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Friday
April 25, 1997

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 97-3]

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 that 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.

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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 29, 1996 (61 FR 62798). The next one is scheduled for publication in the **Federal Register** in October 1997.

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. The phrase (Section 610

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Review) appears at the end of the title for any such review. However, it should be 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 December 30, 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** that may occur between agenda publications; (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; (14) an indication if the action is subject to the Unfunded Mandates Act; and (15) an indication if the action is major under the congressional review of rulemaking procedures established by the Small Business Regulatory Enforcement Fairness Act.

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

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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.

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 10, 1997.

Rodney E. Slater,

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

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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., 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
1953	+Domestic Passenger Manifest Information	2105-AC62
1954	+Computer Reservations System Regulations Comprehensive Review **(Section 610 Review)**	2105-AC65

+ DOT-designated significant regulation.

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1955	+Proposed Policy on Peak Period Pricing of Airport Landing Fees	2105-AB63
1956	+Accessibility of Passenger Vessels to Individuals With Disabilities	2105-AB87
1957	+Disadvantaged Business Enterprise (DBE) Regulation; General Update	2105-AB92
1958	Domestic Baggage Liability	2105-AC07
1959	Governmentwide Debarment and Suspension (Nonprocurement) and Requirements for Drug-Free Workplace (Grants)	2105-AC24
1960	Use of Oxygen by Air Carrier Passengers	2105-AC29
1961	Changes to International Data Submissions by Large Air Carriers	2105-AC34
1962	Fees and Charges for Special Services: Reinvention	2105-AC47
1963	Rules of Practice in Aviation Economic Proceedings: Reinvention	2105-AC48
1964	+Update of Drug and Alcohol Procedural Rules **(Section 610 Review)**	2105-AC49
1965	Privacy Act Exemptions	2105-AC60
1966	Passenger Tariff-Filing Requirements Exemption	2105-AC61

+ DOT-designated significant regulation.

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Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1967	Direct Air Carrier Responsibility for Returning Stranded Charter Passengers	2105-AA40
1968	Air Travelers: Age Discrimination	2105-AA45
1969	Direct Flights	2105-AA73
1970	Diversion of Flights Within a Metropolitan Area	2105-AA78
1971	Simplified Aviation Exemption Procedures	2105-AA82
1972	Simplified Airline Counter-Sign Notices	2105-AA88
1973	+Price Advertising	2105-AB50
1974	+New Restrictions on Lobbying	2105-AB57
1975	+Procedures for Transportation Workplace Drug-Testing Programs	2105-AB71
1976	Implementation of Amendments to the Equal Access to Justice Act	2105-AB73
1977	+Passenger Manifest Information	2105-AB78
1978	Aviation Charter Rules	2105-AB91
1979	+Participation by Disadvantaged Business Enterprises in Airport Concessions	2105-AB99
1980	Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations	2105-AC02
1981	Disclosure of Code-Sharing Arrangements and Long-Term Wet Leases	2105-AC10
1982	Use of Direct Final Rulemaking	2105-AC11
1983	Disinsection of Aircraft	2105-AC14
1984	Disclosure of Change-of-Gauge Services	2105-AC17
1985	Nonprocurement Debarment and Suspension	2105-AC25
1986	Air Carrier Access Act: Miscellaneous Amendments	2105-AC28
1987	+Computer Reservations System Regulations and Amendments	2105-AC35
1988	Ticketless Travel: Passenger Notices	2105-AC36
1989	Overbooking of Flights: Elimination of Airport Notice Signs	2105-AC45
1990	Amendments to Modal Alcohol Testing Rules: Pre-Employment Testing	2105-AC50
1991	Classified Information: Revision	2105-AC51
1992	+Fair and Accurate Display of Airline Service in Computer Reservation Systems	2105-AC56
1993	Maintenance of and Access to Records Pertaining to Individuals	2105-AC57
1994	Public Availability of Information	2105-AC58
1995	Civil Monetary Penalty Inflation Adjustment	2105-AC63
1996	Inspection and Copying of Department Opinions, Orders, and Records	2105-AC64

+ DOT-designated significant regulation.

Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1997	Policy Statement on Airline Preemption	2105-AA46
1998	Baggage Liability Notices in International Air Transportation	2105-AA84
1999	+Statement of Enforcement Policy on Rebating	2105-AB39
2000	Smoking Aboard Aircraft	2105-AB58
2001	+Transportation for Individuals With Disabilities (Over the Road Buses)	2105-AC00
2002	+Transportation for Individuals With Disabilities (Accessibility Guidelines)	2105-AC06

+ DOT-designated significant regulation.

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2003	+Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments	2105-AB46
2004	+Nondiscrimination on the Basis of Handicap in Air Travel (Air Carrier Access Act)	2105-AB61
2005	+Nondiscrimination on the Basis of Handicap in Federally Assisted Programs and in Air Travel (Air Carrier Access Act)	2105-AB62

+ DOT-designated significant regulation.

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U.S. Coast Guard—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2006	Reporting Marine Casualties (CGD 91-216)	2115-AD98
2007	+User Fees for Approvals of Equipment, Laboratories, and Servicing Facilities (CGD 92-013)	2115-AE18
2008	Handling of Explosives or Other Dangerous Cargoes Within or Contiguous to Waterfront Facilities (CGD 92-026)	2115-AE22
2009	Amendments to Hull Identification Number Regulations (CGD 92-065)	2115-AE37
2010	+Facility Response Plans for Hazardous Substances (CGD 94-048)	2115-AE87
2011	+Tank Vessel Response Plans for Hazardous Substances (CGD 94-032)	2115-AE88
2012	Numbering of Undocumented Barges (CGD 93-091)	2115-AF13
2013	Licensing and Manning for Operators of Towing Vessels (CGD 94-055)	2115-AF23
2014	Streamlined Inspection Program (CGD 96-055)	2115-AF37
2015	Limited Service Domestic Voyage Load Lines for River Barges on Lake Michigan (CGD 95-015)	2115-AF38
2016	Outer Continental Shelf Activities (CGD 96-068)	2115-AF39
2017	Traffic Separation Scheme in the Approaches to Delaware Bay (CGD 97-004)	2115-AF42

+ DOT-designated significant regulation.

U.S. Coast Guard—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2018	Tankermen (CGD 79-116)	2115-AA03
2019	+Offshore Supply Vessel Regulations (CGD 86-074)	2115-AA77
2020	Safety/Security Zone Regulations	2115-AA97
2021	Anchorage Area Regulations	2115-AA98
2022	Lifesaving Equipment—Implementation of 1983 Amendments to SOLAS 1974 (CGD 84-069)	2115-AB72
2023	+Small Passenger Vessel Inspection and Certification (CGD 85-080)	2115-AC22
2024	Revision to Inflatable Life Raft Approval: SOLAS 74/83 (CGD 85-205)	2115-AC51
2025	Permits for the Transportation of Municipal and Commercial Wastes (CGD 89-014)	2115-AD23
2026	Tank Level or Pressure Monitoring Devices (CGD 90-071)	2115-AD69
2027	+Security for Passenger Vessels and Passenger Terminals (CGD 91-012)	2115-AD75
2028	Regatta Regulations	2115-AE46
2029	Drawbridge Regulations	2115-AE47
2030	Regulated Navigation Areas	2115-AE84
2031	Programs for Chemical Drug and Alcohol Testing of Commercial Vessel Personnel: Removal of Foreign Implementation Date (CGD 95-011)	2115-AF02
2032	Harmonization With International Safety Standards (CGD 95-028)	2115-AF10
2033	Alternate Compliance Via Recognized Classification Society and U.S. Supplement to Rules (CGD 95-010)**(Section 610 Review)**	2115-AF11
2034	Regattas and Marine Parades (CGD 95-054)	2115-AF17
2035	Electrical Engineering Regulations for Merchant Vessels (CGD 94-108)	2115-AF24
2036	+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
2037	Coast Guard Vessel Inspection User Fees (CGD 96-067)	2115-AF40
2038	Expanded Signature Authority to Officer in Charge, Marine Inspection (OCMI) (CGD 97-001)	2115-AF41

+ DOT-designated significant regulation.

U.S. Coast Guard—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2039	+Implementation of the Commercial Fishing-Industry Vessel Safety Act (CGD 88-079)	2115-AD12
2040	Vessel Identification System (CGD 89-050)	2115-AD35
2041	+Discharge-Removal Equipment for Vessels Carrying Oil (CGD 90-068)	2115-AD66
2042	+Overfill Devices (CGD 90-071a)	2115-AD87
2043	Claims Procedures Under the Oil Pollution Act of 1990 (CGD 91-035)	2115-AD90
2044	+Escort Vessels for Certain Tankers (CGD 91-202)	2115-AE10
2045	+State Access to the Oil Spill Liability Trust Fund (CGD 92-014)	2115-AE19

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U.S. Coast Guard—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2046	+Escort Vessels in Certain U.S. Waters (91-202a)	2115-AE56
2047	Inland Navigation Rules; Lighting Provisions (CGD 94-011)	2115-AE71
2048	Notice of Hazardous Conditions (CGD 94-027)	2115-AE82
2049	Immediate Reporting of Casualties (CGD 94-030)	2115-AE89
2050	Propeller Injury Prevention Aboard Rental Boats (CGD 95-041)	2115-AF28
2051	Commercial Fishing Vessel Regulations (CGD 96-046)	2115-AF35

+ DOT-designated significant regulation.

U.S. Coast Guard—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2052	Electronic Records of Shipping Articles and Certificates of Discharge (CGD 94-004)	2115-AE72
2053	Radar-Observer Endorsement for Operators of Uninspected Towing Vessels (CGD 94-041)	2115-AE92
2054	Modernization of Examination Methods (CGD 94-029)	2115-AE94
2055	Advance Notice of Arrivals, Departures, and Certain Dangerous Cargoes (CGD 94-089)	2115-AF19
2056	+Structural Measures To Reduce Oil Spills From Existing Tank Vessels Without Double Hulls (CGD 91-045c)	2115-AF27
2057	Extension of Great Lakes Load Line Certificate (CGD 96-006)	2115-AF29
2058	Technical Amendments, Organizational Changes and Miscellaneous Changes (CGD 96-041)	2115-AF34
2059	Offshore Supply Vessels: Alternate Tonnage (CGD 96-058)	2115-AF36

+ DOT-designated significant regulation.

Federal Aviation Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2060	+Mountain Flying	2120-AF67
2061	Certification of Security Screening Companies	2120-AG31

+ DOT-designated significant regulation.

Federal Aviation Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2062	Airworthiness Standards; Crash-Resistant Fuel Systems	2120-AA57
2063	Review of Part 47, Aircraft Registration, and Part 49, Recording of Aircraft Titles and Security Documents	2120-AC17
2064	+Part 145 Review: Repair Stations **(Section 610 Review)**	2120-AC38
2065	+Drug Enforcement Assistance	2120-AD16
2066	+Revision of Part 108, Airplane Operator Security	2120-AD45
2067	+Revision of Part 107, Airport Security	2120-AD46
2068	+Cost of Services and Transfer of Fees to Part 187 From Parts 47, 49, 61, 63, 65, and 143	2120-AD91
2069	Visual Descent Points	2120-AE34
2070	+Aging Aircraft Safety	2120-AE42
2071	+Reduced Altitude Separation	2120-AE51
2072	+Airport Noise Compatibility Planning **(Section 610 Review)**	2120-AE64
2073	+Corrosion Control Program	2120-AE92
2074	Cincinnati, OH, Class B Airspace	2120-AE97
2075	Flight Attendant English Language Proficiency	2120-AE98
2076	Flight Operational Quality Assurance Program	2120-AF04
2077	+Air Tour Standards	2120-AF07
2078	Aviation Insurance **(Section 610 Review)**	2120-AF23
2079	Normal Category Maximum Weight	2120-AF33
2080	+Overflights of Units of the National Park System	2120-AF46

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Federal Aviation Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2081	+Controlled Rest on the Flight Deck	2120-AF54
2082	+Submission to Drug Tests	2120-AF64
2083	Type Certification Procedures for Changed Products	2120-AF68
2084	+Passenger Facility Charges	2120-AF69
2085	Revision of Gate Requirements for High-Lift Device Controls	2120-AF82
2086	Bird Ingestion Standards	2120-AF84
2087	Two Approach Charts **(Section 610 Review)**	2120-AF86
2088	Non-Federal Air Traffic Control Facilities	2120-AF91
2089	National Security Areas	2120-AF97
2090	Revision of Certification Requirements: Aircraft Dispatchers	2120-AG04
2091	+Duration Between Examinations for First- and Second-Airman Medical Certificates	2120-AG06
2092	Fees for Aeromedical Education Training Services	2120-AG07
2093	+False and Misleading Statements Regarding Aircraft Parts	2120-AG08
2094	+Placarding Certain Cargo or Baggage Compartments	2120-AG12
2095	+Identical Security Measures	2120-AG13
2096	+Aircraft Certification Service Cost Recovery for Supplier Qualification and Surveillance when Performed Outside the U.S	2120-AG14
2097	+Licensing Operation of a Non-Federal Launch Site	2120-AG15
2098	+Fees for Air Traffic Services for Certain Flights Through U.S.-Controlled Airspace and for Aeronautical Studies	2120-AG17
2099	+Civil Aviation Security User Fees	2120-AG18
2100	+Dispute Resolution Regulations	2120-AG19
2101	Harmonization of Miscellaneous Rotorcraft Regulations	2120-AG23
2102	VFR/IFR Fuel Reserve Requirements: Island Destination Airports For Which No Alternate Airport Is Available	2120-AG29
2103	Employment History, Verification, and Criminal History Records Checks	2120-AG32
2104	Fees for Obstruction Evaluation Studies	2120-AG33
2105	+Prohibition of the Transportation of Devices Designed as Chemical Generators as Cargo in Aircraft	2120-AG35
2106	+Protection of Voluntarily Submitted Information	2120-AG36
2107	+Licensing of Launch From Non-Federal Launch Site	2120-AG37

+ DOT-designated significant regulation.

Federal Aviation Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2108	Objects Affecting Navigable Airspace	2120-AA09
2109	+Fuel System Vent Fire Protection	2120-AA49
2110	Miscellaneous Amendments	2120-AA50
2111	Part 95 Instrument Flight Rules	2120-AA63
2112	Airworthiness Directives:	2120-AA64
2113	Standard Instrument Approach Procedures; Miscellaneous Amendments	2120-AA65
2114	Airspace Actions	2120-AA66
2115	+Improved Standards for Determining Rejected Takeoff and Landing Performance	2120-AB17
2116	Low Fuel Quantity Alerting System	2120-AB46
2117	+Improved Survival Equipment for Inadvertent Water Landings	2120-AC72
2118	+Retrofit of Improved Seats in Air Carrier Transport Category Airplanes	2120-AC84
2119	Installation of Crashworthy Fuselage Fuel Tanks and Fuel Lines	2120-AC87
2120	+Sole Radio Navigation System; Minimum Standards for Certification	2120-AD26
2121	+Airworthiness Standards; Occupant Protection Standards for Commuter Category Airplanes	2120-AD27
2122	Airplane Engine Cowling Retention	2120-AD34
2123	1-G Stalling Speed as a Basis for Compliance With Part 25 of the Federal Aviation Regulations	2120-AD40
2124	+Fatigue Evaluation of Structure	2120-AD42
2125	Type Certificates for Some Surplus Aircraft of the Armed Forces	2120-AE41
2126	+Aircraft Ground Deicing and Anti-Icing Program	2120-AE70
2127	+Pilot, Flight Instructor, Ground Instructor, and Pilot School Certification Rules	2120-AE71
2128	Air Traffic Control Radar Beacon System and Mode S Transponder Requirements in the National Airspace System	2120-AE81
2129	+Civil Penalty Assessment Procedures	2120-AE84
2130	+Revised Access to Type III Exits	2120-AF01

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Federal Aviation Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2131	Training and Qualification Requirements for Check Airmen and Flight Instructors	2120-AF08
2132	+Training and Checking in Ground Icing Conditions	2120-AF09
2133	Los Angeles, CA, Class B Airspace	2120-AF16
2134	Minimum Altitudes for the Use of an Autopilot	2120-AF19
2135	+Revision of Emergency Evacuation Demonstration Procedures To Improve Participant Safety	2120-AF21
2136	+Suspension of Certain Aircraft Operations From the Transponder With Automatic Pressure Altitude Reporting Capability Requirement	2120-AF30
2137	+Flight Crewmember Duty Period Limitations, Flight Time Limitations, and Rest Requirements	2120-AF63
2138	Revised Structural Loads Requirements for Transport Airplanes	2120-AF70
2139	Operational and Structural Difficulty Reports	2120-AF71
2140	Rain and Hail Ingestion Standards	2120-AF75
2141	+Revisions to Digital Flight Data Recorder Rules	2120-AF76
2142	Miscellaneous Cabin Safety Changes	2120-AF77
2143	Revision of Hydraulics Systems Airworthiness Standards To Harmonize With European Airworthiness Standards for Transport Category Airplanes	2120-AF79
2144	Braked Roll Conditions	2120-AF83
2145	+Special Flight Rules in the Vicinity of the Grand Canyon National Park	2120-AF93
2146	Criteria for an Explosive Detection System (EDS), Standards for Detonator Detection	2120-AF95
2147	+Commercial Space Transportation: Financial Responsibility Requirements for Licensed Launch Activities	2120-AF98
2148	+Licensing Commercial Space Launch Activities	2120-AF99
2149	+Policy and Procedures Concerning the Use of Airport Revenue	2120-AG01
2150	Revised Precision Approach Landing Systems Policy	2120-AG16
2151	Commercial Passenger-Carrying Operations in Single Engine Aircraft Under Instrument Flight Rules	2120-AG22
2152	Falsification of Security Records	2120-AG27
2153	+Noise Limitations for Aircraft Operations in the Vicinity of Grand Canyon National Park	2120-AG34

+ DOT-designated significant regulation.

Federal Aviation Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2154	Aircraft Engines: Fuel and Induction Systems	2120-AB76
2155	+Anti-Drug and Alcohol Misuse Prevention Programs for Employees of Foreign Air Carriers Engaged in Specified Aviation Activities	2120-AE79
2156	Revision of Certification Requirements: Mechanics and Repairmen	2120-AF22
2157	Bird Strike	2120-AF80
2158	Repair Assessment for Pressurized Fuselages	2120-AF81

+ DOT-designated significant regulation.

Federal Aviation Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2159	+Type and Number of Passenger Emergency Exits Required in Transport Category Airplanes	2120-AC43
2160	Allowable Carbon Dioxide Concentration in Transport Category Airplane Cabins	2120-AD47
2161	+Alternative Means of Compliance	2120-AD66
2162	Stage 2 Airplane Operations in Hawaii	2120-AE83
2163	Tampa, FL, Class B Airspace	2120-AF18
2164	+Procedures for Complaints Involving Federally Assisted Airports	2120-AF43
2165	Sensitive Security Information	2120-AF49
2166	Small Airplane Airworthiness Review Program Amendment No. 3; Correction	2120-AG09
2167	+Special Flight Rules in the Vicinity of the Rocky Mountain National Park	2120-AG11
2168	+Aviation Security Review	2120-AG21
2169	+Prohibition Against Certain Flights Within the Territory and Airspace of Iraq	2120-AG25
2170	Operating Requirements: Domestic, Flag, Supplemental, Commuter, and On-Demand Operations	2120-AG26

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Federal Aviation Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2171	+Prohibition Against Certain Flights Within the Territory and Airspace of Iran	2120-AG28
2172	Special Issuance of Third-Class Airman Medical Certificates to Insulin-Treated Diabetic Airman Applicants	2120-AG30

+ DOT-designated significant regulation.

Federal Highway Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2173	+Advanced Technology in Commercial Motor Vehicle Operations **(Section 610 Review)**	2125-AD65
2174	+Qualifications of Motor Carriers to Self-Insure Their Operations and Fees to Support the Approval and Compliance Process	2125-AE06

+ DOT-designated significant regulation.

Federal Highway Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2175	Periodic Inspection Requirements	2125-AC47
2176	Commercial Learner Permits and CDL Effectiveness	2125-AC54
2177	Revision of Medical Examination Form and Procedures	2125-AC63
2178	+Minimum Training Requirements for Operators and Training Instructors of Multiple Trailer Combination Vehicles	2125-AC92
2179	+Training for Entry-Level Drivers of Commercial Motor Vehicles	2125-AD05
2180	+Commercial Driver Physical Fitness as Part of the CDL Process	2125-AD20
2181	+Parts and Accessories Necessary for Safe Operation; Lighting Devices, Reflectors, and Electrical Equipment	2125-AD27
2182	+Department of Transportation (FHWA, FTA, FRA and USCG) NEPA and Related Procedures for Transportation Decision Making	2125-AD32
2183	Parts and Accessories Necessary for Safe Operation; General Amendments	2125-AD40
2184	+Federal Motor Carrier Safety Regulations; General; Motor Vehicle Marking	2125-AD49
2185	+Hours of Service of Drivers; Supporting Document Recordkeeping	2125-AD52
2186	Safety Performance History of New Drivers	2125-AD66
2187	Parts and Accessories Necessary for Safe Operation; Television Receivers and Data Display Units	2125-AD76
2188	+Motor Carrier Replacement Information/Registration System	2125-AD91
2189	Electronic Filing of Surety Bonds, Trust Fund Agreements, Insurance Certificates; Cancellations	2125-AD94
2190	Registration of For-Hire Motor Carriers, Property Brokers, and Freight Forwarders	2125-AE01
2191	+Development of a North American Standard for Protection Against Shifting and Falling Cargo	2125-AE05
2192	+Federal Motor Carrier Safety Regulations; Hours-of-Service and CDL Exemptions	2125-AE09
2193	Minimum Levels of Financial Responsibility for Mexican Motor Carriers	2125-AE14

+ DOT-designated significant regulation.

