignificant

Reinventing Government: This
rulemaking is part of the Reinventing
Government effort. It will eliminate
existing text in the CFR.

Legal Authority: 49 USC 322; 49 USC
30111; 49 USC 30115; 49 USC 30117;
49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: In response to the President's
Regulatory Reinvention Initiative, the
agency is proposing to remove
provisions regarding past time periods
and to simplify the standard.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/00/96

Agency Contact: James Hackney,
Office Director, Office of
Crashworthiness Standards, Department
of Transportation, National Highway
Traffic Safety Administration, 400

Seventh Street SW., Washington, DC
20590

Phone: 202 366-1740

Fax: 202 366-4329

RIN: 2127-AG29

2377. • THEFT DATA FOR CALENDAR YEAR 1995

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 33104(b)(4)

CFR Citation: 49 CFR 541

Legal Deadline: None

Abstract: This action will publish the
final theft rate data on passenger motor
vehicles that occurred in calendar year
1995 for model year 1995 vehicles. The
theft data indicate the overall vehicles'
theft rate in 1995. Publication of this
data fulfills the agency's obligation to
periodically obtain accurate and timely
data and publish the information for
review and comment.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Rosalind Proctor,
Program Analyst, Theft Prevention
Group, Department of Transportation,
National Highway Traffic Safety
Administration, 400 Seventh Street
SW., Washington, DC 20590

Phone: 202 366-0846

Fax: 202 366-4329

RIN: 2127-AG33

2378. • EXTEND APPLICABILITY TO ALL LIGHT VEHICLES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 332; 49 USC
30111; 49 USC 30115; 49 USC 30117;
49 USC 30166

CFR Citation: 49 CFR 571.135

Legal Deadline: None

Abstract: The agency is proposing to
extend the braking requirements to all
light vehicles with gross vehicle weight
ratings (GVWR) less than or equal to
10,000 lbs. This decision reflects the
agency's policy of achieving
international harmonization whenever
possible, and be consistent with the
statutory mandate to ensure motor
vehicle safety.

DOT—NHTSA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation
04/00/96**Agency Contact:** Robert Clarke,
Division Chief, Vehicle Dynamics
Division, Department of Transportation,
National Highway Traffic SafetyAdministration, 400 Seventh Street
SW., Washington, DC 20590

Phone: 202 366-5279

Fax: 202 366-4329

RIN: 2127-AG35

DEPARTMENT OF TRANSPORTATION (DOT)

Final Rule Stage

National Highway Traffic Safety Administration (NHTSA)

2379. +REDUCE HEAD INJURIES DUE TO CONTACT WITH UPPER VEHICLE INTERIOR**Priority:** Economically Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.201; 49 CFR 571.205; 49 CFR 571.206; 49 CFR 571.214**Legal Deadline:** NPRM, Statutory, January 31, 1993. Final, Statutory, February 28, 1995.**Abstract:** This action requires passenger cars, trucks, buses, and multipurpose passenger vehicles with a gross vehicle weight rating of 10,000 pounds or less, to provide protection when an occupant's head strikes upper interior components, including pillars, side rails, headers, and the roof, during a crash. This amendment adds procedures and performance requirements for a new in-vehicle component test. Insofar as this rulemaking applies to passenger cars, it is required by the NHTSA Authorization Act of 1991. This action is considered significant because of safety and cost implications.**Timetable:**

Action	Date	FR Cite
ANPRM	08/19/88	53 FR 31712
ANPRM Comment Period End	10/18/88	
Notice of Intent	06/05/92	57 FR 24008
NPRM	02/08/93	58 FR 7506
NPRM Comment Period End	04/09/93	
Final Rule: Effective	08/18/95	60 FR 43031
09/18/95		
Petitions Due	09/18/95	
Action on Petitions	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation
08/18/95 (60 FR 43031)**Additional Information:** This entry was formerly titled: Side-Impact Protection, Head/Neck Protection, and Occupant Ejection Mitigation. The agency published on 10/20/93 (58 FR 54099) a notice of a public hearing and reopened the comment period until 12/01/93. This title has since been revised the second time.**Agency Contact:** James Hackney,
Director, Office of Crashworthiness
Standards, Department of
Transportation, National Highway
Traffic Safety Administration, 400
Seventh Street SW., Washington, DC
20590
Phone: 202 366-0842
Fax: 202 366-4329**RIN:** 2127-AB85**2380. +SCHOOL BUS BODY JOINT STRENGTH****Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.221**Legal Deadline:** None**Abstract:** In response to NTSB recommendations on body joint strength and maintenance access panels and the agency's own analyses, the agency initiated rulemaking to improve the test requirements and test procedures for body joints and to limit the number and size of maintenance access panels. It is estimated that between 15 to 20 injuries per year could be prevented by this rulemaking. This rulemaking is considered significant because of substantial public and congressional interest.**Timetable:**

Action	Date	FR Cite
ANPRM	06/15/87	52 FR 23314
ANPRM Comment Period End	08/03/87	

Action	Date	FR Cite
Comment Period Extended to 10/15/87	08/12/87	52 FR 29873
NPRM	03/15/91	56 FR 11142
NPRM Comment Period End	05/14/91	
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation
03/15/91 (56 FR 11142)**Agency Contact:** James Hackney,
Director, Office of Crashworthiness
Standards, Department of
Transportation, National Highway
Traffic Safety Administration, 400
Seventh Street SW., Washington, DC
20590
Phone: 202 366-1740
Fax: 202 366-4329**RIN:** 2127-AC19**2381. FUEL SPILLAGE****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 552; 49 CFR 571**Legal Deadline:** None**Abstract:** In response to a petition for rulemaking, the agency is proposing to require vehicles equipped with a crossover line connecting dual fuel tanks to comply with requirements that would reduce the likelihood of fuel spillage. Petition was granted. Comments have been requested on the difference between the agency's proposed test procedures and requirements and those of the Society of Automotive Engineers.**Timetable:**

Action	Date	FR Cite
NPRM	05/17/94	59 FR 25590

DOT—NHTSA

Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	07/18/94	
Final Action	04/00/96	

Small Entities Affected: None
Government Levels Affected: None
Analysis: Regulatory Evaluation 05/17/94 (59 FR 25590)
Additional Information: This entry was formerly titled Fuel System Integrity, Fuel Spillage.
Agency Contact: Leon DeLarm, Division Chief, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-4920
 Fax: 202 366-4329
RIN: 2127-AC62

2382. BRAKE LINING

Priority: Substantive, Nonsignificant
Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166
CFR Citation: 49 CFR 571.105
Legal Deadline: None
Abstract: Petitions from R. Grabowsky and American Trucking Association (ATA) requested initiation of rulemaking concerning brake linings (all vehicles and aftermarket). Mr. Grabowsky petitioned relative to stability, friction level, fade, wear, and identification of linings. ATA petitioned relative to friction level and identification of linings for heavy vehicles only. Petitions concerned both performance levels and test procedures, and were granted.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: Undetermined
Government Levels Affected: None
Analysis: Regulatory Evaluation 04/00/96
Agency Contact: Robert Clarke, Division Chief, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-5279

Fax: 202 366-4329
RIN: 2127-AC66

2383. INCENTIVE GRANT CRITERIA FOR DRUNK-DRIVING-PREVENTION PROGRAMS (SECTION 410)

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
Legal Authority: 23 USC 410; PL 104-59
CFR Citation: 23 CFR 1313
Legal Deadline: None
 NHTSA was required to publish a final rule by November 18, 1989.

Abstract: In response to the President's Regulatory Reinvention Initiative, an interim final rule was published on 08/09/94 (59 FR 40470) to provide guidance to the States before the end of fiscal year 1994, regarding a supplemental grant criterion for States that consider drivers under the age of 21 years, who operate a vehicle while having a BAC of 0.02 or greater, to be driving while intoxicated. The agency requested comments on the interim final rule. A notice reopening the comment period was published on 03/24/95 (60 FR 15479). A final rule was not published, because additional legislative changes that would have affected this supplemental grant criterion were being considered by Congress.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/09/94	59 FR 40470
Interim Final Rule Comment Period Due 10/11/94	08/09/94	59 FR 40470
Comment Period Extended to 05/23/95	03/24/95	60 FR 15479
Final Action	04/00/96	

Small Entities Affected: None
Government Levels Affected: State
Analysis: Regulatory Evaluation 08/09/94 (59 FR 40470)
Agency Contact: Marlene Markison, Chief, Program Support, Office of State and Community Services, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St. SW., Washington, DC 20590

Phone: 202 366-2121
 Fax: 202 366-7394
RIN: 2127-AD01

2384. DYNAMIC TESTING OF LIGHT TRUCKS AND VANS FOR SIDE IMPACT

Priority: Substantive, Nonsignificant
Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166
CFR Citation: 49 CFR 571.214
Legal Deadline: NPRM, Statutory, May 31, 1992. Final, Statutory, August 5, 1994.

Action must be completed within 26 months of ANPRM publication.

Abstract: This action extends the dynamic testing requirements to light trucks, multipurpose passenger vehicles, and buses with a gross vehicle weight rating of 6,000 pounds or less (LTVs). Based on current vehicle sales data, the agency estimates that the percentage of LTVs will increase significantly in the future. Small LTVs, which are potentially vulnerable in side crashes, will comprise much of the LTV fleet by the year 2000. This extension ensures these vehicles provide side impact protection for the same crash conditions under which passenger cars provide such protection. It also furthers the goal of the NHTSA Authorization Act of 1991 which directed the agency to initiate rulemaking on LTV side impact safety.

Timetable:

Action	Date	FR Cite
ANPRM	06/05/92	57 FR 24009
ANPRM Comment Period End	08/04/92	
NPRM	06/15/94	59 FR 30756
NPRM Comment Period End	08/15/94	
Final Rule	07/28/95	60 FR 38749
Petitions Due	08/28/95	
Action on Petitions	04/00/96	

Small Entities Affected: None
Government Levels Affected: None
Analysis: Regulatory Evaluation 07/28/95 (60 FR 38749)
Additional Information: No petitions for reconsideration received.
Agency Contact: Dr. Patricia Breslin, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400

DOT—NHTSA

Final Rule Stage

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RIN: 2127-AE49

2385. CONSUMER INFORMATION REGULATION - VEHICLE STOPPING DISTANCE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 575.101

Legal Deadline: None

Abstract: This action amends the Consumer Information Regulations by rescinding the requirement that motor vehicle manufacturers provide information about vehicle stopping distance. The agency concludes that this information is of little safety value to consumers and might even be misleading. This action also eliminates an unnecessary Federal regulatory burden to industry.

Timetable:

Action	Date	FR Cite
NPRM	11/23/92	57 FR 54962
NPRM Comment Period End	01/07/93	
Final Rule: Effective 07/26/95	06/26/95	60 FR 32918
Petitions Due	07/26/95	
Action on Petitions	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 11/23/92 (57 FR 54962)

Agency Contact: Henrietta Spinner, Program Analyst, Consumer Programs Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4802
Fax: 202 366-4329

RIN: 2127-AE61

2386. MINIATURE AND NONFILAMENT LIGHT SOURCES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: The agency has proposed to relieve design restrictions that may inadvertently prevent the implementation of certain new-technology light sources in signal lamps.

Timetable:

Action	Date	FR Cite
NPRM	04/08/94	59 FR 16788
NPRM Comment Period End	06/07/94	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/08/94 (59 FR 16788)

Additional Information: This action answers a petition for rulemaking under RIN 2127-AF20, the issues of which have been consolidated, herein. The title of RIN 2127-AF20: Specifications for Light Emitting Diode.

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5280
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RIN: 2127-AE97

2387. TEST DUMMIES AND REQUIREMENTS FOR TESTING CHILD RESTRAINT SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.213

Legal Deadline: None

Abstract: In response to petitions for reconsideration, the agency delays until September 1, 1996, the date on which manufacturers of add-on (portable) child restraint systems must comply with a final rule that was published July 6, 1995 (60 FR 35126), and corrected September 29, 1995 (60 FR 50477). The rule added a greater array of sizes and weights of test dummies for use in compliance tests. The delay provides needed leadtime to manufacturers of add-on (portable) child restraint systems to make necessary design changes to conform to the new requirements.

Timetable:

Action	Date	FR Cite
NPRM	03/16/94	59 FR 12225
NPRM Comment Period End	05/16/94	
Final Rule	07/06/95	60 FR 35126
Petitions Due	08/07/95	
Response to Petitions and Further Petitions due by 1/11/96	12/12/95	60 FR 63651
Action on Petitions	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/12/95 (60 FR 63651)

Additional Information: The effective date for add-on (portable) child restraint systems is January 3, 1996. The effective date for built-in systems is September 1, 1996. However, for manufacturers of add-on child restraint systems, the compliance date has been changed to September 1, 1996. Clarification of compliance date published February 9, 1996 (61 FR 4938).

Agency Contact: Leon DeLarm, Division Chief, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4920

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RIN: 2127-AF02

2388. COMPRESSED NATURAL GAS (CNG) FUEL CONTAINERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.303

Legal Deadline: None

Abstract: The agency amends the standards for Fuel System Integrity of Compressed Natural Gas Vehicles and Compressed Natural Gas Fuel containers to allow any appropriate fuel to be used for the bonfire test for compressed natural gas (CNG) containers and adds new labeling requirements for CNG vehicles and containers. The agency also terminates rulemaking on additional performance requirements for CNG containers that had been proposed. Rulemaking may be

DOT—NHTSA

Final Rule Stage

resumed once revisions to the current voluntary industry standard for CNG containers are completed.

Timetable:

Action	Date	FR Cite
NPRM	12/29/93	58 FR 68846
NPRM Comment Period End	01/28/94	
Partial Final Rule Effective 03/27/95	09/26/94	59 FR 49010
Comment Period End 02/17/95	12/19/94	59 FR 65299
Final Rule: Effective 12/26/95	11/24/95	60 FR 57943
Petitions Due	12/26/95	
Action on Petitions	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
11/24/95 (60 FR 57943)

Agency Contact: Leon DeLarm, Division Chief, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AF14

2389. +LIGHT TRUCK AVERAGE FUEL ECONOMY STANDARDS FOR MYS AFTER 1997

Priority: Economically Significant

Legal Authority: 49 USC 32902

CFR Citation: 49 CFR 533

Legal Deadline: Final, Statutory, March 30, 1996.

Abstract: This final rule establishes the average fuel economy standard for light trucks manufactured in model year (MY) 1998. The issuance of a standard is required by statute. Pursuant to section 330 of the FY 1996 DOT Appropriations Act, the light truck standard for MY 1998 is 20.7 mpg. This rule is considered significant because of the impact on manufacturers, the interest shown by consumers, and the potential significant effects on the automotive marketplace. The Energy Policy and Conservation Act requires the agency to set fuel economy standards for each model year. Standards had been established only through MY 1997.

Timetable:

Action	Date	FR Cite
ANPRM	04/06/94	59 FR 16324
ANPRM Comment Period End	08/04/94	
NPRM	01/03/96	61 FR 145
Correction Comment Period End Date	01/25/96	61 FR 2228
NPRM Comment Period End	02/20/96	
Final Rule Effective	04/03/96	61 FR 14680
	05/03/96	
Petitions Due	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
01/03/96 (61 FR 145)

Agency Contact: Orron Kee, Division Chief, Consumer Programs Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0846
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RIN: 2127-AF16

2390. +UNIFORM TIRE QUALITY GRADING

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 575.104

Legal Deadline: None

Abstract: This action proposes to improve the Uniform Tire Quality Grading Standard (UTQGS) to revise treadwear testing procedures to maintain the base course wear rate of course monitoring tires at its current value. That revision should eliminate treadwear grade inflation, reduce testing expenses, and reduce the adverse environmental consequences of operating testing convoys; create a new traction grading category of "AA" in addition to the current traction grades of A, B, C to differentiate those tires with the highest traction characteristics from lower performing tires; and replace the temperature resistance grade with a rolling resistance/fuel economy grade. This change would provide a measure of a key fuel economy characteristic of tires, and responds to the President's Climate Change Action Plan. This action is considered significant because of

substantial public and congressional interest.

Timetable:

Action	Date	FR Cite
ANPRM	04/25/94	59 FR 19686
ANPRM Comment Period End	06/24/94	
NPRM	05/24/95	60 FR 27472
SNPRM Comment Period Extended to 08/14/95	07/05/95	60 FR 34961
NPRM Comment Period End	07/10/95	
Correction Comment Period Extended to 09/01/95	08/16/95	60 FR 42896
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
05/24/95 (60 FR 27472)

Additional Information: On July 5, 1995 (60 FR 34961) a supplemental notice of proposed rulemaking was published extending the comment period and announcing a public meeting. On July 14, 1995 (60 FR 36255) a correction to the supplemental notice of proposed rulemaking and change in date of the public meeting was published. At the request of commenters at the public meeting and petitioners, the agency on August 16, 1995 (60 FR 42496) extended the comment period to September 1, 1995.

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Phone: 202 366-0846
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RIN: 2127-AF17

2391. EQUIVALENT MEASUREMENTS FOR GASEOUS FUELS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 32901; 49 USC 32905; 49 USC 32906

CFR Citation: 49 CFR 538

Legal Deadline: None

Abstract: Under the corporate average fuel economy program, certain incentives are provided for the manufacture of alternative fuel vehicles, including dual fuel vehicles. Among other things, dual fuel passenger automobiles which meet a

DOT—NHTSA

Final Rule Stage

minimum driving range qualify for special treatment in the calculation of fuel economy. In order to implement a new statutory requirement, this notice is proposing to amend the existing regulation concerning minimum driving range. The minimum driving range for all dual fuel passenger automobiles other than electric vehicles would be set at 200 miles. The agency is also proposing to establish gallons equivalent measurements for certain gaseous fuels. These measurements are needed to calculate the fuel economy of alternative fueled vehicles.

Timetable:

Action	Date	FR Cite
NPRM	12/19/94	59 FR 65295
NPRM Comment Period End	02/17/95	
Final Rule	04/02/96	61 FR 14507
Petitions Due	05/00/96	
Effective	06/03/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
12/19/94 (59 FR 65295)

Additional Information: This action is being combined with action 2127-AF38.

Agency Contact: Henrietta Spinner, Program Analyst, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4802

RIN: 2127-AF18

2392. RIGID PLASTICS IN WINDOWS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.205

Legal Deadline: None

Abstract: In response to a petition for rulemaking, this action proposes to permit the installation of a new item of motor vehicle glazing, Item 4A - Rigid Plastic for Use in Side Windows Rearward of the "C" Pillar, in hatchbacks and station wagons. The agency is seeking to provide greater flexibility for manufacturers to develop and use more aerodynamic, lighter weight glazing designs, resulting in lower fuel consumption.

Timetable:

Action	Date	FR Cite
NPRM	03/14/95	60 FR 13688
NPRM Comment Period End	05/15/95	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
03/14/95 (60 FR 13688)

Agency Contact: James Hackley, Director, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AF28

2393. IMPROVED BACK DOOR LATCH

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.206

Legal Deadline: None

Abstract: This action extends the existing side door requirements to back doors of passenger cars and multipurpose passenger vehicles, including hatchbacks, station wagons, sport utility vehicles, and passenger vans. The purpose is to reduce the likelihood of occupants being ejected from vehicles in crashes and to reduce the fatalities and serious injuries resulting from such ejections. Agency reviewing petitions for reconsideration.

Timetable:

Action	Date	FR Cite
Request for Comments by 3/28/94	01/27/94	59 FR 3924
NPRM	08/30/94	59 FR 44691
NPRM Comment Period End	10/31/94	
Final Rule: Effective	09/28/95	60 FR 50124
Petitions Due	10/30/95	
Action on Petitions	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
08/28/95 (60 FR 50124)

Agency Contact: James Hackney, Director, Office of Crashworthiness

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RIN: 2127-AF35

2394. INCREASE FEMUR FLEXION MOTION OF THE HYBRID III TEST DUMMY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 572

Legal Deadline: None

Abstract: In response to petitions for rulemaking, this action is proposing to provide a more precise characterization of the femur motion range to assure uniform flexion between right and left femurs and between dummies made by different manufacturers. Petitions were granted.

Timetable:

Action	Date	FR Cite
NPRM	06/30/95	60 FR 34213
NPRM Comment Period End	08/29/95	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
06/30/95 (60 FR 34213)

Agency Contact: James Hackney, Director, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AF41

2395. +CERTIFICATION OF CHILD RESTRAINTS FOR USE ON AIRCRAFT

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.213

Legal Deadline: None

Abstract: This action and a companion proposed rule (RIN 2120-AF52) issued

DOT—NHTSA

Final Rule Stage

by the Federal Aviation Administration (FAA) address the use of child harnesses and backless child restraints in aircraft. The agency proposes to no longer permit those restraints to be certified for use in both motor vehicles and aircraft. Under the current FAA regulations, aircraft-certified child restraints may be used on aircraft. However, because testing has raised concerns about the safety of using harnesses and backless child restraint systems on the types of seats found in aircraft, FAA is publishing an action that would prohibit the use of booster seats, and vest-and harness- type child restraint systems on aircraft even if they are certified for aircraft use. This action is considered significant because of the substantial public interest in issues involving child seats on aircraft and because of special interest to another model Administration.

Timetable:

Action	Date	FR Cite
NPRM	06/09/95	60 FR 30696
NPRM Comment Period End	07/10/95	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
06/09/95 (60 FR 30696)

Agency Contact: Leon DeLarm, Division Chief, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4920

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RIN: 2127-AF46

2396. RETROREFLECTIVE CONSPICUITY SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: This action proposes that the rear of truck tractors be equipped with retroreflective sheeting similar to that required for the rear of heavy trailers. The agency tentatively concludes that the addition of such a conspicuity

treatment would result in a reduction of deaths, injuries, and property costs.

Timetable:

Action	Date	FR Cite
NPRM	06/12/95	60 FR 30820
NPRM Comment Period End	09/11/95	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
06/12/95 (60 FR 30820)

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5280

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RIN: 2127-AF59

2397. AIR BRAKE SYSTEMS; AIR COMPRESSOR CUT-IN PRESSURE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.121

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is requiring the automatic activation of the air compressor on a powered vehicle whenever the pressure in the air brake system drops below 100 pounds per square inch (psi). This will ensure that new truck tractors provide trailers with sufficient air pressure for release of the trailer parking brakes; provide adequate service braking; and provide air reserves on all air brake vehicles.

