for Normal Category Rotorcraft.

○ Presentation for approval of the ''Work Plan'' and the '' Concept'' for resolution of each of the following assigned tasks:
- Harmonization of Miscellaneous Rotorcraft Regulations.
- Critical parts.
- Performance and Handling Qualities Requirements.

○ Review of future rotorcraft issues.
- Performance and Handling Qualities Requirements.

○ Review of future rotorcraft issues.

Attendance is open to the interested public but will be limited to the space available. The public must make arrangements by April 28, 1995, to present oral statements at the meeting. Written statements may be presented to the committee at any time by providing 16 copies to the Assistant Chair or by providing the copies to him at the meeting. In addition, sign and oral interpretation, as well as a listening device, can be made available at the meeting if requested 10 calendar days before the meeting. Arrangements may be made by contacting the person listed under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Fort Worth, Texas, on April 18, 1995.

Mark R. Schilling,

Assistant Executive Director for Rotorcraft Issues, Aviation Rulemaking Advisory Committee.

[FR Doc. 95–10040 Filed 4–21–95; 8:45 am]

BILLING CODE 4910–13–M

Executive Committee of the Aviation Rulemaking Advisory Committee; Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of the Executive Committee of the Federal Aviation Administration Aviation Rulemaking Advisory Committee.

DATES: The meeting will be held on May 10, 1995, at 9 a.m. Arrange for oral presentations by April 28, 1995.

ADDRESSES: The meeting will be held at the Aerospace Industries Association of America, 1250 Eye Street, NW., Goddard A/B, Washington, DC, 9 a.m.

FOR FURTHER INFORMATION CONTACT: Miss Jean Casciano, Federal Aviation Administration (ARM–25), 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267–9683; fax (202) 267–5075.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463; 5 U.S.C. App. II), notice is hereby given of a meeting of the Executive Committee to be held on May 10, 1995, at the Aerospace Industries Association, 1250 Eye Street, NW., Goddard A/B, Washington, DC, 9 a.m. The agenda will include:
- ARAC mailouts
- A follow-up on open action items
- A briefing on the digital information initiative
- Notable comments on specific issues
- EXCOM involvement in tasking and setting of priorities
- Other business

Attendance is open to the interested public but will be limited to the space available. The public must make arrangements by April 28, 1995, to present oral statements at the meeting. The public may present written statements to the executive committee at any time by providing 25 copies to the Executive Director, or by bringing the copies to him at the meeting. In addition, sign and oral interpretation can be made available at the meeting, as well as an assistive listening device, if requested 10 calendar days before the meeting. Arrangements may be made by contacting the person listed under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Washington, DC, on April 17, 1995.

Chris A. Christie,

Executive Director, Aviation Rulemaking Advisory Committee.

[FR Doc. 95–1004 Filed 4–21–95; 8:45 am]

BILLING CODE 4910–13–M

Notice of Intent To Rule on Application To Use the Revenue From a Passenger Facility Charge (PFC) at Pensacola Regional Airport, Pensacola, FL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to use the revenue from a PFC at Pensacola Regional Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before May 24, 1995.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Orlando Airports District Office, 9677 Tradeport Drive, Suite 130, Orlando, Florida 32827–5397.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Frank R. Miller, Airport Director, Pensacola Regional Airport, at the following address: Pensacola Regional Airport, 2430 Airport Boulevard, Pensacola, Florida 32504–8977.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the City of Pensacola under § 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Ms. Sandra A. Nazar, Program Manager, FAA, Orlando Airports District Office, 9677 Tradeport Drive, Suite 130, Orlando, Florida 32827–5397, telephone 407–648–6586. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to use the revenue from a PFC at Pensacola Regional Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and Part 158 of the Federal Aviation regulations (14 CFR Part 158).

On April 14, 1995, the FAA determined that the application to use the revenue from a PFC submitted by the City of Pensacola was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than August 10, 1995.

The following is a brief overview of the application.

Level of the proposed PFC: $3.00.

Proposed charge effective date: February 1, 1993.

Proposed charge expiration date: April 1, 1995.

Total estimated PFC revenue: $585,000.

Brief description of proposed project(s): Install Vegatation Barrier, Purchase Avigation Easement.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Air Taxi/Commercial Operators.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT.**

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the City of Pensacola.

Issued in Orlando, Florida on April 14, 1995.

Charles E. Blair,

Manager, Orlando Airports District Office Southern Region.

[FR Doc. 95–10037 Filed 4–21–95; 8:45 am]

BILLING CODE 4910–13–M

National Highway Traffic Safety Administration

[Docket No. 94–48; Notice 2]

John Russo Industrial, Inc.; Grant of Petition for Determination of Inconsequential Noncompliance

John Russo Industrial, Inc. (Russo) of San Jose, California, determined that some of its trucks failed to comply with requirements of several Federal motor vehicle safety standards (FMVSS) in 49 CFR Part 571. These are FMVSS No. 113, ''Hood Latch Systems,'' FMVSS No. 120, ''Tire Selection and Rims for Motor Vehicles other than Passenger Cars,'' FMVSS No. 205, ''Glazing Materials,'' and FMVSS No. 207, ''Seating Systems.'' All these noncompliances were discovered on July 13, 1993 during inspection of vehicles by NHTSA's Office of Vehicle Safety Compliance (File NCI 3288). Russo filed an appropriate report pursuant to 49 CFR Part 573, ''Defect and Noncompliance Reports.'' Russo also petitioned to be exempted from the notification and remedy requirements of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1381 *et seq.*) (now 49 U.S.C. 30118 and 30120) on the basis that the noncompliances were inconsequential as they relate to motor vehicle safety. This notice grants the petition.