Federal Highway Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2194	Acquisition of Real Property for Rights-of-Way	2125-AC17
2195	+Safety Fitness Procedures; Safety Ratings	2125-AC71
2196	Transportation of Hazardous Materials; Technical Amendments	2125-AD00
2197	Value Engineering	2125-AD33
2198	Design Standards for Highways; A Policy on Geometric Design of Highways and Streets; Design and Construction Criteria	2125-AD38
2199	Parts and Accessories Necessary for Safe Operation; Manufactured Home Tires	2125-AD41
2200	Antilock Brake Systems	2125-AD42
2201	Federal Aid Project Agreement and Contract Procedures	2125-AD58
2202	National Standards for Traffic Control Devices; Metric Conversion	2125-AD63

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Federal Highway Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2203	Rules of Practice for Motor Carrier Proceedings; Investigations; Disqualifications and Penalties	2125-AD64
2204	Standards for Center Line and Edge Line Markings on Streets and Highways	2125-AD68
2205	Zero-Base Review of the Federal Motor Carrier Safety Regulations: Regulatory Removals and Substantive Amendments **(Section 610 Review)**	2125-AD72
2206	Highway Systems	2125-AD74
2207	Railroad Grade Crossing Safety	2125-AD75
2208	Mitigation of Impacts to Wetlands	2125-AD78
2209	Railroad Highway Projects	2125-AD86
2210	Procedures for Abatement of Highway Traffic Noise and Construction Noise	2125-AD97
2211	General Jurisdiction Over Freight Forwarder Service	2125-AE00
2212	Compensated Intercorporate Hauling	2125-AE02
2213	Exemption From Notice Filing Requirements for Agricultural Cooperative Associations	2125-AE03
2214	Truck Size and Weight; National Network; North Carolina	2125-AE04
2215	Minimum Levels of Financial Responsibility for Motor Carriers of Property; General Definitions; Hours of Service of Drivers; Correcting Amendments	2125-AE07
2216	Truck Size and Weight; Technical Corrections	2125-AE08
2217	Motor Carrier Routing Regulations; Disposition of loss and damage claims and processing salvage; Preservation of Records	2125-AE10
2218	Traffic Control Devices, Markings, Signals, and Systems for Railroad-Highway Grade Crossings	2125-AE11
2219	Technical Amendments to Former Interstate Commerce Commission Regulations in Accordance with the ICC Termination Act	2125-AE12

+ DOT-designated significant regulation.

Federal Highway Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2220	**+**Qualification of Drivers; Diabetes	2125-AB91
2221	**+**Commercial Driver's License Standards; Biometric Identifier	2125-AC24
2222	**+**Federal Motor Carrier Safety Regulations; General; Periodic Registration Requirements for Motor Carriers	2125-AC28
2223	Truck Length and Width Exclusive Devices	2125-AC30
2224	Certification of Size and Weight Enforcement	2125-AC60
2225	**+**Qualification of Drivers; Vision	2125-AC62
2226	Parts and Accessories Necessary for Safe Operation: Intermodal Cargo Containers	2125-AC74
2227	**+**Federal Motor Carrier Safety Regulations; General Transportation of Hazardous Materials	2125-AC78
2228	**+**Qualifications of Drivers: Hearing Deficiencies	2125-AD22
2229	Highway Beautification	2125-AD24
2230	Parts and Accessories Necessary for Safe Operation; Sleeper Berths on Motor Coaches	2125-AD25
2231	Motor Carrier Safety Assistance Program (MCSAP) Allocation Formula	2125-AD30
2232	National Standards for Traffic Control Devices; Temporary Traffic Signals	2125-AD45
2233	Advanced Construction of Federal Aid Projects	2125-AD59
2234	Uniform Procedures for State Highway Safety Programs	2125-AD79
2235	Transportation of Hazardous Materials; Driving/Parking Rules	2125-AD80
2236	**+**Transportation of Migrant Workers **(Section 610 Review)**	2125-AD81
2237	Inspection, Repair, and Maintenance	2125-AD82
2238	Highway Beautification: Amendments of Dire Emergency Supplemental Appropriations Act	2125-AD88
2239	National Standards for Traffic Control Devices; Pedestrian, Bicycle, and School Warning Signs	2125-AD89
2240	**+**Hours of Service of Drivers **(Section 610 Review)**	2125-AD93

+ DOT-designated significant regulation.

Federal Highway Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2241	**+**Management and Monitoring Systems	2125-AC97

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Federal Highway Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2242	National Standards for Traffic Control Devices; Revision of the Manual on Uniform Traffic Control Devices	2125-AD57
2243	Emergency Relief Program	2125-AD60
2244	Certification Acceptance	2125-AD62
2245	Acquisition of Real Property for Rights-of-Way; Revisions	2125-AD87
2246	Single State Insurance Registration Receipt	2125-AD92
2247	Motor Carrier Transportation; Redesignation of Regulations	2125-AD96
2248	Federal Motor Carrier Safety Regulations; Intermodal Transportation; Withdrawal of Final Rule	2125-AE13

+ DOT-designated significant regulation.

National Highway Traffic Safety Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2249	Review: Lamps, Reflective Devices, and Associated Equipment	2127-AB76
2250	+Review: Passenger Car Front Seat Occupant Protection (Federal Motor Vehicle Safety Standard No. 208)	2127-AD82
2251	Review: Passenger-Car Back Seat Occupant Protection	2127-AE95
2252	Review: Theft Prevention—5-Year Report to Congress	2127-AF55
2253	Add-On Seat Belt Devices	2127-AG49
2254	+Light Truck Fuel Economy Standards for Model Years 2000-2002	2127-AG72

+ DOT-designated significant regulation.

National Highway Traffic Safety Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2255	+Wheelchair Lifts	2127-AD50
2256	Tires on New Trailers	2127-AF05
2257	Upgrade Performance Requirements	2127-AF36
2258	Test Device Placement	2127-AF40
2259	Sealed Beam Headlamps	2127-AF89
2260	+Federal Motor Vehicle Safety Standards: Head Impact Protection	2127-AG07
2261	+Upgraded Request for Aircraft-Certified Child Seats	2127-AG12
2262	Wheelchair Lifts and Ramps	2127-AG16
2263	Theft Data for Calendar Year 1995	2127-AG33
2264	Auxiliary Signal Lamps	2127-AG38
2265	Hybrid III Dummy Specifications - Clothing	2127-AG39
2266	Modified Vehicles to Accommodate a Person's Disability	2127-AG40
2267	Remove Obsolete Provisions to Occupant Crash Standard	2127-AG42
2268	Center of Gravity of Test Dummy	2127-AG44
2269	Reflex Reflectors for Rear of Truck Tractors	2127-AG47
2270	Pelvic Restraints	2127-AG48
2271	+Uniform Child Anchorages	2127-AG50
2272	Upgrade Roof Crashworthiness	2127-AG51
2273	Utility Vehicle Label	2127-AG53
2274	Metric Conversion - Phase II	2127-AG55
2275	Insurer Reporting Requirements for October 1997	2127-AG56
2276	Determination of Functional Equivalency on Harmonization	2127-AG62
2277	Manufacturing Incentives for Alternative Fuel Vehicles	2127-AG63
2278	Certification Labels for Multipurpose Passenger Vehicles and Light Duty Trucks	2127-AG65
2279	Fifth Percentile Female Dummy	2127-AG66
2280	Consumer Information on Tire Grading	2127-AG67
2281	Uniform Procedures for the State Highway Safety Programs and the Highway Safety Programs; Determinations of Effectiveness	2127-AG69
2282	+Smart Air Bags	2127-AG70
2283	Schedule of Fees for Nonconforming Vehicles	2127-AG73

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

Sequence Number	Title	Regulation Identifier Number
2284	Anthropomorphic Test Dummy for Head Impact Protection	2127-AG74

+ DOT-designated significant regulation.

National Highway Traffic Safety Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2285	**+**Crashworthiness Ratings	2127-AA03
2286	**+**Truck Rear Underride Protection	2127-AA43
2287	**+**Flammability of Interior Materials - School Buses	2127-AA44
2288	**+**Reduce Head Injuries Due to Contact With Upper Vehicle Interior	2127-AB85
2289	**+**School Bus Body Joint Strength	2127-AC19
2290	Fuel Spillage	2127-AC62
2291	**+**Rollover Protection	2127-AC64
2292	Brake Lining	2127-AC66
2293	**+**Film Transmittance of Glazing Materials	2127-AC85
2294	Miniature and Nonfilament Light Sources	2127-AE97
2295	Driving Range Determination for Dual Fuel Electric Passenger Automobiles	2127-AF37
2296	Increase Femur Flexion Motion of the Hybrid III Test Dummy	2127-AF41
2297	Retroreflective Conspicuity System	2127-AF59
2298	Seat Belt Exemption for Law Enforcement Vehicles	2127-AF66
2299	Colorfastness Requirements for Seatbelts	2127-AF67
2300	Automatic Drain Valve for Air Reservoir Tanks	2127-AF72
2301	Regulatory Negotiation for Visual Headlamp Aimability Requirements	2127-AF73
2302	Rescission of Reflecting Surfaces Requirements	2127-AF74
2303	Alternative Geometric Visibility Requirements for Lamps	2127-AF75
2304	Current and Future State of the Art Innovation for Accelerator Controls	2127-AF76
2305	Rescission of Warning Devices	2127-AF77
2306	Alternative Motorcycle Headlamp Performance Requirements	2127-AF78
2307	Power-Operated Windows: Roof Panels	2127-AF83
2308	Rescind Controls and Displays	2127-AF86
2309	Rescind Windshield Defrosting and Defogging Systems	2127-AF87
2310	Rescind Windshield Wiping and Washing Systems	2127-AF88
2311	Voluntarily-Installed Shoulder Belts	2127-AF91
2312	Heavy Duty Vehicle Brake Systems	2127-AF96
2313	Automotive Fuel Economy Reports	2127-AG00
2314	Exemption From Rearward Displacement Requirements	2127-AG01
2315	Whip Resistance Test for Brake Hoses	2127-AG02
2316	Brake System for Electric Vehicles	2127-AG05
2317	Air Brake System Malfunction Lamp for Trailers	2127-AG06
2318	**+**Federal Motor Vehicle Safety Standards; Occupant Crash Protection	2127-AG14
2319	Dummy Containment During Compliance Testing	2127-AG17
2320	Review: Heavy Truck Conspicuity	2127-AG19
2321	Transition Procedures From Current to New National Driver Register	2127-AG21
2322	Seat Belts Installed at Adjustable Seats	2127-AG24
2323	Dealer Notification of Defect or Noncompliance Determination	2127-AG27
2324	Extend Applicability of Braking Requirements to All Light Vehicles	2127-AG35
2325	Power Window Safety Switches	2127-AG36
2326	Plastic Spacer-Inserts for Test Dummies	2127-AG37
2327	Schedule of Fees for Importers	2127-AG43
2328	Motor Vehicle Content Labeling	2127-AG46
2329	Consumer Information Regulations; Fees for Course Monitoring Tires	2127-AG54
2330	List of Nonconforming Vehicles Eligible for Importation	2127-AG57
2331	Low-Speed Vehicles	2127-AG58
2332	**+**Depowering of Air Bags	2127-AG59
2333	**+**Passenger-Side Manual Cutoff Switch for Air Bags	2127-AG60
2334	**+**Deactivation of Air Bags	2127-AG61

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

Sequence Number	Title	Regulation Identifier Number
2335	+Light Truck Fuel Economy Standards for Model Year 1999	2127-AG64
2336	Procedures for Participating in and Receiving Data From the National Driver Register Problem Driver Pointer System	2127-AG68
2337	High-Theft Lines for Model Year 1998	2127-AG71

+ DOT-designated significant regulation.

National Highway Traffic Safety Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2338	Procedures for Considering Environmental Impacts	2127-AB79
2339	Seating Systems Performance	2127-AD08
2340	Seat Adjustment Position	2127-AE22
2341	Certification Requirements of Multistage Vehicles	2127-AE27
2342	Radiator Safety Cap	2127-AE59
2343	Electric Vehicle Safety	2127-AF43
2344	Conversion of Vehicles to Compressed Natural Gas	2127-AF50
2345	Cylinder Requirements	2127-AF51
2346	Review: Odometer Fraud	2127-AF53
2347	+Review: Side Impact Protection	2127-AF54
2348	Review: American Automobile Labeling Act	2127-AG18
2349	Convex Cross View Mirrors	2127-AG41

+ DOT-designated significant regulation.

National Highway Traffic Safety Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2350	Incentive Grant Criteria for Drunk-Driving-Prevention Programs (Section 410)	2127-AD01
2351	Compressed Natural Gas (CNG) Fuel Containers	2127-AF14
2352	+Uniform Tire Quality Grading	2127-AF17
2353	Rigid Plastics in Windows	2127-AF28
2354	Air Brake Systems; Air Compressor Cut-In Pressure	2127-AF63
2355	Remove Obsolete Requirements for Head Restraints	2127-AF70
2356	Rescind Headlamp Concealment Devices	2127-AF90
2357	Operation of Motor Vehicles by Intoxicated Minors	2127-AG20
2358	Long Stroke Brake Chambers	2127-AG25
2359	Simplify Occupant Crash Protection Standard	2127-AG29
2360	Manufacturer's Responsibilities for Defect and Noncompliance Reporting	2127-AG45

+ DOT-designated significant regulation.

Federal Railroad Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2361	+Hours of Service Electronic Recordkeeping Project	2130-AB04

+ DOT-designated significant regulation.

DOT

Federal Railroad Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2362	+Whistle Bans at Highway-Rail Grade Crossings	2130-AA71
2363	Qualification and Certification of Locomotive Engineers	2130-AA74
2364	+Track Safety Standards	2130-AA75
2365	+Locomotive Crashworthiness and Working Conditions	2130-AA89
2366	+Environmental Impact and Related Procedures (FRA, FTA, FHWA)	2130-AA93
2367	+Radio Communication-Advanced Train Control System	2130-AA94
2368	+Passenger Equipment Safety Standards	2130-AA95
2369	+Rail Passenger Service: Emergency Preparedness	2130-AA96
2370	Reinvention of Steam Locomotive Inspection Regulations	2130-AB07
2371	+Florida Overland Express High Speed Rail Rule of Particular Applicability	2130-AB14
2372	+Power Brake Regulations: Freight Power Brake Revisions	2130-AB16

+ DOT-designated significant regulation.

Federal Railroad Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2373	Local Rail Freight Assistance to States	2130-AA60
2374	Alcohol/Drug Regulations; Miscellaneous Technical Amendments and Corrections	2130-AA63
2375	+Freight Car Safety Standards: Maintenance-of-Way Equipment	2130-AA68
2376	Power Brake Regulations: Two-way End-of-Train Telemetry Devices	2130-AA73
2377	+Roadway Worker Protection	2130-AA86
2378	Maintenance, Inspection, and Testing of Grade-Crossing Signal Systems	2130-AA97
2379	Statement of Policy Regarding Safety of Railroad Bridges	2130-AA99
2380	Reinvention of Regulations Addressing Discontinuance or Modification of Signal Systems	2130-AB05
2381	Reinvention of Signal System Reporting Requirements	2130-AB06
2382	Reinvention of Regulations Addressing Railroad User Fees	2130-AB09
2383	Use of Remotely Controlled Locomotives in Rail Operations	2130-AB17
2384	Use of One-Person Crews in Rail Operations	2130-AB18

+ DOT-designated significant regulation.

Federal Railroad Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2385	AMTRAK Waste Disposal	2130-AA84
2386	Protection of Utility Employees	2130-AA90
2387	+Selection and Installation of Grade Crossing Warning Systems	2130-AA92
2388	Tourist and Historic Working Group Regulatory Review **(Section 610 Review)**	2130-AB12
2389	Small Railroads; Policy Statement on Enforcement Program	2130-AB15

+ DOT-designated significant regulation.

Federal Railroad Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2390	Railroad Accident Reporting; Miscellaneous Amendments	2130-AB13

DOT

Federal Transit Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2391	+Department of Transportation (FTA, FRA, FHWA, and USCG), NEPA, and Related Procedures for Transportation Decision-Making	2132-AA43
2392	Prevention of Alcohol Misuse in Transit Operations; Prevention of Prohibited Drug Use in Transit Operations	2132-AA56
2393	Charter Services Demonstration Program	2132-AA58

+ DOT-designated significant regulation.

Federal Transit Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2394	+Bus Testing	2132-AA30

+ DOT-designated significant regulation.

Federal Transit Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2395	+Management and Monitoring Systems	2132-AA47
2396	+New Starts Criteria	2132-AA50
2397	Rail Fixed Guideway Systems: State Safety Oversight	2132-AA57

+ DOT-designated significant regulation.

Saint Lawrence Seaway Development Corporation—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2398	Great Lakes Pilotage Points System	2135-AA10

Saint Lawrence Seaway Development Corporation—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2399	Great Lakes Pilotage Rate Increase	2135-AA08
2400	Inflation Adjustment of Civil Monetary Penalty	2135-AA09

Research and Special Programs Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2401	+Qualification of Pipeline Personnel	2137-AB38

+ DOT-designated significant regulation.

Research and Special Programs Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2402	Requirements for Cylinders **(Section 610 Review)**	2137-AA92

DOT

Research and Special Programs Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2403	+Gas Gathering Line Definition	2137-AB15
2404	+Maps and Records of Pipeline Locations and Characteristics; Notification of State Agencies; Pipe Inventory	2137-AB48
2405	DOT 3AL Aluminum Cylinders; Safety Problems	2137-AB51
2406	Underwater Abandoned Pipeline Facilities	2137-AC33
2407	Areas Unusually Sensitive to Environmental Damage (USAs)	2137-AC34
2408	+Increased Inspection Requirements	2137-AC38
2409	+Emergency Flow Restricting Devices	2137-AC39
2410	Transportation of Hazardous Materials Miscellaneous Amendments	2137-AC41
2411	Labeling Requirements for Poisonous Materials	2137-AC47
2412	Regulated Gas and Hazardous Liquid Gathering Lines	2137-AC53
2413	Permanent Underwater Inspections	2137-AC54
2414	Retention of Shipping Papers	2137-AC64
2415	+Risk-based Alternative to Pressure Testing Rule	2137-AC78
2416	Drug and Alcohol Testing: Substance Abuse Professional Evaluation for Drug Use	2137-AC84
2417	Hazardous Liquid Pipelines Operated at 20 Percent or Less of Specified Minimum Yield Strength	2137-AC87
2418	Requirements for Cargo Tanks	2137-AC90
2419	Metrication	2137-AC98

+ DOT-designated significant regulation.

Research and Special Programs Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2420	+Hazardous Materials in Intrastate Commerce **(Section 610 Review)**	2137-AB37
2421	Determining the Extent of Corrosion on Exposed Gas Pipelines	2137-AB50
2422	Passage of Internal Inspection Devices	2137-AB71
2423	Improvements to Hazardous Materials Identification Systems	2137-AB75
2424	Adoption of Industry Standards for Breakout Tanks	2137-AC11
2425	Tank Cars and Cargo Tank Motor Vehicles: Attendance Requirements	2137-AC24
2426	+Response Plans for Onshore Oil Pipelines	2137-AC30
2427	Excess Flow Valve Customer Notification	2137-AC55
2428	Mandatory Participation in Qualified One-Call Systems by Pipeline Operators	2137-AC57
2429	Pipeline Safety User Fees	2137-AC65
2430	Control of Drug Use and Alcohol Misuse in Natural Gas, Liquefied Natural Gas, and Hazardous Liquid Pipeline Operations	2137-AC67
2431	Harmonization With United Nations Recommendations, International Maritime Dangerous Goods Code and International Civil Aviation Organization's Technical Instructions	2137-AC82
2432	Liquefied Natural Gas Regulations; Miscellaneous Amendments	2137-AC88
2433	+Prohibition of Oxidizers Aboard Aircraft	2137-AC92
2434	Control of Drug Use and Alcohol Misuse in Natural Gas, Liquefied Natural Gas, and Hazardous Liquid Pipeline Operations: Amendment to Reporting of Drug and Alcohol Testing Results	2137-AC95
2435	Regulations Implementing Memorandum of Understanding with the Department of the Interior	2137-AC99
2436	Availability of Interpretations of RSPA Regulations	2137-AD00
2437	+Further Regulatory Review; Gas Pipeline Safety Standards	2137-AD01
2438	+Hazardous Materials: Shipping Description and Packaging of Oxygen Generators	2137-AD02

+ DOT-designated significant regulation.