Timetable:

Action	Date	FR Cite
NPRM	06/13/95	60 FR 31135
NPRM Comment Period End	08/14/95	
Final Rule Effective	02/16/96	61 FR 6173
	03/18/96	
Petitions Due	04/01/96	
Action on Petitions	07/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
06/13/95 (60 FR 31135)

Agency Contact: Robert Clarke, Division Chief, Vehicle Dynamics

Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AF63

2398. RELIEVING DESIGN RESTRICTIONS TO ACCOMMODATE NEW LIGHT SOURCES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108; 49 CFR 564

Legal Deadline: None

Abstract: This action proposes to allow high intensity discharge (HID) light sources to be used in replaceable bulb headlamp systems, in addition to their presently-allowed use in integral beam headlamp systems. If the life of the light source approaches that of the vehicle, as is the case with HIDs, interchangeability will no longer be so important. Therefore, this action also proposes to allow a manufacturer to submit fewer items of dimensional information if it can demonstrate that the average rated laboratory life of its light source is not less than 2,000 hours.

Timetable:

Action	Date	FR Cite
NPRM	06/19/95	60 FR 31939
NPRM Comment Period End	08/18/95	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
06/19/95 (60 FR 31939)

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AF65

DOT—NHTSA

Final Rule Stage

2399. SEAT BELT EXEMPTION FOR LAW ENFORCEMENT VEHICLES**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.208**Legal Deadline:** None**Abstract:** In response to a petition for rulemaking, this action proposes to provide greater flexibility to design safety belt systems that are better suited for restraining prisoners being transported in the rear seats of law enforcement vehicles.**Timetable:**

Action	Date	FR Cite
NPRM	06/13/95	60 FR 31132
NPRM Comment	08/14/95	
Period End		
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 06/13/95 (60 FR 31132)**Agency Contact:** James Hackney, Director, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1740

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RIN: 2127-AF66**2400. COLORFASTNESS REQUIREMENTS FOR SEATBELTS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.209**Legal Deadline:** None**Abstract:** In response to the President's Regulatory Reinvention Initiative, this action proposes to delete the colorfastness requirements for seat belt assemblies. The agency tentatively concludes that the manufacturers' concerns about public acceptance are

sufficient by themselves to ensure that manufacturers will make their belts colorfast. Colorfastness means the safety belt webbing dye will not come off onto clothing.

Timetable:

Action	Date	FR Cite
NPRM	06/19/95	60 FR 31946
NPRM Comment	08/18/95	
Period End		
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 06/19/95 (60 FR 31946)**Agency Contact:** James Hackney, Director, Office of Crashworthiness, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1740

Fax: 202 366-4329

RIN: 2127-AF67**2401. SAFETY BELT ANCHORAGES: OWNER'S MANUAL REQUIREMENTS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.210**Legal Deadline:** None**Abstract:** In response to the President's Regulatory Reinvention Initiative, the agency is proposing to remove obsolete owner's manual requirements dealing with instructions for the installation of child restraints in vehicles equipped with automatic safety belts. These requirements will become redundant after the rules on retractor lockability and manual belts with air bags become effective for all vehicles in September 1999. This will also permit international harmonization.**Timetable:**

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 04/00/96**Agency Contact:** James Hackney, Director, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1740

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RIN: 2127-AF68**2402. COMBINE VEHICLE IDENTIFICATION REQUIREMENTS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.115; 49 CFR 565**Legal Deadline:** None**Abstract:** The agency's identification number (VIN) requirements are established in two regulations, Federal Motor Vehicle Safety Standard No. 115 and Part 565. The agency is proposing to incorporate Standard No. 115 in Part 565. This proposed action is part of the Regulatory Reinvention Initiative and will make the VIN requirements easier to understand and to apply.**Timetable:**

Action	Date	FR Cite
NPRM	10/25/95	60 FR 54658
NPRM Comment	12/26/95	
Period End		
Final Action	07/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 10/25/95 (60 FR 54658)**Agency Contact:** Leon DeLarm, Division Chief, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4920

Fax: 202 366-4329

RIN: 2127-AF69

DOT—NHTSA

Final Rule Stage

2403. REMOVE OBSOLETE REQUIREMENTS FOR HEAD RESTRAINTS**Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.202**Legal Deadline:** None**Abstract:** This action proposes to delete one of two alternative performance requirements for head restraints. That alternative involves a testing procedure that is more cumbersome than the one in the other alternative and has rarely, if ever, been used by manufacturers. Removing this alternative would not adversely affect the manufacturers, but would simplify the language of the standard. This action is part of the Regulatory Reinvention Initiative.**Timetable:**

Action	Date	FR Cite
NPRM	10/24/95	60 FR 54467
NPRM Comment Period End	12/26/95	
Final Action	07/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 10/24/95 (60 FR 54467)**Agency Contact:** James Hackney, Director, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1740

Fax: 202 366-4329

RIN: 2127-AF70**2404. RESCIND STANDARD FOR UNNECESSARY DESIGN RESTRICTIONS: WHEEL NUTS, WHEEL DISCS, AND HUBCAPS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.211**Legal Deadline:** None**Abstract:** In response to the President's regulatory reinvention initiative, this action is proposing to rescind this standard. The agency has tentatively concluded that this standard is unnecessarily design-restrictive. Moreover, to the extent that there are safety concerns in this area, the agency believes they are more appropriately addressed by State laws concerning vehicle use than by Federal motor vehicle safety standard.**Timetable:**

Action	Date	FR Cite
NPRM	06/19/95	60 FR 31947
NPRM Comment Period End	08/03/95	
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 06/19/95 (60 FR 31947)**Agency Contact:** James Hackney, Director, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1740

Fax: 202 366-4329

RIN: 2127-AF71**2405. RESCISSION OF REFLECTING SURFACES REQUIREMENTS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.107**Legal Deadline:** None**Abstract:** In response to the President's regulatory reinvention initiative, this action proposes to rescind this standard. The agency has tentatively concluded that due to market forces and product liability concerns, the manufacturers will continue to

minimize glare causing reflections from vehicle surfaces within the field of view of the driver. Eliminating the standard will remove the need to certify compliance with it. NHTSA believes that the standard can be rescinded without affecting safety.

Timetable:

Action	Date	FR Cite
NPRM	06/26/95	60 FR 32935
Comment Period Extended to 8/25/95	07/25/95	60 FR 37986
Final Rule Effective 5/6/96	03/21/96	61 FR 11587
Petitions Due	05/06/96	
Response to Petitions	08/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 06/26/95 (60 FR 32935)**Agency Contact:** Richard VanDerstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5280

Fax: 202 366-4329

RIN: 2127-AF74**2406. SPECIFICATIONS FOR CONTENT OF ALUMINUM ALLOYS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.304**Legal Deadline:** None**Abstract:** In response to a petition for rulemaking, the agency is proposing to amend the requirements for compressed natural gas (CNG) containers made with aluminum alloys. The proposed changes would make Standard No. 304 consistent with the most recent aluminum industry specifications for those materials.**Timetable:**

Action	Date	FR Cite
NPRM	11/16/95	60 FR 57567
NPRM Comment Period End	01/02/96	
Final Action	08/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 11/16/95 (60 FR 57567)

DOT—NHTSA

Final Rule Stage

Agency Contact: Leon DeLarm, Division Chief, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4920
Fax: 202 366-4329

RIN: 2127-AF79

2407. RESCISSION OF NON-PNEUMATIC SPARE TIRE REQUIREMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.129

Legal Deadline: None

Abstract: In response to the President's regulatory reinvention initiative, the agency is proposing to rescind the new non-pneumatic spare tires requirements for passenger cars. To the knowledge of the agency, these spare tires have not been produced, none are being planned for production in the future and, therefore the standard is not needed.

Timetable:

Action	Date	FR Cite
NPRM	09/26/95	60 FR 49541
NPRM Comment Period End	11/27/95	
To be Terminated	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 09/26/95 (60 FR 49541)

Agency Contact: Robert Clarke, Division Chief, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5279
Fax: 202 366-4329

RIN: 2127-AF80

2408. HEAVY DUTY VEHICLE BRAKE SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.105; 49 CFR 571.121

Legal Deadline: None

Abstract: This action responds to petitions for reconsideration of a final rule published December 13, 1995 (60 FR 63965)286, that amended FMVSS No. 105 and FMVSS No. 121 to require medium and heavy vehicles to be equipped with an antilock brake system (ABS). This action requires continuous power for trailer ABS systems, in place of the dedicated power and separate ground previously required, delays the implementation date for the in-cab trailer malfunction indicator by four years. This action also extends by three years the period in which exterior ABS failure indicators are required on trailers.

Timetable:

Action	Date	FR Cite
Final Rule Effective	12/13/95	60 FR 63965
Response to Petitions	02/15/96	61 FR 5949
Further Responses to Petitions Due	04/01/96	
Further Action on Petitions	09/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 02/15/96 (61 FR 5949)

Additional Information: RINs 2127-AF97, AF98, and AF99 are consolidated into this action.

Compliance dates: Std. No. 121 antilock malfunction signal - March 1, 2001; Std. No. 121 antilock power circuit for towed vehicles - each truck tractor March 1, 1997, and single unit vehicles March 1, 1998; and Std. No. 121 antilock system power trailers - March 1, 1998.

Agency Contact: Robert Clarke, Division Chief, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5279
Fax: 202 366-4329

RIN: 2127-AF96

2409. EXEMPTION FROM REARWARD DISPLACEMENT REQUIREMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.204

Legal Deadline: None

Abstract: In response to the President's regulatory reinvention initiative, this action proposes to exempt vehicles under 8,500 pounds gross vehicle weight rating (GVWR) from compliance with the rearward displacement requirements of FMVSS No. 204 if they comply with Standard 208 air bag requirements. Standard 208 specifies performance requirements for vehicle occupants and all passenger vehicles below 8,500 pounds GVWR will have air bags by MY 1999, passing this dynamic test should provide the necessary impact protection, in a serious impact. This exemption will save certification costs and second stage manufacturers would benefit from any change.

Timetable:

Action	Date	FR Cite
NPRM	11/16/95	60 FR 57565
NPRM Comment Period End	01/16/96	
Final Action	07/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 11/16/95 (60 FR 57565)

Agency Contact: James Hackney, Director, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1740
Fax: 202 366-4329

RIN: 2127-AG01

DOT—NHTSA

Final Rule Stage

2410. WHIP RESISTANCE TEST FOR BRAKE HOSES**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.106**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is proposing to revise the whip resistance test. Under this proposal, it would be permissible, for the purpose of the test, to mount such brake hose assemblies using a supplemental support. This proposal also serves to amend a provision that has the unintended consequence of prohibiting the manufacture and sale for use on the public roads of a type of brake hose that has significant safety advantages.

Timetable:

Action	Date	FR Cite
NPRM	11/16/95	60 FR 57562
NPRM Comment Period End	01/16/96	
Final Action	07/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 11/16/95 (60 FR 57562)

Agency Contact: Robert Clarke, Division Chief, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington DC 20590
Phone: 202 366-5279
Fax: 202 366-4329

RIN: 2127-AG02**2411. +MOTOR VEHICLE CONTENT LABELING****Priority:** Other Significant**Legal Authority:** 49 USC 32304**CFR Citation:** 49 CFR 583**Legal Deadline:** None

Abstract: In response to petitions for reconsideration of a final rule published on July 21, 1994 (59 FR 39724) this action amends the Automobile Parts Content Labeling Law by reducing the burdens associated with making content calculations which will result in more accurate information. This action was considered significant due to public

interest and the relationship to other Federal programs and agencies, particularly those related to international trade.

Timetable:

Action	Date	FR Cite
Final Rule: Effective 10/16/95	09/15/95	60 FR 47878
Petitions Due	10/16/95	
Action on Petitions	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 09/15/95 (60 FR 47878)

Additional Information: Petition for reconsideration of the final rule published 09/15/95 (60 FR 47878) pending.

Agency Contact: Orron Kee, Division Chief, Consumer Programs Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0846
Fax: 202 366-4329

RIN: 2127-AG03**2412. • BRAKE SYSTEM FOR ELECTRIC VEHICLES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.105; 49 CFR 571.135**Legal Deadline:** None

Abstract: This action proposes brake requirements for electric vehicles (EVs). The amendments would apply to electric trucks, buses, and multipurpose passenger vehicles. They would also apply to electric passenger cars which had not complied with the option of conforming to Standard No. 135 which will become mandatory on and after September 1, 2000, published February 2, 1995 (60 FR 6411 RIN 2127-AA13). Passenger cars manufactured, including EVs, have the choice of compliance with either braking standard between now and September 1, 2000. At that time, Standard No. 135 will become the sole brake standard that applies to passenger cars. Standard No. 105 will continue to apply to vehicles other than passenger cars. Because EVs are not restricted to passenger cars, and include pickup trucks, vans, and buses,

amendments to Standard No. 105 are required to accommodate them.

Timetable:

Action	Date	FR Cite
NPRM	09/26/95	60 FR 49544
NPRM Comment Period End	11/27/95	
Final Action	06/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 09/26/95 (60 FR 49544)

Additional Information: This action inadvertently published under RIN 2127-AA13.

Agency Contact: Robert Clarke, Division Chief, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5279
Fax: 202 366-4329

RIN: 2127-AG05**2413. • AIR BRAKE SYSTEM MALFUNCTION LAMP FOR TRAILERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.121**Legal Deadline:** None

Abstract: In response to petitions for reconsideration of a final rule published March 10, 1995 (60 FR 13216), this action proposes to specify the location, color, activation protocol, and intensity of the malfunction lamp for trailers. This will ensure that the antilock brake system (ABS) is properly working. Petitions are pending.

Timetable:

Action	Date	FR Cite
NPRM	12/13/95	60 FR 64010
NPRM Comment Period End	02/12/96	
Final Action	07/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 12/13/95 (60 FR 64010)

Agency Contact: Robert Clarke, Division Chief, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety

DOT—NHTSA

Final Rule Stage

Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5279
Fax: 202 366-4329

RIN: 2127-AG06

2414. • STATE MATCHING OF PLANNING AND ADMINISTRATION COSTS

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 402

CFR Citation: 23 CFR 1252

Legal Deadline: None

Abstract: In response to the President's Regulatory Reinvention Initiative, the agency plans to eliminate Part 1252, the regulation on State matching of planning and administration (P&A) costs. Part 1252 contains NHTSA and Federal Highway Administration policies regarding P&A costs. (These policies are not statutorily mandated.) Both Administrations plan to retain their policies. However, these policies can and will be published in an agency directive and need not appear in the Code of Federal Regulations.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Gary Butler, Highway Safety Specialist, State and Community Services, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2121
Fax: 202 366-7394

RIN: 2127-AG09

2415. • DEFECT AND NONCOMPLIANCE REPORTS; RECORD RETENTION; AND DEFECT AND NONCOMPLIANCE NOTIFICATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30102; 49 USC 30103; 49 USC 30111; 49 USC 30112; 49 USC 30115; 49 USC 30117;

49 USC 30118; 49 USC 30119; 49 USC 30120; 49 USC 30121; 49 USC 30162; 49 USC 30165; 49 USC 30166; 49 USC 30167

CFR Citation: 49 CFR 573; 49 CFR 576; 49 CFR 577

Legal Deadline: None

Abstract: This action is granting in part petitions for reconsideration of a final rule published on April 5, 1995 (60 FR 17254). The agency is amending provisions of that final rule concerning submission by manufacturers of schedules for recall campaigns, recordkeeping regarding recalls of leased vehicles, record retention period, and notification to lessees of recall campaigns. The agency has concluded that these changes will reduce manufacturer burdens without adversely affecting the agency's recall program.

Timetable:

Action	Date	FR Cite
Final Rule: Effective	01/04/96	61 FR 274
	01/04/96	
Petitions Due	02/05/96	
Action on Petitions	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jonathan White, Safety Defects Engineer, Office of Defects and Investigation, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5227

RIN: 2127-AG15

2416. • INCENTIVE GRANT CRITERIA FOR ALCOHOL TRAFFIC SAFETY PROGRAMS

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 408

CFR Citation: 23 CFR 1309

Legal Deadline: None

Abstract: In response to the President's Regulatory Reinvention Initiative, the agency plans to remove Part 1309 from title 23 of the CFR. Part 1309 established criteria and administrative

procedures for awards of alcohol traffic safety grants, in accordance with 23 USC 408. The regulation is being removed because it is unnecessary and obsolete. Funds for the Section 408 program have not been authorized since 1994.

Timetable:

Action	Date	FR Cite
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Gary Butler, Highway Safety Specialist, Office of State and Community Services, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2121

Fax: 202 366-7394

RIN: 2127-AG22

2417. • USE OF SAFETY BELTS AND MOTORCYCLE HELMETS—COMPLIANCE AND TRANSFER-OF-FUNDS PROCEDURES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 153; PL 104-59

CFR Citation: 23 CFR 1215

Legal Deadline: None

Abstract: In response to the President's Regulatory Reinvention Initiative, the agency will amend the regulation to reflect recent statutory changes. Under these changes, States are no longer required to enact motorcycle helmet use laws in order to avoid transfers of highway construction funds. In addition, New Hampshire and Maine are provided an alternative means of statutory compliance.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Gary Butler, Highway Safety Specialist, Office of State and

DOT—NHTSA

Final Rule Stage

Community Programs, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2121

Fax: 202 366-7394

RIN: 2127-AG23

2418. • LONG STROKE BRAKE CHAMBERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.121

Legal Deadline: None

Abstract: In response to petitions for reconsideration of a final rule published January 12, 1995 (60 FR 2892), the agency is considering whether to revise the air volume in the service reservoirs and air brake chambers. The petitioners claimed that the final rule did not fully remove a design restriction that tends to discourage the use of long stroke brake chambers. Such brake chambers reduce the likelihood that brakes will be out of adjustment. Petitions are pending.

Timetable:

Action	Date	FR Cite
Response to Petitions	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert Clarke, Division Chief, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5279
Fax: 202 366-4329

RIN: 2127-AG25

2419. • ADMINISTRATIVE CORRECTIONS TO THE TIRE STANDARDS

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.109; 49 CFR 571.117; 49 CFR 571.119; 49 CFR 571.120; 49 CFR 574

Legal Deadline: None

Abstract: In response to the President's Regulatory Reinvention Initiative, the agency is issuing this technical amendment to remove obsolete dates, correct administrative and typographic errors, update statutory citations, and update office designations to which requests and reports are to be submitted pursuant to the tire standards. These changes will not adversely affect safety.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Walter Myers, Attorney-Advisor, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2992
Fax: 202 366-3820

RIN: 2127-AG26

2420. • DEALER NOTIFICATION OF DEFECT OR NONCOMPLIANCE DETERMINATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30102; 49 USC 30103; 49 USC 30111; 49 USC 30112; 49 USC 30115; 49 USC 30116; 49 USC 30118; 49 USC 30119; 49 USC 30120; 49 USC 30163; 49 USC 30165; 49 USC 30166

CFR Citation: 49 CFR 577

Legal Deadline: None

Abstract: The final rule will implement an amendment to 49 USC chapter 301 which prohibits dealers of motor vehicles or motor vehicle equipment that has been determined to contain a safety-related defect or noncompliance with a Federal motor vehicle safety standard from selling such vehicles or equipment until the defect or noncompliance is remedied. The rule will require manufacturers to notify dealers of a defect or noncompliance determination within 5 days of notifying NHTSA, or longer with agency approval. The notice must inform the dealers of their statutory rights and duties with respect to unsold

vehicles or items of equipment determined to be defective or noncomplying. The rule will minimize the regulatory burden by permitting notice to be sent electronically and by not imposing any new recordkeeping requirements.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jonathan D. White, Defects Investigator, Office of Defects Investigation, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5227

RIN: 2127-AG27

2421. • TECHNICAL AMENDMENT FOR THE HYDRAULIC BRAKE SYSTEMS

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.105

Legal Deadline: None

Abstract: In response to the President's Regulatory Reinvention Initiative, the agency is planning to remove past time periods. This will not affect the safety requirements of the standard.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert Clarke, Division Chief, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5279

Fax: 202 366-4329

RIN: 2127-AG28

DOT—NHTSA

Final Rule Stage

2422. • FUEL SYSTEM INTEGRITY**Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.301**Legal Deadline:** None**Abstract:** In response to the President's Regulatory Reinvention Initiative, the agency plans to delete several obsolete sections of Standard No. 301. The sections are obsolete because the time period which they specify are all in the past. This will not affect the safety requirements of the Standard.**Timetable:**

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Marvin Shaw, Attorney, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2992

Fax: 202 366-3820

RIN: 2127-AG30**2423. • AIR BRAKE SYSTEMS****Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.121**Legal Deadline:** None**Abstract:** In response to the President's Regulatory Reinvention Initiative, the agency is planning to delete obsolete sections of Standard No. 121. It also includes recent amendments to the Standard.**Timetable:**

Action	Date	FR Cite
Final Action	06/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Marvin Shaw, Attorney, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2992

Fax: 202 366-3820

RIN: 2127-AG31**2424. • HIGH-THEFT LINES FOR MODEL YEAR 1997****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 33104**CFR Citation:** 49 CFR 541**Legal Deadline:** Final, Statutory, April 1996.**Abstract:** This action will list the likely high-theft vehicle lines that are subject to the parts-marking requirements of the theft prevention standard and high-theft lines that are exempted from the parts-marking for model year 1997.**Timetable:**

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Rosalind Proctor, Program Analyst, Theft Prevention Group, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0846
Fax: 202 366-4329**RIN:** 2127-AG34

DEPARTMENT OF TRANSPORTATION (DOT)

Long-Term Actions

National Highway Traffic Safety Administration (NHTSA)

2425. +CRASHWORTHINESS RATINGS**Priority:** Other Significant**CFR Citation:** 49 CFR 5**Timetable:**

Action	Date	FR Cite
NPRM	01/22/81	46 FR 7025
Comment Period Extended to 10/22/81	04/02/81	46 FR 19947
NPRM Comment Period End	04/22/81	46 FR 7025
Next Action Undetermined		

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Dr. Patricia Breslin
Phone: 202 366-0842
Fax: 202 366-4329**RIN:** 2127-AA03**2426. +FLAMMABILITY OF INTERIOR MATERIALS - SCHOOL BUSES****Priority:** Other Significant**CFR Citation:** 49 CFR 571.302**Timetable:**

Action	Date	FR Cite
ANPRM	11/04/88	53 FR 44627
ANPRM Comment Period End	01/03/89	
Request for Comments by 4/29/91	02/26/91	56 FR 7826
Next Action Undetermined		

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Leon DeLarm
Phone: 202 366-4920
Fax: 202 366-4329**RIN:** 2127-AA44**2427. REVIEW: LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 49 CFR 571.108**Timetable:**

Action	Date	FR Cite
Begin Review	10/01/85	
Preliminary Evaluation Report Published	03/20/87	52 FR 9609
Interim Evaluation Report Published	08/04/89	54 FR 32153
Interim Evaluation Report Comments Reviewed and Docketed	02/21/90	
End Review	06/00/97	