Notice of receipt of the petition was published on June 9, 1994 (59 FR 29861), and an opportunity afforded for comment. Comments on the petition were received from Donald W. Beams (Fleet Manager, Vehicle Maintenance Division, Department of General Services, City of San Jose); R. A. Gaffney (a senior member of the board of the California Fire Chief's Mechanics Education Committee); and Darlene E. Skelton. These commenters recommended that the petition be denied. Comments on the safety issues were also received from the Fire Marshal of the State of California, Ronny J. Coleman.

1. FMVSS No. 113, "Hood Latch Systems"

In 1991, Russo completed two vehicles which do not comply with the hood latching requirements in S4.2 of FMVSS No. 113, in that panels opening on the front were not provided with a second latch position on the hood latch system or with a second hood latch system. With respect to this noncompliance, Russo argued:

> [49 CFR 571.113 S3] definition, ''Hood means any movable exterior body panel forward of the windshield that is used to cover [an] engine, luggage, storage, or battery compartment.'' The forward face panels on our vehicles are below the windshield, and are not used as compartment, storage, or any criteria to classify it as a hood.
>
> Paragraph S4.2 of standard 113 states: ''A front opening hood which, in any open position partially or completely obstructs a driver's forward view through the windshield must be provided with a second latch position on the hood latch system or with a second hood latch system.''
>
> The access panels in question are not classified as a hood mechanism, therefore [they] do not need to follow these guidelines. If the panel were left open it would not obstruct the driver's view enough to cause a driving hazard.
>
> Our testing of this design consisted of the air flow testing of up to 78 mph with a head wind of 14 mph that brought the total air speed to 92 mph. Air flow only holds the access panel down more securely. The panel cannot fly up as a result of the air flow.
>
> Panels of similar design are easily found on hundreds of thousands of on-road vehicles including GMC Astro 9500, Chevrolet Titan 90, Ford CLT 9000, Freight Liner cab overs, and many other vehicles * * *.
>
> The Hazmat and Command vehicles are built with windshields which are much larger than those of typical van or cab over engine type vehicles. This large windshield is provided partially as a styling feature and partly to provide exceptional visibility in low speed maneuvering situations. The small area of windshield which would be blocked if the access panel could physically be lifted up by air flow, would not even be in the field of view on typical vehicles in this class.

The City of San Jose disputes Russo's contention that the panel is not a hood, saying that the front compartment ''has some storage capacity.'' Commenters expressed concern that the panel could rise and strike the windshield. The Fire Marshal asks whether a standard has been developed for air flow tests; if no standard exists, the panel's performance in Russo's tests is an inadequate justification for granting the petition.

NHTSA has reviewed Russo's arguments and the comments received. The agency accepts the manufacturer's position that the panels do not cover the engine, luggage or storage space, or battery compartment. The panel, therefore, would not appear to be a ''hood'' within the meaning of the standard's definition. Even if it were a hood, Russo's 92 mph wind tests provide a measure of assurance that the airflow increases the pressure on the panels, making it unlikely that the wind could blow the panels open. Even if the panels do blow open, any obstruction to the operator's view is minor and affects visibility only through the lowest portion of the windshield.

2. FMVSS No. 120, "Tire Selection and Rims for Motor Vehicles Other Than Passenger Cars"

Seventeen vehicles completed or modified by Russo from 1989 through 1991 do not have the label required by S5.3 of FMVSS No. 120, which includes the size designation of the tires, the size designation of the rims, and the cold inflation pressure of the tires. According to Russo, the noncompliances are due to removal of labels after the purchaser took delivery of the vehicles. It commented that

> Without waiving this petition for exemption due to inconsequential non-compliance, we will notify the Deputy Chief of the San Jose Fire Dept. of our offer to supply and install new decals if they wish in a coordinated verifiable supervised manner. We shall document it for NHTSA and send NHTSA all copies of the labels.

The City of San Jose comments that it has no records that the labels were installed or removed. Darlene E. Skelton says that the same noncompliance can be found on Russo vehicles provided to fire departments other than those of San Jose. The Fire Marshal notes that Russo has offered to provide the labels.

Russo's provision of the labels is the same remedy that other manufacturers with similar noncompliances have performed in the absence of an inconsequentiality petition. Thus, this action moots the petition for relief from remedy. Russo's notification letter to the Fire Department does not contain all the information required by 49 CFR Part 577, but the omissions (safety warnings, DOT address, etc.) are not critical in this case where there is only one owner, who is aware of the problem and who has contacted NHTSA already with comments on it.

3. FMVSS No. 205, "Glazing Materials"

In 1991, Russo completed two vehicles that do not comply with the glazing materials marking requirements in Section 6 of FMVSS No. 205, which state that windshields must be marked AS–1 and windows to the right and left of the driver's position must be marked AS–2. The subject vehicles have no marking on the windshields, and the markings on the windows to the right and left of the driver's position are AS–3, not AS–2. Russo provided a photocopy of a purchase order for AS–1 windshield glass which it claims were used for the windshields. Russo further provided a copy of a letter from the supplier of the cockpit side windows