Research and Special Programs Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2439	Quantity Limitations Aboard Aircraft	2137-AA85
2440	+Safeguarding Food From Contamination During Transportation	2137-AC00
2441	Applicability of the Hazardous Materials Regulations	2137-AC68
2442	Filling of Propane Cylinders	2137-AC86

DOT

Research and Special Programs Administration—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2443	+Hazardous Materials: Cargo Tank Motor Vehicles in Liquefied Compressed Gas Service; Interim Final Rule	2137-AC97

+ DOT-designated significant regulation.

Research and Special Programs Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2444	+Excess Flow Valve Performance Standards	2137-AB97
2445	Regulatory Reinvention Initiative: Pipeline Safety Program Procedures; Reporting Requirements; Gas Pipeline Standards; and Liquefied Natural Gas Facilities Standards	2137-AC28
2446	Safety Permits—Shipper's Responsibility	2137-AC45
2447	Revision of Cylinder Qualification Requirements	2137-AC59
2448	Revision of Exemption, Approval, Registration, and Reporting Procedures	2137-AC63
2449	Transportation of Hazardous Materials by Railroad; Miscellaneous Amendments	2137-AC66
2450	Periodic Updates to Pipeline Safety Regulations	2137-AC74
2451	Revision of Miscellaneous Hazardous Materials Regulations: Regulatory Review	2137-AC76
2452	Pipeline Safety Program Procedures: Updates and Corrections	2137-AC79
2453	Performance-Oriented Packaging Standards; Final Transitional Provisions	2137-AC80
2454	Restructuring of Cylinder Specification Requirements	2137-AC81
2455	+Prohibition of Oxygen Generators as Cargo in Passenger Aircraft	2137-AC89
2456	Hazardous Materials Regulations: Editorial Corrections and Clarifications	2137-AC93
2457	Pipeline Safety Rulemaking Procedures	2137-AC94
2458	Hazardous Materials Regulations; Penalty Guidelines	2137-AC96

+ DOT-designated significant regulation.

Maritime Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2459	+Fair and Reasonable Rates: Bulk and Packaged Preference Cargoes	2133-AB19
2460	Criteria for Granting Waivers of Requirement for Exclusive U.S.-Flag Vessel Carriage of Certain Export Cargoes	2133-AB26
2461	Approval of Certain Transactions Before Vessel's Documentation	2133-AB30

+ DOT-designated significant regulation.

Maritime Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2462	+Guideline Rates: Less-Than-Shipload Lots of Bulk Preference Cargoes on Liner Vessels	2133-AB16
2463	+Maritime Security Program	2133-AB24
2464	Elimination of Mortgagee and Trustee Restrictions	2133-AB29

+ DOT-designated significant regulation.

Maritime Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2465	Reemployment Rights of Certain Merchant Seamen	2133-AB28

DOT

Bureau of Transportation Statistics—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2466	Modernizing the Passenger Origin-Destination Survey	2139-AA01
2467	Modernizing the Motor Carriers of Property Financial Data Collections	2139-AA05

Bureau of Transportation Statistics—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2468	+Amendments to the On-Time Disclosure Rule	2139-AA00
2469	Amendment to Passenger Origin-Destination Survey	2139-AA04

+ DOT-designated significant regulation.

DEPARTMENT OF TRANSPORTATION (DOT) — Prerule Stage

Office of the Secretary (OST)

1953. ● +DOMESTIC PASSENGER MANIFEST INFORMATION

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 40101; 49 USC 40113 to 40114; 49 USC 41702; 49 USC 41708 to 41709; 49 USC 41711; 49 USC 46301; 49 USC 46310; 49 USC 46316

CFR Citation: 14 CFR 243

Legal Deadline: None

Abstract: This notice requests comments concerning operational and cost issues related to U.S. air carriers collecting information such as full name, date of birth and/or social security number, emergency contact and telephone number, from passengers traveling on flights within the United States. This notice is being issued on the Department's initiative in response to difficulties with notification in the aftermath of domestic aviation disasters and to comply with a recommendation contained in the initial report of the White House Commission on Aviation Safety and Security (1996) that urges the Department to explore immediately the costs and effects of a comprehensive passenger manifest requirement on the domestic aviation system.

Timetable:

Action	Date	FR Cite
ANPRM	03/13/97	62 FR 11789
ANPRM Comment Period End	05/12/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Bernard Gaillard, Director, Office of International Tranportation and Trade, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4368

RIN: 2105–AC62

1954. ● +COMPUTER RESERVATIONS SYSTEM REGULATIONS COMPREHENSIVE REVIEW (SECTION 610 REVIEW)

Priority: Other Significant

Legal Authority: 49 USC 41712; 49 USC 40101(a); 49 USC 40113(a); 49 USC 40105

CFR Citation: 14 CFR 255

Legal Deadline: Final, Statutory, December 31, 1997, Current regulation expires.

Abstract: The Department regulates computer reservations systems owned by airlines or airline affiliates that are used by travel agencies. The current rules are designed to prevent the systems from unreasonably prejudicing the competitive position of other airlines and to ensure that travel agencies can provide accurate and unbiased information to the public. The Department will reexamine its rules to see whether they should be readopted and, if so, whether they should be changed.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Thomas Ray, Senior Trial Attorney, C-30, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4731
Fax: 202 366-7152

RIN: 2105–AC65

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

Proposed Rule Stage

1955. +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 incentives 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	04/00/97	

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

1956. +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: None

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	04/00/97	

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

1957. +DISADVANTAGED BUSINESS ENTERPRISE (DBE) REGULATION; GENERAL UPDATE

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: 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. The SNPRM also includes proposed amendments to the airport concession portion of the DBE program on which a separate NPRM was issued 10/6/93 under RIN 2105-AB99, Participation by Disadvantaged Business Enterprises in Airport Concessions, (58 FR 52050). This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	12/09/92	57 FR 58288
Extended NPRM Comment Period End 4/8/93	03/03/93	58 FR 12207
NPRM Comment Period End	03/09/93	
SNPRM	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local

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

Additional Information: RIN 2105-AB99 had a statutory deadline of 4/30/93 for a final rule. Its legal authority came from PL 102-581 and PL 97-248.

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

1958. 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
Comment Period Extended	11/29/94	59 FR 60926
NPRM Comment Period End	11/29/94	
Notice Summarizing Aggregated Data	04/00/97	

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

1959. 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	04/00/97	

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

1960. USE OF OXYGEN BY AIR CARRIER PASSENGERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 41705

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 conformance with RSPA and FAA hazardous materials rules and the question of providing oxygen during long layovers.

Timetable:

Action	Date	FR Cite
NPRM	08/00/97	

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

1961. 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 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. An SNPRM may be issued to specify changes to the reporting instructions that apply to Form 41, Schedule P-1.2, Statement of Operations, that are the result of this final rule.

Timetable:

Action	Date	FR Cite
NPRM	02/15/96	61 FR 5963
NPRM Comment Period End	04/15/96	
Final Action	02/13/97	62 FR 6715
Final Action Effective	03/17/97	
SNPRM	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Analysis 04/00/97

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

1962. 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	01/00/98	

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

1963. 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	02/03/97	62 FR 5094
NPRM Comment Period End	04/04/97	

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

1964. +UPDATE OF DRUG AND ALCOHOL PROCEDURAL RULES (SECTION 610 REVIEW)

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 suggestions for possible changes to the regulation and the focus is expected to be on drug testing. As part of this action, a small entities review under 5 USC Section 610 will be included.

Timetable:

Action	Date	FR Cite
ANPRM	04/29/96	61 FR 18713
ANPRM Comment Period End	07/29/96	
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: This change would apply to regulated parties through each of the six DOT operating administrations' rules. (FAA, FHWA, FTA, FRA, USCG, and RSPA). It is expected that the NPRM to be issued in this action will withdraw an NPRM in a related action RIN 2105-AB71, Procedures for Transportation Workplace Drug-Testing Programs.

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

1965. PRIVACY ACT EXEMPTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552a; 49 USC 322

CFR Citation: 49 CFR 10

Legal Deadline: None

Abstract: DOT is amending its rules implementing the Privacy Act of 1974 to exempt from certain provisions of the Act the Coast Guard's new Marine Safety Information System. This new system would consolidate information currently in two existing USCG record systems. The purpose of this exemption is to prevent persons who are the subjects of criminal investigations from learning too early in the investigative process that they are subjects, what information there is in Coast Guard files that indicates that they may have committed unlawful conduct, and who provided such information.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert I. Ross, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9156
Fax: 202 366-9170

RIN: 2105–AC60

1966. PASSENGER TARIFF-FILING REQUIREMENTS EXEMPTION

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 to 40114; 49 USC 41504; 49 USC 41701; 49 USC 41707 to 41709; 49 USC 41712; 49 USC 46101

CFR Citation: 14 CFR 221; 14 CFR 156(j)(2)(ii)

Legal Deadline: None

Abstract: This action would exempt U.S. and foreign air carriers from the statutory and regulatory duty to file with DOT international passenger

tariffs in certain instances subject to the reimposition of the duty in specific cases when consistent with the public interest. In addition, the Department proposes to reissue a new version of Part 221 that eliminates most of the traditional paper format and filing procedures set forth in the present version.

Timetable:

Action	Date	FR Cite
NPRM	03/10/97	62 FR 10758
NPRM Comment Period End	05/09/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John H. Kiser, Chief, Pricing and Multilateral Affairs Division, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2435

RIN: 2105–AC61

DEPARTMENT OF TRANSPORTATION (DOT) — Final Rule Stage
Office of the Secretary (OST)

1967. 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	04/00/97	

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

1968. 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	04/00/97	

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

1969. 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	04/00/97	

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

1970. 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 withdrawing the NPRM 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	04/00/97	

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

1971. 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	04/00/97	

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

1972. 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	04/00/97	

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

1973. +PRICE ADVERTISING

Priority: Other Significant

Legal Authority: 49 USC 1371; 49 USC 1381

CFR Citation: 14 CFR 380; 14 CFR 399

Legal Deadline: None

Abstract: The Department proposed in 1989 to amend its rule and policy statement with respect to air transportation price advertising. This rulemaking is significant because of substantial public interest. Because of the amount of time that has elapsed since the proposal was issued, the Department is withdrawing it and is considering whether to issue a new NPRM.

Timetable:

Action	Date	FR Cite
NPRM	07/26/89	54 FR 31052
Extended Comment Period End 9/25/89	08/23/89	54 FR 35005
NPRM Comment Period End	08/25/89	
To Be Withdrawn	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 07/26/89 (54 FR 31052)

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–AB50

1974. +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. Guidance was issued by the Office of Management and Budget 12/20/89 (54 FR 52305). OMB guidance based on changes to section 1352 in the Lobbying Disclosure Act of 1995 was published 1/19/96 (61 FR 1412). OMB will convene a government-wide panel to develop a common rule to conform to the 1995 legislatively mandated changes. 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
Comment Period End	04/27/90	
Final Action	10/00/97	

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.

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

1975. +PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG-TESTING 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 101; 49 USC 102; 49 USC 301; 49 USC 302; 49 USC 322

CFR Citation: 49 CFR 40

Legal Deadline: None

Abstract: The NPRM in 1990 concerned the question of to whom reports of negative drug test results may be sent. It will be formally withdrawn when the Department issues an NPRM under RIN 2105-AC49, Update of Drug and Alcohol Procedural Rules. 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	
To Be Withdrawn	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 07/13/90 (55 FR 28782)

Additional Information: In the last Agenda, this action was identified as incorporating a 5 USC 610 Review. That review will be conducted as part of the action being taken under a similar rulemaking title, RIN 2105-AC49, for which an ANPRM was published 4/29/96 (61 FR 18713).

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

1976. IMPLEMENTATION OF AMENDMENTS TO THE EQUAL ACCESS TO JUSTICE 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: 5 USC 504

CFR Citation: 49 CFR 6; 48 CFR 6301; 14 CFR 14

Legal Deadline: None

Abstract: This action would provide the award of attorney fees and other expenses under the Equal Access to Justice Act to eligible individuals and entities who are parties to certain administrative proceedings before the Department and its various operating administrations. These revisions are necessitated by various statutory changes that have been made since DOT adopted its present rule in 1983. DOT is not, however, proposing any other substantive alterations to its regulation. All of the Department's proposed changes to its regulations either mirror the currently-applicable statutory requirements or are of a minor non-technical nature.

Timetable:

Action	Date	FR Cite
NPRM	06/05/96	61 FR 28831
NPRM Comment Period End	09/05/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Alexander Millard, Attorney, C-30, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9285

RIN: 2105–AB73

1977. +PASSENGER MANIFEST INFORMATION

Priority: Other Significant

Legal Authority: 49 USC 44909

CFR Citation: 14 CFR 243

Legal Deadline:
Final, Statutory, March 16, 1991.

Abstract: This rule would require that each air carrier and foreign air carrier collect basic information from specified passengers traveling on flight segments to or from the United States. U.S. carriers would collect the information for all passengers and foreign air carriers would collect the information for U.S. citizens. The information

would include the passenger's full name and passport number and issuing country code, if a passport is required for travel. In addition, airlines would be required to solicit the name and telephone number of a person or entity to be contacted in case of emergency. Airlines would be required to make a record of passengers who decline to provide an emergency contact. The information would be provided to the Departments of Transportation and State in case of an aviation disaster. This rulemaking is considered significant because of substantial public interest and the congressional mandate.

Statement of Need: During the immediate aftermath of the tragic bombing of Pan American Flight over Lockerbie, Scotland in 1988, the Department of State experienced difficulties in securing complete and accurate passenger manifest information and in notifying the families of victims. The Department of State did not receive the information for ''more than seven hours after the tragedy'' and then, in accordance with current airline practice, it included only the passenger's surnames and first initials which was insufficient information to permit notification of the victims' families in a timely manner. There were continuing problems after subsequent crashes on international flights from the U.S. that took place near Cali, Columbia, in December 1995, and off Long Island, New York, in July 1996.

Summary of the Legal Basis: This proposal is being issued in order to implement the requirements of 49 USC 44909. In 1990, Congress mandated that the Secretary of Transportation require all U.S. air carriers to provide a passenger manifest for any flight to an appropriate representatives of the U.S. Department of State (1) not later than 1 hour after any such carrier is notified of an aviation disaster outside the United States which involves such flight; or (2) if it is not technologically feasible or reasonable to fulfill the requirement of this subsection within 1 hour, then as expeditiously as possible, but no later than 3 hours after such notification.

In addition, the statute requires that the passenger manifest information include the full name of each passenger, the passport number of each passenger, if a passport is required for travel, and the name and telephone number of an emergency contact for each passenger. The statute further notes that the Secretary of Transportation shall consider the necessity and feasibility of requiring U.S. carriers to collect passenger manifest information as a condition for passenger boarding of any flight subject to the passenger manifest requirements. Finally, the statute provides that the Secretary of Transportation shall consider a requirement for foreign air carriers comparable to that imposed on U.S. air carriers.

Alternatives: The Department is proposing to waive compliance with certain requirements if an air carrier has in effect a signed Memorandum of Understanding with the Department of State concerning cooperation and mutual assistance following aviation disasters abroad.

The Department proposes to allow air carriers to develop their own passenger manifest data collection systems. Air carriers would be free to adopt any system that minimizes the burden on them, so long as the system is capable of meeting the requirements set out in the statute. In an attempt to not disproportionately burden smaller air carriers, DOT is considering, in addition, a longer phase-in period for these air carriers.

Anticipated Costs and Benefits: The Department estimates that the rule would cost between $27.6 and $44.8 million per year plus a one-time start-up cost of $30.5 million. The direct benefits would include prompt and accurate notification to families of victims of aviation disasters that occur on flights to and from the United States and a general increase in the response capability of the Department of State regarding its duties to U.S. citizens and to foreign governments following an aviation disaster.

Risks: This action addresses the need for prompt and accurate notification of families of victims of aviation disasters on international flights to or from the U.S. We expect the action to significantly reduce, if not eliminate, many of the notification problems that the air carriers and the Department of State have encountered in previous aviation disasters.

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 3/29/96	03/15/96	61 FR 10706
NPRM	09/10/96	61 FR 47692
NPRM Comment Period End	11/12/96	
Final Action	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation 09/10/96 (61 FR 47692)

Additional Information: This entry was formerly titled Aviation Security: Passenger Manifest Information.

Agency Contact: Bernard Gaillard, 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

1978. 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	
Extended Comment Period End 11/16/92	10/22/92	57 FR 48193
Final Action	04/00/97	

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
Phone: 202 366-1037

RIN: 2105–AB91

1979. +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. This action will be combined with RIN 2105-AB92, DBE Regulation: General Update at the SNPRM stage.

Timetable:

Action	Date	FR Cite
NPRM	10/06/93	58 FR 52050
NPRM Comment Period End	11/22/93	
Extended Comment Period End 12/14/93	11/30/93	58 FR 63153
To Be Combined With RIN 2105-AB92	04/00/97	

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

1980. 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	04/00/97	

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

1981. 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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Laura Trejo, Attorney Advisor, Department of Transportation, Office of the Secretary, 400 Seventh Stteet SW., Washington, DC 20590
Phone: 202 366-9183

RIN: 2105–AC10

1982. 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

Action	Date	FR Cite
NPRM Comment Period End	10/03/95	
Final Action	04/00/97	

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

1983. 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	04/00/97	

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

1984. 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.''

Timetable:

Action	Date	FR Cite
NPRM	01/19/95	60 FR 3778
NPRM Comment Period End	03/20/95	
Final Action	04/00/97	

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

1985. NONPROCUREMENT DEBARMENT AND SUSPENSION

Priority: Info./Admin./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	04/00/97	

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

1986. 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: The Department is proposing to amend its rules implementing the Air Carrier Access Act of 1986 concerning seating accommodations for individuals with disabilities and the stowage of collapsible electric wheelchairs. The rule also seeks comment on petitions requesting a smoke-free path through airports for passengers with severe respiratory disabilities.

Timetable:

Action	Date	FR Cite
NPRM	11/01/96	61 FR 56481
NPRM Comment Period End	01/30/97	
Final Action	07/00/97	

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
TDD: 202 755-7687

RIN: 2105–AC28

1987. +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: Comment Period End 1/9/95	12/09/94	59 FR 63736
NPRM	08/14/96	61 FR 42197
NPRM Comment Period End	09/13/96	
Reply Comment Period End	10/03/96	
Final Action	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: See RIN 2105-AC56, Fair and Accurate Display of Airline Service in Computer Reservation Systems, NPRM 8/14/96 (61 FR 42208).

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

1988. 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: Comment Period End 3/19/96	01/19/96	61 FR 1309
Notice of Compliance Policy	05/00/97	

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

1989. 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.

Timetable:

Action	Date	FR Cite
NPRM	06/03/96	61 FR 27818
NPRM Comment Period End	07/18/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Other rulemakings: 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

1990. 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 for employers.

Timetable:

Action	Date	FR Cite
NPRM	05/09/96	61 FR 21149
NPRM Comment Period End	07/08/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This action involves four operating administrations: FAA, FHWA, FTA, and FRA. On May 10, 1995, (60 FR 24765) DOT suspended its pre-employment alcohol testing requirements after a court decision vacated the requirements of the FHWA alcohol testing rule.

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

1991. CLASSIFIED INFORMATION: REVISION

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; EO 20450; EO 12968

CFR Citation: 49 CFR 1; 49 CFR 8

Legal Deadline: None

Abstract: This action would revise regulations regarding the classification and declassification of, and access to, classified information. It would delegate to the Assistant Secretary for Administration authority to ensure compliance within DOT with a number of underlying Executive Orders.

Timetable:

Action	Date	FR Cite
NPRM	07/01/96	61 FR 33886
NPRM Comment Period End	08/30/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert I. Ross, Office of the General Counsel, C-10, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2195
Fax: 202 366-9170

RIN: 2105–AC51

1992. +FAIR AND ACCURATE DISPLAY OF AIRLINE SERVICE IN COMPUTER RESERVATION SYSTEMS

Priority: Other Significant

Legal Authority: 49 USC 41712

CFR Citation: 14 CFR 255.4

Legal Deadline: None

Abstract: The Department is proposing two rules to ensure that travel agents using computer reservations systems (CRSs) can obtain a fair and accurate display of airline services. One proposed rule would require each CRS to offer a display that lists all nonstop flights first, all single-plane flights next, and connecting services last.

On-line connections would receive no preference over interline connections. We are proposing to make this display the default or primary display; however, we ask for comments on whether that should be required. The second proposed rule would require that any display offered by a system be based on rational criteria related to consumer preferences. This action is necessary to promote airline competition and ensure that travel agents and consumers can obtain a reasonable display of airline services.

Timetable:

Action	Date	FR Cite
NPRM	08/14/96	61 FR 42208
Correction	08/23/96	61 FR 43500
NPRM Comment Period End	10/15/96	
Reply Comment Period End	11/12/96	
Final Action	06/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: See also RIN 2105-AC35, Computer Reservations System Regulations and Amendments, NPRM 8/14/96 (61 FR 42197).