Small Entities Affected: None**Government Levels Affected:** None

DOT—NHTSA

Long-Term Actions

Agency Contact: Charles J. Kahane
Phone: 202 366-2560
Fax: 202 366-2559

RIN: 2127-AB76

2428. +ROLLOVER PROTECTION

Priority: Other Significant

CFR Citation: 49 CFR 575

Timetable:

Action	Date	FR Cite
ANPRM	01/03/92	57 FR 242
ANPRM Comment Period End	04/03/92	
NPRM	06/28/94	59 FR 33254
NPRM Correction	07/26/94	59 FR 38038
Comment Period Extended to 10/21/94	08/26/94	59 FR 44121
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Gayle Dalrymple
Phone: 202 366-6559
Fax: 202 366-4329

RIN: 2127-AC64

2429. +FILM TRANSMITTANCE OF GLAZING MATERIALS

Priority: Other Significant

CFR Citation: 49 CFR 571.205

Timetable:

Action	Date	FR Cite
ANPRM	07/20/89	54 FR 30427
Petition for Rulemaking Granted	07/20/89	54 FR 30427
ANPRM Comment Period End	09/18/89	54 FR 30427
NPRM	01/22/92	57 FR 2496
NPRM Comment Period End	03/23/92	
Comment Period Extended to 05/22/92	03/25/92	57 FR 10327
Correction	04/09/92	57 FR 12286
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Richard VanInderstine
Phone: 202 366-5280
Fax: 202 366-4329

RIN: 2127-AC85

2430. SEATING SYSTEMS PERFORMANCE

Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 571.207

Timetable:

Action	Date	FR Cite
ANPRM	10/04/89	54 FR 40896
ANPRM Comment Period End	12/04/89	
Request for Comments by 1/22/93	11/23/92	57 FR 54958
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: James Hackney
Phone: 202 366-1740
Fax: 202 366-4329

RIN: 2127-AD08

2431. +WHEELCHAIR LIFTS

Priority: Other Significant

CFR Citation: 49 CFR 571

Timetable:

Action	Date	FR Cite
NPRM	02/26/93	58 FR 11562
NPRM Comment Period End	04/27/93	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Gayle Dalrymple
Phone: 202 366-6559
Fax: 202 366-4329

RIN: 2127-AD50

2432. SEAT ADJUSTMENT POSITION

Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 571.210

Timetable:

Action	Date	FR Cite
NPRM	12/04/91	56 FR 63473
Correction	12/17/91	56 FR 65541
NPRM Comment Period End	02/03/92	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James Hackney
Phone: 202 366-1740
Fax: 202 366-4329

RIN: 2127-AE22

2433. CERTIFICATION REQUIREMENTS OF MULTISTAGE VEHICLES

Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 567; 49 CFR 568; 49 CFR 1.50

Timetable:

Action	Date	FR Cite
NPRM	12/03/91	56 FR 61392
NPRM Comment Period End	01/31/92	
Comment Period Extended to 03/02/92	02/03/92	57 FR 3983
Announced Public Meeting	11/17/95	60 FR 57694
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Leon DeLarm
Phone: 202 366-4920
Fax: 202 366-4329

RIN: 2127-AE27

2434. +EXTEND ANTILOCK BRAKE SYSTEM TO PASSENGER CARS

Priority: Other Significant

CFR Citation: 49 CFR 571.105; 49 CFR 571.135

Timetable:

Action	Date	FR Cite
ANPRM	01/04/94	59 FR 281
ANPRM Comment Period End	03/07/94	
ANPRM Comment Period Extended to 04/06/94	03/08/94	59 FR 10779
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert Clarke
Phone: 202 366-5279
Fax: 202 366-4329

RIN: 2127-AE47

2435. RADIATOR SAFETY CAP

Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 571

Timetable:

Action	Date	FR Cite
Request for Comments by 8/09/93	06/10/93	58 FR 32503
Next Action Undetermined		

Small Entities Affected: None

DOT—NHTSA

Long-Term Actions

Government Levels Affected: None**Agency Contact:** Richard VanInderstine
Phone: 202 366-5280
Fax: 202 366-4329**RIN:** 2127-AE59**2436. TIRES ON NEW TRAILERS****Priority:** Substantive, Nonsignificant**CFR Citation:** 49 CFR 571.120**Timetable:**

Action	Date	FR Cite
ANPRM	06/01/95	60 FR 28561
ANPRM Comment Period End	09/29/95	

Next Action Undetermined

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Robert Clarke
Phone: 202 366-5279
Fax: 202 366-4329**RIN:** 2127-AF05**2437. UPGRADE PERFORMANCE REQUIREMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 49 CFR 571.301**Timetable:**

Action	Date	FR Cite
Request for Comments by 2/12/93	12/14/92	57 FR 59041
ANPRM	04/12/95	60 FR 18566
ANPRM Comment Period End	06/12/95	

Next Action Undetermined

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Leon DeLarm
Phone: 202 366-4920
Fax: 202 366-4329**RIN:** 2127-AF36**2438. ELECTRIC VEHICLE SAFETY****Priority:** Substantive, Nonsignificant**CFR Citation:** 49 CFR 1.50; 49 CFR 501.8**Timetable:**

Action	Date	FR Cite
Request for Comments Comment Period End 11/29/94	09/30/94	59 FR 49901

Next Action Undetermined

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Leon DeLarm
Phone: 202 366-4920
Fax: 202 366-4329**RIN:** 2127-AF43**2439. CONVERSION OF VEHICLES TO COMPRESSED NATURAL GAS****Priority:** Substantive, Nonsignificant**CFR Citation:** 49 CFR 571.303**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Leon DeLarm
Phone: 202 366-4920
Fax: 202 366-4329**RIN:** 2127-AF50**2440. CYLINDER REQUIREMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 49 CFR 571.304**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Leon DeLarm
Phone: 202 366-4920
Fax: 202 366-4329**RIN:** 2127-AF51**2441. REVIEW: ODOMETER FRAUD****Priority:** Substantive, Nonsignificant**CFR Citation:** 49 CFR 580**Timetable:**

Action	Date	FR Cite
Begin Review	10/01/95	
End Review	12/00/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Charles J. Kahane
Phone: 202 366-2560
Fax: 202 366-2559**RIN:** 2127-AF53**2442. +REVIEW: SIDE IMPACT PROTECTION****Priority:** Other Significant**CFR Citation:** 49 CFR 571.214**Timetable:**

Action	Date	FR Cite
Begin Review	10/01/94	
End Review	12/00/99	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Charles J. Kahane
Phone: 202 366-2560
Fax: 202 366-2559**RIN:** 2127-AF54**2443. REVIEW: THEFT PREVENTION—5-YEAR REPORT TO CONGRESS****Priority:** Substantive, Nonsignificant**CFR Citation:** 49 CFR 541**Timetable:**

Action	Date	FR Cite
Begin Review	10/01/95	
End Review	10/00/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Charles J. Kahane
Phone: 202 366-2560
Fax: 202 366-2559**RIN:** 2127-AF55**2444. • REVIEW: AMERICAN AUTOMOBILE LABELING ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 32304**CFR Citation:** 49 CFR 583**Legal Deadline:** None

Abstract: The American Automobile Labeling Act requires new passenger cars and light trucks, beginning October 1, 1994, to bear labels providing information on the extent to which their parts are of domestic origin. The objective of this review is to determine the extent to which new-vehicle buyers know about, understand and use this information, and to estimate the effect of the labels on vehicle production and sales.

Timetable:

Action	Date	FR Cite
Begin Review	12/01/95	
End Review	12/00/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Charles J. Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2560

DOT—NHTSA

Long-Term Actions

Fax: 202 366-2559

RIN: 2127-AG18

2445. ● REVIEW: HEAVY TRUCK CONSPICUITY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: Standard No. 108 was amended in December 10, 1992 (57 FR 58406) to require that heavy truck trailers be equipped with retroreflective materials to enhance their visibility. This study will evaluate the safety benefits, costs, and effectiveness of the amended rule.

Timetable:

Action	Date	FR Cite
Begin Review	09/01/95	
Preliminary Evaluation Report	09/00/97	

Action	Date	FR Cite
Interim Evaluation Report	09/00/98	
End Review	09/00/99	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Charles J. Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2560

Fax: 202 366-2559

RIN: 2127-AG19

2446. ● SEAT BELTS INSTALLED AT ADJUSTABLE SEATS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is considering whether to extend the effective date, for vehicles with a GVWR between 8,500 and 10,000 pounds, of the final rule which requires that Type 2 safety belts installed at adjustable seats either be integrated with the vehicle seat or be equipped with a means of adjustment to improve the fit and increase the comfort of the belt for a variety of different sized occupants. Petition is pending.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James Hackney, Director, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1740

Fax: 202 366-4329

RIN: 2127-AG24

DEPARTMENT OF TRANSPORTATION (DOT)

Completed Actions

National Highway Traffic Safety Administration (NHTSA)

2447. +LIGHTING SIMPLIFICATION—POTENTIAL AMENDMENTS ON LONG-TERM ISSUES

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: The agency is terminating rulemaking action on the effort known as the Vehicle-Based Roadway Illumination Performance Requirement. It was begun as an attempt to move toward a more performance-oriented, less design-restrictive regulation solution for assuring safe roadway environment illumination. The agency has not been able to adequately explore the myriad solutions to this problem to the extent necessary to satisfy the public's demand for achieving an objective decision on performance. As a consequence, the agency has decided to temporarily cease rulemaking in this area.

Timetable:

Action	Date	FR Cite
ANPRM	10/22/85	50 FR 42735
Comment Period Extended to 03/06/86	01/14/86	51 FR 1542
ANPRM Comment Period End	01/21/86	
NPRM	12/29/87	52 FR 49038
NPRM Comment Period End	03/28/88	
Second SNPRM	05/09/89	54 FR 20084
Correction to Second SNPRM	05/19/89	54 FR 21727
Action Terminated	11/24/95	60 FR 58038

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 11/24/95 (60 FR 58038)

Additional Information: Docket No. 85-15, Notice 1.

Docket No. 85-15, Notice 2. In response to comments to the SNPRM, additional research has been initiated as to vehicle-based roadway illumination performance requirements. RIN 2127-AD69, Vehicle Based Roadway Illumination Performance Requirement,

was terminated as a duplicate entry in the April 1991 Agenda.

Agency Contact: Richard VanDerstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5280

Fax: 202 366-4329

RIN: 2127-AB87

2448. ISSUANCE, AMENDMENT, AND REVOCATION OF RULES: PROCEDURAL REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 32302; 49 USC 32502; 49 USC 32705; 49 USC 32711

CFR Citation: 49 CFR 553.39

Legal Deadline: None

Abstract: The agency is amending its procedural regulations that apply to judicial review of regulations issued under Chapters 301, 325, 329, and 331 of Title 49 of the United States Code. The provisions at issue address the

DOT—NHTSA

Completed Actions

time within which affected persons may seek judicial review of a final rule issued by the agency under those statutes if a petition for agency reconsideration of that rule has been filed. This amendment will make the regulation consistent with the judicial review provisions of the statutes and with recent judicial decisions.

Timetable:

Action	Date	FR Cite
NPRM	10/31/90	55 FR 45825
Correction	11/08/90	55 FR 47028
NPRM Comment Period End	12/17/90	
Final Action	12/12/95	60 FR 63648
Final Action Effective	01/11/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
12/12/95 (60 FR 63648)

Agency Contact: Kenneth Weinstein, Assistant Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5263

RIN: 2127-AD78

2449. REDEFINE REPLACEABLE BULB HEADLAMPS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 39 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency amends the Federal motor vehicle safety standard on lighting to permit replaceable lenses on integral beam and replaceable bulb headlamps that incorporate on-board headlamp aimers, provided that such headlamps meet more rigorous environmental tests. The benefit of headlamps with replaceable lenses is that the lens or reflector could be replaced in the event of breakage of either without the present necessity to replace both components if only one is damaged.

Timetable:

Action	Date	FR Cite
Request for Comments Comment Period End 09/27/93	08/12/93	58 FR 42924

Action	Date	FR Cite
NPRM	11/21/94	59 FR 59975
NPRM Comment Period End	02/21/95	
Final Action	11/24/95	60 FR 57949
Final Action Effective	12/26/95	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
11/24/95 (60 FR 57949)

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5280
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RIN: 2127-AF00

2450. MATERIALS USED IN TESTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: In response to a petition for rulemaking, this action substitutes SAE J576 JUL91 for the currently incorporated J576c as the referenced standard on plastics materials, to substitute ASTM D 1003-92 for ASTM D 1003-61 in the test procedures, to allow alternative processing techniques, sample sizes and thickness tolerance to those presently specified in the lighting standard.

Timetable:

Action	Date	FR Cite
NPRM	11/02/94	59 FR 54881
NPRM Comment Period End	01/03/95	
Final Rule: Effective 3/1/96	09/05/95	60 FR 46064
Final Action	09/05/95	60 FR 46064
Petitions Due	10/15/95	
Final Action Effective	03/01/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
09/05/95 (60 FR 46064)

Additional Information: No petitions for reconsideration received.

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation,

National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5280
Fax: 202 366-4329

RIN: 2127-AF22

2451. COMPRESSED NATURAL GAS (CNG)

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.303

Legal Deadline: None

Abstract: The agency is requesting comments to assess the need to regulate the fuel system integrity of vehicles with a gross vehicle weight rating (GVWR) of greater than 10,000 pounds that are fueled with compressed natural gas (CNG).

Timetable:

Action	Date	FR Cite
Request for Comments by 7/05/94	05/06/94	59 FR 23662
Withdrawn	12/20/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: It was announced at the agency's public meeting held on 12/12/95, that the agency has decided not to pursue rulemaking in this area and that a Federal Register notice would not be published.

Agency Contact: Leon DeLarm, Division Chief, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4920
Fax: 202 366-4329

RIN: 2127-AF29

2452. DRIVING RANGE FOR DUAL ENERGY AND NATURAL GAS DUAL ENERGY PASSENGER AUTOMOBILES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 32901; 49 USC 32905; 49 USC 32906

CFR Citation: 49 CFR 538

Legal Deadline: None

DOT—NHTSA

Completed Actions

Abstract: Under the corporate average fuel economy program, certain incentives are provided for the manufacture of alternative fuel vehicles, including dual fuel vehicles. Among other things, dual fuel passenger automobiles which meet a minimum driving range qualify for special treatment in the calculation of fuel economy. This action is proposing to amend the existing regulation concerning minimum driving range.

Timetable:

Action	Date	FR Cite
NPRM	12/19/94	59 FR 65295
Consolidated into RIN 2127-AF18	12/19/94	59 FR 65295
NPRM Comment Period End	02/17/95	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/19/94 (59 FR 65295)

Additional Information: This action is being combined with 2127-AF18. The final rule will be under 2127-AF18.

Agency Contact: Orron Kee, Division Chief, Consumer Programs Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0846
Fax: 202 366-4329

RIN: 2127-AF38

2453. THEFT DATA FOR CALENDAR YEAR 1993

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 33104(b)(4)

CFR Citation: 49 CFR 541

Legal Deadline: None

Abstract: This action publishes the final data on thefts of model year (MY) 1993 passenger motor vehicles that occurred in calendar year (CY) 1993. The final 1993 theft data indicate a decrease in the vehicle theft rate when compared to the theft rate experienced in CY/MY 1992. The final theft rate for MY 1993 passenger vehicles stolen in calendar year 1993 decreased to 3.98 thefts per thousand vehicles produced. Publication of these data fulfills the agency's statutory obligation to periodically obtain accurate and timely theft data and publish the information for review and comment. The data was

calculated for informational purposes only.

Timetable:

Action	Date	FR Cite
Request for Comments Due 11/13/95	09/12/95	60 FR 47429
Final Theft Data	01/18/96	61 FR 1228

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This action was inadvertently published under RIN 2127-AE92.

Agency Contact: Barbara Gray, Group Leader, Theft Prevention Group, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4808
Fax: 202 366-4329

RIN: 2127-AF56

2454. REPLACEABLE LIGHT SOURCE INFORMATION: TRANSFER OF

Priority: Other

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 564; 49 CFR 571.108

Legal Deadline: None

Abstract: This action amends the lighting standard to facilitate the transfer by the agency of all dimensional and specification information on HB Type replaceable light sources for headlamps to Docket No. 93-11. This docket has been established as the information docket specified in the regulations for replaceable light source information. This action is intended to simplify the lighting standard while ensuring consistent regulatory treatment of all headlamp replaceable light sources. This action also adopts the regulation for replaceable light source information.

Timetable:

Action	Date	FR Cite
NPRM	03/16/95	60 FR 14247
NPRM Comment Period End	05/15/95	
Final Action	11/28/95	60 FR 58522
Final Action Effective	01/29/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 11/28/95 (60 FR 58522)

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5280
Fax: 202 366-4329

RIN: 2127-AF62

2455. PHASE-IN REQUIREMENTS FOR SIDE IMPACT PROTECTION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.214

Legal Deadline: None

Abstract: In response to the President's Regulatory Reinvention Initiative, this action deletes several obsolete dates in the phase-in requirements for side impact protection for passenger cars.

Timetable:

Action	Date	FR Cite
Final Action	11/22/95	60 FR 57838
Final Action Effective	12/22/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James Hackney, Director, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1740

Fax: 202 366-4329

RIN: 2127-AF84

2456. STATE HIGHWAY SAFETY PILOT PROGRAM

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

DOT—NHTSA

Completed Actions

Legal Authority: 23 USC 402

CFR Citation: 23 CFR 1200; 23 CFR 1205

Legal Deadline: None

Abstract: The Federal Highway Administration (FHWA) and the National Highway Traffic Safety Administration (NHTSA) are announcing the creation of a pilot highway safety program for fiscal year 1996 State highway safety programs and the waiver of certain procedures for States that have elected to participate in the pilot program. The pilot program replaces the requirements for State submission and Federal approval of a Highway Safety Plan with a benchmarking process by which the States sets its own performance goals. This action lists those States that have chosen to become participants and waives existing procedures for these participants, to the extent that they are inconsistent with the pilot program, for the duration of fiscal year 1996. This waiver does not affect any provisions specifically imposed by statute or by publications of Government-wide applicability.

Timetable:

Action	Date	FR Cite
Notice of Waiver	09/12/95	60 FR 47418

Small Entities Affected: None

Government Levels Affected: State, Tribal

Agency Contact: John Donaldson, Senior Attorney, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1834

RIN: 2127-AF94

2457. NATIONAL MINIMUM DRINKING AGE ACT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 158

CFR Citation: 23 CFR 1208

Legal Deadline: None

Abstract: This action amends part 1208 of title 23 of the Code of Federal

Regulations. Part 1208 prescribes the requirements necessary to implement 23 USC 158 which established the National Minimum Drinking Age Act. This amendment removes outdated and obsolete provisions from that regulation.

Timetable:

Action	Date	FR Cite
Final Action	12/21/95	60 FR 66074
Final Action Effective	01/22/96	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: James Fell, Action Office Director, Office of Alcohol and State Programs, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-6979

RIN: 2127-AF95

2458. AIR BRAKE SYSTEMS: STOPPING-DISTANCE PERFORMANCE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.121

Legal Deadline: None

Abstract: In response to several petition for reconsideration of a final rule published on March 10, 1995 (60 FR 13286) the agency modified the stopping distance braking performance requirements for heavy vehicles. Details of this final rule are under RIN 2127-AF96.

Timetable:

Action	Date	FR Cite
Consolidated into RIN 2127-AF96	12/13/95	60 FR 63965

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This action, 2127-AF98, and 2127-AF99 are being consolidated into 2127-AF96.

Agency Contact: Robert Clarke, Division Chief, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5279

Fax: 202 366-4329

RIN: 2127-AF97

2459. ANTILOCK WARNING SIGNALS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.121

Legal Deadline: None

Abstract: In response to several petitions for reconsideration of a final rule published on March 10, 1995 (60 FR 13216) the agency modified the antilock warning lamp requirements. Details of this final rule are under RIN 2127-AF96.

Timetable:

Action	Date	FR Cite
Consolidated into RIN 2127-AF96	12/13/95	60 FR 63965

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This action, 2127-AF97 and 2127-AF99 are being consolidated into 2127-AF96.

Agency Contact: Robert Clarke, Division Chief, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5279

Fax: 202 366-4329

RIN: 2127-AF98

2460. STOPPING DISTANCE PERFORMANCE REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.105

Legal Deadline: None

Abstract: In response to several petitions for reconsideration to a final rule published on March 10, 1995 (60 FR 13297) the agency modified the stopping distance requirements. Details of this final rule are under RIN 2127-AF96.

Timetable:

Action	Date	FR Cite
Consolidated into RIN 2127-AF96	12/13/95	60 FR 63965

DOT—NHTSA

Completed Actions

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This action, 2127-AF97 and 2127-AF98 are being consolidated into 2127-AF96.

Agency Contact: Robert Clarke, Division Chief, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5279
Fax: 202 366-4329

RIN: 2127-AF99

2461. • RULEMAKING PROCEDURES

Priority: Other

Legal Authority: 49 USC 322; 49 USC 1657; 49 USC 30101 et seq; 49 USC 30301 et seq; 49 USC 30501 et seq; 49 USC 32101 et seq; 49 USC 32301 et seq; 49 USC 32501 et seq; 49 USC 32701 et seq; 49 USC 32901 et seq; 49 USC 33101 et seq

CFR Citation: 49 CFR 553

Legal Deadline: None

Abstract: This action makes two amendments to the agency's procedural rules. The first amendment requires petitions for extension of the period for submitting written comments on a notice such as a notice of proposed rulemaking to be submitted at least 15 days before the closing date for the comment period. Previously, petitions could be submitted up to 10 days before the closing date. This change will give the agency additional time to process these petitions and thus ensure that, when a petition is granted, the notice extending the comment period can be published well before the original closing date. The second amendment provides that the agency will accept petitions for reconsideration of a final rule if they are received not more than 45 days after the publication of the final rule. Previously, petitions for reconsideration had to be received not more than 30 days following publication of the final rule. This extension is warranted by the complexity of many of its final rules. Additional time will allow interested parties to review the rules more effectively and better prepare their petitions for reconsideration.

Timetable:

Action	Date	FR Cite
Final Action	12/05/95	60 FR 62221
Final Action Effective	01/04/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mary Versailles, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2992

RIN: 2127-AG04

2462. • INNOVATIVE PROJECT GRANTS

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 23 USC 407

CFR Citation: 23 CFR 1317

Legal Deadline: None

Abstract: This action removes part 1317 from title 23 of the Code of Federal Regulations. Part 1317 established criteria and administrative procedures for awards of innovative project grants to States and their political subdivisions, and to non-profit organizations including volunteer groups, in accordance with 23 USC 407. The regulation is being removed because it is unnecessary and obsolete. Funds for the section 407 program have not been authorized since 1981. This is in response to the Regulatory Reinvention Initiative.

