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 Los Angeles Department of Airports, Los Angeles International Airport.

Issued in Los Angeles, California on March 7, 1996.

Herman C. Bliss,

Manager, Airports Division, Western-Pacific Region.

[FR Doc. 96–7428 Filed 3–26–96; 8:45 am]

BILLING CODE 4910–13–M

National Highway Traffic Safety Administration

[Docket No. 95–76; Notice 2]

Ford Motor Company; Grant of Application for Decision of Inconsequential Noncompliance

Ford Motor Company (Ford) of Dearborn, Michigan determined that some of its vehicles fail to comply with the display identification requirements of 49 CFR 571.101, Federal Motor Vehicle Safety Standard (FMVSS) No. 101, ''Controls and Displays,'' and filed an appropriate report pursuant to 49 CFR Part 573, ''Defect and Noncompliance Reports.'' Ford also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—''Motor Vehicle Safety'' on the basis that the noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the application was published on September 18, 1995, and an opportunity afforded for comment (60 FR 48195). This notice grants the application.

Footnote 3 in Table 2 of Standard No. 101 specifies that ''[i]f the odometer indicates kilometers, then 'KILOMETERS' or ''km'' shall appear, otherwise, no identification is required.'' Ford manufactured approximately 300,000 vehicles (1995 model year Rangers, Explorers, Crown Victorias, and Grand Marquis, certain 1994 and 1995 Mustangs, and certain 1995 Ford-built Mazda B-Series pickup trucks) a relatively few of which do not comply with the display identification requirements of Standard No. 101. Of that total population of 300,000 vehicles, at least 24, but not more than 124 vehicles were manufactured with an odometer that measures distance in units of kilometers but is not labeled as such as Standard No. 101 requires. Ford has already found and corrected 24 of these noncompliant odometers in service; therefore, up to 100 of them could still exist.

Ford supported its application for inconsequential noncompliance with the following:

> In Ford's judgment, this condition is inconsequential as it relates to motor vehicle safety. [Ford's] basis for this belief is that: 1) an owner of an affected vehicle will readily recognize the condition and return the vehicle to a Ford dealer for correction; 2) even if the condition were to go undetected, the role of the odometer in alerting drivers to potential safety-related problems is minimal; and 3) no reports of accidents or injuries related to this condition are known or expected.
>
> Ford believes, as evidenced by those odometers already identified by owners, that this condition becomes obvious to an owner early in the ''life'' of a vehicle because of more rapid mileage accumulation, better than expected fuel economy, etc., and that an owner will seek repair for the condition through a Ford dealer. Ford will continue to remedy the condition of any of the vehicles brought to its attention at no cost to the owners, under normal warranty terms.
>
> With respect to the relationship of the odometer to safety, in past rulemaking (FR Vol 47, No. 216 at 50497) the agency concluded that the role of the odometer in alerting drivers to potential safety-related problems is not crucial. This conclusion was among those leading to the rescission of Federal Motor Vehicle Safety Standard No. 127, Speedometers and Odometers. That standard contemplated that the purpose of the odometer requirement was twofold. First, it was to inform purchasers of used vehicles of the actual mileage of the vehicles they were purchasing to enable them to ascertain the probable condition of the vehicle. Second, it was to provide an owner with information so that he or she could maintain a periodic maintenance schedule. In rescinding Safety Standard No. 127, the agency acknowledged that its reliance on the Tri-Level Study of the Causes of Traffic Accidents by the Indiana University Institute for Research in Public Safety, which led to the odometer requirement, was misplaced. The agency concluded that although the study found that problems with vehicle systems were causal or contributing factors in up to 25 percent of the accidents studied—such as problems with the brake system, tires, lights and signals, for example—all of those causes involved components which must be periodically replaced or serviced regardless of mileage. The agency thereby concluded that deterioration in performance, such as brake pulling, or in appearance, such as tire wear, etc., are readily apparent to the driver and should do more to alert the driver to potential safety-related problems than the distance traveled indication on the odometer.
>
> Ford agrees with the agency's conclusion that the odometer reading is not a crucial factor in alerting drivers to potential safety-related vehicle problems, and, therefore, it submits that the absence of the ''km'' designation is not crucial in this regard. We believe the vehicles that are the subject of this petition present no direct or indirect risk to motor vehicle safety. Furthermore, in the case of the vehicles in question, even if the odometer indication were a crucial indicator or required periodic maintenance, the odometer reading, if relied on for this purpose, would cause a driver to seek maintenance sooner than required because the indicated mileage would be approximately 1.6 times greater than the distance actually traveled.
>
> Therefore, while the absence of the ''km'' designation is technically a noncompliance, and the odometer of the affected vehicles registers distance traveled in kilometers while the speedometer registers in miles per hour, we believe, for the reasons cited above, the condition presents no risk to motor vehicle safety.

No comments were received on the application.

An accurate recording of mileage on a vehicle is relevant to complying with the manufacturer's recommended maintenance schedule. When the schedule is expressed in miles and the odometer records in kilometers, a vehicle owner who is not cognizant of the noncompliance will be alerted to the apparent time for maintenance before it is, in fact, needed under the maintenance schedule. This cannot be termed a negative impact upon safety. NHTSA agrees with the applicant that ''the condition presents no risk to motor vehicle safety''.