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–AC56

1993. MAINTENANCE OF AND ACCESS TO RECORDS PERTAINING TO INDIVIDUALS

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 552(a); 45 USC 322

CFR Citation: 49 CFR 10

Legal Deadline: None

Abstract: This revision would update and streamline information on maintenance and access to records pertaining to individuals. The main revision would remove references to appendices since they contain information which describes the systems of records maintained by all Federal agencies. That information is available through the Notice of Records Systems.

Timetable:

Action	Date	FR Cite
NPRM	06/11/96	61 FR 29522
NPRM Comment Period End	09/12/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dorothy A. Chambers, Office of the General Counsel, C-12, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4542
Fax: 202 366-7152

RIN: 2105–AC57

1994. PUBLIC AVAILABILITY OF INFORMATION

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 522; 31 USC 9701; 49 USC 322; EO 12600

CFR Citation: 49 CFR 7

Legal Deadline: None

Abstract: This action would revise and reissue regulations implementing the Freedom of Information Act. It would update organizational changes since the last revision and streamline the regulations in order to make them more useful.

DOT—OST

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	06/26/96	61 FR 33075
NPRM Comment Period End	08/26/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dorothy A. Chambers, Chief, Freedom of Information Act Division, Office of General Counsel, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4542
Fax: 202 366-7152

RIN: 2105–AC58

1995. ● CIVIL MONETARY PENALTY INFLATION ADJUSTMENT

Priority: Info./Admin./Other

Legal Authority: PL 104-134; PL 101-410

CFR Citation: 46 CFR 221; 33 CFR 401; 14 CFR 13

Legal Deadline:
Final, Statutory, October 23, 1996.

Abstract: The Federal Civil Penalties Inflation Adjustment Act of 1990 as amended by the Debt Collection Improvement Act of 1996 requires each agency to regularly adjust certain civil monetary penalties in an effort to maintain their remedial impact and promote compliance with the law. The Department reserved a single RIN for agencies to use in publishing these final rules limited to the adoption of statutory language without interpretation.

Timetable:

Action	Date	FR Cite
Final Rule (MARAD)	11/05/96	61 FR 56900
Final Rule (FAA)	12/20/96	61 FR 67444
Final Rule (NHTSA)	02/04/97	62 FR 5167
Final Rule (OST)	02/13/97	62 FR 6719
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SLSDC published its rule under RIN 2135-AD09, 10/22/96, 61 FR 54733. RSPA published its rule under RIN 2137-AC96 before the Department reserved the single RIN. RSPA published its rule under RIN 2138-AC96, 1/21/97, 62 FR 2970 because its rule was more complicated.

Agency Contact: Jeanne Kowalski, Regulations and Enforcement, C-50, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6322

RIN: 2105–AC63

1996. ● INSPECTION AND COPYING OF DEPARTMENT OPINIONS, ORDERS, AND RECORDS

Priority: Info./Admin./Other

Unfunded Mandates: Undetermined

Major: Undetermined

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

Legal Authority: 15 USC 1601 to 1693; 49 USC 40101; 49 USC 41712

CFR Citation: 14 CFR 310; 14 CFR 374; 12 CFR 202; 12 CFR 226

Legal Deadline: None

Abstract: This rule removes 14 CFR part 310 because the provisions of the regulation are outdated and already encompassed in 49 CFR Part 7, which provides for the inspection and copying of all relevant DOT opinions, orders, and records. The Department is also updating both agency references and statutory citations in 14 CFR Part 374, Implementation of the Consumer Credit Protection Act With Respect to Air Carriers and Foreign Air Carriers.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dayton Lehman, Office of Aviation Enforcement Proceedings, C-70, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9349

RIN: 2105–AC64

DEPARTMENT OF TRANSPORTATION (DOT)

Office of the Secretary (OST)

Long-Term Actions

1997. POLICY STATEMENT ON AIRLINE PREEMPTION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 41713

CFR Citation: 14 CFR 399

Legal Deadline: None

Abstract: The Civil Aeronautics Board in 1979 issued an interim Policy Statement on preemption. It discusses the policy of the Department with respect to three areas in which State law has been preempted by the Airline Deregulation Act of 1978: regulation of commuter air carriers and air taxis, the rights of airport proprietors, and general State authority as it directly or indirectly affects air transportation competition. The Supreme Court subsequently ruled that section 105 of the ADA preempts even indirect State regulation that ''has a connection with or reference to'' airline rates, routes, or services. Recently the Supreme Court issued another decision on this provision of the law, ruling that it does not preempt state contract law with respect to interpretation and enforcement of agreements voluntarily entered into by air carriers. The Department is considering the effect of these two holdings on the future course and content of the Policy Statement and whether there is a need for such a policy statement.

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

Additional Information: The 1995 decision issued by the Supreme Court is American Airlines v. Wolens, (S. Ct. No. 93-1286).

Agency Contact: Paul Smith, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9285

RIN: 2105–AA46

1998. BAGGAGE LIABILITY NOTICES IN INTERNATIONAL AIR TRANSPORTATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1381; 49 USC 1386; 49 USC 1481 to 1482

CFR Citation: 14 CFR 221

Legal Deadline: None

Abstract: In response to a petition by Mr. Howard Boros, the CAB proposed to amend the baggage liability notices provided to passengers in foreign air travel. The NPRM proposed to eliminate the disclaimer of liability for fragile and perishable items because that notice is false and misleading.

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

Additional Information: Docket 41690; EDR-477.

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–AA84

1999. +STATEMENT OF ENFORCEMENT POLICY ON REBATING

Priority: Other Significant

Legal Authority: 5 USC 601; 49 USC 1301 to 1302; 49 USC 1305; 49 USC 1324(a); 49 USC 1371 to 1379; 49 USC 1381 to 1382; 49 USC 1384; 49 USC 1386; 49 USC 1461; 49 USC 1481 to 1482; 49 USC 1502; 49 USC 1504

CFR Citation: 14 CFR 399.80; 14 CFR 399.85

Legal Deadline: None

Abstract: The Department is proposing to provide formal notice to the public of its enforcement policy concerning the rebating of international air fares by adopting that policy as a Policy Statement in the regulations. No change in the substance of that policy is intended. The Department also proposes to revoke an existing Policy Statement on the advertising of rebates that is contrary to DOT's current enforcement policy. The proposal responds to a request for such action by the American Society of Travel Agents. The proposed regulation is significant because it involves important departmental policies and substantial industry interest.

Timetable:

Action	Date	FR Cite
NPRM	10/21/88	53 FR 41353
NPRM Comment Period End	12/20/88	
Extended Comment Period End 2/21/89	02/03/89	54 FR 5497
Correction	02/10/89	54 FR 6475
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 10/21/88 (53 FR 41353)

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

RIN: 2105–AB39

2000. SMOKING ABOARD AIRCRAFT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 1324; 49 USC 1374; 49 USC 1377; 49 USC 1386; PL 101-164

CFR Citation: 14 CFR 252

Abstract: This interim final rule amends the rules governing smoking aboard aircraft to incorporate a statutory ban on smoking aboard most U.S. flight segments. The statutory ban applies to both U.S. and foreign air carriers. This rulemaking proposed to clarify the current rule and make other minor changes. The interim final rule was significant because of substantial public interest. The present action would merely finalize that already taken and is, therefore, not considered significant.

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

Analysis: Regulatory Evaluation 02/13/90 (55 FR 4991)

Additional Information: The interim final rule was effective 02/25/90; the comments were due by 04/16/90.

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–AB58

2001. +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	
Next Action Undetermined		

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

2002. +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. Further DOT action is pending ATBCB/ Justice Department action. 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	
Next Action Undetermined		

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.
Phone: 202 366-9306

RIN: 2105–AC06

DEPARTMENT OF TRANSPORTATION (DOT) — Completed Actions

Office of the Secretary (OST)

2003. +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 NPRM was issued as part of a government-wide common rule effort to revise the Administration's requirements on grants to State and local governments. The effort ceased in January 1993, and most Federal agencies have already removed this item from their Agendas. 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	
Withdrawn	01/22/97	

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.

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

2004. +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: The SNPRM concerned three subjects: airport transportation systems, standards for boarding chairs, and substitute service when boarding assistance is not available for small commuter aircraft. The SNPRM was overtaken by the final rule published 11/1/96, 61 FR 56409, RIN 2105-AB62, Nondiscrimination on the Basis of Handicap in Federally Assisted Programs and in Air Travel (Air Carrier Access Act). That final rule applies ADA standards to airport transporation systems and requires boarding assistance, using lifts rather than boarding chairs, for small commuter aircraft. It also formally withdraws this SNPRM.

Timetable:

Action	Date	FR Cite
SNPRM Final Rule Amendments: Comment Period End 06/04/90	03/06/90	55 FR 8076
SNPRM Comment Period Entended to 07/20/90	06/08/90	55 FR 23450
SNPRM Withdrawn	11/01/96	61 FR 56420

Small Entities Affected: None

Government Levels Affected: None

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

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
TDD: 202 755-7687

RIN: 2105–AB61

2005. +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 Department amended its rules concerning the provision of equipment to facilitate the boarding by individuals with disabilities on small commuter aircraft. The rule requires air carriers and airports to work jointly to make lifts or other boarding devices available. The rule also harmonizes requirements relating to airport facilities in the Department's section 504 and Air Carrier Access Act regulations and clarifies provisions concerning communicable diseases. The Department is commencing proposed action on other ACAA-related subjects under RINs 2105-AC28 and AC29.

DOT—OST

Completed Actions

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
Second NPRM Extended Comment End 01/07/94	11/30/93	58 FR 63154
Second NPRM Comment Period End	12/09/93	
Final Action	11/01/96	61 FR 56498
Final Action Effective	12/02/96	
Correction	01/02/97	62 FR 16

Small Entities Affected: None

Government Levels Affected: None

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

Additional Information: The rulemaking regarding the issue of lifts for small commuter aircraft which began as RIN 2105-AB60, was consolidated into this rulemaking proceeding at the NPRM stage after the ANPRM, 55 FR 8078 was published 3/6/90. Advisory Committee meetings were held in 1992 and 1993. This final rule also withdraws an SNPRM, 55 FR 8076 published 3/6/90, under RIN 2105-AB61.

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
TDD: 202 755-7687

RIN: 2105–AB62

DEPARTMENT OF TRANSPORTATION (DOT)

Proposed Rule Stage

U.S. Coast Guard (USCG)

2006. REPORTING MARINE CASUALTIES (CGD 91-216)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

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	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: ENS Quan Nguyen, Project Manager, G-MSR-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1100

RIN: 2115–AD98

2007. +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	04/00/97	

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: LT Mark Ledbetter, Project Manager, G-MSR-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0971

RIN: 2115–AE18

2008. HANDLING OF EXPLOSIVES OR OTHER DANGEROUS CARGOES WITHIN OR CONTIGUOUS TO WATERFRONT FACILITIES (CGD 92-026)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

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	04/00/97	

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: LTJG Markus Hugi, Project Manager, G-MSO-2, Department of Transportation, U.S. Coast Guard,

2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6248

RIN: 2115–AE22

2009. AMENDMENTS TO HULL IDENTIFICATION NUMBER REGULATIONS (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 existing 12 character Hull Identification Number (HIN) applicable to manufacturers of recreational boats to include a two character country of origin, and align the Coast Guard HIN system with the newly adopted Certificate of Origin (COO) with each vessel produced to ensure documented international (ISO) system. Several minor amendments to the HIN regulations are also proposed.

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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Alston Colihan, Project Manager, G-OPB-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0984

RIN: 2115–AE37

2010. +FACILITY RESPONSE PLANS FOR HAZARDOUS SUBSTANCES (CGD 94-048)

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

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. 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 final 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. The Coast Guard has identified 84 hazardous substances currently carried in bulk by vessels.

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.''

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 for response resources, reviewing and updating hazardous substance response plans, maintaining any required equipment, and training and exercising response personnel. Potential benefits include, reduced risk of human exposure, 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. Specific estimates of potential monetary costs and benefits will depend upon the approach selected. Although an analysis has not yet been conducted, some approaches have potential costs that could exceed $100 million therefore, this is considered an economically significant action. 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, 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	05/03/96	61 FR 20084
Notice of Public Hearings	07/03/96	61 FR 34775
ANPRM Comment Period End	09/03/96	
NPRM	10/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Economic Analysis

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

RIN: 2115–AE87

2011. +TANK VESSEL RESPONSE PLANS FOR HAZARDOUS SUBSTANCES (CGD 94-032)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

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. 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 (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 final 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. The Coast Guard has identified 84 hazardous substances currently carried in bulk.

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.''

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 for spill-response resources, reviewing and updating hazardous substance response plans, maintaining any required equipment, and training and exercising response personnel. Potential benefits include, reduced risk to human health, 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 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	05/03/96	61 FR 20084
Notice of Public Hearings	07/03/96	61 FR 34775
ANPRM Comment Period End	09/03/96	
NPRM	10/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation

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

RIN: 2115–AE88

2012. NUMBERING OF UNDOCUMENTED BARGES (CGD 93-091)

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

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, Comment Period End 1/17/95	10/18/94	59 FR 52646
NPRM	10/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Analysis: Regulatory Evaluation

Agency Contact: Carlton Perry, Project Manager, G-OPB-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 2115–AF13

2013. 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 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	06/19/96	61 FR 31332
Correction	07/11/96	61 FR 36608
Correction	08/07/96	61 FR 41208
Notice of Meeting: Comment Period End 10/17/96	08/26/96	61 FR 43720
NPRM Comment Period End	10/17/96	
Notice of Intent	12/18/96	61 FR 66642
SNPRM	06/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: LCDR Don Darcy, Project Manager, G-MSO-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-4570

RIN: 2115–AF23

2014. ● STREAMLINED INSPECTION PROGRAM (CGD 96-055)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 3306; 46 USC 3703

CFR Citation: 46 CFR 8

Legal Deadline: None

Abstract: This project will establish a Streamlined Inspection Program (SIP). The SIP would allow owners or operators of inspected vessels to have their own personnel perform many of the tests and requirements currently done by Coast Guard marine inspectors. Owners and operators of inspected vessels would work with the Coast Guard to develop written inspection procedures for each of their vessels enrolled in the program. The SIP would be conducted with Coast Guard oversight, and while Coast Guard marine inspectors would still conduct required inspections, their time on board the vessel would be substantially reduced. The SIP will raise the overall level of safety of a vessel by allowing vessels to meet inspection requirements through a combination of: (1) increased participation of the vessel's crew in continuous vessel maintenance; (2) trained and qualified company personnel conducting specific pre-inspection tasks throughout the vessel inspection cycle; and (3) scheduled inspections conducted on board by Coast Guard marine inspectors.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

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

RIN: 2115–AF37

2015. ● LIMITED SERVICE DOMESTIC VOYAGE LOAD LINES FOR RIVER BARGES ON LAKE MICHIGAN (CGD 95-015)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 51

CFR Citation: 46 CFR 45

Legal Deadline: None

Abstract: This regulatory project will allow certain unmanned dry cargo river barges operating on Lake Michigan to be exempted from the normal Great Lakes load line requirements provided instead that they obtain a limited domestic service load line for two specific routes (Chicago to Milwaukee, and Chicago to Muskegon). This will allow certain non-hazardous cargoes originating at inland river ports to be transported as far as Milwaukee and Muskegon by river barge, thereby benefiting from the relatively low cost per ton-mile of river barge transportation. Compliance is not mandatory other than for those river barge operators who voluntarily seek this special load line for their barges.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Agency Contact: Thomas Jordan, Project Manager, G-MSE-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-2988

RIN: 2115–AF38

2016. ● OUTER CONTINENTAL SHELF ACTIVITIES (CGD 96-068)

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1333(d)(1); 43 USC 1348(c); 43 USC 1356

CFR Citation: 33 CFR 140 to 147

Legal Deadline: None

Abstract: This project would revise the regulations on Outer Continental Shelf (OCS) activities to (1) add new requirements for lifesaving, fire protection, training, hazardous materials used as stores on fixed OCS facilities, and accommodation spaces; (2) require foreign vessels engaged in OCS activities to comply with requirements similar to those imposed on U.S. vessels similarly engaged; and (3) all mobile inland drilling units (MIDUs) to operate on the OCS out to a defined boundary line, if they meet requirements for lifesaving, firefighting, operations similar to those for fixed OCS facilities. This project would affect the owners and operators of facilities and vessels engaged in offshore

activities associated with the exploration for, or development or production of, the minerals of the OCS. preliminary estimate of costs imposed by these amendments would vary according to the unit.

Timetable:

Action	Date	FR Cite
Notice of Request for Comments	06/27/95	60 FR 33185
End Comment Period	09/25/95	
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James Magill, Project Manager, G-MSO-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1082

RIN: 2115–AF39

2017. ● TRAFFIC SEPARATION SCHEME IN THE APPROACHES TO DELAWARE BAY (CGD 97-004)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1223

CFR Citation: 33 CFR 167

Legal Deadline: None

Abstract: This rule amends the Traffic Separation Scheme in approaches to Delaware Bay by shifting eastern approach lanes southward; establishing a two-way route for use by tug and tow traffic; and reconfiguring the precautionary area to exclude shoal areas too shallow for deep draft vessels.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Margie G. Hegy, Project Manager, G-MOV-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0415

RIN: 2115–AF42

DEPARTMENT OF TRANSPORTATION (DOT) — Final Rule Stage

U.S. Coast Guard (USCG)

2018. 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	04/00/97	

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-MSO-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6890

RIN: 2115–AA03

2019. +OFFSHORE SUPPLY VESSEL REGULATIONS (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.

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	

Action	Date	FR Cite
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	05/00/97	

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 CGD 82-004. Public hearing was held in New Orleans 09/13/89 in response to House subcommittee request.

Agency Contact: Jim Magill, Project Manager, G-MSO-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1082

RIN: 2115–AA77

2020. 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 1997: 300.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/97	

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-MOV-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0415

RIN: 2115–AA97

2021. 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 1997: 6.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/97	

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-MOV-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0415

RIN: 2115–AA98

2022. 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: As part of the President's Regulatory Review Initiative to remove or revise unnecessary government regulations, this interim rule removes numerous obsolete sections from the Code of Federal Regulations and eliminates duplication of other provisions by consolidating the lifesaving requirements for most U.S. inspected vessels making them consistent with the substantive provisions of the Safety of Life at Sea (SOLAS) Convention 1974, to the maximum extent practicable. It not only implements the provisions of Chapter III of SOLAS, as amended, but also revises lifesaving regulations for Great Lakes vessels and certain vessels in domestic trade which are not covered by SOLAS. The rule also replaces many prescriptive regulations with performance-based alternatives.

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	05/20/96	61 FR 25272
Interim Final Rule Comment Period End	07/31/96	
Notice of Meeting: Comment Period End 10/31/96	08/26/96	61 FR 43685
Interim Final Rule Effective	10/01/96	
Interim Rule; Partial Suspension	02/19/97	62 FR 7360
Interim Rule; Partial Suspension Effective	02/19/97	
Interim Rule Comment Period End	04/21/97	

Small Entities Affected: None

Government Levels Affected: State, Local

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.

To prevent any economic expenditures based on the Interim rule which might not be necessary under the Final rule, Coast Guard is suspending the implementation requirements for certain provisions in the Interim rule. Suspension of section 199.10(i)(1)(i), (ii) and (iii) is effective February 19,1997.

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

RIN: 2115–AB72

2023. +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	
Interim Final Rule Correction	05/15/96	61 FR 24464
Interim Final Rule Comment Period End	06/10/96	
Final Action	04/00/97	

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 provided an opportunity for public comment on those solutions.

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

RIN: 2115–AC22

2024. REVISION TO INFLATABLE LIFE RAFT APPROVAL: SOLAS 74/83 (CGD 85-205)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 159; 46 CFR 160

Legal Deadline: None

Abstract: This project establishes approval requirements for inflatable liferafts complying with the 1974 Safety of Life At Sea (SOLAS) Convention, as amended, as well as adds provisions for approval of Coastal Service inflatable liferafts and inflatable buoyant apparatus for use on certain vessels not subject to SOLAS. The project improves the seaworthiness of inflatable liferafts by specifying minimum requirements for liferaft stability. Finally, the project revises the requirements for inspections of liferaft production and servicing to reduce direct Coast Guard involvement and the associated burden on Coast Guard resources, while increasing manufacturers' flexibility in scheduling inspections.

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	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: Two closely related projects have been consolidated into this one: Inflatable Liferaft Stability (CGD 80-113), RIN 2115-AA50, and Servicing Inflatable Liferafts (CGD 81-010), RIN 2115-AA57.

Agency Contact: Mr. Kurt Heinz, Project Manager, G-MSE-4, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1444

RIN: 2115–AC51

2025. 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	12/13/95	60 FR 64001
Final Action	04/00/97	

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: LCDR Jack Kemerer, Project Manager, G-MOC-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0497

RIN: 2115–AD23

2026. TANK LEVEL OR PRESSURE MONITORING DEVICES (CGD 90-071)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 3703; PL 101-380

CFR Citation: 46 CFR 32

Legal Deadline:
Final, Statutory, December 1, 1991.