Timetable:

Action	Date	FR Cite
Final Action	11/24/95	60 FR 57930
Final Action Effective	12/26/95	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Gary Butler, Highway Safety Specialist, State and Community Services, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2121
Fax: 202 366-7394

RIN: 2127-AG08

2463. • IMPORTATION OF VEHICLES AND EQUIPMENT SUBJECT TO FEDERAL SAFETY, BUMPER, AND THEFT PREVENTION STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: PL 100-562; 49 USC 322; 49 USC 30117

CFR Citation: 49 CFR 591

Legal Deadline: None

Abstract: In response to a petition for reconsideration of a final rule published October 14, 1994 (59 FR 52095), which amended Part 591 to adopt a continuous entry bond as an alternative to the single entry bond that is otherwise required to accompany the permanent importation of nonconforming motor vehicles to ensure their eventual compliance with the Federal motor vehicle safety standards, this action makes minor changes regarding the new bond to reflect the bond's true nature as a bond covering more than one vehicle under a single entry.

Timetable:

Action	Date	FR Cite
Final Action	11/24/95	60 FR 57953
Final Action Effective	12/26/95	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Taylor Vinson, Senior Attorney, Office of Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5263
Fax: 202 366-3820

RIN: 2127-AG13

2464. • BRAKE HOSES

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.106

Legal Deadline: None

Abstract: In response to the President's Regulatory Reinvention Initiative, the agency has updated several addresses

DOT—NHTSA

Completed Actions

and dates in the Standard. These amendments reflect the new name of the office to which a person should write when filing a designation that it is a manufacture of a brake hose or brake hose assembly.

Timetable:

Action	Date	FR Cite
Final Action	03/12/96	61 FR 9953
Final Action Effective	04/11/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Marvin Shaw, Attorney, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2992
Fax: 202 366-3820
RIN: 2127-AG32

**DEPARTMENT OF TRANSPORTATION (DOT)
Federal Railroad Administration (FRA)**

Prerule Stage

**2465. +LOCOMOTIVE
CRASHWORTHINESS AND WORKING
CONDITIONS**

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 20103; 49 USC 20111 to 20113; 49 USC 21301 to 21311; PL 103-272, sec 4(b)

CFR Citation: 49 CFR 229

Legal Deadline: Final, Statutory, March 3, 1995.

Abstract: The agency has proposed to address the crashworthiness of locomotives and working conditions on locomotives, as required by the Rail Safety Enforcement and Review Act (1992). The agency will report its findings to Congress at the conclusion of its investigation. If it is determined that there is a safety problem addressable through regulatory action, the agency will promulgate rules addressing this issue. This project is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Open Meeting Notice	07/22/94	59 FR 37528
Future Action	06/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: This action is being considered for possible referral to a Railroad Safety Advisory Committee that the agency is in the process of establishing.

Agency Contact: Christine Beyer, Trial Attorney, Department of Transportation, Federal Railroad

Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0628
Fax: 202 366-7718

RIN: 2130-AA89

**2466. +PASSENGER EQUIPMENT
STANDARDS**

Priority: Other Significant

Legal Authority: 49 USC 20103; 49 USC 20133; 49 USC 20111 to 20113; 49 USC 20301 to 21311; PL 103-440, sec 215

CFR Citation: 49 CFR 238

Legal Deadline:

NPRM, Statutory, November 2, 1997, Initial regulations.
Final, Statutory, November 2, 1999, Final regulations.

Abstract: Pursuant to the Federal Railroad Safety Authorization Act of 1994, FRA is proposing to prescribe regulations establishing minimum passenger equipment standards for the safety of cars used by railroad carriers to transport passengers. This is considered significant due to public interest.

Timetable:

Action	Date	FR Cite
ANPRM	05/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Daniel Alpert, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0635
Fax: 202 366-7718

RIN: 2130-AA95

**2467. +HOURS OF SERVICE
ELECTRONIC RECORDKEEPING
PROJECT**

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 20103; 49 USC 21101 to 21108; 49 USC 21303 to 21304; 49 USC 21311

CFR Citation: 49 CFR 228

Legal Deadline: None

Abstract: The Federal Railroad Administration (FRA) will launch a major project to facilitate maintenance of hours-of-service records and submission of "excess service" reports in an electronic, rather than a paper, format. FRA will host an industry forum and propose to issue a model waiver to railroads interested in maintaining electronic records for train and engine service employees. These employees compose the vast majority of those subject to the statutory limitations on hours of service. This project will eventually lead to the formal revision of 49 CFR 228.

Statement of Need: Two of the goals of FRA's Strategic Plan are to increase our customer focus by giving our best to the customer's needs and priorities and to "advance technological innovation in rail transportation through leadership and partnership." It is consistent with these goals to allow greater flexibility in the maintenance of hours-of-service records and to encourage the railroads' use of electronic recordkeeping. Moreover, when meeting with sectors of the industry pursuant to the President's March 4, 1995 Reinvention Initiative, FRA learned that the industry is

DOT—FRA

Prerule Stage

interested in obtaining greater flexibility in this area. Consequently, it is anticipated that FRA will change the hours-of-service regulations' paper records and reports requirements for subscribing railroads. This will improve these regulations by providing flexibility in the generation of payroll and hours-of-service records from the same databases, by facilitating electronic filing of excess service records, and by providing data to FRA in a format that can be more readily analyzed.

Summary of the Legal Basis: Under the Federal railroad safety laws, the FRA (by delegation from the Secretary), has regulatory and enforcement authority over all areas of railroad safety. This plenary authority certainly covers a modification of the method employed in the maintenance of hours-of-service records. There is currently no

statutory or judicial requirement to make this modification.

Alternatives: Because this rulemaking is at such a formative stage, it is premature to discuss alternatives. However, during the process of developing this waiver project, FRA will consider all reasonable alternatives.

Anticipated Costs and Benefits: While FRA cannot yet conclusively provide an analysis of the costs and benefits of this project, it is estimated that this project will, after the initial cost of systems is recovered, yield savings to the industry of 2.3 million dollars annually for Class I railroads. These savings will flow from the elimination of the requirement to create 3.6 million paper records each year and to store 7.3 million records at any given time.

Risks: As this project is designed to allow railroads to make technological

improvements in the manner of creating and maintaining hours-of-service records, it is not anticipated that there will be any risks associated with allowing participating railroads to waive the requirements of paper recordkeeping.

Timetable:

Action	Date	FR Cite
Grant or Deny Master Waiver Application	06/00/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: David Kasminoff, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0638
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Email: dkasmino@intergate.dot.gov

RIN: 2130-AB04

DEPARTMENT OF TRANSPORTATION (DOT)

Proposed Rule Stage

Federal Railroad Administration (FRA)

2468. ALCOHOL/DRUG REGULATIONS; MISCELLANEOUS TECHNICAL AMENDMENTS AND CORRECTIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 20103; 49 USC 20107; 49 USC 20111 to 20113; 49 USC 20140; 49 USC 21301; 49 USC 21304; PL 103-272 (July 5, 1994)

CFR Citation: 49 CFR 219; 49 CFR 217; 49 CFR 1.49(m)

Legal Deadline: None

Abstract: The action would make technical amendments/corrections to regulations concerning the control of alcohol and drug use in railroad operations.

Timetable:

Action	Date	FR Cite
Final Corrective Action	08/00/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: Final Rule suspending pre-employment alcohol testing, promulgated with all DOT modes, and published by FRA on 5/10/95. Final rule amending procedures for post-accident toxicological testing published 4/19/95, (60 FR 19538).

Agency Contact: Patricia V. Sun, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0635

RIN: 2130-AA63

2469. +WHISTLE BANS AT HIGHWAY-RAIL GRADE CROSSINGS

Priority: Other Significant

Legal Authority: 49 USC 20103; 49 USC 20153; 49 USC 20111 to 20113; 49 USC 21301 to 21311

CFR Citation: 49 CFR 234; 49 CFR 1.49(f); 49 CFR 1.49(g); 49 CFR 1.49(m)

Legal Deadline: NPRM, Statutory, November 2, 1996. Final, Statutory, November 2, 1998.

Abstract: FRA is preparing an NPRM governing the use of train whistles at grade crossings. FRA will be soliciting comments and suggestions from the

public and the railroad industry regarding this action. This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation

Agency Contact: Mark Tessler, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0628
Fax: 202 366-7718

RIN: 2130-AA71

2470. +POWER BRAKE REGULATIONS; MISCELLANEOUS REVISIONS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

DOT—FRA

Proposed Rule Stage

Legal Authority: 49 USC 101; 49 USC 20103; 49 USC 20111 to 20113; 49 USC 20141; 49 USC 21301 to 21311

CFR Citation: 49 CFR 232; 49 CFR 231; 49 CFR 229

Legal Deadline: Final, Statutory, December 31, 1993.

Abstract: The regulation proposes to revise the existing power brake regulations and add standards for locomotive dynamic brakes. The proceeding focuses on such issues as whether to mandate the use of end-of-train devices in lieu of cabooses, whether these devices should be two-way, and whether to require additional testing of train air brake systems during extremely cold weather conditions. This rulemaking is considered significant because of its potential economic impact and congressional and public interest.

Timetable:

Action	Date	FR Cite
ANPRM	12/31/92	57 FR 62546
ANPRM Comment Period End	03/31/93	
NPRM	09/16/94	59 FR 47676
NPRM Comment Period End	12/31/94	
NPRM Comment Period Extended to 2/27/95 for Passenger Brake Issues	01/17/95	60 FR 3375
NPRM Comment Period Extended to 4/01/95 for Freight Issues	01/17/95	60 FR 3375
Public Regulatory Conference	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: Freight Issues: This action is being considered for possible referral to a Railroad Safety Advisory Committee that the agency is in the process of establishing. Passenger Brake Issues: This action may be separated from the freight issues, in which case a NPRM would be developed with the assistance of a passenger equipment standards working group. Two-Way End of Train (EOT) devices: This action will be the focus of a Public Regulatory Conference, which will be held in March of 1996.

Agency Contact: Thomas Herrmann, Trial Attorney, Department of Transportation, Federal Railroad

Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0628

Fax: 202 366-7718

RIN: 2130-AA73

2471. QUALIFICATION AND CERTIFICATION OF LOCOMOTIVE ENGINEERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103; 49 USC 20111 to 20113; 49 USC 20135; 49 USC 21301 to 21311; 49 USC 30301 to 30308

CFR Citation: 49 CFR 240

Legal Deadline: None

Abstract: Based on petitions to reconsider several aspects of its previous rules addressing locomotive engineer qualifications, the agency is proposing to revise certain aspects of Part 240: (1) the application of this rule to service vehicles; and (2) the process for revoking the certification of locomotive engineers.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/09/93 (58 FR 18982)

Additional Information: This rulemaking will amend the final rule issued on 06/19/91 (56 FR 28228). This action originally combined several proposed activities. For clarification, they have been separated into separate entries. The action making changes to the hearing procedures has been completed and moved to RIN 2130-AB11. This entry will address future revisions to the rule. In addition, an interim final rule modifying locomotive engineer decertification hearing procedures was published published 10/12/95 (60 FR 5313) and became effective 11/13/95. The original rule was already modified once by an interim final rule that was published 04/09/93 (58 FR 18982) and has been effective since 05/10/93. This current action is being considered for possible referral to a Railroad Safety Advisory Committee that the agency is in the process of establishing.

Agency Contact: Alan Nagler, Trial Attorney, Department of

Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0621

Fax: 202 366-7718

RIN: 2130-AA74

2472. +TRACK SAFETY STANDARDS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 20111 to 20113; 49 USC 20142; 49 USC 20301 to 20311

CFR Citation: 49 CFR 213

Legal Deadline: Final, Statutory, September 1, 1995.

Abstract: The track regulations have not been comprehensively reviewed in the past decade. This regulatory action will consist of a revision of existing track safety standards, as mandated by Congress in the Rail Safety Enforcement and Review Act (PL 102-365). With this revision FRA will also respond to a Brotherhood of Maintenance of Way petition regarding numerous changes to the existing track standards. FRA will also incorporate input from research on internal rail defects and continuous welded rail. This action is significant because of substantial public interest and safety implications.

Timetable:

Action	Date	FR Cite
ANPRM	11/16/92	57 FR 54038
ANPRM Comment Period End	03/12/93	
NPRM	12/00/96	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Analysis: Regulatory Evaluation

Additional Information: A Public Workshop Notice and Schedule was published 01/05/93 (58 FR 338) and subsequently corrected twice, on 1/19/93 (58 FR 4975) and 2/18/93 (58 FR 8928). This action is being considered for possible referral to a Railroad Safety Advisory Committee that the agency is in the process of establishing.

Agency Contact: Nancy Lummen Lewis, Trial Attorney, Department of

DOT—FRA

Proposed Rule Stage

Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0635
Fax: 202 366-7718
RIN: 2130-AA75

2473. +ROADWAY WORKER PROTECTION

Priority: Other Significant

Legal Authority: 49 USC 20103; 49 USC 20111 to 20113; 49 USC 20142; 49 USC 21301 to 21311; PL 103-440, sec 208

CFR Citation: 49 CFR 214

Legal Deadline: Final, Statutory, September 1, 1995.

Abstract: The agency intends to establish minimum mandatory requirements to provide roadway workers with on-track safety. This rulemaking represents the agency's first use of regulatory-negotiation in its rulemaking process. The rule is considered significant due to substantial public interest and safety considerations.

Timetable:

Action	Date	FR Cite
ANPRM	11/16/92	57 FR 54038
ANPRM Comment Period End	05/04/93	
Negotiations Begin	01/23/95	
Negotiations End	07/28/95	
NPRM	03/14/96	61 FR 10528
NPRM Comment Period End	05/13/96	
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: On August 17, 1994 (59 FR 42200), FRA published a notice proposing to form a negotiated rulemaking advisory committee and invited requests for representation, to be received by September 16, 1994. On January 5, 1995 (60 FR 1761), FRA published a notice of the establishment of an advisory committee and announced the first committee meeting. A schedule of further Advisory Committee meetings was published 2/15/95 (60 FR 8619), 5/8/95 (60 FR 22542) and 8/15/95 (60 FR 42214). The Committee met on the following dates: February 16 to 17, 1995 ; March 7 to 8, 1995; March 23 to 24, 1995; April 3 to 4, 1995; April 19 to 21, 1995; May

16 to 17, 1995, and August 30-31, 1995. The Advisory Committee submitted its report, which formed the basis of the NPRM, to Secretary Pena and Administrator Molitoris on May 17, 1995. This action was originally contained in our comprehensive track safety standards revision, RIN 2130-AA75 but was placed in Part 214 as it is more directly related to worker safety than to track standards.

Agency Contact: Cynthia Walters, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0621
Fax: 202 366-7718

RIN: 2130-AA86

2474. +ENVIRONMENTAL IMPACT AND RELATED PROCEDURES (FRA, FTA, FHWA)

Priority: Other Significant

Legal Authority: 49 USC 322; 42 USC 4332

CFR Citation: 49 CFR 267; 49 CFR 622; 23 CFR 771

Legal Deadline: None

Abstract: The Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) currently have a joint environmental regulation at 23 CFR 771, "Environmental Impact and Related Procedures," that outlines requirements for complying with the National Environmental Policy Act and related laws and regulations. The Federal Railroad Administration (FRA) has "Procedures for Considering Environmental Impacts" (45 FR 40854, June 16, 1980) which serve the same purposes. FTA and FHWA are revising their regulation to serve program needs. In order to achieve consistency in environmental analysis for surface transportation modes and to update its existing environmental procedures which were issued in 1980, the FRA will join with FTA and FHWA in developing an environmental regulation that applies to all three modal Administrations. This action is considered significant because of public, congressional, and environmental concerns and because it involves several departmental modes. The FTA RIN is 2132-AA43; the FHWA RIN is 2125-AD32.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Economic Assessment

Agency Contact: William R. Fashouer, Senior Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC.
Phone: 202 366-0616
Fax: 202 366-7718

RIN: 2130-AA93

2475. +RAIL PASSENGER SERVICE: EMERGENCY PREPAREDNESS

Priority: Other Significant

Legal Authority: 49 USC 20103; 49 USC 20133; 49 USC 20111 to 20113; 49 USC 20301 to 20306; 49 USC 21301 to 21302; 49 USC 21304 to 21311; PL 103-440, sec 215

CFR Citation: 49 CFR 239

Legal Deadline: Final, Statutory, November 2, 1997.

NPRM, Statutory, November 2, 1997, Initial regulations.
Final, Statutory, November 2, 1999, Final regulations.

Abstract: Pursuant to the Federal Railroad Safety Authorization Act of 1994, FRA is proposing to prescribe regulations establishing minimum emergency preparedness standards to ensure that railroads involved in passenger train operations can effectively and officially manage emergencies. This is considered significant due to public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: David H. Kasminoff, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0635
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Email: dkasmino@intergate.dot.gov

RIN: 2130-AA96

DOT—FRA

Proposed Rule Stage

2476. STATEMENT OF POLICY REGARDING SAFETY OF RAILROAD BRIDGES**Priority:** Other**Legal Authority:** 49 USC 20103; 49 USC 21301 to 21311; 49 USC 20142; PL 103-44, sec 208**CFR Citation:** 49 CFR 213**Legal Deadline:** None**Abstract:** FRA proposes to publish a policy statement containing maintenance guidelines based on certain common, basic principles that

characterize effective bridge management practices. The guidelines are meant to be advisory in nature. They will not have the force of regulations under which FRA ordinarily issues violations and assesses civil penalties.

Timetable:

Action	Date	FR Cite
Statement of Interim Policy Regarding the Safety of Rail Bridges	04/27/95	60 FR 20654

Action	Date	FR Cite
Comment Period End	06/26/95	
Final Policy Statement	08/00/96	
Small Entities Affected: Undetermined		
Government Levels Affected: Undetermined		
Agency Contact: Nancy L. Lewis, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-0621		
RIN: 2130-AA99		

**DEPARTMENT OF TRANSPORTATION (DOT)
Federal Railroad Administration (FRA)**

Final Rule Stage

2477. RAILROAD ACCIDENT REPORTING**Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 20103; 49 USC 20111 to 20113; 49 USC 21301 to 21311**CFR Citation:** 49 CFR 225**Legal Deadline:** None**Abstract:** Based on comments and suggestions from the public, FRA proposes to improve its injury and accident reporting system by simplifying recordkeeping requirements and providing for internal controls in the reporting process. This action is not considered significant since it has minimal safety implications.**Timetable:**

Action	Date	FR Cite
ANPRM	03/14/90	55 FR 9469
ANPRM Comment Period End	05/25/90	
NPRM	08/15/94	59 FR 42880
NPRM Comment Period End	03/10/95	
Notice of a Decision to Issue a SNPRM	07/03/95	60 FR 34498
Notice of a Decision to not Issue a SNPRM	01/24/96	61 FR 1892
Final Action	06/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation**Additional Information:** Open meetings were held in Washington, D.C. 6/13/91, 8/12/91, 10/22/91, and 8/18/92. A public hearing was held in Washington DC on October 5-6, 1994, in Kansas City, MO on October 19, 1994, and in Portland, OR on November 3, 1994. A public regulatory conference was held January 30, 1995- February 3, 1995 in Washington, D.C. While FRA considered issuing an SNPRM, after a thorough review of the comments received addressing this possibility, it has decided that doing so would be unwarranted. The intended subject(s) of the SNPRM, instead, will be addressed in the final rule.**Agency Contact:** Marina C. Appleton, Trial Attorney, Office of Chief Counsel, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0628
Fax: 202 366-7718**RIN:** 2130-AA58**2478. LOCAL RAIL FREIGHT ASSISTANCE TO STATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 22101**CFR Citation:** 49 CFR 266**Legal Deadline:** None**Abstract:** This action is to revise the procedures and requirements for the receipt of financial assistance contained in Part 266. These changes are required to reflect statutory modifications resulting from the Local Rail Service Reauthorization Act of 1989. Although the Local Freight Assistance Program

has not been reauthorized after FY 1995, final regulations are necessary because states continue to submit applications for new projects from reprogrammed funds and repaid loan funds.

Timetable:

Action	Date	FR Cite
NPRM	11/30/90	55 FR 49648
NPRM Comment Period End	12/31/90	
Final Action	08/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Sectors Affected:** 401 Railroads**Analysis:** Regulatory Evaluation 11/30/90 (58 FR 49648)**Additional Information:** While this action was to be terminated in October of 1995, the agency reconsidered and has decided to move forward with a final rule.**Agency Contact:** Laurence Fitzgerald, Program Analyst, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1677**RIN:** 2130-AA60**2479. +FREIGHT CAR SAFETY STANDARDS: MAINTENANCE-OF-WAY EQUIPMENT****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

DOT—FRA

Final Rule Stage

duplication, or streamline requirements.

Legal Authority: 49 USC 20103; 49 USC 20111 to 20113; 49 USC 21301 to 21311

CFR Citation: 49 CFR 215

Legal Deadline: None

Abstract: This action proposes to amend the freight car safety standards to subject all maintenance-of-way vehicles to FRA's safety standards, with the exception of stenciled cars not used in revenue service and restricted to a speed of less than 20 miles per hour. This action is considered significant because of substantial public and industry interest.

Timetable:

Action	Date	FR Cite
NPRM	03/10/94	59 FR 11238
NPRM Comment Period End	02/27/95	
Final Action	06/00/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Evaluation
03/10/94 (59 FR 11238)

Additional Information: The original NPRM Comment period ended on 4/11/94 but was twice extended; first, to 11/28/94 (59 FR 49374) and then, to 02/27/95 (59 FR 67266). This action is being considered for possible referral to a Railroad Safety Advisory Committee that the agency is in the process of establishing.

Agency Contact: Billie Stultz, Deputy Assistant Chief Counsel for Safety, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0628
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RIN: 2130-AA68

2480. FRA HAZARDOUS MATERIALS PENALTY GUIDELINES

Priority: Other

Legal Authority: 49 USC 20103; 49 USC 5103; 49 USC 5123

CFR Citation: 49 CFR 209; 49 CFR 1.49(m); 49 CFR 1.49(s); 49 CFR 1.49(gg)

Legal Deadline: Final, Statutory, May 1, 1995.

Abstract: FRA plans to provide penalty guidelines for violations of the

hazardous materials regulations enforced by the agency, similar to the guidelines it provides in other areas such as those dealing with safety appliances and signals.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Thomas A. Phemister, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0628
Fax: 202 366-7718

RIN: 2130-AB00

2481. • REINVENTION OF REGULATIONS ADDRESSING DISCONTINUANCE OR MODIFICATION OF SIGNAL SYSTEMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 20501 to 20505

CFR Citation: 49 CFR 235

Legal Deadline: None

Abstract: Pursuant to the President's Regulatory Reform Initiative, FRA intends to revise Part 235 by reducing the list of circumstances for which signal system discontinuance approval is required.