Ford believes that an owner of a noncompliant vehicle will readily recognize the seemingly excessive accumulation of mileage and ''seek service through their Ford dealers.'' This service most probably is replacement of the metric odometer with one that registers miles. NHTSA urges Ford to ask its dealers to provide the vehicle owner, at the time of odometer replacement, with a statement noting the distance accumulated prior to replacement so that the owner will be able to provide an accurate mileage statement at the time the vehicle is transferred to its next owner, as required by 49 CFR Part 580, *Odometer Disclosure Requirements.*

In consideration of the foregoing, it is hereby found that the applicant has met its burden of persuasion that the noncompliance herein described is inconsequential to safety. Accordingly, Ford Motor Company is hereby exempted from providing notification of the noncompliance pursuant to Sec. 30118, and from remedying the noncompliance pursuant to Sec. 30120.

(49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 501.8).

Issued on: March 22, 1996.

Barry Felrice,

Associate Administrator, for Safety Performance Standards

[FR Doc. 96–7425 Filed 3–26–96; 8:45 am]

BILLING CODE 4910–59–P

Surface Transportation Board

Availability of Environmental Assessments

Pursuant to 42 U.S.C. 4332, the Surface Transportation Board has prepared and made available environmental assessments for the proceedings listed below. Dates environmental assessments are available are listed below for each individual proceeding.

To obtain copies of these environmental assessments contact Ms. Victoria Rutson or Ms. Judith Groves, Surface Transportation Board, Section of Environmental Analysis, Room 3219, Washington, DC 20423, (202) 927–6211 or (202) 927–6246. Comments on the following assessment are due 15 days after the date of availability:

AB No. 459 (Sub-No. 1X), Central Railroad Company of Indiana, Abandonment Exemption in Dearborn County, Indiana. EA available 3/15/96.

AB No. 406 (Sub-No. 5X), Central Kansas Railway, Limited Liability Company—Abandonment Exemption—in Clark and Comanche Counties, Kansas. EA available 3/15/96.

AB No. 406 (Sub-No. 6X), Central Kansas Railway, Limited Liability Company—Abandonment Exemption—in Marion and McPherson Counties, Kansas. EA available 3/15/96.

Vernon A. Williams,

Secretary.

[FR Doc. 96–7417 Filed 3–26–96; 8:45 am]

BILLING CODE 4915–00–P

Release of Waybill Data

The Commission has received a request from McKinsey & Company for permission to use certain data from the Board's 1994 Carload Waybill Sample. A copy of the request (WB495—3/15/96) may be obtained from the Office of Economic and Environmental Analysis.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to this request, they should file their objections with the Director of the Board's Office of Economic and Environmental Analysis within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.8.

Contact: James A. Nash, (202) 927–6196.

Vernon A. Williams,

Secretary.

[FR Doc. 96–7416 Filed 3–26–96; 8:45 am]

BILLING CODE 4915–00–P

[Finance Docket No. 32825] [1]

Dakota, Missouri Valley and Western Railroad, Inc.—Lease and Operation Exemption—Soo Line Railroad Company

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: The Board exempts from the prior approval requirements of 49 U.S.C. 11343–45 the lease and operation by Dakota, Missouri Valley and Western Railroad, Inc., of approximately 48.68 miles of rail line owned by the Soo Line Railroad Company between milepost 516.02 at Washburn, ND, and milepost 467.61 and milepost 467.06 on the legs of the wye at Max, ND. The exemption is subject to standard employee protective conditions.

DATES: This exemption is effective on April 16, 1996. Petitions to stay must be filed April 8, 1996. Petitions to reopen must be filed by April 11, 1996.

ADDRESSES: Send pleadings referring to Finance Docket No. 32825 to: (1) Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Petitioner's representative: Thomas J. Litwiler, Oppenheimer, Wolff & Donnelly, 1020 Nineteenth Street, N.W. Suite 400, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Beryl Gordon, (202) 927–5610. [TDD for the hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News and Data, Inc., Room 2229, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD service (202) 927–5721].

Decided: March 20, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–7418 Filed 3–26–96; 8:45 am]

BILLING CODE 4915–00–P

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of the legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute.

[STB Finance Docket No. 32870] [1,2]

David L. Durbano—Continuance in Control Exemption—Cimarron Valley Railroad, L.C.

David L. Durbano (Applicant), a noncarrier, has filed a verified notice under 49 CFR 1180.2(d)(2) to continue in control of Cimarron Valley Railroad, L.C. (CVR), upon CVR's becoming a Class III rail carrier. Consummation was expected to occur on or shortly after February 23, 1996.

CVR, a noncarrier, has concurrently filed a verified notice of exemption under 49 CFR 1150.31 in *Cimarron Valley Railroad, L.C.—Exemption to Acquire and Operate—Cimarron Valley and Manter Branches of The Atchison, Topeka and Santa Fe Railway Company,* STB Finance Docket No. 32869, in which CVR seeks to acquire and operate 151.04 miles of the Cimarron Valley Branch rail line and 103.83 miles of the Manter Branch rail line both of which are owned by The Atchison, Topeka and Santa Fe Railroad Company. CVR's acquisition of the rail lines was expected to have been

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 11323.

[2] A notice in this proceeding was previously served by the Board and published in the Federal Register on March 4, 1996. A corrected notice is being issued because the earlier notice imposed labor protective conditions that the Board may no longer impose under the Act for transactions such as this one that are the subject of notices of exemption filed after the January 1, 1996 effective date of the Act.