Abstract: The Oil Pollution Act of 1990 requires the Secretary of Transportation to issue regulations concerning the use of tank level or pressure monitoring devices for leak detection. This proposal would implement the provisions of the Act.

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	
Interim Final Rule	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: Formerly titled Overfill and Tank Level or Pressure Monitoring Devices.

Agency Contact: Laura Hamman, Project Manager, G-MSE-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0658

RIN: 2115–AD69

2027. +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	07/18/96	61 FR 37648
Interim Final Rule Comment Period End	09/16/96	
Notice of Policy Clarification	10/03/96	61 FR 51597
Interim Final Rule Effective	10/16/96	
Final Action	05/00/97	

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-MSO-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6451

RIN: 2115–AD75

2028. 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 1997: 250.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/97	

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-OPB-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 2115–AE46

2029. 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 1997: 50.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/97	

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-OPT-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6215

RIN: 2115–AE47

2030. 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 1997.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/97	

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-MOV-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0415

RIN: 2115–AE84

2031. 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 removes 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 Period End	10/20/95	
Interim Final Rule	12/18/96	61 FR 66612
Interim Final Rule Effective	01/02/97	
Interim Final Rule Comment Period End	02/18/97	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: LT Jennifer Ledbetter, Project Manager, G-MOA-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0684

RIN: 2115–AF02

2032. HARMONIZATION WITH INTERNATIONAL SAFETY STANDARDS (CGD 95-028)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 46 USC 3306; 46 USC 4104

CFR Citation: 33 CFR 155; 33 CFR 159; 46 CFR 2 to 4; 46 CFR 6 to 7; 46 CFR 10; 46 CFR 12; 46 CFR 15 to 16; 46 CFR 24 to 26; 46 CFR 28; 46 CFR 30 to 32; 46 CFR 34 to 35; 46 CFR 39; 46 CFR 50; 46 CFR 56; 46 CFR 58

Legal Deadline: None

Abstract: This rulemaking revises or removes sections of 46 CFR that are excessive when compared to various international standards.

Timetable:

Action	Date	FR Cite
NPRM	11/19/96	61 FR 58804
NPRM Comment Period End	01/21/97	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: ENS Maggie McGowan, Project Manager, G-MSE-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0021

RIN: 2115–AF10

2033. ALTERNATE COMPLIANCE VIA RECOGNIZED CLASSIFICATION SOCIETY AND U.S. SUPPLEMENT TO RULES (CGD 95-010)(SECTION 610 REVIEW)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 3306; 46 USC 3316; 46 USC 3703

CFR Citation: 46 CFR 8; 46 CFR 31; 46 CFR 71; 46 CFR 91; 46 CFR 107

Legal Deadline: None

Abstract: This rulemaking provides 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 issues 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	
Interim Final Rule	12/27/96	61 FR 68510
Interim Final Rule Comment Period End	03/27/97	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

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

Phone: 202 267-2997

RIN: 2115–AF11

2034. REGATTAS AND MARINE PARADES (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: In keeping with the National Performance Review and the President's Regulatory Reinvention Initiative, the Coast Guard is revising its marine event regulations to eliminate unnecessary requirements while continuing to protect the safety of life. The rulemaking more precisely identifies those events which require a permit, those which require only written notice to the Coast Guard, and those which require neither. The effective date of the interim regulations for this project have been delayed one year to allow the Coast Guard to further assess the potential impact, if any, of the interim rule on the environment.

Timetable:

Action	Date	FR Cite
ANPRM	12/26/95	60 FR 67345
ANPRM Comment Period End	02/09/96	
NPRM	04/17/96	61 FR 16732
NPRM Comment Period End	05/17/96	
Interim Final Rule	06/26/96	61 FR 33027
Interim Final Rule Comment Period End	08/26/96	
Interim Final Rule	11/26/96	61 FR 60027
Final Action	09/00/97	
Interim Final Rule Effective	01/01/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal

Analysis: Regulatory Evaluation

Agency Contact: Carlton Perry, Project Manager, G-OPB-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0979

RIN: 2115–AF17

2035. 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: As part of the President's Regulatory Reinvention Initiative, the Coast Guard amends its electrical engineering regulations to reduce the regulatory burden on the marine industry, purge obsolete and out-of-date regulations, and eliminate requirements that create an unwarranted differential between domestic rules and international standards. This rulemaking harmonizes, where possible, the electrical engineering regulations with recent amendments to the International Convention for the Safety of Life at Sea, 1974, as amended. Additionally, this rulemaking dramatically revises certain prescriptive electrical equipment design, specification, and approval requirements and replaces them with performance-based requirements that incorporate international standards.

Timetable:

Action	Date	FR Cite
NPRM	02/02/96	61 FR 4132
NPRM Correction	02/23/96	61 FR 7050
Notice of Meeting and Comment Period Extended to 4/2/96	02/26/96	61 FR 7090
NPRM Correction	03/05/96	61 FR 8539
NPRM Comment Period End	03/18/96	
Interim Final Rule	06/04/96	61 FR 28260
Interim Final Rule Correction	06/26/96	61 FR 33045
Interim Final Rule Comment Period End	08/05/96	
Interim Final Rule Correction	09/23/96	61 FR 49691
Interim Final Rule Effective	09/30/96	
Interim Final Rule; Policy Notice	10/04/96	61 FR 51789
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Gerald P. Miante, Project Manager, G-MSE-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-2206

RIN: 2115–AF24

2036. +IMPLEMENTATION OF THE 1995 AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978 (STCW) (CGD 95-062)

Priority: Other Significant

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. This rulemaking is considered significant due to potential impact on industry and potential effect on international interests.

Timetable:

Action	Date	FR Cite
Notice of Meeting; Comment Period End 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
Notice of Public Meetings	04/08/96	61 FR 15438

DOT—USCG

Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	07/24/96	
Notice of Intent	02/04/97	62 FR 5197
Interim Final Rule	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

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

RIN: 2115–AF26

2037. ● COAST GUARD VESSEL INSPECTION USER FEES (CGD 96-067)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 2110; 46 USC 3317; 14 USC 664; 31 USC 9701

CFR Citation: 46 CFR 2

Legal Deadline: None

Abstract: The Coast Guard Authorization Act of 1996 capped fees that may be charged for the inspection or examination of small passenger vessels, and exempted publicly-owned ferries from vessel inspection user fees. The Act limits annual fees for small passengers vessels less than 65 feet in length to not more than $300, and for small passenger vessels 65 feet or over in length to not more than $600. Fees for vessels in these categories currently range from $450 to $2,585 depending on the length and capacity of the vessel. This rule reduces published fees to the levels established under the caps imposed by the Coast Guard Authorization Act of 1996. This rule also exempts publicly-owned ferries from vessel inspection user fees. Additional revisions to the exemption criteria will expand exemptions in certain instances where it is clearly within the public interest to do so, but which are not included under current regulation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local

Agency Contact: CDR J. J. Saboe, Project Manager, G-MRP-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1409

RIN: 2115–AF40

2038. ● EXPANDED SIGNATURE AUTHORITY TO OFFICER IN CHARGE, MARINE INSPECTION (OCMI) (CGD 97-001)

Priority: Info./Admin./Other

Legal Authority: 33 USC 1903; 43 USC 1333; 46 USC 3306; 46 USC 3703; EO 12334

CFR Citation: 46 CFR 2

Legal Deadline: None

Abstract: This rule revises title 46 CFR part 2 to allow delegation of Officer in Charge, Marine Inspection (OCMI) signature authority to another individual on the OCMI's staff for vessel inspection documents.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

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

RIN: 2115–AF41

DEPARTMENT OF TRANSPORTATION (DOT)

U.S. Coast Guard (USCG)

Long-Term Actions

2039. +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. In August, 1992, an interim rule established immersion suit requirements. In May, 1993, regulations for immersion suits on vessels operating on seasonally cold waters were also proposed. Lifesaving equipment and instructor qualifications have been addressed in a separate rule.

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 Extended Comment Period End 4/15/89	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 Extended Comment Period End 02/28/93	12/18/92	57 FR 60158
SNPRM Correction	01/06/93	58 FR 630

Action	Date	FR Cite
NPRM Seasonally Cold Waters	05/20/93	58 FR 29502
Next Action Undetermined		

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 was handled under RIN 2115-AE77. Coast Guard docket 86-024, Uninspected Fish Processing Vessels (RIN 2115-AC34) was incorporated into this project in 1987. An interim final rule establishing requirement for exemptions, terminations, lifesaving equipment, and training is being handled separately under RIN 2115-AF35.

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

RIN: 2115–AD12

2040. VESSEL IDENTIFICATION SYSTEM (CGD 89-050)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 2103; 46 USC 12501

CFR Citation: 33 CFR 187

Legal Deadline: None

Abstract: 46 USC 12501 requires the Secretary of Transportation to establish a Vessel Identification System (VIS). This rulemaking prescribes the manner and form for participating States to make information available for VIS; to establish guidelines for State vessel titling systems; and to establish procedures for certifying compliance with those guidelines.

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

Analysis: Regulatory Evaluation 10/05/93 (58 FR 51920)

Additional Information: The effective date of April 24, 1996 applies to all provisions in this interim final rule other than 33 CFR Part 187, subpart D, which is suspended through April 23, 1998. The change in effective date of the interim final rule was published 2/23/96, 61 FR 6943.

Agency Contact: LT James Whitehead, Project Manager, G-MRI-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0385

RIN: 2115–AD35

2041. +DISCHARGE-REMOVAL EQUIPMENT FOR VESSELS CARRYING OIL (CGD 90-068)

Priority: Other Significant

Legal Authority: 46 USC 4202

CFR Citation: 46 CFR 165

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

Abstract: The Oil Pollution Act of 1990 directed the President by August 18, 1992, to (1) require periodic inspection of discharge-removal equipment to ensure that it is available in an emergency, and (2) require carriage of discharge-removal equipment by vessels operating in the navigable waters of the U.S. and carrying oil or hazardous substances. This action implemented those provisions and is considered significant because of expected costs and substantial public interest.

Timetable:

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

Analysis: Regulatory Evaluation 12/22/93 (58 FR 67988)

Additional Information: The Coast Guard will be evaluating new technology to determine whether additional rulemaking is appropriate.

Agency Contact: LT Mark Ledbetter, Project Manager, G-MSR-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0971

RIN: 2115–AD66

2042. +OVERFILL DEVICES (CGD 90-071A)

Priority: Other Significant

Legal Authority: 46 USC 3703

CFR Citation: 33 CFR 155 to 156

Legal Deadline:
Final, Statutory, August 18, 1991.

Abstract: The Oil Pollution Act of 1990 requires the Secretary of Transportation to issue regulations concerning the use of overfill devices. This action implemented the provisions of this Act and is considered significant because of substantial public interest.

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	

Action	Date	FR Cite
Interim Final Rule Effective	01/19/95	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 01/12/93 (58 FR 4040)

Agency Contact: LTJG J. Grzelak, Project Manager, G-MSR-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6827

RIN: 2115–AD87

2043. 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	
Next Action Undetermined		

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: Don Calkin, Project Manager, National Pollution Fund Center, Department of Transportation, U.S. Coast Guard, 4200 Wilson Blvd, Suite 1000, Arlington, VA 22203-1804
Phone: 703 235-4761

RIN: 2115–AD90

2044. +ESCORT VESSELS FOR CERTAIN TANKERS (CGD 91-202)

Priority: Other Significant

Legal Authority: PL 101-380; 46 USC 3703

CFR Citation: 33 CFR 168

Legal Deadline: None

Abstract: This rulemaking developed standards which implement section 4116(c) of the Oil Pollution Act of 1990. It addressed the areas of Prince William and Puget Sounds where a two-vessel escort will be required for single-hull tankers greater than 5,000 gross tons. This action was considered significant because of substantial public and State government interest.

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 11/17/94	08/19/94	59 FR 42962
Final Rule: Partial Suspension: Effective 11/17/94	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

Analysis: Regulatory Evaluation 08/19/94 (59 FR 42962)

Additional Information: The Coast Guard, in cooperation with the Prince William Sound Regional Citizens Advisory Council, PWS Tanker Association, and Alaska Pipeline, conducted a disabled-tanker towing study. The result of the study was incorporated into this rulemaking. Tug escort requirements in areas other than Prince William Sound and Puget Sound are addressed in the project listed under RIN 2115-AE56.

Agency Contact: LTJG Douglas Edgecomb, Project Manager, G-MSR-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1050

RIN: 2115–AE10

2045. +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 specifies 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	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

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

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

2046. +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 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

Next Action Undetermined

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: LTJG Douglas Edgecomb, Project Manager, G-MSR-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-1050

RIN: 2115–AE56

2047. 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 which became effective in November, 1995. The Coast Guard is also proposing several interpretive regulations to clarify ambiguities in the rules.

Timetable:

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

Next Action Undetermined

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-MOV-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0352

RIN: 2115–AE71

2048. NOTICE OF HAZARDOUS CONDITIONS (CGD 94-027)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1231

CFR Citation: 33 CFR 160

Legal Deadline: None

Abstract: This project clarified the hazardous conditions for which the Coast Guard must be notified, and the parties responsible for providing that notice. It also extended the notice requirement to include hazardous conditions not onboard a vessel.

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

Analysis: Regulatory Evaluation

Agency Contact: LTJG Markus Hugi, Project Manager, G-MSO-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6248

RIN: 2115–AE82

2049. IMMEDIATE REPORTING OF CASUALTIES (CGD 94-030)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1231; 43 USC 1333; 46 USC 2103; 46 USC 2306; 46 USC 6101; 46 USC 6301; 46 USC 6305; 50 USC 198

CFR Citation: 46 CFR 4

Legal Deadline: None

Abstract: This project clarifies those marine casualties that require immediate notification to the Coast Guard. It specifies when immediate notification was required, who is responsible for providing notice, and to whom notification must be made so that prompt emergency action can be taken as necessary.

Timetable:

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

Analysis: Regulatory Evaluation

Agency Contact: LT Shelly Atkinson, Project Manager, G-MOA-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1415

RIN: 2115–AE89

2050. PROPELLER INJURY PREVENTION ABOARD RENTAL BOATS (CGD 95-041)

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 46 USC 4302 et seq

CFR Citation: 33 CFR S

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 rented boats.

Timetable:

Action	Date	FR Cite
Notice of 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	
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Randolph J. Doubt, Project Manager, G-OPB-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6810

RIN: 2115–AF28

2051. COMMERCIAL FISHING VESSEL REGULATIONS (CGD 96-046)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 4502; 45 USC 4505; 45 USC 4506

CFR Citation: 46 CFR 28

Abstract: This rule implements procedures for the administration of exemptions and provides that exemptions will be granted by the commandant. It also establishes criteria for termination of unsafe operations and it exempts vessels less than 36 feet from survival craft carriage requirements since that equipment could make small vessels unsafe. Finally, it establishes criteria for both instructor qualifications and acceptable course curricula. This interim final rule reflects changes to the earlier proposal that are less burdensome and that respond to public comments.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/05/96	61 FR 57268
Interim Final Rule Correction	12/27/96	61 FR 68161
Interim Final Rule Comment	02/20/97	
Interim Final Rule Effective	03/20/97	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This rule has been split from RIN 2115-AD12 (CGD-88-079) because these non controversial sections are not expected to generate substantial public comment. The more controversial survival craft, immersion suit, or stability issues will be addressed under the original RIN 2115-AD12.

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

RIN: 2115–AF35

DEPARTMENT OF TRANSPORTATION (DOT) — Completed Actions

U.S. Coast Guard (USCG)

2052. 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: This rulemaking eliminates the requirement for maritime operating companies to submit to USCG 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	
Final Action	11/04/96	61 FR 56632
Final Action Effective	01/03/97	

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

2053. RADAR-OBSERVER ENDORSEMENT FOR OPERATORS OF UNINSPECTED TOWING VESSELS (CGD 94-041)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 2103; 46 USC 7101; 46 USC 8904

CFR Citation: 46 CFR 10; 46 CFR 15

Legal Deadline: None

Abstract: The Coast Guard amends its regulations to require that, at the time of license renewal, each licensed master, mate, and operator of a radar-equipped uninspected towing vessel of 26 feet or more in length obtain a radar-observer endorsement. Requirements are included for interim training prior to license renewals. This rulemaking also amends the licensing requirements

to add provisions for two radar-observer courses focusing on radar use on inland waters and rivers.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/26/94	59 FR 53754
Interim Final Rule Effective	11/25/94	
Interim Final Rule Comment Period End	01/24/95	
Comment Period Reopened to 6/1/95	02/14/95	60 FR 8308
Comment Period Reopened to 7/2/96	05/03/96	61 FR 19859
Final Action	03/11/97	62 FR 11298
Final Action Effective	08/11/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

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

RIN: 2115–AE92

2054. MODERNIZATION OF EXAMINATION METHODS (CGD 94-029)

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 2103; 31 USC 7101; 31 USC 7107; 31 USC 7306; 31 USC 9701; 44 USC 3507; 46 USC 2103; 46 USC 2110; 46 USC 7301; 46 USC 7302

CFR Citation: 46 CFR 10; 46 CFR 12

Legal Deadline: None

Abstract: This rule amends 46 CFR parts 10 and 12 to allow other than written exams, and third-party testing.

Timetable:

Action	Date	FR Cite
NPRM	02/23/95	60 FR 10053
NPRM Comment Period End	05/24/95	
Final Action	09/06/96	61 FR 47060
Final Action Effective	10/07/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

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

RIN: 2115–AE94

2055. 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 amends the requirements for notice of arrival and departure in 33 CFR 160, Subpart C. Section 160.207 now applies 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 becomes reportable under the requirements of notice in sections 160.207 through .213, with exceptions for barges carrying certain dangerous cargo. These changes 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	09/25/96	61 FR 50232
Final Action Effective	10/25/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

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

RIN: 2115–AF19

2056. +STRUCTURAL MEASURES TO REDUCE OIL SPILLS FROM EXISTING TANK VESSELS WITHOUT DOUBLE HULLS (CGD 91-045C)

Priority: Other Significant

Legal Authority: 46 USC 3703; PL 101-380

CFR Citation: 33 CFR 157

Legal Deadline:
Final, Statutory, August 18, 1991.

Abstract: This rulemaking addressed the interim measures existing vessels must take to provide substantial protection to the environment. The interim measures would have applied to existing vessels until the vessel must comply with the double-hull regulations under the Oil Pollution Act of 1990. No tank vessel without a double hull may operate after January 1, 2015. Interim measures could have included structural or operational standards that 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	
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 04/10/96	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 - Notice of Meeting and Comment Period Extended to 4/10/96	01/10/97	61 FR 1622
Final Action Effective	02/10/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: This action was part of RIN 2115-AE01 until the Notice of Correction to the SNPRM, published 2/21/96, 61 FR 6590, which corrected Table 2 and identified the new RIN, 2115-AF27 for Structural Measures. The public meeting was 3/19/96. The final rule for operational

measures, RIN 2115-AE01, was published on July 30, 1996, 61 FR 39770.

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

RIN: 2115–AF27

2057. EXTENSION OF GREAT LAKES LOAD LINE CERTIFICATE (CGD 96-006)

Priority: Substantive, Nonsignificant

Legal Authority: 44 USC 3507; 46 USC 5115

CFR Citation: 46 CFR 42.07-45(d)(2)

Legal Deadline: None

Abstract: This regulatory project revises 46 CFR 42.07-45(d)(2) allowing qualified Great Lakes Load Line Certificated vessels the opportunity to extend their Load Line certificate interval by 1 year. Only vessels in possession of a Great Lakes Load Line Certificate which can satisfactorily pass a Load Line extension examination will be considered. This revision changes the 90 day extension limit to 365 days.

Timetable:

Action	Date	FR Cite
Direct Final Rule	07/09/96	61 FR 35963
Final Action	09/20/96	61 FR 49418
Final Action Effective	10/07/96	
Direct Final Rule Comment Period End	09/09/06	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: LCDR Mark DeVries, Project Manager, G-MOC-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0476

RIN: 2115–AF29

2058. TECHNICAL AMENDMENTS, ORGANIZATIONAL CHANGES AND MISCELLANEOUS CHANGES (CGD 96-041)

Priority: Info./Admin./Other

Legal Authority: 14 USC 633; 46 USC 2103

CFR Citation: 46 CFR 1 to 2; 46 CFR 5 to 6; 46 CFR 10; 46 CFR 16; 46 CFR 25; 46 CFR 28; 46 CFR 30 to 34; 46 CFR 39; 46 CFR 50; 46 CFR 52 to 54; 46 CFR 56 to 59; 46 CFR 61 to 63; 46 CFR 71; 46 CFR 75 to 77; 46 CFR 91

Legal Deadline: None

Abstract: This rule revises title 46 CFR to reflect recent agency organizational changes and makes minor corrections to the title. This regulatory project will result in no substantive changes to current rules.