Timetable:

Action	Date	FR Cite
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark Tessler, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0623
Fax: 202 366-7718

RIN: 2130-AB05

2482. • REINVENTION OF SIGNAL SYSTEM REPORTING REQUIREMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 20501 to 20505

CFR Citation: 49 CFR 233

Legal Deadline: None

Abstract: Pursuant to the President's Regulatory Reform Initiative, FRA intends to modify Part 233 by lengthening railroad system reporting intervals.

Timetable:

Action	Date	FR Cite
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark Tessler, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0623
Fax: 202 366-7718

RIN: 2130-AB06

2483. • REINVENTION OF STEAM LOCOMOTIVE INSPECTION REGULATIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 20701

CFR Citation: 49 CFR 230

Legal Deadline: None

Abstract: Pursuant to the President's Regulatory Reform Initiative, FRA intends to amend Part 230 to allow greater flexibility in the steam locomotive inspection waiver process.

Timetable:

Action	Date	FR Cite
Final Action	06/00/96	

Small Entities Affected: None

DOT—FRA

Final Rule Stage

Government Levels Affected: None

Additional Information: This action is being considered for possible referral to a Railroad Safety Advisory Committee that the agency is in the process of establishing.

Agency Contact: Nancy Goldman, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4781
Fax: 202 366-7718

RIN: 2130-AB07

2484. ● REINVENTION OF STATE SAFETY PARTICIPATION REGULATIONS

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 20103; 49 USC 20105 to 20106; 49 USC 20113

CFR Citation: 49 CFR 212

Legal Deadline: None

Abstract: Pursuant to the President's Regulatory Reform Initiative, FRA is eliminating portions of Part 212 of the federal safety regulations. From FY

1983 to FY 1988, Congress phased out the funding for the Grants-in-Aid for Railroad Safety (State Participation) Program. Since FY 1989, no funds at all have been available for this program. Thus, because they are obsolete, Subpart D and the Appendices of Part 212 will be eliminated in their entirety.

Timetable:

Action	Date	FR Cite
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Cynthia Walters, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8083
Fax: 202 366-7718

RIN: 2130-AB08

2485. ● REINVENTION OF REGULATIONS ADDRESSING RAILROAD USER FEES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

Legal Authority: 49 USC 421

CFR Citation: 49 CFR 245

Legal Deadline: None

Abstract: The Department intends to submit a request to Congress for legislation to permit FRA to assess and collect railroad user fees. If enacted, FRA would reexamine the burden of the program on small railroads. In the Omnibus Budget Reconciliation Act of 1990, Congress had authorized FRA to assess and collect railroad user fees for a 5-year period which ended September 30, 1995.

Timetable:

Action	Date	FR Cite
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Elizabeth Sorrells, Attorney Advisor, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4782
Fax: 202 366-7718

RIN: 2130-AB09

DEPARTMENT OF TRANSPORTATION (DOT)

Long-Term Actions

Federal Railroad Administration (FRA)

2486. AMTRAK WASTE DISPOSAL

Priority: Substantive, Nonsignificant

CFR Citation: Not yet determined

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William Fashouer
Phone: 202 366-0616
Fax: 202 366-7718

RIN: 2130-AA84

2487. PROTECTION OF UTILITY EMPLOYEES

Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 218

Timetable:

Action	Date	FR Cite
Final Rule	03/01/95	60 FR 11047
Amendments: Comments by 5/1/95		
Final Rule	05/01/95	
Amendments: Comment Period End		
Amendment to Final Rule Suspended: Comment Period Reopened Indefinitely	06/09/95	60 FR 30469
Next Action Undetermined		

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Kyle M. Mulhall
Phone: 202 366-0443
Fax: 202 366-7718

RIN: 2130-AA90

2488. +SELECTION AND INSTALLATION OF GRADE CROSSING WARNING SYSTEMS

Priority: Other Significant

CFR Citation: 49 CFR 234

Timetable:

Action	Date	FR Cite
NPRM	03/02/95	60 FR 11649
NPRM Comment Period End	05/16/95	
Public Hearings	06/06/95	
Public Hearings	06/07/95	
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: State, Local

Agency Contact: Mark Tessler
Phone: 202 366-0628

RIN: 2130-AA92

DOT—FRA

Long-Term Actions

2489. +RADIO COMMUNICATION-ADVANCED TRAIN CONTROL SYSTEM

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 49 CFR 220

Timetable: Next Action Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Cynthia Walters
Phone: 202 366-0621
Fax: 202 366-7718

RIN: 2130-AA94

2490. MAINTENANCE, INSPECTION, AND TESTING OF GRADE-CROSSING SIGNAL SYSTEMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 49 CFR 234; 49 CFR 1.49(f); 49 CFR 1.49(g); 49 CFR 1.49(m)

Timetable: Next Action Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: State, Local

Agency Contact: Mark H. Tessler
Phone: 202 366-0628
Fax: 202 366-7718

RIN: 2130-AA97

DEPARTMENT OF TRANSPORTATION (DOT)

Completed Actions

Federal Railroad Administration (FRA)

2491. LOCOMOTIVE VISIBILITY; MINIMUM STANDARDS FOR AUXILIARY EXTERNAL LIGHTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103; 49 USC 20111 to 20113; 49 USC 20143; 49 USC 21301 to 21311

CFR Citation: 49 CFR 229

Legal Deadline:

Other, Statutory, December 31, 1992, Interim final rule.
Final, Statutory, June 30, 1995, Final rule.

Abstract: This action requires that certain locomotives be equipped with auxiliary lights to enable motorists, railroad employees and pedestrians to recognize approaching trains at a greater distance. The rule requires that locomotives operated over public highway-rail crossings at greater speeds than 20 miles per hour be equipped with auxiliary lights.

Timetable:

Action	Date	FR Cite
NPRM	08/28/95	60 FR 44457
NPRM Comment Period End	10/27/95	
Comment Period Extended to 12/12/95	11/27/95	60 FR 58322
Public Hearing on 11/28/95	11/27/95	60 FR 58322
Final Action	03/06/96	61 FR 8881
Final Action Effective	05/06/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Evaluation
05/13/94 (59 FR 24960)

Additional Information: There have been two interim rules published addressing locomotive visibility: (1) Interim Rule 1 (IR-1), published 2/3/93; and (2) Interim Rule 2 (IR-2), published 5/13/94. IR-2 relaxed the standards in IR-1 concerning auxiliary external lights on locomotives. The lighting arrangements in IR-1 were deemed acceptable interim locomotive conspicuity measures. IR-2 contains detailed and specific performance standards regarding color, intensity, operation, mounting location and flash rate for ditch lights, crossing lights, strobe lights and oscillating lights. Lighting devices installed in conformance to the specifications in IR-1 or IR-2 will not be immediately rendered obsolete when FRA issues final standards in this area.

Agency Contact: Kyle M. Mulhall, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0635
Fax: 202 366-7718

RIN: 2130-AA80

2492. +GENERIC STANDARDS FOR CORRIDORS UP TO 160 MPH

Priority: Other Significant

Legal Authority: 49 USC 20103; 49 USC 20111 to 20113; 49 USC 21301 to 21311; 49 USC 26103; PL 103-440, sec 203(a)(2)

CFR Citation: 49 CFR 209 to 245

Legal Deadline: None

Abstract: Consistent with the Secretary of Transportation's Strategic Plan, which highlights his vision to develop high speed rail in select corridors, and as mandated by the Swift Rail Development Act of 1994, FRA has incorporated, and intends to incorporate, high speed rail issues within the following rulemakings: Power brake (RIN 2130-AA73); Track (RIN 2130-AA75); Passenger Equipment Standards (RIN 2130-AA95); and Rail Passenger Service: Emergency Preparedness Rules (RIN 2130-AA96). The agency concluded that there is no need to continue to retain an agenda entry for generic standards; rather, specific safety standards within the high speed rail context will be addressed in future rulemakings. If the agency determines that a comprehensive rule focused exclusively on high speed rail issues is warranted at a later date, it will initiate a rulemaking at that time. Where system safety plans for potential high speed rail projects are made, they will be considered on their own merits.

Timetable:

Action	Date	FR Cite
Action Terminated	12/31/95	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Daniel Smith, Assistant Chief Counsel, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0635

DOT—FRA

Completed Actions

Fax: 202 366-7718

RIN: 2130-AA88

2493. ELIMINATION OF PART 251 AND PART 258 REGULATIONS**Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** 49 USC 24101; 49 USC 1651; PL 103-272**CFR Citation:** 49 CFR 251; 49 CFR 258**Legal Deadline:** None**Abstract:** Pursuant to the President's Regulatory Reform Initiative, the agency proposed to remove obsolete regulations in 49 CFR Chapter II. Part 251 (Loans and Guarantees of Loans) was eliminated in its entirety due to the repeal of its statutory authority. Part 258 (Regulations governing Section 505 of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended) will be eliminated because authorization for it has expired and no reauthorization is anticipated.**Timetable:**

Action	Date	FR Cite
Final Action	02/09/96	60 FR 4937

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** This RIN was previously published as "Miscellaneous Amendments to Federal Railroad Regulations Pursuant to Regulatory Reform," encompassing Parts 212, 230, 233, 235 and 251.**Agency Contact:** Elizabeth Sorrells, Attorney Advisor, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4782
Fax: 202 366-7718

RIN: 2130-AB03

2494. • ALCOHOL/DRUG REGULATIONS; RANDOM DRUG TESTING**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 20103; 49 USC 20107; 49 USC 20111 to 20113; 49 USC 20140; 49 USC 21301 to 21304**CFR Citation:** 49 CFR 219**Legal Deadline:** None**Abstract:** Using data from Management Information System (MIS) annual reports, FRA has calculated that the rail industry random drug testing positive rate for 1994 was 0.808 percent. Since the industry-wide random drug positive rate continues to be below 1.0 percent, the Federal Railroad Administrator has determined that the minimum annual random drug testing rate for the period January 1, 1996 through December 31, 1996 will remain at 25 percent of covered railroad employees. In addition, FRA intends to award a contract to Northwest Toxicology, Inc. (Northwest) to conduct post-accident toxicological analysis, effective December 1, 1995.**Timetable:**

Action	Date	FR Cite
Final Action	12/01/95	60 FR 61664

Small Entities Affected: Businesses**Government Levels Affected:** None**Additional Information:** This final rule is effective December 1, 1995. This was originally published under RIN 2130-AA81. In addition, although previous rules involving alcohol and drug regulations have appeared under RIN 2130-AA63, FRA has decided to treat separate actions as separate entries.**Agency Contact:** Patricia V. Sun, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0635
Fax: 202 366-7718

RIN: 2130-AB10

2495. • REVISION OF LOCOMOTIVE ENGINEER QUALIFICATION AND CERTIFICATION REGULATIONS: HEARING PROCEDURES**Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 2103; 49 USC 20111 to 20113; 49 USC 20135; 49 USC 21301 to 21311; 49 USC 30301 to 30308**CFR Citation:** 49 CFR 240**Legal Deadline:** None**Abstract:** Based on petitions for reconsideration of several aspects of its final rule on locomotive engineer qualifications, the agency revised the locomotive engineer decertification hears procedures by: (1) permitting agency employees to serve as hearing officers; (2) by clarifying existing procedural rules; (3) by adding provisions previously omitted; and (4) by making changes to correct typographical errors and minor ambiguities.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/12/95	60 FR 53133
Interim Final Rule Effective	11/13/95	

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** This action originally appeared as part of RIN 2130-AA74. For clarification purposes, however, the agency decided to separate its locomotive engineer entries. The original engineer qualification rule was published 06/19/91 (56 FR 28228) and was amended with an interim final rule on 04/09/93 (58 FR 18982), which has been effective since 05/10/93. RIN 2130-AA74 will address the rest of the modifications warranted by the petitions to reconsider (primarily issues involving the rule's applicability to service vehicles).**Agency Contact:** Alan Nagler, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0621
Fax: 202 366-7718

RIN: 2130-AB11

DEPARTMENT OF TRANSPORTATION (DOT)

Proposed Rule Stage

Federal Transit Administration (FTA)

2496. +DEPARTMENT OF TRANSPORTATION (FTA, FRA, FHWA, AND USCG), NEPA, AND RELATED PROCEDURES FOR TRANSPORTATION DECISION-MAKING**Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 5304(e); 42 USC 4321; 23 USC 109; 23 USC 128; 23 USC 138; 23 USC 315; 49 USC 303(c); 33 USC 401; 33 USC 491 et seq; 33 USC 511 et seq; 33 USC 525 et seq; 33 USC 535**CFR Citation:** 49 CFR 622; 23 CFR 771; 40 CFR 1500 to 1508; 49 CFR 1.48(b); 49 CFR 1.51; 33 CFR 114.05**Legal Deadline:** Final, Statutory, May 18, 1992.**Abstract:** The Federal Transit Administration and the Federal Highway Administration currently have a joint environmental regulation at 23 CFR 771, "Environmental Impact and Related Procedures". The agencies first issued an environmental regulation together in 1980. The joint regulation was amended in 1987 and again in 1991. Even though FTA and FHWA have joint regulations, each agency's guidance for implementing those regulations is procedurally different. This causes difficulties and inconsistencies for sponsors of transportation projects, particularly where joint FTA and FHWA funds are involved. In the ISTEA, the Congress recognized the importance of providing uniformity and consistency between FTA and FHWA environmental procedures. This is needed to accommodate the increased funding flexibility for surface transportation provided by ISTEA. Because of an

increased emphasis on intermodal planning and proposals to advance a high-speed rail program, the proposed, new joint regulations will include the Federal Railroad Administration (FRA) and the United States Coast Guard (USCG) bridge permit program. The regulations will therefore be applied to all four modal administrations.

Timetable:

Action	Date	FR Cite
NPRM	05/00/96	

Small Entities Affected: Governmental Jurisdictions**Government Levels Affected:** State**Analysis:** Regulatory Evaluation**Additional Information:** Section 134(h)(4) of title 23, United States Code and section 8(h)(4) of the Federal Transit Act, as amended (now 49 USC 5304(e)), direct the Secretary of Transportation to initiate a rulemaking proceeding to conform review requirements for transit projects under the National Environmental Policy Act of 1969, to comparable requirements for highway projects. This action is considered significant because of potential public, congressional, and environmental concerns, and because it involves several interested departmental modes.**Agency Contact:** Scott Biehl, Assistant Chief Counsel, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0952**RIN:** 2132-AA43**2497. • CAPITAL LEASES****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

Legal Authority: PL 100-17, sec 308**CFR Citation:** 49 CFR 639**Legal Deadline:** None**Abstract:** The FTA is amending its capital leases regulation to treat maintenance costs under a commercial lease of a capital asset as an eligible capital expense. This rulemaking implements section 308 of the Surface Transportation and Uniform Relocation Assistance Act of 1987, which allows capital grants under the Federal transit laws to be used for leasing facilities or equipment if a lease is more cost effective than purchase or construction of such items. This proposal is consistent with industry practice and recent Federal initiatives to streamline federally assisted procurement practices.**Timetable:**

Action	Date	FR Cite
NPRM	01/31/96	61 FR 3532
NPRM Comment Period End	04/01/96	
Final Action	06/00/96	

Small Entities Affected: None**Government Levels Affected:** State, Local**Procurement:** This is a procurement-related action for which there is no statutory requirement. The agency has not yet determined whether there is a paperwork burden associated with this action.**Agency Contact:** Rita Daguillard, Deputy Assistant Chief Counsel, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Room 9316, Washington, DC 20590
Phone: 202 366-1936**RIN:** 2132-AA55

DEPARTMENT OF TRANSPORTATION (DOT)

Final Rule Stage

Federal Transit Administration (FTA)

2498. +BUS TESTING**Priority:** Other Significant**Legal Authority:** 49 USC 5323(c)**CFR Citation:** 49 CFR 665**Legal Deadline:** None**Abstract:** This regulation implements a statutory provision that requires any new bus model purchased after September 30, 1989, to be tested at a facility established by the Secretary in Altoona, PA. This regulation is

significant because of the large amount of public interest.

Timetable:

Action	Date	FR Cite
NPRM	05/25/89	54 FR 22716

DOT—FTA

Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	07/24/89	
Interim Final Rule	08/23/89	54 FR 35158
Interim Final Rule: Comment Period Reopened	11/30/89	54 FR 49297
Interim Final Rule: Second	10/09/90	55 FR 41174
Interim Final Rule Extending Interim Procedures	09/13/91	56 FR 46572
Interim Final Rule New Vehicle Types	07/28/92	57 FR 33394
Interim Final Rule Partial Effectiveness Postponed	10/13/92	57 FR 46814
Interim Final Rule Comment Period Reopened to 01/29/93	01/07/93	58 FR 2989
Interim Final Rule Partial Effectiveness Postponed	02/23/93	58 FR 10989
Notice of Meeting	02/26/93	58 FR 11549
Interim Final Rule Small Vehicle Testing, Phase-in of Effective Date	11/03/93	58 FR 58732
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
07/28/92 (57 FR 33394)

Additional Information: Former section 12(h) of the FT Act, as amended (now 49 USC 5302(a)(9)), defines a "new bus model" as a bus model which has not been used in mass transportation service in the United States before the date of production of such model, or a bus model which has been used in such service, but which is being produced with a major change in configuration or components. A third interim final rule, published on 07/28/92, added two new categories of buses required to be tested. On 10/13/92 FTA published a notice postponing the application of the interim final rule for these vehicle types until 02/10/93. The FTA's fourth interim final rule, issued on 11/3/93, established four subcategories of small vehicles to facilitate the phase-in of testing. The final rule will add the two tests mandated by ISTEA, brake performance and emissions, to the seven tests currently performed at the bus testing facility. In addition, the final rule will clarify the partial testing with regard to what constitutes a "major change" on a bus that has been fully tested, but is later produced with

a change in configuration or component.

Agency Contact: Richard Wong, Attorney-Advisor, Department of Transportation, Federal Transit Administration, Office of Chief Counsel, Room 9316, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1936

RIN: 2132-AA30

2499. TRANSPORTATION FOR THE ELDERLY AND PERSONS WITH DISABILITIES

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 5301(d)

CFR Citation: 49 CFR 609

Legal Deadline: None

Abstract: The regulation sets forth requirements regarding transportation for the elderly and persons with disabilities mandated by 49 USC 5301(d), formerly section 16 of the Federal Transit Act, as amended. The regulation also sets forth accessibility standards for rapid and light rail vehicles that predate passage of the Americans with Disabilities Act of 1990 (ADA) and DOT's implementing regulations (49 CFR Parts 27,37, and 38). The Federal Transit Administration will revise part 609 to acknowledge new ADA provisions emanating from Federal transit laws.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local

Agency Contact: Richard Wong, Attorney Advisor, Legislation and Rulemaking Division, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4011

RIN: 2132-AA46

2500. +MANAGEMENT AND MONITORING SYSTEMS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 102-240, sec 1034; 23 USC 303; 23 USC 315; 23 USC 135; 23 USC 134

CFR Citation: 49 CFR 614; 23 CFR 500

Legal Deadline: Final, Statutory, December 18, 1992.

Abstract: The Intermodal Surface Transportation Efficiency Act mandates the FTA and FHWA to issue regulations for State development and implementation of systems for managing: (1) highway pavement of Federal-aid highways; (2) bridges on and off Federal-aid highways; (3) highway safety; (4) traffic congestion; (5) public transportation facilities and equipment; (6) intermodal transportation facilities and systems. States must be implementing each management system in Federal fiscal year 1995 or the Secretary may withhold up to 10 percent of funds apportioned under Title 23, U.S.C., or under 49 USC chapter 53 (mass transportation), for any fiscal year beginning after September 30, 1995. The primary purpose of these systems is to improve the efficiency of, and protect the investment in, existing and future transportation infrastructure. The systems will provide additional information needed to make informed decisions for optimum utilization of limited resources. The economic impact of the regulation is expected to be minimal. This regulation is issued jointly with the Federal Highway Administration (RIN 2125-AC97). The regulation is considered significant because of substantial State and local government, public, and congressional interest. The interim final rule was effective January 3, 1994; comments were due by January 31, 1994.

