

or physiological byproducts which can sometimes be present during post-mortem decomposition; repetitive analyses of a specimen to determine if the alcohol concentration is increasing; and determining the identity of any microorganisms present to assess whether they have alcohol-producing capability.

Authority: 49 U.S.C. 20103, 20107, 20111, 20112, 20113, 20140, 21301, 21304, and 49 CFR 1.49(m).

Issued in Washington, D.C. on November 27, 1996.

Grady C. Cothen,

Deputy Associate Administrator for Safety.

[FR Doc. 96-30759 Filed 12-2-96; 8:45 am]

BILLING CODE 4910-06-P

Notice of Safety Bulletin

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of safety bulletin.

SUMMARY: The FRA is issuing a Safety Bulletin addressing recommended safety practices for Direct Train Control (DTC) operations.

FOR FURTHER INFORMATION CONTACT: Doug Taylor, Staff Director, Operating Practices Division, Office of Safety Assurance and Compliance, FRA, 400 Seventh Street, S.W., Washington, D.C. 20590 (telephone 202-632-3346).

SUPPLEMENTARY INFORMATION:

Preliminary investigatory findings following the head-on collision of two CSX freight trains at Smithfield, West Virginia, on August 20, 1996, indicate that existing carrier Direct Train Control¹ rules and procedures should be enhanced in order to reduce the risk of similar collisions. Therefore, the following three safety practices are recommended in DTC territory:

In non-signalled DTC territory—when a train holds an “after arrival of” block authority:

1. After the train to be met has been visually identified by engine number and the rear end marker has passed the point of restriction, the train being restricted shall establish positive radio contact with the train to be met in order to confirm the identity of the passing train. If radio contact cannot be established, the train dispatcher shall be contacted to provide the required confirmation. The train identification information received from the train to

be met or from the dispatcher shall be recorded in writing by both the conductor and engineer, i.e., Engine (*number*) has passed (*location*) at (*time*).

In all DTC territory:

2. Once a movement authority is in effect, no alterations may be made other than those specifically prescribed by carrier operating rules.

3. Conductors and engineers should retain for seven days copies of all en route movement authorities transmitted by radio. These records should be periodically inspected by carrier officials.

In addition to these recommended safety practices, FRA emphasizes that strict adherence to existing FRA safety regulations will enhance safety of these rail operations. Railroad officials and employees should be particularly aware of the following regulations and their effect on the safety of DTC operations:

FRA regulations at 49 CFR 220.61(b)(5) require that both the conductor and engineer shall have a copy of all movement authorities transmitted by radio. FRA has traditionally interpreted this to mean that the conductor and the engineer shall *each* have a copy. Both crewmembers having their own copy of all movement authorities will, in accordance with the purpose of the rule, provide needed safety checks on unauthorized train movements.

FRA regulations at 49 CFR 217.9(b)(1) require that a carrier's program of operational tests and inspections provide for operational testing and inspection under the various operating conditions on the railroad.

Consequently, operational tests and inspections conducted in accordance therewith must include a representative number of tests and inspections specifically covering operations in DTC territory.

Issued in Washington, D.C. on November 25, 1996.

Bruce Fine,

Associate Administrator for Safety.

[FR Doc. 96-30737 Filed 12-2-96; 8:45 am]

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Surface Transportation Board

[STB Finance Docket No. 33298]

Pioneer Railcorp—Acquisition of Control Exemption—Shawnee Terminal Railway Company, Inc.

Pioneer Railcorp. (Pioneer), a noncarrier holding company, has filed a notice of exemption to acquire, through stock purchase, Shawnee Terminal Railway Company, Inc., a Class III

shortline railroad, operating in the State of Illinois.¹

The earliest the transaction could be consummated was November 21, 1996, the effective date of the exemption (7 days after the exemption was filed).

Pioneer owns and controls eleven existing Class III shortline rail carriers: West Michigan Railroad Co., operating in Michigan; Fort Smith Railroad Co., operating in Arkansas; Alabama Railroad Co., operating in Alabama; Mississippi Central Railroad Co., operating in Mississippi and Tennessee; Alabama & Florida Railway Co., operating in Alabama; Decatur Junction Railway Co., operating in Illinois; Vandalia Railroad Company, operating in Illinois; Minnesota Central Railroad Co., operating in Minnesota; KNRECO, Inc., d/b/a/ Keokuk Junction Railway, operating in Iowa and Illinois; Columbia & Northern Railway Co., which has a right to operate in Mississippi; and Rochelle Railroad Co., which operates in Illinois.

Pioneer states that: (i) The railroads will not connect with each other or any railroad in their corporate family; (ii) the acquisition of control is not part of a series of anticipated transactions that would connect the eleven railroads with each other or any railroad in their corporate family; and (iii) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance

¹ This is an umbrella term and refers to methods of operation known variously as Direct Traffic Control (DTC), Track Warrant Control (TWC), Track Permit Control Systems (TPCS), Form D control system (DCS), and similar methods of authorizing train movements.

¹ See *Shawnee Terminal Railway Company, Inc.—Acquisition and Operation Exemption—Cairo Terminal Railroad Company*, Finance Docket No. 33127 (STB served Oct. 11, 1996).