Timetable:

Action	Date	FR Cite
Final Action	09/27/76	61 FR 50721
Final Action Effective	09/30/96	

Small Entities Affected: None

Government Levels Affected: None

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

RIN: 2115–AF34

2059. ● OFFSHORE SUPPLY VESSELS: ALTERNATE TONNAGE (CGD 96-058)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 2301

CFR Citation: 46 CFR 125

Legal Deadline: None

Abstract: This rulemaking will establish a maximum tonnage threshold for offshore supply vessels based on the convention measurement system as an alternative to the presently-prescribed tonnage threshold of 500 gross tons measured under the older regulatory measurement system. The alternate tonnage should reduce vessel construction costs, encourage the production of safer, more efficient vessels, and improve competitiveness abroad.

Timetable:

Action	Date	FR Cite
Final Action	12/18/96	61 FR 66613

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Peter Eareckson, Project Manager, Marine Safety Center, Department of Transportation, U.S. Coast Guard, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-6502

RIN: 2115–AF36

DEPARTMENT OF TRANSPORTATION (DOT) — Prerule Stage

Federal Aviation Administration (FAA)

2060. +MOUNTAIN FLYING

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 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306; 49 USC 46315

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: The FAA will initiate a rulemaking action on night flying in mountainous areas referred to in the implementation of the Federal Aviation Authorization Act of 1994. The project has been scheduled in accordance with established FAA rulemaking procedures. This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	03/00/98	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 03/00/98

Additional Information: Project Number: AFS-95-114R

Agency Contact: John Wensel, Operations Branch, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7771

RIN: 2120–AF67

DOT—FAA — Prerule Stage

2061. ● CERTIFICATION OF SECURITY SCREENING COMPANIES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 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: The FAA seeks public comment on proposals to certificate screening companies (other than air carriers) by the FAA, and otherwise enhance the screening by air carriers of passengers and property that will be carried in the cabin of an aircraft, and of checked baggage. This advance notice responds to a recommendation made by the White House Commission on Aviation Safety and Security, and to a requirement in the Federal Aviation Authorization Act of 1996. It is intended to improve the screening of passengers, property, and baggage.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: Project Number: ACS-97-029R.

Agency Contact: Penny Anderson, ACP-100, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-5183

RIN: 2120–AG31

DEPARTMENT OF TRANSPORTATION (DOT) — Proposed Rule Stage
Federal Aviation Administration (FAA)

2062. 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	12/00/97	

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

2063. 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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

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

2064. +PART 145 REVIEW: REPAIR STATIONS (SECTION 610 REVIEW)

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; 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. As part of this action, a small entities review under 5 USC Section 610 will be included. 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	08/08/89	54 FR 32563
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

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

2065. +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 EnforcementAssistance 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	
Extended Comment Period End 7/11/90	05/16/90	55 FR 20394
SNPRM	12/00/97	

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

2066. +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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

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

2067. +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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

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

2068. +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 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	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/00/97

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

2069. 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	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/00/97

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

2070. +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 of1991; action must be initiated by 04.

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	06/00/97	

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

2071. +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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

Additional Information: Project Number: AFS-92-279R

Agency Contact: Roy Grimes, Technical Programs Division, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-3755

RIN: 2120–AE51

2072. +AIRPORT NOISE COMPATIBILITY PLANNING (SECTION 610 REVIEW)

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. As part of this action, a small entities review under 5 USC Section 610 will be included. This project is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/00/97

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

2073. +CORROSION CONTROL PROGRAM

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; 49 USC 44902

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 129; 14 CFR 135

Legal Deadline: None

Abstract: This project would ensure that airplanes used or not used in common carriage in air transportation have a comprehensive corrosion prevention program within their maintenance or inspection programs. In April 1988, a commercial transport airplane experienced an in-flight decompression and separation of approximately 18 feet of the fuselage skin and structure at the top of the airplane. The airplane had been in service for 19 years and had flown almost 90,000 flights. The National Transportation Safety Board concluded that the failure of the airline to detect skin disbonding resulted in corrosion and metal fatigue leading to separation of the airplane's skin structure. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/00/97

Additional Information: Project Number: AFS-93-382R

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–AE92

2074. 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

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	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 09/00/97

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

2075. FLIGHT ATTENDANT ENGLISH LANGUAGE PROFICIENCY

Priority: Substantive, Nonsignificant

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: The Training and Qualifications Aviation Rulemaking Advisory Committee (ARAC) is reviewing comments from the ANPRM that proposes establishing requirements to ensure that flight attendants understand sufficient English language to communicate, coordinate, and perform all required safety duties. ARAC is also developing a draft advisory circular and notice of proposed rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	04/18/94	59 FR 18456
ANPRM Comment Period End	07/18/94	
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Project Number: AFS-93-745A

Agency Contact: Donell Pollard, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3735

RIN: 2120–AE98

2076. FLIGHT OPERATIONAL QUALITY ASSURANCE PROGRAM

Priority: Info./Admin./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	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

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

2077. +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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

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

2078. AVIATION INSURANCE (SECTION 610 REVIEW)

Priority: Info./Admin./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 106(g); 49 USC 40113; 49 USC 44301 to 44310

CFR Citation: 14 CFR 198

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. As part of this action, a small entities review under 5 USC Section 610 will be included. This action will clarify the language and make it conform with the current legislative language and intent.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

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

2079. 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 Committee (ARAC) 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	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/00/97

Additional Information: Project No. ASW-92-218A.

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

2080. +OVERFLIGHTS OF UNITS OF THE NATIONAL PARK SYSTEM

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44701; 49 USC 44702; 49 USC 44705; 49 USC 44709; 49 USC 44711 to 44713; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306

CFR Citation: 14 CFR 91; 14 CFR 93; 14 CFR 121; 15 CFR 135

Legal Deadline: None

Abstract: Public comment has been sought on general policy and specific recommendations for voluntary and regulatory actions to address the effects of aircraft overflights on national parks. The Federal Aviation Administration and the National Park Service will cooperate in developing measures to resolve current noise impacts and prevent potential future impacts from overflights at national parks. This action is considered significant because of substantial public interest and substantial interest of another Government agency.

Timetable:

Action	Date	FR Cite
ANPRM	03/17/94	59 FR 12740
ANPRM Correction	04/01/94	59 FR 15350
ANPRM Comment Period End	06/15/94	
Extended Comment Period End 07/15/94	06/20/94	59 FR 31883
NPRM	08/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/00/97

Additional Information: Refer to 1996 Regulatory Plan entry RIN 2120-AF93, Airspace Management: Special Flight Rules in the Vicinity of the Grand Canyon and also RIN 2120-AG11, Special Flight Rules in the Vicinity of the Rocky Mountain National Park.

Agency Contact: Neil Saunders, Air Traffic Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-9241

RIN: 2120–AF46

2081. +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	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/00/97

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

2082. +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; 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	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/00/97

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

2083. 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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/00/96

Additional Information: Project Number: AIR-95-053A. This action is the result of an Aviation Rulemaking Advisory Committee recommendation.

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

2084. +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
ANPRM	04/16/96	61 FR 16678
ANPRM Comment Period End	05/16/96	
Extended Comment Period End 8/16/96	05/21/96	61 FR 25420
NPRM	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/16/96 (61 FR 16678)

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

2085. REVISION OF GATE REQUIREMENTS FOR HIGH-LIFT DEVICE CONTROLS

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 proposed rulemaking would revise the requirements concerning gated positions on the control used by the pilot to select the position of an airplane's high-lift devices. It would update the current standards to take into account the multiple configurations of the high-lift devices provided on current airplanes to perform landings and go-around

maneuvers. This rulemaking would also harmonize these standards with those being proposed for the European Joint Aviation Requirements (JAR).

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 10/00/97

Additional Information: Project Number: ANM-96-284A. This action is in response to an Aviation Rulemaking Advisory Committee recommendation.

Agency Contact: Don Stimson, Transport Airplane Directorate, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Rind Avenue SW., Renton, WA 98055-4056
Phone: 206 227-1129

RIN: 2120–AF82

2086. 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	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 10/00/97

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

2087. TWO APPROACH CHARTS (SECTION 610 REVIEW)

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 action proposes to establish a requirement for two sets of approach charts to be available and used by the flight crewmembers during commercial operations under instrument flight rules (IFR). It responds to the National Transportation Safety Board (NTSB) finding (A-93-35) recommending that all pilots operating aircraft under 14 CFR parts 135 and 121 have access to their own set of instrument approach charts and use them during the approach and landing segment of the flight. This notice would also standardize the requirement and rule language for both parts 121 and 135. As part of this action, a small entities review under 5 USC Section 610 will be included.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/00/97

Additional Information: Project Number: AFS-95-390R.

Agency Contact: Bernie Busby, Commuter and Air Taxi Branch, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8086

RIN: 2120–AF86

2088. 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	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 10/00/97

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

2089. 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	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 07/00/97

Additional Information: Project No. ATA-94-622R.

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

2090. 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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

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: 202 267-8166

RIN: 2120–AG04

2091. +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	10/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation 10/00/97

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

2092. 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	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/00/97

Additional Information: Project Number: AAM-95-065R.

Agency Contact: B. J. Hudson, Aeromedical Standards Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 493-4077

RIN: 2120–AG07

2093. +FALSE AND MISLEADING STATEMENTS REGARDING AIRCRAFT PARTS

Priority: Other Significant

Legal Authority: 49 USC 44913

CFR Citation: 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	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/00/97

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

2094. +PLACARDING CERTAIN CARGO OR BAGGAGE COMPARTMENTS

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 to 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 25; 14 CFR 121

Legal Deadline: None

Abstract: This action is intended to complement action proposed by the Research and Special Programs Administration to prohibit the transport of oxidizers and oxidizing materials in certain cargo or baggage compartments on both passenger-carrying and cargo airplanes by requiring all such compartments to be properly labeled with an identifying placard, sign, or other marking. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

Additional Information: Project No. AFS-96-368R.

Agency Contact: Gary Davis, Air Transportation Division, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-3413

RIN: 2120–AG12

2095. +IDENTICAL SECURITY MEASURES

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44712; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901 to 44904; 49 USC 44906

CFR Citation: 14 CFR 129

Legal Deadline: None

Abstract: As an action intended to implement the Antiterrorism and Effective Death Act of 1996 (PL 104-132, 4/14/96), the FAA is proposing to amend existing airplane operator security rules for foreign air carriers and foreign operators of U.S. registered aircraft. The proposed amendment would require the Administrator to accept a foreign air carrier's program only if the Administrator finds that the security program provides for identical security measures to those provided by U.S. air carriers serving the same airport. The proposed rule will establish the obligation to use identical security measures. The actual measures to be used will be identified through changes to the nonpublic security program of the foreign air carriers. This rule is considered significant due to substantial public interest and concern of foreign governments.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 05/00/97

Additional Information: Project No. ACP-96-363R.

Agency Contact: Craig Stier, Civil Aviation Security Division, Office of, Civil Aviation Security Policy and Planning, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-3413

RIN: 2120–AG13

2096. +AIRCRAFT CERTIFICATION SERVICE COST RECOVERY FOR SUPPLIER QUALIFICATION AND SURVEILLANCE WHEN PERFORMED OUTSIDE THE U.S

Priority: Other Significant

Legal Authority: 31 USC 9701; 49 USC 106(g); 49 USC 40104 to 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: The intention of this rulemaking is to implement certain provisions of P.L. 103-305, Section 209, Foreign Fee Collection, which permits the FAA to recover the full cost of providing certification-type services outside the United States. It is also intended that the final rule will provide the flexibility for the Aircraft Certification Service to adjust its charges on a case by case basis in accordance with the complexity of the certification-type service rendered. In order for the service to recover full cost of this expanded activity, all charges will be based on actual Personnel Compensation and Benefits, at the time the service is provided, through an arrangement between the FAA and the direct beneficiaries receiving the service. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

Additional Information: Project No. AIR-96-424R.

Agency Contact: Ramona Johnson, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-7145

RIN: 2120–AG14

2097. +LICENSING OPERATION OF A NON-FEDERAL LAUNCH SITE

Priority: Other Significant

Legal Authority: 49 USC 70101 to 70119

CFR Citation: 14 CFR 415; 14 CFR 417

Legal Deadline: None

Abstract: This action would establish requirements for licensing the operation of a launch site. The law requires anyone who proposes to operate a launch site within the U.S., or a U.S. citizen proposing to operate a launch site outside the U.S., to obtain a license from DOT. This action would govern obtaining a license to operate such a launch site. Currently, commercial rocket launches take place from federal government installations operated by the Department of Defense and NASA. Licensing requirements for those launches are being developed in a related rulemaking (RIN 2120-AF99). In this action, DOT proposes to implement rules regarding obtaining a license to operate a launch site. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 09/00/97

Additional Information: Project Number: AST-96-341R.

Agency Contact: Randy Repcheck, Licensing and Safety Division, AST-200, Office of Commercial Space, Department of Transportation, Federal Aviation Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-2258

RIN: 2120–AG15

2098. +FEES FOR AIR TRAFFIC SERVICES FOR CERTAIN FLIGHTS THROUGH U.S.-CONTROLLED AIRSPACE AND FOR AERONAUTICAL STUDIES

Priority: Other Significant

Legal Authority: 49 USC 9701; 49 USC 106 (g); 49 USC 40103; 49 USC 40104 to 40105; 49 USC 40109; 49 USC 40113 to 40114; 49 USC 44502; 49 USC 44701; 49 USC 44702; 49 USC 44718; 49 USC 45301 to 45303; 49 USC 46101 to 46102; 49 USC 46104

CFR Citation: 14 CFR 77; 14 CFR 187

Legal Deadline: None

Abstract: This action would establish a schedule of fees for air traffic services for aircraft which overfly U.S. airspace and for FAA aeronautical studies that are conducted for proposed construction in navigable airspace. This proposal is necessary to allow the FAA to fully recover the costs it incurs in performing these services. The intended effect of this proposal is to contribute toward the FAA's goal of being 100 percent user supported by the year 2003.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

Additional Information: Project No. APO-96-172R.

Agency Contact: Cherie Jack, Office of Aviation Policy and Plans, Department of Transportation, Federal Aviation Administration, 800 Independent Avenue SW., Washington, DC 20591 Phone: 202 267-3323

RIN: 2120–AG17

2099. +CIVIL AVIATION SECURITY USER FEES

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 9701; 49 USC 106(g); 49 USC 40104 to 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 fees for security activities performed by the FAA, which include inspecting air carrier, airport, and FAA navigation and air traffic control security, approving and amending airline and airport security programs, investigating criminal and regulatory violations, testing and approving security equipment, and other functions. This proposal is necessary to allow the FAA to fully recover the costs it incurs in performing these services. The intended effect of this proposal is to contribute toward the FAA's goal of being 100 percent user supported by the year 2003. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

Additional Information: Project No. APO-96-355R.

Agency Contact: Cherie Jack, Office of Aviation Policy and Plans, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-3323

RIN: 2120–AG18

2100. +DISPUTE RESOLUTION REGULATIONS

Priority: Other Significant

Legal Authority: Not yet determined

CFR Citation: 00 CFR 00

Legal Deadline: None

Abstract: This rulemaking would formally establish procedures the FAA will use to settle contract disputes and protests.

The FAA Office of Dispute Resolution (ODR) was established as an organization that has broad discretion to resolve protests and contract disputes, utilize administrative or alternative dispute resolution techniques and provide fair and impartial decisions or recommendations, supported by the facts and law. In order for this office to carry out its function, while providing for appropriate due process, it is necessary that certain of its procedures uniformly have the force and effect of law. This would include matters such as the establishment of filing deadlines; the power to issue subpoenas and protective orders; the power to levy sanctions; and the discretion to establish schedules, and to limit discovery, length of presentations, numbers of exhibits, and other similar matters.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Analysis: Regulatory Evaluation 04/00/97

Additional Information: Project No. AGC-96-353R.

Agency Contact: Jerome Jones, Office of Chief Counsel, Dispute Resolutions, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3824

RIN: 2120–AG19

2101. ● HARMONIZATION OF MISCELLANEOUS ROTORCRAFT REGULATIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

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

Abstract: The FAA proposes changes to the type certification requirements for both normal and transport category rotorcraft to increase the regulatory safety level and standardize terminology. The proposed changes to 14 CFR parts 27 and 29 are harmonized with the European Joint Aviation Requirements (JAR).

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation 10/00/97

Additional Information: Project Number: ASW-97-031A.

Agency Contact: Carroll Wright, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 2601 Meacham Drive, Fort Worth, TX 76137
Phone: 817 222-5120

RIN: 2120–AG23

2102. ● VFR/IFR FUEL RESERVE REQUIREMENTS: ISLAND DESTINATION AIRPORTS FOR WHICH NO ALTERNATE AIRPORT IS AVAILABLE

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709; 49 USC 44711 to 44713; 49 USC 44715 to 44717; 49 USC 44722

CFR Citation: 14 CFR 135

Legal Deadline: None

Abstract: This rule establishes both visual flight rules (VFR) and instrument flight rules (IFR) minimum fuel reserve requirements for airplanes upon arrival at any destination airport located on an island, if no alternate airport is specified. These minimum fuel requirements were not previously mandated in part 135 because they were not envisioned when the current part 135 was issued. This rule is issued because of the initiation of this type of operation to such an airport.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation 04/00/97

Additional Information: Project Number: AFS-97-036R

Agency Contact: Mike Coffey, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3750

RIN: 2120–AG29

2103. ● EMPLOYMENT HISTORY, VERIFICATION, AND CRIMINAL HISTORY RECORDS CHECKS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 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 44912; 49 USC 44912; 49 USC 44913 to 44914; 49 USC 44932; 49 USC 44935 to 44936; 49 USC 46105

CFR Citation: 14 CFR 107; 14 CFR 108

Legal Deadline: None

Abstract: This proposal would amend 14 CFR 108.33 and 107.31, which address the employment background investigation and fingerprint based criminal background check for unescorted access privileges. The Federal Aviation Reauthorization Act of 1996, (PL 104-264) directs the Administrator to conduct employment background investigations, including a criminal history record check on screeners, their supervisors and individuals who exercise security functions associated with baggage or cargo. This notice will incorporate changes to include the rearrangement of paragraphs in this section, which will parallel language included in the proposed parts 107 and 108 rewrite. Because the FAA is requiring the same employment background checks used for those seeking unescorted access privileges to those performing screening functions a change in the title from Unescorted Access Privilege to Employment History, Verification, and Criminal History Record Checks is proposed.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: Project Number: ACP-96-557R.

Agency Contact: Linda Valencia, Office of Civil Aviation Security, Policy, and Planning, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7158

RIN: 2120–AG32

2104. ● FEES FOR OBSTRUCTION EVALUATION STUDIES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: Not yet determined

CFR Citation: 14 CFR 77

Legal Deadline: None

Abstract: This action would establish a schedule of fees for obstruction evaluation studies conducted by the FAA. This proposal is necessary to allow the FAA to reasonably recover the cost it incurs in performing these services. The intended effect of this proposal is to contribute toward the FAA's goal of being 100 percent user supported.

Timetable:

Action	Date	FR Cite
NPRM	03/19/97	62 FR 13262
NPRM Comment Period End	05/19/97	
Interim Final Rule	10/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: Project Number: APO-97-056R

Agency Contact: Herbert G. Leusch-Carnaroli, Office of Aviation Policy and Plans, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-7550

RIN: 2120–AG33

2105. ● +PROHIBITION OF THE TRANSPORTATION OF DEVICES DESIGNED AS CHEMICAL GENERATORS AS CARGO IN AIRCRAFT

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

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; 49 USC 44722; 49 USC 46301

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: The FAA is proposing to ban the transportation of devices designed to chemically generate oxygen in certain aircraft, with limited exceptions. This proposed ban applies to newly-manufactured chemical oxygen generators that have never been filled with chemicals. The FAA believes that newly-manufactured chemical oxygen generators might be manufactured in one location and transported to another location to be filled. This could lead to human factors errors in determining whether the device designed as a chemical oxygen generator is actually empty.

The Research and Special Programs Administration (RSPA) will also be proposing a ban that applies to ''spent'' chemical oxygen generators to the extent that such generators have residue chemicals in the canisters.

This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: Project Number: AFS-97-065R

Agency Contact: Gary Davis, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-3747

RIN: 2120–AG35

2106. ● +PROTECTION OF VOLUNTARILY SUBMITTED INFORMATION

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: Not yet determined

CFR Citation: Not yet determined

Legal Deadline: NPRM, Statutory, October 9, 1996, Federal AviationReauthorization Act of l996. Section 402.

Abstract: The Administrator has been tasked, under the Federal Aviation Reauthorization Act of 1996, to develop regulations to protect safety and security related information voluntarily disclosed by industry. The FAA is in the process of determining what voluntary submitted information should be given protection under the statute. This rulemaking is significant because of substantial industry interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: Project Number: ARM-97-040.