Timetable:

Action	Date	FR Cite
ANPRM	06/03/92	57 FR 23460
ANPRM Comment Period End	08/03/92	
NPRM	03/02/93	58 FR 12096
Request for Comments	03/24/93	58 FR 15816

DOT—FTA

Final Rule Stage

Action	Date	FR Cite	Analysis:	
NPRM Comment Period End	05/03/93		Regulatory Flexibility Analysis; Regulatory Evaluation 12/01/93 (58 FR 63442)	for such election. The final rule will reflect these changes.
Interim Final Rule	12/01/93	58 FR 63442	Additional Information: The National Highway System Designation Act of 1995 (P.L. 104-59) enacted on 11/28/95 allows States to elect not to implement any of the management systems in whole or in part and prohibits the Secretary from imposing any penalties	Agency Contact: Ron Jensen-Fisher, Senior Community Planner, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-0257 RIN: 2132-AA47
Interim Final Rule Correction	12/07/93	58 FR 64374		
Final Action	06/00/96			
Small Entities Affected: None				
Government Levels Affected: State, Local, Tribal, Federal				

DEPARTMENT OF TRANSPORTATION (DOT)

Long-Term Actions

Federal Transit Administration (FTA)

2501. +NEW STARTS CRITERIA	Timetable: Next Action Undetermined	Agency Contact: Ron Jensen-Fisher Phone: 202 366-0096
Priority: Other Significant	Small Entities Affected: Undetermined	RIN: 2132-AA50
CFR Citation: 49 CFR 611	Government Levels Affected: Undetermined	

DEPARTMENT OF TRANSPORTATION (DOT)

Completed Actions

Federal Transit Administration (FTA)

2502. +STATE RESPONSIBILITY FOR FIXED-GUIDEWAY SYSTEM SAFETY	Analysis: Regulatory Flexibility Analysis; Regulatory Evaluation 12/09/93 (58 FR 64856)	products, updating the domestic content requirements for rolling stock, and eliminating an obsolete provision grandfathering the domestic content requirements.																											
Priority: Other Significant	Agency Contact: Nancy Zaczek, Attorney Advisor, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-4011	Timetable:																											
Legal Authority: 49 USC 5330	RIN: 2132-AA39	<table border="1"> <thead> <tr> <th>Action</th> <th>Date</th> <th>FR Cite</th> </tr> </thead> <tbody> <tr> <td>NPRM</td> <td>09/12/95</td> <td>60 FR 47442</td> </tr> <tr> <td>NPRM Comment Period End</td> <td>11/13/95</td> <td></td> </tr> <tr> <td>Final Action</td> <td>02/16/96</td> <td>61 FR 6300</td> </tr> </tbody> </table>	Action	Date	FR Cite	NPRM	09/12/95	60 FR 47442	NPRM Comment Period End	11/13/95		Final Action	02/16/96	61 FR 6300															
Action	Date	FR Cite																											
NPRM	09/12/95	60 FR 47442																											
NPRM Comment Period End	11/13/95																												
Final Action	02/16/96	61 FR 6300																											
CFR Citation: 49 CFR 659		Small Entities Affected: Governmental Jurisdictions																											
Legal Deadline: Final, Statutory, October 28, 1992.		Government Levels Affected: State, Local																											
Abstract: As required by the Intermodal Surface Transportation Efficiency Act of 1991, the FTA issued a rule requiring States to oversee the safety of rail fixed guideway systems not regulated by the Federal Railroad Administration. This rule sets forth the FTA's State safety oversight program, which is intended to improve the safety of rail fixed guideway systems.	2503. BUY AMERICA	Additional Information: FTA recently published two notices, non-regulatory in nature, relating to FTA's Buy America regulation. First, FTA published an immediate public interest waiver exempting micro-purchases from requirements of Buy America, thus alleviating administrative burdens on FTA recipients and staff. (3/15/95, 60 FR 14174) Further, FTA published a notice of waiver from Buy America requirements for small purchases by FTA grantees and made with capital and planning assistance and for all purchases by FTA grantees made with operating assistance. It proposed to add iron to the list of products subject to the Buy America requirement. (7/24/95, 60 FR 37930) The goal of this public interest waiver is to eliminate some of																											
Timetable:	Priority: Substantive, Nonsignificant																												
<table border="1"> <thead> <tr> <th>Action</th> <th>Date</th> <th>FR Cite</th> </tr> </thead> <tbody> <tr> <td>Public Hearing Notice</td> <td>06/11/92</td> <td>57 FR 24768</td> </tr> <tr> <td>ANPRM</td> <td>06/25/92</td> <td>57 FR 28572</td> </tr> <tr> <td>ANPRM Comment Period End</td> <td>08/24/92</td> <td></td> </tr> <tr> <td>NPRM</td> <td>12/09/93</td> <td>58 FR 64856</td> </tr> <tr> <td>NPRM Comment Period End</td> <td>02/07/94</td> <td></td> </tr> <tr> <td>Hearing Notice: Comment Period End 3/8/94</td> <td>02/28/94</td> <td>59 FR 9460</td> </tr> <tr> <td>Final Action</td> <td>12/27/95</td> <td>60 FR 67034</td> </tr> <tr> <td>Final Action Effective</td> <td>01/26/96</td> <td></td> </tr> </tbody> </table>	Action	Date	FR Cite	Public Hearing Notice	06/11/92	57 FR 24768	ANPRM	06/25/92	57 FR 28572	ANPRM Comment Period End	08/24/92		NPRM	12/09/93	58 FR 64856	NPRM Comment Period End	02/07/94		Hearing Notice: Comment Period End 3/8/94	02/28/94	59 FR 9460	Final Action	12/27/95	60 FR 67034	Final Action Effective	01/26/96		Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.	
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Public Hearing Notice	06/11/92	57 FR 24768																											
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Hearing Notice: Comment Period End 3/8/94	02/28/94	59 FR 9460																											
Final Action	12/27/95	60 FR 67034																											
Final Action Effective	01/26/96																												
Small Entities Affected: None	Legal Authority: 49 USC 5323(j)																												
Government Levels Affected: State	CFR Citation: 49 CFR 661																												
	Legal Deadline: Final, Statutory, May 30, 1992.																												
	Abstract: The Intermodal Surface Transportation Efficiency Act of 1991 amended section 165(a) of the Surface Transportation Assistance Act of 1982 (now 49 USC 5323(j)) by adding "iron" to the list of products subject to "Buy America" provisions. FTA is publishing this document to amend this document accordingly. This rule also makes other amendments intended to update and clarify FTA's Buy America regulation, including adding the definition of "component" of manufactured																												

DOT—FTA

Completed Actions

the procurement delays, "red tape," and paperwork from FTA grantees' procurement processes.

Agency Contact: Rita Daguillard, Attorney Advisor, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1936

RIN: 2132-AA42

2504. TEMPORARY LOCAL MATCH WAIVER FOR SECTIONS 9 AND 18

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: PL 102-240, sec 1054; PL 102-388; PL 102-302

CFR Citation: 49 CFR 671

Legal Deadline: None

Abstract: Because the supporting statutory authority has expired, FTA is removing Temporary Local Match Waivers for sections 9 and 18 from the Code of Federal Regulations. FTA made this determination as part of the President's reinventing government initiative.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/11/93	58 FR 42690
Interim Final Rule Effective	09/10/93	
Interim Final Rule Comment Period End	10/12/93	
Final Action	03/11/96	61 FR 9650

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Analysis: Regulatory Evaluation 08/11/93 (58 FR 42690)

Additional Information: The comment period ended on October 12, 1993, and the FTA anticipates issuing a final rule based on the interim final rule. A policy statement providing general guidance on local share issues was published on July 10, 1992 (57 FR 30880).

Agency Contact: Nancy Zaczek, Attorney Advisor, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4011

RIN: 2132-AA49

2505. ● BUY AMERICA REQUIREMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 5323

CFR Citation: 49 CFR 660

Legal Deadline: None

Abstract: This rule removes the Buy America requirements which are now obsolete and have been superseded by 49 CFR part 661.

Timetable:

Action	Date	FR Cite
Final Action	12/20/95	60 FR 65597

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Rita Daguillard, Deputy Assistant Chief Counsel, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Room 9316, Washington, DC 20590
Phone: 202 366-1936

RIN: 2132-AA54

DEPARTMENT OF TRANSPORTATION (DOT)

Prerule Stage

Research and Special Programs Administration (RSPA)

2506. ● PIPELINE SAFETY PROGRAM PROCEDURES: UPDATES AND CORRECTIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 94 USC 60101 to 60125

CFR Citation: 49 CFR 190

Legal Deadline: None

Abstract: In response to the President's Regulatory Reinvention, this rulemaking updates and corrects 49 CFR 190 (Pipeline Safety Program Procedures) by amending nomenclature, addresses, and penalty amounts. These amendments are related to pipeline safety program administration and do not impact specific pipeline safety technical requirements.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: Docket No. PS-145

Agency Contact: L.E. Herrick, Department of Transportation, Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-5523
Fax: 202 366-4566

RIN: 2137-AC79

DEPARTMENT OF TRANSPORTATION (DOT)
Research and Special Programs Administration (RSPA)

Proposed Rule Stage

2507. REQUIREMENTS FOR CYLINDERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 172; 49 CFR 173; 49 CFR 178

Legal Deadline: None

Abstract: This rulemaking involves a proposal to revise requirements for the manufacture of new DOT specification cylinders and for the maintenance, requalification, repair and use of all DOT specification cylinders. This action is needed to recognize new cylinder manufacturing technology and to clarify and simplify requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: Formerly entitled Review: Consolidation of Specifications for High-Pressure Seamless Cylinders. Docket No. HM-220.

Agency Contact: Hattie Mitchell, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-8553

RIN: 2137-AA92

2508. +GAS GATHERING LINE DEFINITION

Priority: Other Significant

Legal Authority: 49 USC 60101 et seq

CFR Citation: 49 CFR 192

Legal Deadline: Final, Statutory, October 24, 1994.

Abstract: The existing definition of "gathering line" would be clearly defined to eliminate confusion in distinguishing these pipelines from transmission lines in rural areas. The costs should be minimal since the definition will conform to prevailing practices in government and industry. Action is significant because the definition is of Congressional interest and is required by the Pipeline Safety Act of 1992. Because of the complexity in defining gas gathering lines, RSPA is now considering alternative rulemaking approaches to fully

consider the interests of all industry segments.

Timetable:

Action	Date	FR Cite
NPRM	09/25/91	56 FR 48505
NPRM Comment	11/25/91	
Period End		
SNPRM	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 09/25/91 (56 FR 48505)

Additional Information: Docket No. PS-122.

Agency Contact: Richard D. Huriaux, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-4595

RIN: 2137-AB15

2509. +QUALIFICATION OF PIPELINE PERSONNEL

Priority: Other Significant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: None

Abstract: Training and qualification standards have been proposed for personnel involved in the operation and maintenance of gas and hazardous liquid pipelines. Special consideration would be given to operators of small gas systems to alleviate the burden of compliance. This rulemaking is considered significant because of substantial State and congressional interest.

Timetable:

Action	Date	FR Cite
ANPRM	03/23/87	52 FR 9189
ANPRM Comment	05/07/87	
Period End		
NPRM	08/03/94	59 FR 39506
NPRM Comment	09/07/94	59 FR 46219
Period Extended to	10/31/94	
Public Meeting Notice	09/07/94	59 FR 46219
NPRM Comment	10/03/94	
Period End		
NPRM	11/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/03/94 (59 FR 39506)

Additional Information: Docket No. PS-94. Formerly entitled: Pipeline Operator Qualifications. The proposals regarding certification of personnel and emergency response in "Proposals for Pipeline Safety," RIN 2137-AB27, have been consolidated into this rulemaking. A negotiated rulemaking procedure is being planned.

Agency Contact: A. Garnett, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2036

RIN: 2137-AB38

2510. +MAPS AND RECORDS OF PIPELINE LOCATION AND CHARACTERISTICS; NOTIFICATION OF STATE AGENCIES; PIPE INVENTORY

Priority: Other Significant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: Final, Statutory, November 1, 1989.

Deadline pertains to pipeline inventory and State agency information.

Abstract: This action proposes to equalize as far as possible the requirements that gas and liquid operators keep maps and records to show the location and other characteristics of pipelines. Operators would also be required to keep an inventory of pipe and annually report mileage and other facts. In addition, operators would be required to provide certain information to State agencies upon request. This is a significant action because of congressional and State concerns about the need for appropriate public officials to have pipeline information.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: L.M. Furrow, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4559

RIN: 2137-AB48

DOT—RSPA

Proposed Rule Stage

2511. DOT 3AL ALUMINUM CYLINDERS; SAFETY PROBLEMS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 178**Legal Deadline:** None

Abstract: Certain DOT 3AL cylinders made of aluminum alloy 6351 were discovered developing cracks during service and occasionally leaks developed resulting in loss of contents. The ANPRM was to alert and inform all persons possessing these cylinders of the problems, identify those cylinders at risk, and suggest steps to minimize risks.

Timetable:

Action	Date	FR Cite
ANPRM	07/10/87	52 FR 26027
ANPRM Comment Period End	08/10/87	
NPRM	08/00/96	

Small Entities Affected: Undetermined**Government Levels Affected:**

Undetermined

Analysis: Regulatory Evaluation**Additional Information:** Docket No. HM-176A

Agency Contact: Charles Hochman, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4545

RIN: 2137-AB51**2512. DESIGN AND CONSTRUCTION OF WELDED BREAKOUT TANKS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 60101 to 60125**CFR Citation:** 49 CFR 195**Legal Deadline:** None

Abstract: This rulemaking proposes to add safety standards for the design and construction of pipeline breakout tanks.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation**Additional Information:** This action would incorporate by reference the

applicable standards for breakout tank design and construction that are contained in American Petroleum Institute Standard 650-653. This standard is already widely followed in the pipeline industry.

Agency Contact: A. Garnett, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-2036

RIN: 2137-AC11**2513. UNDERWATER ABANDONED PIPELINE FACILITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 60101 to 60125**CFR Citation:** 49 CFR 192; 49 CFR 195**Legal Deadline:** Final, Statutory, April 24, 1994.

Abstract: This action would result in regulations specifying procedures for operators to report on underwater pipelines abandoned prior to October 24, 1992.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: Undetermined**Government Levels Affected:** Undetermined**Analysis:** Regulatory Evaluation 04/00/96

Agency Contact: L.E. Herrick, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-5523

RIN: 2137-AC33**2514. +INCREASED INSPECTION REQUIREMENTS****Priority:** Other Significant**Legal Authority:** 49 USC 60101 to 60125**CFR Citation:** 49 CFR 192; 49 CFR 195**Legal Deadline:** Final, Statutory, October 24, 1995.

Abstract: This rulemaking would require gas and hazardous liquid pipelines in high-density, environmentally sensitive, or navigable

waterway areas to be inspected by internal inspection devices or equivalent means. The regulations shall prescribe circumstances under which the inspection shall be conducted. This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Public Workshop	10/18/95	60 FR 44821
NPRM	08/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Analysis:** Regulatory Evaluation 04/00/96**Additional Information:** Docket No. PS-141.

Agency Contact: L. M. Furrow, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-4559

RIN: 2137-AC38**2515. +EMERGENCY FLOW-RESTRICTING DEVICES****Priority:** Other Significant**Legal Authority:** 49 USC 60101 to 60125**CFR Citation:** 49 CFR 195**Legal Deadline:** Final, Statutory, October 24, 1996.

Abstract: This rulemaking would specify those circumstances under which operators of hazardous liquid pipelines are required to use emergency flow-restricting devices, and other procedures, systems, and equipment to detect and locate pipeline ruptures and minimize releases. This action is considered significant because of substantial public interest.

Statement of Need: The adverse safety and environmental effects of pipeline accidents are often the result of an operator's failure to rapidly detect and locate a leak and to rapidly shut down the pipeline. Quicker response to pipeline leaks through the strategic placement and use of emergency flow-restricting devices, with a reliable leak detection capability, can reduce the amount of liquid spilled into the environment and the consequent damages to life and property.

Summary of the Legal Basis: 49 U.S.C. 60102 requires the Secretary to survey

DOT—RSPA

Proposed Rule Stage

and assess the effectiveness of emergency flow-restricting devices (including remotely controlled valves and check valves) and other equipment used to detect and locate pipeline ruptures and minimize product releases. 49 U.S.C. 60102 requires the Secretary, within 2 years after completing the survey and assessment, to issue regulations prescribing the circumstances under which operators of hazardous liquid pipeline facilities must use emergency flow-restricting devices or other equipment.

Alternatives: The alternatives under consideration are different types of emergency flow-restricting devices and associated leak detection systems, and the sites that would maximize the usefulness of these devices and systems.

Anticipated Costs and Benefits: The potential costs and benefits of this action have not yet been determined.

Risks: This action addresses the increased risks to safety and the environment that result from the lack of prompt response to a line leak. Although the magnitude of potential risk reduction has not yet been determined, an example of the type of accident that this action might mitigate is the 1989 spill from an Exxon pipeline in the harbor between New York and New Jersey. Over 500,000 gallons of No. 2 fuel oil entered the water from a gash in the pipeline. A leak detection system that had been malfunctioning for 12 years failed to alert the operator to shut down the pipeline immediately.

This action is related to an action required by the Oil Pollution Act of 1990. This other action, now in effect under an interim final rule, but subject to change, requires operators to develop and execute approved oil spill response plans. Both actions are directed toward improving operators' accident response capabilities and minimizing accident consequences.

Timetable:

Action	Date	FR Cite
ANPRM	01/19/94	59 FR 2802
ANPRM Comment Period End	04/19/94	
NPRM	08/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Docket No. PS-133; Regulatory Evaluation 04/00/96

Additional Information: Docket No. PS-133. Public workshop 10/19/95 (60 FR 44822).

Agency Contact: L. Ulrich, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001 Phone: 202 366-4556

RIN: 2137-AC39

2516. TRANSPORTATION OF HAZARDOUS MATERIALS MISCELLANEOUS AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171 to 178

Legal Deadline: None

Abstract: RSPA plans to make minor changes to its hazardous materials regulations on an on-going basis. This periodic (usually annual) rulemaking provides a mechanism to update and correct noncontroversial and technical requirements in response to petitions for rulemaking, industry complaints, technological developments and RSPA's enforcement experience.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. HM-166Y. RSPA intends to maintain this RIN for actions that it will periodically issue.

Agency Contact: Joan McIntyre, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001 Phone: 202 366-4488

RIN: 2137-AC41

2517. LABELING REQUIREMENTS FOR POISONOUS MATERIALS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 172; 49 CFR 174 to 177

Legal Deadline: None

Abstract: This action considers changes to certain labeling provisions of the Hazardous Materials Regulations to require the use of a POISON label on

packages containing materials meeting the toxicity criteria for poisonous materials in Division 6.1, Packing Group III.

Timetable:

Action	Date	FR Cite
ANPRM	11/08/93	58 FR 59224
ANPRM Comment Period End	01/10/94	
NPRM	10/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation

Additional Information: Docket No. HM-217.

Agency Contact: Beth Romo, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh St. SW., Washington, DC 20590-0001 Phone: 202 366-4488

RIN: 2137-AC47

2518. REGULATED GAS AND HAZARDOUS LIQUID GATHERING LINES: RURAL AREAS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: Final, Statutory, October 24, 1995.

Abstract: This action would establish regulations for gas and hazardous liquid gathering lines in rural areas for which there are at present no safety regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Richard Huriaux, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001 Phone: 202 366-4595

RIN: 2137-AC53

DOT—RSPA

Proposed Rule Stage

2519. PERMANENT UNDERWATER INSPECTIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 60101 to 60125**CFR Citation:** 49 CFR 192; 49 CFR 195**Legal Deadline:**

Final, Statutory, May 16, 1993.

Final, Statutory, April 24, 1995.

Final, Statutory, October 24, 1995.

Abstract: This action would require operators of natural gas and hazardous liquid pipelines to conduct periodic underwater inspections of offshore pipelines and those in navigable waterways. This action would also define what constitutes an exposed underwater pipeline and what constitutes a hazard to navigation.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: Undetermined**Government Levels Affected:** Undetermined**Analysis:** Regulatory Evaluation**Agency Contact:** L.E. Herrick, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-5523**RIN:** 2137-AC54**2520. EXCESS FLOW VALVE CUSTOMER NOTIFICATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 60101 to 60125**CFR Citation:** 49 CFR 192**Legal Deadline:** Final, Statutory, October 24, 1994.**Abstract:** This action would require operators of natural gas distribution systems to notify their customers, with lines in which excess flow valves are not required by law, of the availability of excess flow valves, safety benefits of these valves, and the costs of installation.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: Undetermined**Government Levels Affected:** Undetermined**Analysis:** Regulatory Evaluation**Additional Information:** Docket No. PS-118A**Agency Contact:** M. Israni, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-4571**RIN:** 2137-AC55**2521. RETENTION OF SHIPPING PAPERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 172; 49 CFR 174; 49 CFR 175; 49 CFR 176; 49 CFR 177**Legal Deadline:** None**Abstract:** This action proposes to amend the Hazardous Materials Regulations by requiring shippers and carriers to retain a copy of the hazardous material shipping paper or an electronic image of the shipping paper for a period of one year after the hazardous material is no longer in transportation.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** Docket No. HM-207B.**Agency Contact:** Jackie Smith, Transportation Regulation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-4488**RIN:** 2137-AC64**2522. APPLICABILITY OF THE HAZARDOUS MATERIALS REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 106 to 107; 49 CFR 171 to 180**Legal Deadline:** None**Abstract:** This rulemaking proposes to clarify the applicability of Federal Hazardous Materials Regulations, 49 CFR Parts 171-180, thereby clarifying the relationship among Federal, State,

local and tribal agencies in the regulation of hazardous materials transportation.

Timetable:

Action	Date	FR Cite
Notice of Public Meeting	06/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions**Government Levels Affected:** State, Local, Tribal, Federal**Additional Information:** Docket No. HM-207F.**Agency Contact:** Nancy Machado, Attorney, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW., Room 8405, Washington, DC 20590
Phone: 202 366-4400
Fax: 202 366-7041**RIN:** 2137-AC68**2523. PERIODIC UPDATES TO PIPELINE SAFETY REGULATIONS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 60101 to 60125**CFR Citation:** 49 CFR 190 to 199**Legal Deadline:** None**Abstract:** This action proposes to update the pipeline safety regulations and the existing references to voluntary specifications and standards cited to reflect more recently published editions of each document that are acceptable. This NPRM will enable pipeline operators to utilize current technology, materials, and practices, thereby reducing costs and enhancing economic growth.**Timetable:**

Action	Date	FR Cite
NPRM	03/04/96	61 FR 8231
NPRM Comment Period End	04/03/96	
Final Action	08/00/96	

Small Entities Affected: Undetermined**Government Levels Affected:** None**Additional Information:** Docket No. PS-143.

DOT—RSPA

Proposed Rule Stage

Agency Contact: Eben Wyman,
Department of Transportation, Research
and Special Programs Administration,
400 Seventh Street SW., Washington,
DC 20590
Phone: 202 366-0918
RIN: 2137-AC74

**2524. • REVISION OF
MISCELLANEOUS HAZARDOUS
MATERIALS REGULATIONS:
REGULATORY REVIEW**

Priority: Substantive, Nonsignificant
Reinventing Government: This
rulemaking is part of the Reinventing
Government effort. It will revise text in
the CFR to reduce burden or
duplication, or streamline
requirements.
Legal Authority: 49 USC 5101 to 5127
CFR Citation: 49 CFR 171; 49 CFR 172;
49 CFR 173; 49 CFR 175; 49 CFR 176;
49 CFR 177

Legal Deadline: None

Abstract: This rulemaking proposes to
revise miscellaneous provisions
contained in the Hazardous Materials
Regulations based on RSPA's review of
these regulations and written and oral
comments received at several public
meetings held nationwide. This
rulemaking action is in response to
President Clinton's directive for all
agencies to review their respective
regulations for obsolete and unduly
burdensome requirements and to get
out of Washington and create grassroots
partnerships with people affected by
the regulations. The intended effect of
this proposed rule is to reduce
unnecessary burdens on industry
without compromising public safety.

Timetable:

Action	Date	FR Cite
NPRM	02/20/96	61 FR 6478
NPRM Comment Period End	04/19/96	
Final Action	08/00/96	

Small Entities Affected: Undetermined

Government Levels Affected:
Undetermined

Additional Information: Docket No.
HM-222B

Agency Contact: John A. Gale,
Transportation Regulations Specialist,
Department of Transportation, Research
and Special Programs Administration,
400 Seventh Street SW., Washington,
DC 20590

Phone: 202 366-8553
Fax: 202 366-8700
RIN: 2137-AC76

**2525. • +RISK-BASED ALTERNATIVE
TO PRESSURE TESTING RULE**

Priority: Other Significant
Legal Authority: 49 USC 60101 to
60125
CFR Citation: 49 CFR 195
Legal Deadline: None

Abstract: This rulemaking proposes to
assess a risk-based alternative to the
existing pressure testing rule for older
hazardous liquid and carbon dioxide
pipelines. On June 7, 1994, RSPA
issued a final rule requiring the
hydrostatic pressure testing of certain
older pipelines. This rulemaking is
considered significant because of the
substantial industry interest.

Timetable:

Action	Date	FR Cite
Notice of Public Meeting	03/08/96	61 FR 9415
NPRM	06/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None
Additional Information: Docket No. PS-
144.

Agency Contact: Mike Israni,
Department of Transportation, Research
and Special Programs Administration,
400 Seventh Street SW., Washington,
DC 20590
Phone: 202 366-4571
Fax: 202 366-4566
RIN: 2137-AC78

**2526. • PERFORMANCE-ORIENTED
PACKAGING STANDARDS; FINAL
TRANSITIONAL PROVISIONS**

Priority: Substantive, Nonsignificant
Legal Authority: 49 USC 5101 to 5127
CFR Citation: 49 CFR 171; 49 CFR 172;
49 CFR 173

Legal Deadline: None

Abstract: This rulemaking proposes
changes to the classification of certain
hazardous materials that are poisonous
by inhalation, provisions for the
manufacture of non-bulk packagings,
and other requirements of the
hazardous materials regulations. The
proposals generally are intended to
make the regulations easier to use and

correct errors. They are based on
agency initiative, petitions for
rulemaking and comments received at
public meetings.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket HM-
181H

Agency Contact: Beth Romo,
Transportation Specialist, Department
of Transportation, Research and Special
Programs Administration, 400 7th
Street SW., Washington, DC 10590
Phone: 202 366-8553
Fax: 202 366-3753

RIN: 2137-AC80

**2527. • RESTRUCTURING OF
CYLINDER SPECIFICATION
REQUIREMENTS**

Priority: Substantive, Nonsignificant

Reinventing Government: This
rulemaking is part of the Reinventing
Government effort. It will revise text in
the CFR to reduce burden or
duplication, or streamline
requirements.

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 178

Legal Deadline: None

Abstract: This rulemaking is part of the
Reinventing Government effort. It will
revise text in the CFR to reduce
redundancy in the various cylinder
inspections.

Timetable:

Action	Date	FR Cite
NPRM	03/04/96	61 FR 8328
NPRM Comment Period End	04/26/96	
Final Action	08/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No.
HM-220B

Agency Contact: Theresa Gwynn,
Department of Transportation, Research
and Special Programs Administration,
400 Seventh Street SW., Washington,
DC 20590
Phone: 202 366-8553
Fax: 202 366-3753

RIN: 2137-AC81

DOT—RSPA

Proposed Rule Stage

2528. • HARMONIZATION WITH UNITED NATIONS RECOMMENDATIONS, INTERNATIONAL MARITIME GOODS CODE AND INTERNATIONAL CIVIL AVIATION ORGANIZATION'S TECHNICAL INSTRUCTIONS**Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 171; 49 CFR 172; 49 CFR 173; 49 CFR 175; 49 CFR 176; 49 CFR 178; 49 CFR 180**Legal Deadline:** None**Abstract:** This rulemaking proposes changes to the Hazardous Materials Regulations to maintain alignment with corresponding provisions of international standards. Recent revisions incorporated in the ninth revised edition of the United Nations Recommendations on the Transport of Dangerous Goods necessitates the adoption of parallel provisions domestically to ensure basic consistency between domestic and international regulations and to facilitate the international transportation of hazardous materials.**Timetable:**

Action	Date	FR Cite
NPRM	09/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** Docket No. HM-215B**Agency Contact:** Beth Romo, Senior Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC

Phone: 202 366-8553

Fax: 202 366-8700

RIN: 2137-AC82**2529. • DRUG AND ALCOHOL TESTING: SUBSTANCE ABUSE PROFESSIONAL EVALUATION FOR DRUG USE****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 60101 to 60125**CFR Citation:** 49 CFR 199**Legal Deadline:** None**Abstract:** This action results from the need to make the RSPA drug testing regulations conform with those of the other Departmental operating administrations that fall under the

Omnibus Transportation Employee Testing Act of 1991. It would make drug testing among the operating administrations as consistent as possible and simplify the drug testing process for pipeline operations. It will require that an employee who tests positive for drugs would be required to be evaluated by a substance abuse professional prior to returning to performing his/her covered function.

Timetable:

Action	Date	FR Cite
NPRM	05/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** Docket No. PS-102. This will modify the existing drug regulations. No regulatory analysis was done because there are few, if any, small entities that operate hazardous liquid or carbon dioxide pipelines subject to part 195, or liquid natural gas facilities subject to part 193.**Agency Contact:** Catrina Pavlik, Drug/Alcohol Program Analyst, Room 2335, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6199
Fax: 202 366-4566**RIN:** 2137-AC84

DEPARTMENT OF TRANSPORTATION (DOT)

Final Rule Stage

Research and Special Programs Administration (RSPA)

2530. +HAZARDOUS MATERIALS IN INTRASTATE COMMERCE**Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 107; 49 CFR 171 to 180**Legal Deadline:** None**Abstract:** This rulemaking proposes to extend the application of the hazardous materials regulations (HMR) to all intrastate transportation of hazardous materials in commerce. The 1990 amendments to Federal hazardous material transportation law mandate

that the Research and Special Programs Administration (RSPA) regulate the safe transportation of hazardous materials in intrastate, in addition to interstate and foreign, commerce. The goal of this action is to raise the safety level of hazardous transportation by promoting national uniformity of the regulations. Currently the regulations generally do not apply to intrastate carriage by highway, with the exception of hazardous waste, hazardous substances, and flammable cryogenic liquids in portable tanks and cargo tanks. The supplemental notice would propose to extend the mandatory compliance date for regulations applicable to certain cargo tanks, and propose a "materials of trade" exception for relatively small quantities of hazardous materials contained on service vehicles operated

by plumbing, welding, and lawn service companies.

Statement of Need: Section 5103(b)(1) of Title 49, USC, specifies that the Secretary shall prescribe regulations for the safe transportation of hazardous materials in intrastate, interstate, and foreign commerce. This statutory mandate follows the Department's long-standing policy of encouraging the States to adopt the HMR as a means of promoting national uniformity and transportation safety. In addition, the Federal Highway Administration (FHWA) requires States to adopt and enforce the highway-related portions of the HMR to qualify for grants under FHWA's Motor Carrier Safety Assistance Program.

Comments submitted in response to the original notice of proposed rulemaking

DOT—RSPA

Final Rule Stage

advised RSPA that many cargo tank motor vehicles currently used by farmers and small businesses would need to be removed from hazardous materials service far in advance of the useful life of the tanks, or require extensive retrofitting. Other commenters noted the potential for significant adverse impact on small businesses that engage in the incidental transportation of hazardous materials used in support of their non-transportation-related commercial activities. To adequately address these concerns, RSPA is considering certain proposals that would require prior notice to the regulated community.

Summary of the Legal Basis: Section 5103(b)(1) of Title 49 USC, specifies that the Secretary shall prescribe regulations for the safe transportation of hazardous materials in intrastate, interstate, and foreign commerce.

Alternatives: The statutory mandate to regulate the transportation of hazardous materials in intrastate commerce requires RSPA to take affirmative action. The alternative to the proposed action is to require immediate and uniform application of hazardous materials by motor vehicle.

Anticipated Costs and Benefits: A preliminary regulatory evaluation prepared by RSPA considered potential costs and benefits in seven States (California, Georgia, Iowa, Illinois, Kansas, Texas, and Wyoming) having State regulations that are not in full conformance with the HMR. The preliminary estimate of costs and benefits for these seven States (where the regulatory cost impact would be the greatest) demonstrates a favorable benefit/cost ratio of approximately 3:1. The supplemental notice for "materials of trade" has the potential for annual savings by small businesses on the order of \$50 million.

Risks: There are several major considerations involved in developing uniform intrastate/interstate regulations for the transportation of hazardous materials in commerce. Most hazardous materials are of such a nature that no useful distinction can be made as to why intrastate transportation should be subject to less demanding safety standards than interstate counterparts. For example, the transportation of gasoline in a cargo tank presents the same level of risk to the public regardless of whether the transportation is intrastate or interstate.

It is neither economical nor efficient for each of the 50 states to duplicate RSPA's expertise and safety research efforts with respect to classification of hazardous materials; determination of transportation risks; and development of effective transportation safety standards. Economically and administratively, it is more efficient for State and local emergency response and enforcement personnel to focus on and become more proficient in one set of regulations that uniformly apply to the transportation of hazardous materials regardless of whether intrastate or interstate.

Emergency response personnel may not be able to make distinctions as to whether hazardous materials carriers are in intrastate or interstate service. Emergency response personnel reacting to incidents involving hazardous materials must first identify the specific hazards before determining a proper response. An inappropriate response involving an unfamiliar hazardous material carried intrastate by a cargo tank not subject to the HMR can significantly endanger the public, community, and environment. Also response to an incident involving materials, carried intrastate by a cargo tank, which are found to be nonhazardous, may cause inconvenience and needless economic hardship on the public and surrounding community. Communities have been evacuated on the mere suspicion that hazardous materials are present. Major roads and arteries have been closed and transportation patterns and delivery schedules have been disrupted or delayed because of poor or inadequate emergency planning and response. By adopting and becoming more proficient in one set of regulations, the effectiveness of State and local emergency response and enforcement programs will be increased, and transportation safety will be enhanced with respect to both intrastate and interstate transportation of hazardous materials.

This rule will address legitimate public concerns about incidents involving hazardous materials in intrastate commerce. Such incidents now lead to public concern regarding the transportation of hazardous materials and the risks associated with such movements in the form of increased State activity and Congressional pressure to further regulate both intrastate and interstate carriers of

hazardous materials without regard to the underlying costs and benefits.

Timetable:

Action	Date	FR Cite
ANPRM	06/29/87	52 FR 24195
Comment Period Extended to 11/28/87	09/21/87	52 FR 35464
ANPRM Comment Period End	09/28/87	
NPRM	07/09/93	58 FR 36920
NPRM Correction	07/15/93	58 FR 38111
NPRM Comment Period End	10/13/93	
SNPRM	03/20/96	61 FR 11484
SNPRM Comment Period End	06/17/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation 07/09/93 (58 FR 36920)

Additional Information: Docket No. HM-200. Regarding Small Entities Affected by this rule, RSPA is working with the Small Business Administration to identify the small entities affected and to minimize the impact on them. Public meeting 5/14/96.

Agency Contact: Jacquelyn Smith, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4488

RIN: 2137-AB37

2531. DETERMINING THE EXTENT OF CORROSION ON EXPOSED GAS PIPELINES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192

Legal Deadline: None

Abstract: Corrosion is a major cause of gas and hazardous liquid pipeline accidents. A safety standard applicable to liquid pipelines requires operators to examine exposed pipe for evidence of external corrosion and, if harmful corrosion is found, to investigate further to determine the extent of the corrosion. This action proposes that exposed gas pipelines with evidence of harmful corrosion be investigated to determine the extent of the corrosion.

DOT—RSPA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	06/27/89	54 FR 27041
NPRM Comment Period End	09/25/89	
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
06/27/89 (54 FR 27041)

Additional Information: Docket No. PS-107. National Transportation Safety Board Recommendation P.87-3 provides a basis for this action.

Agency Contact: C. Sames, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4561

RIN: 2137-AB50

2532. PASSAGE OF INTERNAL INSPECTION DEVICES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: None

Abstract: This rulemaking established minimum Federal pipeline safety standards requiring that new and replacement gas transmission and hazardous liquid pipelines be designed to accommodate the passage of internal inspection devices. This rulemaking is mandated by 49 U.S.C. 60101 et seq. In response to petitions for reconsideration of the final rule, an additional NPRM was issued proposing to limit the rule with respect to replacement of offshore gas transmission lines in rural areas.

Timetable:

Action	Date	FR Cite
NPRM	11/20/92	57 FR 54745
Final Rule	04/12/94	59 FR 17275
NPRM	09/30/94	59 FR 49896
NPRM Correction	10/19/94	59 FR 52863
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/12/94 (59 FR 17275)

Additional Information: Docket No. PS-126. The integrity testing proposal in "Proposals for Pipeline Safety," RIN

2137-AB27, was consolidated, in part, in this rulemaking.

Agency Contact: A. Garnett, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2036

RIN: 2137-AB71

2533. +IMPROVEMENTS TO HAZARDOUS MATERIALS IDENTIFICATION SYSTEMS

Priority: Other Significant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 172

Legal Deadline:

Final, Statutory, June 16, 1992, complete rulemaking on central reporting system and computerized telecommunications data center. Final, Statutory, May 16, 1993, complete rulemaking on continually monitored telephone systems. Final, Statutory, May 16, 1993, final rule on improving system for placarding vehicles transporting hazardous materials.

Abstract: This rulemaking proposes incremental improvements to the hazardous materials identification system addressing placarding and identification number marking displays on transport vehicles, fumigated materials marking requirements, and carrier requirements for notification of incidents. This rulemaking is considered significant because of substantial public interest and safety implications.

Timetable:

Action	Date	FR Cite
ANPRM	06/09/92	57 FR 24532
ANPRM Comment Period Extended to 10/09/92	08/05/92	57 FR 34542
ANPRM Comment Period End	08/10/92	
NPRM	08/15/94	59 FR 41848
Public Hearing Notice	08/15/94	59 FR 41848
NPRM Correction	08/26/94	59 FR 44230
Further NPRM Correction	08/30/94	59 FR 44795
NPRM Comment Period End	12/02/94	
Final Action	09/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
08/15/94 (59 FR 41848)

Additional Information: Docket HM-206. Formerly entitled "Improving Hazardous Materials Identification: Placarding; Reporting/Tracking; and Continually Monitored Telephone Systems."

Agency Contact: H. Engrum, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4488

RIN: 2137-AB75

2534. +EXCESS FLOW VALVE—PERFORMANCE STANDARDS

Priority: Other Significant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192

Legal Deadline: Final, Statutory, April 24, 1994.

Abstract: Service line breaks due to excavation damage and other causes continue to be a threat to public safety, despite the precautions being taken through one-call damage prevention programs and line surveys for corrosion or leaks. This rulemaking is considered significant because it concerns a matter of substantial public and congressional interest. This final rule specifies performance standards for EFV's that are installed in single- residences gas service lines.

Timetable:

Action	Date	FR Cite
ANPRM	12/20/90	55 FR 52188
ANPRM Comment Period End	03/20/91	
NPRM	04/21/93	58 FR 21524
NPRM Notice of meeting and extension of comment period to 7/6/93	06/15/93	58 FR 33064
NPRM Comment Period End	06/21/93	
NPRM Comment Period Extended to 10/03/94	08/02/94	59 FR 39319
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
04/21/93 (58 FR 21524)

Additional Information: Docket No. PS-118.

DOT—RSPA

Final Rule Stage

Agency Contact: M. Israni, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4571

RIN: 2137-AB97

2535. TANK CARS AND CARGO TANK MOTOR VEHICLES: ATTENDANCE REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 174; 49 CFR 177

Legal Deadline: None

Abstract: This action proposes to establish standards to allow the use of electronic surveillance and monitoring equipment (signalling systems) for unloading tank cars and loading cargo tank motor vehicles, and to revise other unloading requirements for tank cars. This action would recognize recent technological innovations and improve safety during the loading/unloading of bulk quantities of hazardous materials.

Timetable:

Action	Date	FR Cite
NPRM	09/14/92	57 FR 42466
NPRM Comment Period End	12/14/92	
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
09/14/92 (57 FR 42466)

Additional Information: Docket No. HM-212.

Agency Contact: Jennifer Karim, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-4488

RIN: 2137-AC24

2536. +REGULATORY REVIEW: GAS PIPELINE SAFETY STANDARDS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192

Legal Deadline: None

Abstract: Gas pipeline safety standards would be amended or clarified to eliminate burdensome requirements without reducing safety. This action is significant because it would reduce regulatory burden that could hinder economic growth, and because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	08/31/92	57 FR 39572
NPRM Comment Period End	09/30/92	
Notice of Request for Information	11/09/93	58 FR 59431
Extension of Comment Period on Request for Information	12/27/93	58 FR 68382
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
08/31/92 (57 FR 39572)

Additional Information: Docket No. PS-124. Certain proposals in "Alternative Weld Defect Acceptance Criteria," RIN 2137-AC03; "Petroleum Gas Systems," RIN 2137-AC04; and "Temperature Limits for Plastic Gas Pipelines," RIN 2137-AC20 have been consolidated into this rulemaking.

Agency Contact: B. Furrow, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-4559

RIN: 2137-AC25

2537. REGULATORY REVIEW: ADMINISTRATIVE PRACTICES, REPORTING PIPELINE INCIDENTS, GAS PIPELINE STANDARDS, AND LIQUEFIED NATURAL GAS FACILITY STANDARDS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 190; 49 CFR 191; 49 CFR 192; 49 CFR 193

Legal Deadline: None

Abstract: Administrative practices and various gas pipeline and liquefied natural gas facility requirements would be amended to eliminate burdensome requirements without reducing safety. This action would reduce regulatory impediments to economic growth.

Timetable:

Action	Date	FR Cite
NPRM	11/06/92	57 FR 53085
NPRM Comment Period End	12/07/92	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
11/06/92 (57 FR 53085)

Additional Information: Docket No. PS-125. Proposals in "Regulatory Review: Liquefied Natural Gas Facilities," RIN 2137-AC29, were consolidated into this rulemaking.

Agency Contact: L.E. Herrick, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-6223

RIN: 2137-AC28

2538. +RESPONSE PLANS FOR ONSHORE OIL PIPELINES

Priority: Other Significant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 194

Legal Deadline: Final, Statutory,
August 18, 1992.

Abstract: This interim final rule establishes regulations requiring response plans for certain onshore oil pipelines. Those regulations are mandated by the Federal Water Pollution Control Act as amended by the Oil Pollution Act of 1990 (Pub. L. 101-380). The purpose of these requirements is to improve response capabilities and minimize the impact of onshore oil spills from pipelines.

This rule is significant because of substantial public and congressional interest.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/05/93	58 FR 244

DOT—RSPA

Final Rule Stage

Action	Date	FR Cite
Interim Final Rule Comment Period End 02/19/93	01/05/93	
Notice of Public Meeting on 6/28/94 to Discuss Issues	06/15/94	59 FR 30755
Public Meeting Comment Period End	08/01/94	
Final Action	03/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
01/05/93 (58 FR 244)

Additional Information: Docket No. PS-130.

Agency Contact: Jim Taylor,
Department of Transportation, Research
and Special Programs Administration,
400 Seventh Street SW., Washington,
DC 20590
Phone: 202 366-8860

RIN: 2137-AC30

2539. +OIL SPILL PREVENTION AND RESPONSE PLANS

Priority: Other Significant

Legal Authority: 33 USC 1321(j)(5)

CFR Citation: 49 CFR 130

Legal Deadline: Final, Statutory,
August 18, 1992.

Abstract: This action requires owners and operators of cargo tanks and tank cars used to transport oil to prepare plans addressing how they would respond to incidents involving release of oil. These regulations are required by the Oil Pollution Act of 1990 (PL 101-380). The purpose of these regulations is to improve response capabilities and minimize the impact of onshore oil spills. This rule is significant because of substantial public and congressional interest.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/02/93	58 FR 6864
Interim Final Rule; Correction	02/17/93	58 FR 8820
Interim Final Rule; Public Hearing Notice; Comments Due 06/03/93	04/20/93	58 FR 21260
Interim Final Rule; Comment Period End 7/30/93	06/16/93	58 FR 33302

Action	Date	FR Cite
Interim Final Rule; Agenda for Public Meeting	06/22/93	58 FR 33918
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
06/16/93 (58 FR 33302)

Additional Information: Docket Nos. HM-214 and PC-1. All rulemaking now under Docket No. PC-1. Formerly entitled "Oil and Hazardous Substances: Spill Prevention, Containment, and Response Plans."

Agency Contact: Diane LaValle,
Transportation Regulations Specialist,
Department of Transportation, Research
and Special Programs Administration,
400 Seventh Street SW., Washington,
DC 20590
Phone: 202 366-4488

RIN: 2137-AC31

2540. MANDATORY PARTICIPATION IN QUALIFIED ONE-CALL SYSTEMS BY PIPELINE OPERATORS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to
60125

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: None

Abstract: This action would require operators of gas and hazardous liquid pipelines to participate in qualified one-call damage prevention systems.

Timetable:

Action	Date	FR Cite
NPRM	03/20/95	60 FR 14714
NPRM Comment Period End	05/19/95	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: Docket No. PS-101A.

Agency Contact: C. Sames, Department
of Transportation, Research and Special
Programs Administration, 400 Seventh
Street SW., Washington, DC 20590
Phone: 202 366-4561

RIN: 2137-AC57

2541. REVISION OF CYLINDER QUALIFICATION REQUIREMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 173; 49 CFR 178

Legal Deadline: None

Abstract: This action would revise the existing cylinder periodic inspection, testing, and requalification requirements contained in the Hazardous Materials Regulations. By clarifying regulatory language, incorporating legal interpretations, and recognizing reliable industry practices that have developed over time, this action would provide guidance to the regulated public and improve the enforceability of the regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/18/95	60 FR 54008
Comment period	12/15/95	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket HM-220A

Agency Contact: Theresa Gwynn,
Regulations Specialist, Department of
Transportation, Research and Special
Programs Administration, 400 Seventh
Street SW., Washington, DC 20590-0001
Phone: 202 366-4488

RIN: 2137-AC59

2542. REVISION OF EXEMPTION, APPROVAL, REGISTRATION, AND REPORTING PROCEDURES

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1321; 49 USC 5101 to 5127

CFR Citation: 49 CFR 106; 49 CFR 107;
49 CFR 171

Legal Deadline: None

DOT—RSPA

Final Rule Stage

Abstract: This action proposes to make necessary revisions to update and clarify the rulemaking, exemption, and approval processes. In addition, this action would codify interpretations of several terms concerning hazardous materials transportation jurisdiction (e.g., "in commerce").

Timetable:

Action	Date	FR Cite
NPRM	09/13/95	60 FR 47723
NPRM Comment Period End	11/28/95	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. HM-207C.

Agency Contact: J. Antonielli, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-8553

RIN: 2137-AC63

2543. PIPELINE SAFETY USER FEES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60301

CFR Citation: 49 CFR 190

Legal Deadline: None

Abstract: This action proposes changes in procedures for administering user fee assessments for natural gas, liquefied natural gas, and hazardous liquid pipeline facilities. The proposed changes are needed to clarify definitions and procedures for fee assessment.

Timetable:

Action	Date	FR Cite
Notice: Request for Comments by 3/6/95	02/03/95	60 FR 6767
Notice: Response to Comments	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. PS-138.