Agency Contact: Jackie Smith, Office of Rulemaking, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-9682

RIN: 2120–AG36

2107. ● +LICENSING OF LAUNCH FROM NON-FEDERAL LAUNCH SITE

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 70101 to 70119

CFR Citation: 14 CFR 415; 14 CFR 417

Legal Deadline: None

Abstract: This action would establish requirements for licensing the conduct of a launch from a non-Federal launch site. The law requires anyone who proposes to conduct a launch within the U.S., or a U.S. citizen proposing to conduct a launch site outside the U.S., to obtain a license from DOT. This action would govern obtaining a license to conduct such a launch. Currently, commercial rocket launches take place from Federal Government installations operated by the Department of Defense and NASA. Licensing requirements for those launches are being developed in a related Licensing rulemaking (RIN 2120-AF99). In this action, DOT proposes to implement rules regarding obtaining a license to conduct a launch from a commercial launch site, where DOT, rather than NASA or the military has primary responsibility. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

DOT—FAA Proposed Rule Stage

Additional Information: Project Number: AST-97-088R.

Agency Contact: Randy Repcheck, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-3747

RIN: 2120–AG37

DEPARTMENT OF TRANSPORTATION (DOT) Final Rule Stage
Federal Aviation Administration (FAA)

2108. OBJECTS AFFECTING NAVIGABLE AIRSPACE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113 to 40114; 49 USC 44502; 49 USC 44701; 49 USC 44718; 49 USC 46101 to 46102; 49 USC 46104

CFR Citation: 14 CFR 77

Legal Deadline: None

Abstract: This action would amend the standards, aeronautical studies, scope, and notice provisions concerning objects affecting navigable airspace. The notice consisted primarily of changes required by recent legislation or recommended by a government/industry task group of the National Airspace Review Advisory Committee. This action would also cover electromagnetic interference phenomenon that could create a hazard to air navigation.

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	08/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis; Regulatory Evaluation 08/03/90 (55 FR 31722)

Additional Information: Project ATA-85-015R.

Agency Contact: Janet Apple, Air Traffic Rules Procedures Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8783

RIN: 2120–AA09

2109. +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	08/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/00/97

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

2110. 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: The 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	04/00/97	

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

2111. 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--400. 10/00/96 - 10/00/97.

Timetable:

Action	Date	FR Cite
Final Action	10/00/97	

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

2112. 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--600. 10/00/96 to 10/00/97.

Timetable:

Action	Date	FR Cite
Final Action	10/00/97	

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

2113. STANDARD INSTRUMENT APPROACH PROCEDURES; MISCELLANEOUS AMENDMENTS

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--1,600. 10/00/96 - 10/00/97.

Timetable:

Action	Date	FR Cite
Final Action	10/00/97	

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

2114. 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--270. 10/00/96 through 10/00/97.

Timetable:

Action	Date	FR Cite
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Pat Crawford, Manager, Airspace Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-9255

RIN: 2120–AA66

2115. +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	04/00/97	

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

2116. 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	12/00/97	

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

2117. +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	12/00/97	

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

2118. +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 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	06/00/97	

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

2119. 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.
PL 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	12/00/97	

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

2120. +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 CapacityExpansion 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	12/00/97	

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

2121. +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	12/00/97	

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

2122. 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	12/00/97	

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
Phone: 206 227-2133

RIN: 2120–AD34

2123. 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 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	12/00/97	

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

2124. +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	04/00/97	

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

2125. TYPE CERTIFICATES FOR SOME SURPLUS AIRCRAFT OF THE ARMED FORCES

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: Following World War II, a substantial number of surplus military airplanes were offered for sale to the public in order to meet an increased demand for civilian-use aircraft not being met by the civil aircraft industry. The current regulation permits both type and airworthiness certification for surplus military aircraft based on the

particular aircraft's safety record and condition. As military aircraft have become increasingly complex and sophisticated, that practice is no longer acceptable. This action would remove the regulations for issuing type certificates for these surplus aircraft and eliminate references to obsolete standards. Surplus military aircraft would still be certificated in the normal, utility, acrobatic, commuter, transport, and restricted categories upon compliance with the applicable regulations.

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	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/21/94 (59 FR 19114)

Additional Information: Project Number AIR-91-354R.

Agency Contact: Brian Yanez, Policy and Procedures Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-6561

RIN: 2120–AE41

2126. +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	08/00/97	

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

2127. +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	
Extended Comment Period End 2/12/96	12/14/95	60 FR 64129
Final Action	04/00/97	

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 Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-3844

RIN: 2120–AE71

2128. AIR TRAFFIC CONTROL RADAR BEACON SYSTEM AND MODE S TRANSPONDER REQUIREMENTS IN THE NATIONAL AIRSPACE SYSTEM

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.

Timetable:

Action	Date	FR Cite
NPRM	05/23/96	61 FR 26036
NPRM Correction	06/17/96	61 FR 30551
NPRM Comment Period End	07/22/96	
Final Action	06/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation 05/23/96 (61 FR 26036)

Additional Information: Project Number: AFS-92-297R.

Agency Contact: Daniel V. Meier, Jr., Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3749

RIN: 2120–AE81

2129. +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	08/00/97	

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: Joyce Redos, Regulations Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-7158

RIN: 2120–AE84

2130. +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
NPRM Comment Period End	05/01/95	
Final Action	06/00/97	

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

2131. TRAINING AND QUALIFICATION REQUIREMENTS FOR CHECK 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 amends 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. These 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 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 Rule Opportunity for Comment	06/17/96	61 FR 30734
Final Action Effective	06/17/96	
Correction	01/24/97	62 FR 3739
FInal Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 02/22/96 (61 FR 6898); Regulatory Evaluation 06/17/96 (61 FR 30734)

Additional Information: Project Number: AFS-92-747A. This rule is awaiting compliance with OMB information collection requirements regarding public notice.

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

2132. +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 amendment requires 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	08/00/97	

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

2133. 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

Abstract: The FAA is withdrawing a previously published Notice of Proposed Rulemaking (NPRM) that proposed to alter the Los Angeles, CA, Class B airspace area. The proposal would have lowered 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. action will be handled as a routine airspace action.

Timetable:

Action	Date	FR Cite
NPRM	11/22/94	59 FR 60244
NPRM Comment Period End	01/23/95	
Withdrawal Notice	04/00/97	

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

2134. 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	04/00/97	

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

2135. +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	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 07/18/95 (60 FR 36932)

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

2136. +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	09/28/94	59 FR 49360
NPRM Comment Period End	10/11/94	
Final Action	06/00/97	

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: Janet Apple, Air Traffic Branch, Airspace Rules and Aeronautical Info. Div., Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-7698

RIN: 2120–AF30

2137. +FLIGHT CREWMEMBER DUTY PERIOD LIMITATIONS, FLIGHT TIME 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 44701; 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 rulemaking would amend the regulations to establish one set of duty period limitations, flight time limitations, and rest requirements for flight crewmembers engaged in air transportation. The proposal resulted from public and congressional interest in regulating flight crewmember rest requirements, NTSB Safety Recommendations, petitions for rulemaking, and scientific data contained in recent National Aeronautics and Space Administration reports. The proposal would replace certain outdated regulations with a simplified regulatory approach based on scientific studies of fatigue. The objective of the proposal is to ensure that flight crewmembers are provided with the opportunity to obtain sufficient rest to perform their routine and emergency safety duties.

This action is considered significant because of substantial public interest.

Statement of Need: The aviation community requires 24-hour activities to meet operational demands. Growth in long-haul, regional, overnight cargo, and short-haul domestic operations are increasing. Therefore, shift work, night work, irregular work schedules, and time zone changes will continue to be commonplace.

With this growth, the scientific knowledge about sleep, sleep disorders, circadian physiology, fatigue, and performance decrements has also grown. Some of the scientific knowledge has indicated that aviators experience performance-impairing fatigue from sleep loss resulting from current flight and duty practices. A primary purpose of this rulemaking is to incorporate as much as possible of the scientific knowledge into the applicable regulations.

In addition, industry and individuals have told the FAA that the current regulations are confusing and difficult to enforce. Therefore, a second purpose of the rulemaking is to establish consistent and clear duty period limitations and rest requirements for all types of operations.

Summary of the Legal Basis: Section 44701, Title 49 of the United States Code states that the Administrator shall promote safety of flight of civil aircraft in air commerce by prescribing minimum standards required in the interest of safety.

Alternatives: One obvious alternative would be to continue with the current rules, which would be very expensive for the industry. In reviewing the comments, the FAA is also considering other reserve alternatives that would not penalize certain segments of the industry, such as the air ambulance operators. There is no overall alternative to rest and duty regulations; however, there may be some alternatives that would lend flexibility for operators.

Anticipated Costs and Benefits: The FAA estimates in the NPRM that total discounted costs over a 10-year period would range between $536 and $800.17 million. Benefits accruing from preventing a fatal accident and the opportunity for using pilots more intensively, are estimated to be approximately $780 million over 10 years.

Risks: Although there has been only one identifiable accident due to pilot fatigue, fatigue is increasingly becoming the focus of possible causes following all accidents. Pilot reports of being fatigued to the point of incapacity are not uncommon, and NASA test data indicates that pilots are subject to dozing. Intuitively, it is reasonable to expect, that as air traffic increases, there will be more pilots, and thus more of a probability of fatigued pilots. This is especially true in overnight delivery operations, which are expected to increase significantly in the future.

Timetable:

Action	Date	FR Cite
NPRM	12/20/95	60 FR 65951
NPRM Comment Period End	03/19/96	
Extended Comment Period End 6/19/96	03/20/96	61 FR 11492
Final Action	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/20/95 (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

2138. 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	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 07/00/97

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

2139. OPERATIONAL AND STRUCTURAL DIFFICULTY REPORTS

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 44707; 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

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 127; 14 CFR 135; 14 CFR 145

Legal Deadline: None

Abstract: This action would amend the reporting requirements for air carrier certificate holders and certificated domestic and foreign repair stations concerning failures, malfunctions, and defects of aircraft, aircraft engines, systems, and components. The proposed rule would clarify and standardize the reporting requirements for the type of information submitted to the FAA, allowing the FAA to identify trends that may affect aviation safety. This action was prompted by an internal FAA review of industry concern over the quality of the data being reported by air carriers. The objective of the proposed rule is to update and improve the reporting system to effectively collect and disseminate clear and concise information, particularly with regard to aging aircraft, to the aviation industry.

Timetable:

Action	Date	FR Cite
NPRM	08/14/95	60 FR 41992
NPRM Comment Period End	11/13/95	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/14/95 (60 FR 41992)

Additional Information: Project Number: AFS-95-237A. This is a recommendation from the Aviation Rulemaking Advisory Committee.

Agency Contact: Benjamin Burton, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3797

RIN: 2120–AF71

2140. RAIN 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	08/09/96	61 FR 41688
NPRM Comment Period End	11/07/96	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/09/96 (61 FR 41688)

Additional Information: Project Number: ANE-93-734A. This action is in response to an Aviation Rulemaking Advisory Committee recommendation.

Agency Contact: Thomas Boudreeau, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803-5299
Phone: 617 238-7117

RIN: 2120–AF75

2141. +REVISIONS TO DIGITAL FLIGHT DATA RECORDER RULES

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 rulemaking will revise the Federal Aviation Regulations to require that additional parameters be recorded by certain aircraft digital flight data recorders. This rulemaking follows a recommendation from the National Transportation Safety Board. This rule will allow for more comprehensive accident and incident information to be gathered. The accident and incident data gathered by recorders is essential to prescribe future corrective action. This rulemaking is considered significant because of anticipated costs and substantial public interest.

Statement of Need: The history of aircraft accidents and the lack of information that has inhibited proper investigation of their causes is much broader than recent accident experience with certain Boeing 737 airplanes. Historical records of airplane incidents suggest that additional reliable data for the entire fleet of transport category airplanes is necessary to identify causes of these incidents before accidents occur. This rule will expand the data collection requirements to include all parameters that can cost-effectively be collected.

Summary of the Legal Basis: 49 USC 44701 empowers the Administrator to prescribe regulations and minimum standards in the interest of safety for aircraft and equipment.

Alternatives: Some alternatives considered include: European Joint Aviation Requirements for Operations vs. parameters proposed in this rulemaking (57 vs. 88 parameters); whether airplanes with 10-19 passenger seats should be covered; whether expected but not currently existing technology could be mandated in future requirements for new airplanes.

Anticipated Costs and Benefits: For a 4-year compliance timeframe, the estimated costs of this rule would be $309.0 million ($259.2 discounted). It is expected, however, that implementing this rule will help reduce accidents because the recordation of additional parameters will aid in determining probable cause of an incident or accident, and will supply information that may detect a trend in

operations that can be corrected before an accident or incident could occur.

DFDR's do not in and of themselves prevent accidents; they are used as an investigative tool when accidents or incidents occur. From the DFDR information, a greater understanding of the dynamics and probable causes of accidents and incidents can be obtained. With this knowledge, a ''fix'' can be made to reduce the chance of a similar occurrence in the future. In addition, the FAA will be able to use incident information to reduce accidents of the nature that are currently of undetermined cause.

Risks: If adopted, this action will help provide data to prevent otherwise non-preventable accidents based on past experience.

Timetable:

Action	Date	FR Cite
NPRM	07/16/96	61 FR 37144
NPRM Comments Due on Parts 121, 125, and 135	08/15/96	
NPRM Comments Due on Part 129	11/13/96	
SNPRM	12/10/96	61 FR 65142
SNPRM Comment Period End	12/30/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 07/16/96 (61 FR 37144); Regulatory Evaluation 12/10/96 (61 FR 65142)

Additional Information: Project Number: AIR-95-267R. This is an Aviation Rulemaking Advisory Committee project.

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

2142. 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 bia the operating rules.

Timetable:

Action	Date	FR Cite
NPRM	07/24/96	61 FR 38552
NPRM Comment Period End	11/21/96	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 07/24/96 (61 FR 38552)

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: 206 227-2136

RIN: 2120–AF77

2143. 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

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	07/03/96	61 FR 35056
Correction	07/29/96	61 FR 39515
Correction	08/12/96	61 FR 41924
NPRM Comment Period End	10/01/96	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 07/03/96 (61 FR 35056)

Additional Information: Project Number: ANM-96-105A. This action is in response to an Aviation Rulemaking Advisory Committee recommendation.

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: 206 227-2142
Fax: 206 227-1320

RIN: 2120–AF79

2144. 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

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	08/05/96	61 FR 40710
NPRM Comment Period End	11/04/96	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/05/96 (61 FR 40710)

Additional Information: Project Number: ANM-94-462A. This action is in response to an Aviation Rulemaking Advisory Committee recommendation.

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

2145. +SPECIAL FLIGHT RULES IN THE VICINITY OF THE 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 91; 14 CFR 93; 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: In 1987, the Congress enacted P.L. 100-91, commonly known as the National Parks Overflights Act, which stated that noise associated with aircraft overflights at Grand Canyon National Park was causing ''a significant adverse effect on the natural quiet and experience of the park and current aircraft operations at the Grand Canyon National Park have raised serious concerns regarding public safety, including concerns regarding the safety of park users.'' The law mandated a number of studies and required that subsequent recommendations provide for the substantial restoration of the natural quiet and experience of the park and protection of public health and safety from adverse effects associated with overflights.

In March 1994, the FAA and the National Park Service issued an ANPRM seeking public comment on policy recommendations addressing the effects of aircraft overflights on National parks, including Grand Canyon National Park. The FAA received more than 30,000 comments.

On April 22, 1996, the President issued a memorandum directing the Secretary of Transportation to issue within 90 days; proposed regulations to place appropriate limits on sightseeing aircraft over the Grand Canyon National Park to reduce the noise immediately and make further substantial progress toward restoration of the natural quiet. The memorandum further directed that action on this rulemaking be completed by the end of 1996.

On July 31, 1996, the FAA published a notice of proposed rulemaking to provide a variety of options for the continued elimination of noise in the Grand Canyon National Park. The comment period on the proposal closed September 30, 1996. In addition, public meetings were held in September 1996.

The Department of Transportation has been working with the Department of Interior to address the issue of reducing noise from aircraft overflights of the national parks and restoring the national quiet. In addition to this rule on the Grand Canyon, there are two other significant rulemaking actions which are included in the overall regulatory effort. They are a rule on Special Flight Rules in the Vicinity of the Rocky Mountain National Park (RIN 2120-AG11), issued January 3, 1997, and Overflights of Units of the National Park System (RIN 2120-AF46).

On August 21, 1996, the FAA issued a Notice of Availability of the Draft Environmental Assessment for the proposed rule to assure conformance with the National Environmental Policy Act of 1969. The original 45-day comment period, which was scheduled to close on October 4, 1996, was extended until November 18, 1996.

In December 1996, FAA published a Final Regulatory Evaluation, Final Regulatory Flexibility Analysis and International Trade Impact Assessment. In addition to undergoing several economic analyses, FAA based their evaluation on comments submitted during public meetings held in September 1996 in Scottsdale, Arizona, and Las Vegas, Nevada, and comments received during the notice of proposed rulemaking comment period.

On December 24, 1996, the FAA issued a Final Rule, Special Flight Rules in the Vicinity of Grand Canyon National Park. This final rule modifies the dimensions of the Grand Canyon National Park Special Flight Rules Area; establishes new and modifies existing flight-free zones and flight corridors; and establishes reporting requirements for commercial sightseeing companies operating in the Special Flight Rules Area. This Final Rule also prohibits commercial sightseeing operations in the Zuni and Dragon corridors during certain time periods, and limits the number of aircraft that can be used for commercial sightseeing operations in the Grand Canyon National Park Special Flight Rules Area.

On December 24, 1996, the FAA issued the final Environmental Assessment and the finding of no significant impact (FONSI) to accompany the Final Rule. Based upon the Draft Environmental Assessment and careful review of the public comments, FAA determined that a FONSI is warranted.

On February 21, 1997, the FAA issued a Final Rule; Request for Comments of the Special Flight Rules in the Vicinity of Grand Canyon National Park. This action delays the effective date for the implementation of the expanded flight-free zones and the minimum altitudes from May 1, 1997, until January 31, 1998. This delay in effective date will afford the FAA and the Department of Interior additional time to analyze and finalize the proposed air tour route structure. The Agency has requested comments from all interested and affected parties. All other aspects of the rule, i.e., the curfew, aircraft limitations, and reporting requirements, will remain unchanged.

Statement of Need: As pointed out in the referenced Presidential memorandum, aircraft flying at low altitudes can mar the natural beauty of the parks and present considerable problems to the environment. If not monitored, aircraft noise can interfere with wildlife, cultural resources and visitors' enjoyment of the park.

Summary of the Legal Basis: Section 41103, Title 49 of the United States

Code states that the Administrator shall develop plans and policy for the use of the navigable airspace and shall assign by regulation or order the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace.

Alternatives: In addition to the provisions adopted in the Final Rule, the agency considered simplification of commercial air tour sightseeing route structure, expansion of the flight free zones, and issues relating to noise reduction. Many combinations of all these alternatives or recommendations were considered in developing this rule.

Anticipated Costs and Benefits: The FAA estimates the potential dollar cost of the changes to the current configuration of the flight-free zones and the flight corridors will be a reduction of about $2.9 million in average annual net revenue for those operators conducting commercial air tours over the Grand Canyon National Park. The 5-year recordkeeping requirements will cost the commercial air tour sightseeing operators approximately $366,000 and the FAA approximately $16,000. Benefits of the rule were estimated as the increase in well-being attained if recreational activities were conducted in a quieter environment resulting from the rule. The benefits may range between $60 million to $170 million for the 12-year period of l997 through 2008.

Risks: The alternative of not doing rulemaking, or the destruction of the natural quiet, has been determined to be a greater risk than the rulemaking, especially as the FAA has stated in the proposal that any combination of the proposals may be adopted.

Timetable:

Action	Date	FR Cite
NPRM	07/31/96	61 FR 40120
Correction	08/07/96	61 FR 41040
NPRM Comment Period End	09/30/96	
NPRM Comment Period Extended to:	11/14/96	61 FR 54716
Final Action	12/31/96	61 FR 69302
FR Correction	01/16/97	62 FR 2445
Final Rule Request for Comments	02/26/97	62 FR 8862
Final Rule Comment Period End	03/24/97	
Final Action Effective	05/01/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Evaluation 07/31/96 (61 FR 40120); Regulatory Evaluation 12/31/96 (61 FR 69302)

Additional Information: Project Number: ATP-95-236R.

Agency Contact: Neil Saunders, Air Traffic Rules Branch, Air Traffic Rules and Procedures Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-9241

RIN: 2120–AF93

2146. 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
Notice of Proposed Amendment	08/30/96	61 FR 46011
Comment Period End	10/29/96	
Final Action	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Project No. ACP-95-537R.

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

2147. +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: 14 CFR 440

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	07/25/96	61 FR 38992
NPRM Comment Period End	09/23/96	
NPRM Comment Period Reopened	10/02/96	61 FR 51395
NPRM Correction	10/26/96	61 FR 43814

Action	Date	FR Cite
NPRM Comment Period End	12/02/96	
Final Action	08/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

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

2148. +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 authority to license and otherwise regulate commercial launches and the commercial operation of launch sites. In accordance with this authority, delegated to the FAA, the Associate Administrator for Commercial Space Transportation (AST) 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 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 AST'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 general administrative procedures 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 FAA's Associate Administrator for Commercing Space Tax 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, a future rulemaking currently under development by the FAA will address the procedures and requirements applicable to the licensing of commercial launch site 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 FAA's Assoc. Administrator for 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. the FAA is required under U.S.C. 70101-70119 to review and act upon applications for licenses to conduct commercial launches. The Act does not permit the FAA 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 FAA by establishing a more efficient licensing mechanism, thereby reducing staff time.