Agency Contact: Lisa Kokoszka, Management and Program Analyst, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001

Phone: 202 366-4554

RIN: 2137-AC65

2544. TRANSPORTATION OF HAZARDOUS MATERIALS BY RAILROAD; MISCELLANEOUS AMENDMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171; 49 CFR 172; 49 CFR 173; 49 CFR 174; 49 CFR 179

Legal Deadline: None

Abstract: This rulemaking would implement miscellaneous changes to rail requirements for transportation of hazardous materials. It would reduce markings on tank cars and other regulatory burdens based on petitions from industry and other agencies and RSPA initiative.

Timetable:

Action	Date	FR Cite
NPRM	12/19/95	60 FR 65492
NPRM Comment Period End	02/22/96	
Final Action	06/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. HM-216

Agency Contact: Beth Romo, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590-0001

Phone: 202 366-8553

RIN: 2137-AC66

2545. CONTROL OF DRUG USE AND ALCOHOL MISUSE IN NATURAL GAS, LIQUEFIED NATURAL GAS, AND HAZARDOUS LIQUID PIPELINE OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 et seq

CFR Citation: 49 CFR 199

Legal Deadline: None

Abstract: This action would delete a requirement covering drug testing of

persons located outside the United States who perform pipeline safety operations.

Timetable:

Action	Date	FR Cite
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. PS-102, Amendment 13.

Agency Contact: Catrina Pavlik, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-6199

RIN: 2137-AC67

2546. ELIMINATION OF UNNECESSARY, OBSOLETE, AND DUPLICATIVE REQUIREMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 106 to 107; 49 CFR 171 to 180

Legal Deadline: None

Abstract: This rulemaking responds to the President's directive to all heads of departments and agencies to review and eliminate all unnecessary, obsolete and duplicative regulations. The regulations identified in this action are being proposed to be deleted because they meet the criteria established by the President.

Timetable:

Action	Date	FR Cite
NPRM	10/13/95	60 FR 53321
NPRM Comment Period End	12/18/95	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. HM-222A

Agency Contact: J. Gale, Department of Transportation, Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590

Phone: 202 366-4488

RIN: 2137-AC69

DOT—RSPA

Final Rule Stage

2547. TICKETING PROGRAM FOR HAZARDOUS MATERIALS VIOLATIONS**Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 106 to 107; 49 CFR 171 to 180**Legal Deadline:** None**Abstract:** This rulemaking establishes a ticketing program for certain less serious hazardous materials violations which would result in imposition of reduced penalties for those violations. It is consistent with National Performance Review recommendations for new approaches to enforcement. It will eliminate the necessity for civil penalty case processing of certain violations and result in cost savings for industry and government.**Timetable:**

Action	Date	FR Cite
NPRM	08/21/95	60 FR 43430
NPRM Comment Period End	10/20/95	
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** Docket No. HM-207E**Agency Contact:** Nancy Machado, Attorney, Department of Transportation, Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-4400
Fax: 202 366-7041**RIN:** 2137-AC70**2548. • DIRECT FINAL RULE PROCEDURE; PETITIONS FOR RULEMAKING****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 106**Legal Deadline:** None**Abstract:** The proposed amendments set forth "direct final rule" procedures, which allow the agency to issue a final rule that provides notice and an opportunity to comment in certain non-controversial rulemakings. If adverse comment is received, the agency will withdraw the direct final rule and may issue a Notice of Proposed Rulemaking. The proposed amendments also specify the required contents of a petition for rulemaking; provide that petitions for reconsideration be filed with the appropriate Associate Administrator instead of the Administrator; add a new right of appeal to the Administrator; and clarify that the Chief Counsel has delegated rulemaking authority.**Timetable:**

Action	Date	FR Cite
NPRM	12/18/95	60 FR 65210
NPRM Comment Period End	02/16/96	
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Nancy Machado, Attorney, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4400

Fax: 202 366-7041

RIN: 2137-AC75**2549. • PRESSURE TESTING OLDER HAZARDOUS LIQUID AND CARBON DIOXIDE PIPELINES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 60101 to 60125**CFR Citation:** 49 CFR 195**Legal Deadline:** None**Abstract:** This action proposes to extend the time for compliance with the requirements to plan and schedule pressure testing of older hazardous liquid and carbon dioxide pipelines. The deadline of December 7, 1995 that establishes regulations for planning and scheduling pressure testing is proposed to be extended to December 7, 1996. If RIN 2137-AC78 is issued as a final rule, then this rulemaking will not be needed.**Timetable:**

Action	Date	FR Cite
NPRM	10/23/95	60 FR 54328
NPRM Comment Period End	11/22/95	
Final Action	10/00/96	

Small Entities Affected: Undetermined**Government Levels Affected:** None**Additional Information:** The NPRM was published under the RIN used for the final rule of June 1994 (RIN 2137-AB46). A related rulemaking is RIN 2137-AC78, Risk-Based Alternative to Pressure Testing Rule.**Agency Contact:** Mike Israni, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4571
Fax: 202 366-4566**RIN:** 2137-AC83**DEPARTMENT OF TRANSPORTATION (DOT)
Research and Special Programs Administration (RSPA)**

Long-Term Actions

2550. QUANTITY LIMITATIONS ABOARD AIRCRAFT**Priority:** Substantive, Nonsignificant**CFR Citation:** 49 CFR 175**Timetable:**

Action	Date	FR Cite
ANPRM	04/06/84	49 FR 13717
ANPRM Comment Period End	09/01/84	
NPRM	02/13/85	50 FR 6013

NPRM Comment 05/30/85
Period End

Next Action Undetermined

Small Entities Affected: None**Government Levels Affected:** Undetermined

DOT—RSPA

Long-Term Actions

Agency Contact: Jennifer Antonielli
Phone: 202 366-4488
RIN: 2137-AA85

2551. +SAFEGUARDING FOOD FROM CONTAMINATION DURING TRANSPORTATION

Priority: Other Significant

CFR Citation: 49 CFR 1

Timetable:

Action	Date	FR Cite
ANPRM	02/20/91	56 FR 6934
ANPRM Comment Period Extended to 04/29/91	03/21/91	56 FR 11982
ANPRM Comment Period End	03/26/91	
NPRM	05/21/93	58 FR 29698
Public Hearings Notice	05/21/93	58 FR 29698
NPRM Comment Period End	10/18/93	
Next Action Undetermined		
Small Entities Affected: None		

Government Levels Affected: None

Agency Contact: E. Richards/J. Gale
Phone: 202 366-0656

RIN: 2137-AC00

2552. AREAS UNUSUALLY SENSITIVE TO ENVIRONMENTAL DAMAGE

Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 195

Timetable:

Action	Date	FR Cite
Public Meeting and Supplemental Notice	06/22/94	59 FR 32178
Public Meeting Comment Period End	08/01/94	
Extended comment period end	06/26/95	
Comment Period Extended to 8/25/95	07/10/95	60 FR 35549
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Christina Sames
Phone: 202 366-4561

RIN: 2137-AC34

2553. SAFETY PERMITS—SHIPPER'S RESPONSIBILITY

Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 171

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Helen Engrum
Phone: 202 366-4488

RIN: 2137-AC45

DEPARTMENT OF TRANSPORTATION (DOT)

Completed Actions

Research and Special Programs Administration (RSPA)

2554. TRANSPORTATION OF HYDROGEN SULFIDE BY PIPELINE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192

Legal Deadline: None

Abstract: In a few reported instances, excessive amounts of hydrogen sulfide were introduced into natural gas pipelines. High concentrations of hydrogen sulfide are very detrimental to steel pipelines and extremely toxic. This action examined the need to establish a maximum allowable concentration and other control measures. Based upon public comments and the views of its gas pipeline advisory committee, RSPA has withdrawn this proposed rule.

Timetable:

Action	Date	FR Cite
ANPRM	06/07/89	54 FR 24361
ANPRM Comment Period End	09/05/89	
NPRM	03/18/91	56 FR 11490
NPRM Comment Period End	06/17/91	
Withdrawn	03/07/96	61 FR 9133

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation
03/18/91 (56 FR 11490)

Additional Information: Docket No. PS-106. As a result of public comments, this action will be withdrawn.

Agency Contact: M. Israni, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4571

RIN: 2137-AB63

2555. HAZARDOUS LIQUID GATHERING LINE DEFINITION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 195

Legal Deadline: Final, Statutory, October 24, 1994.

Abstract: The existing definition of liquid "gathering line" was thought to need a clearer definition to distinguish gathering lines from other liquid pipelines. It has been decided that this is not the case and no further activity is contemplated.

Timetable:

Action	Date	FR Cite
Action Terminated	02/14/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Richard Huriaux, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-4595

RIN: 2137-AC52

2556. HAZARDOUS MATERIALS REGULATIONS: EDITORIAL CORRECTIONS AND CLARIFICATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 106 to 180

Legal Deadline: None

Abstract: Published annually, this action corrects typographical and editorial errors and makes minor regulatory changes. This facilitates the correction of errors immediately prior to the annual updating of the CFR.

DOT—RSPA

Completed Actions

Timetable:

Action	Date	FR Cite
Final Action	09/21/95	60 FR 49106
Final Action Effective	10/01/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. HM-189L.

Agency Contact: Joan McIntyre, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137-AC72

2557. • EXTENSION OF AUTHORITY FOR OPEN-HEAD FIBER DRUM PACKAGING FOR LIQUID HAZARDOUS MATERIALS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171

Legal Deadline: Final, Statutory, February 27, 1996.
60 days from enactment of ICC Sunset Act (Pub. L. 104-88)

Abstract: This rule authorizes continued use of open-head fiber drums as an authorized packaging for liquid hazardous materials through the later of September 30, 1997, or the reauthorization of the hazardous materials program, pending results and recommendations of an independent organization's consideration of alternative standards that are intended

to assure an equivalent level of safety to that specified in the HMR.

Timetable:

Action	Date	FR Cite
NPRM	01/09/96	61 FR 688
NPRM Comment Period End	02/05/96	
Final Action	02/29/96	61 FR 7958
Final Action Effective	10/01/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. HM-221A

Agency Contact: Diane LaValle, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Fax: 202 366-3753

RIN: 2137-AC77

DEPARTMENT OF TRANSPORTATION (DOT)

Proposed Rule Stage

Maritime Administration (MarAd)

2558. +FAIR AND REASONABLE RATES: BULK AND PACKAGED PREFERENCE CARGOES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 46 app USC 1114(b); 46 app USC 1241(b)

CFR Citation: 46 CFR 382

Legal Deadline: None

Abstract: In an effort to encourage the development of a modern and efficient U.S. flag bulk fleet and to help lower government-wide cargo preference program costs, MARAD is considering changes in its methodology for the determination of fair and reasonable rates. MARAD has identified three alternative methodologies which it might consider. Fair and reasonable rate determinations are now provided to U.S. government shippers of preference cargo, thereby creating ceiling rates which limit government costs and the revenue U.S. flag operators receive for ocean cargo transportation. This is significant due to substantial industry and government

interest. Common carrier liner services are being considered in a rulemaking RIN 2133-AB16.

Timetable:

Action	Date	FR Cite
ANPRM	04/19/95	60 FR 19559
ANPRM Comment Period End	06/19/95	
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Michael P. Ferris, Director, Office of Costs and Rates, Department of Transportation, Maritime Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2324

RIN: 2133-AB19

2559. • CARGO PREFERENCE: AVAILABLE U.S.-FLAG COMMERCIAL VESSELS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 46 app USC 1114(b); 46 app USC 1241(b)

CFR Citation: 46 CFR 381

Legal Deadline: None

Abstract: This amendment to the cargo preference regulation of MARAD would provide that during the five year period beginning with 1996 Great Lakes shipping season when the St. Lawrence Seaway is in use, MARAD will consider the legal requirement for the carriage of bulk agricultural commodity preference cargoes on privately-owned "available" U.S.-flag commercial vessels to have been satisfied where the cargo is initially loaded at a Great Lakes port on one or more U.S.-flag or foreign-flag vessels, transferred to a U.S.-flag commercial vessel at a Canadian transshipment point outside the St. Lawrence Seaway, and carried on that U.S.-flag vessel to a foreign destination. This provision would allow U.S. Great Lakes ports to compete for certain agricultural commodity preference cargoes under agricultural assistance programs administered by the USDA and USAID. MARAD issued rules in 1994 (see RIN 2133-AB13) and 1995 (see RIN 2133-AB17) related to the Great Lakes season for each of those years. This rule would extend the provision for an additional five years.

DOT—MarAd

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	03/11/96	61 FR 9670
NPRM Comment Period End	04/10/96	
Final Action	08/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal**Agency Contact:** Lance Shirley, Chief, Division of Agricultural Cargoes, Department of Transportation, MaritimeAdministration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1915**RIN:** 2133-AB25

DEPARTMENT OF TRANSPORTATION (DOT)

Final Rule Stage

Maritime Administration (MarAd)

2560. +OBLIGATION GUARANTEES: PROGRAM ADMINISTRATION**Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 46 app USC 1114(b); 46 app USC 1271 et seq**CFR Citation:** 46 CFR 298; 49 CFR 1.66**Legal Deadline:** None**Abstract:** This action amends regulations implementing title XI of the Merchant Marine Act, 1936, to improve administration of the entire "obligation guarantees" program. MARAD administers financial assistance in the form of obligation guarantees for all types of vessel construction and shipyard modernization and improvement, except for fishing vessels. This rulemaking would significantly shorten the time for processing applications for guarantees and reduce information required. This action is considered significant because of substantial public interest in financial assistance for the U.S. shipbuilding industry.**Timetable:**

Action	Date	FR Cite
NPRM	04/26/95	60 FR 20592
NPRM Comment Period End	05/26/95	
NPRM Comment Period Extended to 6/13/95	05/30/95	60 FR 28077
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal**Sectors Affected:** 441 Deep Sea Foreign Transportation of Freight; 442 Deep Sea Domestic Transportation of Freight**Additional Information:** In an earlier action with the same title (RIN 2133-

AB09), MARAD issued a final rule (9/16/94) to implement the National Shipbuilding Initiative which was part of the National Defense Authorization Act for 1994.

Agency Contact: Mitchell D. Lax, Director, Office of Ship Financing, Department of Transportation, Maritime Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5744**RIN:** 2133-AB14**2561. +GUIDELINE RATES: LESS-THAN-SHIPLOAD LOTS OF BULK PREFERENCE CARGOES ON LINER VESSELS****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 46 app USC 1114(b); 46 app USC 1241(b)**CFR Citation:** 46 CFR 383**Legal Deadline:** None**Abstract:** At the request of the U.S. Department of Agriculture (USDA) and the Agency for International Development (AID), the major U.S. government shipping agencies, MARAD is providing those agencies with guideline rates for bagged and packaged agriculture commodities carried on liner vessels. MARAD already provides guideline rates to USDA and AID for such commodities carried on bulk vessels under similar regulations at 46 CFR Part 382. This amendment to 46 CFR 383 extends the scope of the rule to include bagged or packaged agricultural commodities in parcels of 5,000 tons or greater carried on vessels in liner service. It is significant because it would affect other Federal agencies which have requested that MARAD provide them with such guideline rates.**Timetable:**

Action	Date	FR Cite
NPRM	04/26/95	60 FR 20069
NPRM Comment Period End	06/23/95	
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal**Agency Contact:** Michael P. Ferris, Director, Office of Cost and Rates Department of Transportation, Maritime Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2324**RIN:** 2133-AB16**2562. • +MARITIME SECURITY PROGRAM REGULATION****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** Not yet determined**CFR Citation:** 46 CFR 295**Legal Deadline:** None**Abstract:** This rule would provide procedures to implement the provisions of the Maritime Security Act of 1995 which would establish a new 10-year Maritime Security Program to support U.S.-flag vessel operations in foreign commerce through assistance payments. This rule is significant because it represents an important policy change and because of substantial industry interest in it.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None

DOT—MarAd

Final Rule Stage

Agency Contact: James E. Caponiti,
Director, Office of Sealift Support,
Department of Transportation, Maritime

Administration, 400 Seventh Street
SW., Washington, DC 20590

Phone: 202 366-2323

RIN: 2133-AB24

DEPARTMENT OF TRANSPORTATION (DOT)

Completed Actions

Maritime Administration (MarAd)

**2563. +CARGO PREFERENCE—U.S.-
FLAG VESSELS: UNIFORM
CONTRACTING REQUIREMENTS FOR
FEDERAL PROGRAM PARTICIPANTS**

Priority: Other Significant

Legal Authority: 46 app USC 1241(b)

CFR Citation: 46 CFR 381

Legal Deadline: None

Abstract: MARAD considered amendments to its cargo preference regulations intended to ensure that U.S.-flag carriers be allowed to carry preference cargoes subject to standard commercial contract and contract tender terms. While action is needed to eliminate charter party terms that are at variance with generally accepted commercial terms and which discriminate against U.S.-flag carriers of agricultural commodity preference cargoes, this will be accomplished through cooperation between MARAD, USDA, and USAID. Because of this accommodation of MARAD's concerns and objectives, the rulemaking is being terminated.

Timetable:

Action	Date	FR Cite
Action Terminated	12/31/95	

Small Entities Affected: None

Government Levels Affected: Federal

Sectors Affected: 441 Deep Sea
Foreign Transportation of Freight

Agency Contact: Ted Bembenek, Jr.,
Director, Office of Cargo Preference,
Department of Transportation, Maritime
Administration, 400 Seventh Street
SW., Washington, DC 20590
Phone: 202 366-4610

RIN: 2133-AA95

Abstract: This rulemaking removes voluminous forms from MARAD's war risk regulations. It also makes minor nonsubstantive changes regarding agency organization and procedure with respect to application for war risk insurance, payment of premiums and payment for loss claims. The regulations had included many lengthy forms and now they provide a general description of the content of the various forms. The actual forms may be obtained from MARAD.

Timetable:

Action	Date	FR Cite
Final Action	01/16/96	61 FR 1130

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Edmond Fitzgerald,
Director, Office of Subsidy and
Insurance, Department of
Transportation, Maritime
Administration, 400 Seventh Street
SW., Washington, DC 20590
Phone: 202 366-2400

RIN: 2133-AB23

2564. • WAR RISK INSURANCE

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 46 app USC 1114(b)

CFR Citation: 46 CFR 308

Legal Deadline: None

DEPARTMENT OF TRANSPORTATION (DOT)

Prerule Stage

Bureau of Transportation Statistics (BTS)

**2565. MODERNIZING THE
PASSENGER ORIGIN-DESTINATION
SURVEY**

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 41708; 49
USC 41709

CFR Citation: 14 CFR 241

Legal Deadline: None

Abstract: Historically, the source document for the Passenger Origin-Destination Survey was the auditor's coupon of the ticket. Until recently, these coupons provided all the information that was needed for the Survey. In the last few years, the carriers have begun using trip passes

in conjunction with the tickets, thereby eliminating some of the data that is required to be reported in the Survey. Other innovations used by the industry, such as funnel flights and code-sharing, have impacted the Survey and obscured some of the data that is required to be reported, such as change of planes and junction points. This rulemaking will explore whether there are alternative sources for the data and modernize the collection system to keep pace with the industry.

Timetable:

Action	Date	FR Cite
ANPRM	08/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This rulemaking is now being administered by the Bureau of Transportation Statistics (BTS) since the Office of Aviation Information has been transferred to BTS from RSPA. (Formerly RIN 2137-AB92)

Agency Contact: M. Clay Moritz, Jr.,
Acting Chief, Regulations Division,
Office of Airline Information, K-25,
Department of Transportation, Bureau
of Transportation Statistics, 400
Seventh Street SW., Washington, DC
20590

Phone: 202 366-4385

RIN: 2139-AA01

DEPARTMENT OF TRANSPORTATION (DOT)**Proposed Rule Stage****Bureau of Transportation Statistics (BTS)****2566. • AMENDMENT TO PASSENGER ORIGIN-DESTINATION SURVEY****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 41708; 49 USC 41709**CFR Citation:** 14 CFR 241**Legal Deadline:** None**Abstract:** This rulemaking proposes that large certificated U.S. air carriers participating in code-share arrangements report both the ticketing

and operating air carrier in their quarterly Passenger Origin-Destination Survey reports. The rule also proposes to standardize the character record layout that is used for electronic submissions.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** A notice on this subject was published 10/23/95 (60 FR 54407).**Agency Contact:** M. Clay Moritz, Jr., Acting Chief, Regulations Division, Office of Airline Information, K-25, Department of Transportation, Bureau of Transportation Statistics, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4385

RIN: 2139-AA04**DEPARTMENT OF TRANSPORTATION (DOT)****Final Rule Stage****Bureau of Transportation Statistics (BTS)****2567. +AMENDMENTS TO THE ON-TIME DISCLOSURE RULE****Priority:** Other Significant**Legal Authority:** 49 USC 40101; 49 USC 40114; 49 USC 41702; 49 USC 41708; 49 USC 41712; 5 USC 553(e)**CFR Citation:** 14 CFR 234; 14 CFR 302.38**Legal Deadline:** None**Abstract:** This action proposes to reinstate the exclusion of flights delayed or cancelled because of mechanical problems from air carriers on-time flight reports.**Timetable:**

Action	Date	FR Cite
NPRM	06/05/95	60 FR 29514
NPRM Comment Period End	07/05/95	
Comment Period Extended to 8/5/95	07/06/95	60 FR 35158
Final Action	06/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Additional Information:** The NPRM was published under RSPA RIN 2137-AC67. However, since BTS is now separate from RSPA this new RIN 2139-AA00

has been assigned and will be used for future actions. This rule is significant under DOT regulatory policies and procedures due to the potential impact on safety. However, it is not considered significant under EO 12866.

Agency Contact: Bernie Stankus, Systems Accountant, Department of Transportation, Bureau of Transportation Statistics, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4387

Fax: 202 366-3383

RIN: 2139-AA00**DEPARTMENT OF TRANSPORTATION (DOT)****Completed Actions****Bureau of Transportation Statistics (BTS)****2568. • TECHNICAL AMENDMENTS; ORGANIZATIONAL CHANGES****Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 329; 49 USC 40101 et seq**CFR Citation:** 49 CFR 200 to 399**Legal Deadline:** None**Abstract:** This rule amends BTS regulations in order to reflect recent Departmental organizational changes, correct outdated organizational and statutory references, and eliminate obsolete provisions. It also makes editorial changes to correct addresses and make other technical corrections. This rule makes no substantive changes to current regulations.**Timetable:**

Action	Date	FR Cite
Final Action	12/26/95	60 FR 66721

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Bernie Stankus, Systems Accountant, K-25, Department of Transportation, Bureau of Transportation Statistics, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4387

RIN: 2139-AA03

[FR Doc. 96-9133 Filed 05-10-96; 8:45 am]

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