Risks: The Assistant Administrator for Commercial Space Transportation of the FAA 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 FAA's 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, the FAA 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
Extended Comment Period End 12/16/94	12/05/94	59 FR 62359
NPRM	03/19/97	62 FR 13216
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

Analysis: Regulatory Evaluation 03/19/97 (62 FR 13216)

Additional Information: This action first appeared in the Agenda under RIN 2105-AB85. However, it 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: Patricia Grace Smith, Acting Associate Administrator for, Commercial Space Transportation, Department of Transportation, Federal Aviation Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-2937

RIN: 2120–AF99

2149. +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	04/00/97	

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

2150. REVISED PRECISION APPROACH LANDING SYSTEMS POLICY

Priority: Substantive, Nonsignificant

Legal Authority: Not yet determined

CFR Citation: None

Legal Deadline: None

Abstract: This statement announces the FAA's proposed policy for acquisition, installation, maintenance, and decommissioning of the instrument landing system (ILS) and the microwave landing system (MLS) during the transition to the global positioning system (GPS). The policy statement of December 1989 announced the transition from the ILS to the MLS for precision approach service in the National Airspace System. Since that time, advancement of GPS-based landing system technology has provided a more economical means of providing approach services.

Timetable:

Action	Date	FR Cite
Policy Statement	12/27/89	54 FR 53231
Policy Statement	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Michael Wedge, Airway Facilities Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-7848

RIN: 2120–AG16

2151. COMMERCIAL PASSENGER-CARRYING OPERATIONS IN SINGLE ENGINE AIRCRAFT UNDER INSTRUMENT FLIGHT RULES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709; 49 USC 44711 to 44713; 49 USC 44715 to 44717; 49 USC 44722

CFR Citation: 14 CFR 135

Legal Deadline: None

Abstract: The FAA is proposing to change the rule on commercial, passenger-carrying operations to allow single-engine aircraft to operate under the safer instrument flight rules except in certain conditions. The effect of this action would be to increase the safety of single-engine, passenger-carrying operations because it would allow them to operate under instrument flight plans and would require them to meet the more stringent requirements for such flights, including increased training and checking of pilots, higher levels of pilot experience, and additional aircraft equipment.

Timetable:

Action	Date	FR Cite
NPRM	12/03/96	61 FR 64230
NPRM Comment Period End	02/03/97	
Final	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/00/96

Additional Information: Project Number: AFS-95-012A.

Agency Contact: Kathy Hakala, Air Transportation Division, AFS-200, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8166

RIN: 2120–AG22

2152. ● FALSIFICATION OF SECURITY RECORDS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

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 44935 to 44936; 49 USC 46105

CFR Citation: 14 CFR 107; 14 CFR 108

Legal Deadline: None

Abstract: The FAA is adopting rules that prohibit fraudulent or intentionally false statements in certain security records. This action is intended to provide a means for the FAA to take legal enforcement action against persons who make such statements, and thereby enhance the security of aviation. This rule was issued without prior notice and comment. The FAA found that issuing a prior notice was

impracticable, unnecessary, and contrary to public interest, in that the FAA needed to immediately protect persons traveling in air transportation through prohibiting the submission of fraudulent or intentionally false records for persons who directly carry out required security measures.

Timetable:

Action	Date	FR Cite
Final Rule Request for Comments	12/03/96	61 FR 64242
Final Action	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Project Number: ACS-97-055R

Agency Contact: Robert Cammaroto, Office of Civil Aviation Security Policy and, Planning, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3413

RIN: 2120–AG27

2153. ● +NOISE LIMITATIONS FOR AIRCRAFT OPERATIONS IN THE VICINITY OF GRAND CANYON NATIONAL PARK

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

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: This notice proposes to establish noise limitations for certain aircraft operated in the vicinity of Grand Canyon National Park. This notice is one part of an overall strategy to reduce further the impact of aircraft noise on the park environment and to assist the National Park Service in achieving its statutory mandate imposed by Public Law 100-91 to provide for the substantial restoration of natural quiet and experience in Grand Canyon National Park. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	12/31/96	61 FR 69334
NPRM Comment Period End	03/31/97	
Final Rule	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: A final rule, which was published on 12/31/96 (61 FR 69302), establishes new operating restrictions at Grand Canyon National Park. See RIN 2120-AF93 published elsewhere in this Agenda.

Agency Contact: Thomas L. Connor, Office of Environmental and Energy, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8933

RIN: 2120–AG34

DEPARTMENT OF TRANSPORTATION (DOT) Long-Term Actions
Federal Aviation Administration (FAA)

2154. AIRCRAFT ENGINES: FUEL AND INDUCTION SYSTEMS

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 would add a new section 33.35(f) to the Federal Aviation Regulations which would incorporate a requirement for the fuel mixture and throttle controls to automatically move to a position allowing continued safe flight if either control becomes disconnected.

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

Analysis: Regulatory Evaluation 10/20/92 (57 FR 47934)

Additional Information: Project No. ANE-85-002R.

Former title: Engine Fuel and Induction Systems.

Agency Contact: Locke Easton, Engine and Propeller Standards Staff, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, New England Region, 12 New England Executive Park, Burlington, MA 01803
Phone: 617 273-7088

RIN: 2120–AB76

2155. +ANTI-DRUG AND ALCOHOL MISUSE PREVENTION PROGRAMS FOR EMPLOYEES OF FOREIGN AIR CARRIERS ENGAGED IN SPECIFIED AVIATION ACTIVITIES

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 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44902; 49 USC 44903

CFR Citation: 14 CFR 121; 14 CFR 129

Legal Deadline:
Final, Statutory, October 28, 1992, Omnibus TransportationEmployee Act of 1991.

Abstract: The Omnibus Transportation Employee Testing Act of 1991 directs the FAA Administrator to prescribe regulations that require foreign air carriers to establish drug and alcohol testing programs for employees performing safety-sensitive aviation functions. These regulations must be consistent with the international obligations of the United States and take into consideration any applicable laws and regulations of foreign countries. Comments were invited on a variety of issues related to the application of drug and alcohol testing requirements to employees of foreign air carriers operating within the territory of the United States. This

action was taken in lieu of a notice of proposed rulemaking to seek the public's view on a variety of issues and to obtain responses to questions that may arise in addressing drug and alcohol testing by foreign air carriers. This action is considered significant because of substantial public and congressional interest.

Timetable:

Action	Date	FR Cite
ANPRM	12/15/92	57 FR 59473
ANPRM Comment Period End	02/16/93	
ANPRM Comment Period Extended to 04/01/93	02/18/93	58 FR 8917
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation

Additional Information: Project Number: AAM-93-173R

Agency Contact: Patrice M. Kelly, Drug Abatement Division, Office of Aviation Medicine, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8442

RIN: 2120–AE79

2156. REVISION OF CERTIFICATION REQUIREMENTS: MECHANICS AND REPAIRMEN

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44703; 49 USC 44709 to 44711; 49 USC 45102 to 45103; 49 USC 45301 to 45303

CFR Citation: 14 CFR 65; 14 CFR 66

Legal Deadline: None

Abstract: This action would revise the Federal Aviation Regulations that prescribe the certification and training requirements for mechanics and repairmen. 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 aviation maintenance personnel. The proposed rule would consolidate and clarify 11 certification, training, experience, and currency requirements for aviation maintenance personnel in a newly established Part 66. The proposal would enhance aviation safety by establishing new training programs for aviation maintenance personnel and would decrease the regulatory burden on these personnel by providing alternatives for meeting experience and currency requirements.

Timetable:

Action	Date	FR Cite
NPRM	08/17/94	59 FR 42430
NPRM Comment Period End	10/17/94	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/17/94 (59 FR 42430)

Additional Information: Project No. AFS-94-169A. This rulemaking is a recommendation from the Aviation Rulemaking Advisory Committee.

Agency Contact: Leslie Vipond, Aircraft Maintenance Service, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-3269

RIN: 2120–AF22

2157. BIRD STRIKE

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

Abstract: This action proposes to revise the bird strike requirements of part 25 of the Federal Aviation Regulations. These changes are intended to harmonize the bird strike requirement of the FAR and the Joint Aviation Requirements. The proposed changes would revise sections 25.631, 25.571(e), and 25.775(b).

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Project Number: ANM-93-762A. This is an Aviation Rulemaking Advisory Committee project.

Agency Contact: Bill Perrella, Transport Airplane Directorate, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056 Phone: 206 227-2116

RIN: 2120–AF80

2158. REPAIR ASSESSMENT FOR PRESSURIZED FUSELAGES

Priority: Substantive, Nonsignificant

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 40711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44912

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 129

Legal Deadline: None

Abstract: This proposed rulemaking would require incorporation of repair assessment guidelines for external fuselage pressure boundary into the FAA approved maintenance programs of each operator of certain transport category airplane models. The purpose of the repair assessment guidelines is to establish a damage-tolerance based supplemental inspection program for repairs to detect damage, which may develop in a repaired area, before that damage degrades the load carrying capability of the structure below the levels required by the applicable airworthiness standards.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Project Number: ANM-93-722A. This is an Aviation Rulemaking Advisory Committee project.

Agency Contact: Dayton Curtis, Transport Airplane Directorate, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98055-4056 Phone: 206 227-2109

RIN: 2120–AF81

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Aviation Administration (FAA)

Completed Actions

2159. +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 final rule amends the current requirements for passenger emergency exits and adopt two new exit types into the regulations. These actions 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 rule reduces 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	01/08/96	61 FR 57946
Final Action Effective	12/09/96	
FR Correction	01/13/97	62 FR 1817

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 02/22/90 (55 FR 6344); Regulatory Evaluation 11/08/96 (61 FR 57946)

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

2160. 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	12/02/96	61 FR 63952
Final Action Effective	01/02/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 05/02/94 (59 FR 22718); Regulatory Evaluation 12/02/96 (61 FR 63952)

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

2161. +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: The FAA is withdrawing this NPRM. The FAA may issue an NPRM in the future but current resources are being expended on high priority, safety initiatives. The NPRM would have proposed to 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 was considered significant because of a substantial public interest.

Timetable:

Action	Date	FR Cite
Withdrawal	02/03/97	

Small Entities Affected: None

Government Levels Affected: None

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

2162. 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 revises 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	12/16/96	61 FR 66182
Final Action Effective	01/15/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/16/96 (61 FR 66182)

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

2163. TAMPA, 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 Tampa, 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 air traffic procedures. The goal of this action is to improve safety while providing the most efficient use of the terminal airspace. The FAA is withdrawing this rulemaking. This action will be handled as a routine airspace action.

Timetable:

Action	Date	FR Cite
Action Withdrawn	02/03/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Project Number: ATP-94-151T

Agency Contact: Lewis W. Still, 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–AF18

2164. +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 establishes 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	12/01/94	
Final Action	10/16/96	59 FR 41194
Final Action Effective	12/16/96	

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.

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

2165. 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: This rule strengthen the existing rule 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 operator's, indirect air carriers, foregin 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	03/21/97	62 FR 13736
Final Action Effective	04/21/97	

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

2166. 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
Final Rule: Comment Period End 04/03/96	01/04/96	61 FR 252

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

2167. +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 issued a SFAR that is of limited duration and ban all air tour flights operated in the airspace over Rocky Mountain National Park (RMNP). This final rule 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	05/15/96	61 FR 24582
NPRM Comment Period End	08/13/96	
NPRM Comment Period Reopened	11/21/96	61 FR 59209
Notice of Availability	12/11/96	61 FR 65191
NPRM Comment Period End	12/23/96	
Final Action	01/08/97	62 FR 1192
Final Action Effective	02/07/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 05/15/96 (61 FR 24582)

Additional Information: Project Number: ATO-96-207R. Refer to 1996 Regulatory Plan entry RIN 2120-AF93, Airspace Management: Special Flight Rules in the Vicinity of the Grand Canyon and also RIN 2120-AF46, Overflights of Units of the National Park System.

Agency Contact: Neil Saunders, Airspace and Rules Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8783

RIN: 2120–AG11

2168. +AVIATION SECURITY REVIEW

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 44705; 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; 14 CFR 108

Legal Deadline: None

Abstract: As an action parallel to the Commission on Aviation Safety and Security (Gore Commission), the FAA has reviewed its security regulations in conjunction with a threat assessment of terrorism within the United States as applied to civil aviation. It will examine the vulnerabilities of the civil aviation system, including flights landing here from abroad. The FAA considered security procedures, equipment, and capabilities for specific aspects of the security systems to include: checked baggage, checkpoint screening, access controls, passenger profiling, future changes in travel procedures, mail and cargo, and the integrity of personnel with access to aircraft. This rulemaking was considered significant because of substantial public interest. FAA provided input to the Gore Commission beginning August 29, 1996, through issuance of the final report in February 1997. Implementation of the Commission's recommendations applicable to rulemaking will be handled as individual projects.

Timetable:

Action	Date	FR Cite
End Review	08/29/96	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Karl Shrum, Office of Civil Aviation Security, Policy and Planning, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3946

RIN: 2120–AG21

2169. ● +PROHIBITION AGAINST CERTAIN FLIGHTS WITHIN THE TERRITORY AND AIRSPACE OF IRAQ

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 40101; 49 USC 41111; 49 USC 44701; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306; 49 USC 46315; ...

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: This action prohibits flight operations within the territory and airspace of Iraq by any United States air carrier or commercial operator, by any person exercising the privileges of

an airman certificate issued by the FAA except persons operating U.S.-registered aircraft for a foreign air carrier, or by an operator using an aircraft registered in the United States unless the operator of such aircraft is a foreign air carrier. This action is taken to prevent an undue hazard as a result of the threat to persons and U.S. registered aircraft overflying the area. This rulemaking is considered significant because of safety implications.

Timetable:

Action	Date	FR Cite
Final Action Effective	10/09/96	
Final Action	10/16/96	61 FR 54020

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark Bury, International Affairs and Legal Policy Staff, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-3515

RIN: 2120–AG25

2170. ● OPERATING REQUIREMENTS: DOMESTIC, FLAG, SUPPLEMENTAL, COMMUTER, AND ON-DEMAND OPERATIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

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 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44903 to 44904; 49 USC 46105

CFR Citation: 14 CFR 119; 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This final rule made changes that are mostly editorial in nature for the domestic, flag, supplemental, commuter and on-demand operational regulations. In addition, it proposes to codify a long-standing exemption pertaining to obtaining category and class ratings through a certificate holder's training program. It also issued a new Special Federal Aviation Regulation to address problems with communication facilities and aircraft dispatches for operators newly certificated as part 121 operators due to the commuter rule.

Timetable:

Action	Date	FR Cite
NPRM	02/03/97	62 FR 5076
NPRM Comment Period End	03/05/97	
Final Action Effective	03/12/97	
Final Action	03/19/97	62 FR 13248

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Project Number: AFS-96-481R

Agency Contact: Kathy Hakala, Air Transportation Division, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8086

RIN: 2120–AG26

2171. ● +PROHIBITION AGAINST CERTAIN FLIGHTS WITHIN THE TERRITORY AND AIRSPACE OF IRAN

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 to 44718; 49 USC 44722; 49 USC 46306; 49 USC 46315 to 46317; ...

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: This rule prohibits flight operations within the territory and airspace of Iran by any United States air carrier or commercial operator, by any person exercising the privileges of an airman certificate issued by the FAA except persons operating U.S.-registered aircraft for a foreign air carrier, or by an operator using an aircraft registered in the United States unless the operator of such aircraft is a foreign air carrier. This action is taken to prevent an undue hazard to persons and U.S-registered aircraft overflying the area as a result of the ongoing activity in that area. This rulemaking is considered significant because of safety implications.

Timetable:

Action	Date	FR Cite
Final Action Effective	09/17/96	
Final Action for SFAR-76	09/23/96	61 FR 49870
Final Action Removal of SFAR-76	10/04/96	61 FR 51782

Small Entities Affected: None

Government Levels Affected: None

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: 202 267-3073

RIN: 2120–AG28

2172. ● SPECIAL ISSUANCE OF THIRD-CLASS AIRMAN MEDICAL CERTIFICATES TO INSULIN-TREATED DIABETIC AIRMAN APPLICANTS

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 45303

CFR Citation: 14 CFR 67

Legal Deadline: None

Abstract: The FAA has determined that selected individuals with insulin-treated diabetes mellitus (ITDM) can be considered for special issuance of a third-class airman medical certificate. Advances in the treatment of diabetes, improved technology, and the success of FAA's program allowing medical certification of ITDM air traffic control specialists has lead the Federal Air Surgeon to determine that medical certification of selected ITDM airmen is appropriate and safe under the protocol set out in the policy statement. Under the policy, ITDM individuals may exercise only the privileges of a student, recreational, or private pilot certificate in the closely monitored manner detailed in the protocol.

Timetable:

Action	Date	FR Cite
Final Action	11/21/96	61 FR 59282

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Woody Davis, 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–AG30

DEPARTMENT OF TRANSPORTATION (DOT) — Prerule Stage
Federal Highway Administration (FHWA)

2173. +ADVANCED TECHNOLOGY IN COMMERCIAL MOTOR VEHICLE OPERATIONS (SECTION 610 REVIEW)

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. The FHWA will focus on ways to reduce burdens on small entities. This rulemaking is significant because of the broad industry impacts.

Timetable:

Action	Date	FR Cite
Notice: Request for Information	09/07/95	60 FR 46682
Comment Period End	11/06/95	
Study To Be Completed	01/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Neill L. Thomas, Chief, Vehicle and Operations, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-4009

RIN: 2125–AD65

2174. +QUALIFICATIONS OF MOTOR CARRIERS TO SELF-INSURE THEIR OPERATIONS AND FEES TO SUPPORT THE APPROVAL AND COMPLIANCE PROCESS

Priority: Other Significant

Legal Authority: 49 USC 31138; 49 USC 31139; 49 USC 13906

CFR Citation: 49 CFR 1043; 49 CFR 387; 49 CFR 1.48

Legal Deadline: None

Abstract: This action proposes to amend the regulations governing qualifications for motor carriers that seek authorization to self-insure their transportation operations. Also, the FHWA is proposing technical amendments necessitated by the ICC Termination Act of 1995 (Pub. L. 104-88), which transferred the ICC's authority to qualify motor carriers as self-insurers to DOT. The agency is also requesting comments regarding the need for additional backup collateral or security to protect the public against uncompensated losses. The FHWA believes that this will be a significant regulatory action because of substantial congressional and public interest in the insurance requirements for motor carriers.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Stanley M. Braverman, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 927-6316

RIN: 2125–AE06

DEPARTMENT OF TRANSPORTATION (DOT) — Proposed Rule Stage
Federal Highway Administration (FHWA)

2175. 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 amend its periodic inspection requirements for commercial motor vehicles operated in interstate commerce. The periodic inspection final rule was published on December 7, 1988, at 53 FR 49402, and amended on December 8, 1989, at 54 FR 50722. The December 8, 1989, amendment included a request for comments. In response to the comments received and requests for interpretations from the States and industry, the FHWA has determined that the rule should be amended to clarify the requirements for periodic inspection decals; evidence of the inspector's qualifications; the response time for a motor carrier to transmit a copy of a self-inspection report to an authorized Federal, State or local enforcement official; identity of the motor carrier or other entity offering a vehicle for inspection; and documentation of a State periodic inspection, including proof of inspection on vehicles. The FHWA is also proposing amendments concerning the inspection criteria for brake readjustment limits, brake lining thickness, coupling devices, steering mechanism, tires marked ''Not for highway Use'', and regrooved tires on steering axles.

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: Comment Period End	05/02/90	55 FR 18355
Notice: State Inspection Programs	09/23/91	56 FR 47982
Denial of Petition	07/02/92	57 FR 29457
NPRM	07/00/97	

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

2176. COMMERCIAL LEARNER PERMITS AND CDL EFFECTIVENESS

Priority: Substantive, Nonsignificant

Legal Authority: PL 99-570; 49 USC 3102; 49 USC 31136

CFR Citation: 49 CFR 383; 49 CFR 384; 49 CFR 386; 49 CFR 395; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA has reviewed the effectiveness and efficiency of the requirements in the Commercial Driver's License (CDL) program. Areas that may be addressed further include: a) minimum licensing and information system standards for drivers learning to operate a commercial vehicle; and b) increased flexibility in locations where drivers may obtain the training and the final CDL.

Other general issues under review include treatment of various types of violations (i.e. railroad grade crossings, serious traffic offenses, etc.), defining terms, treatment of recognized types of violations (i.e. railroad grade crossings, serious responsibilities when hiring new drivers, and processing information related to CDL convictions.

Finally, there are issues specifically pertaining to the States under review, such as: a) flexibility in States sharing test results to assist new drivers in the licensing process; b) requirements for notification of the licensing State when a driver is convicted; c) appropriate measures to be taken when a driver is found to be unqualified or disqualified according to Federal standards; and d) the possibility of adding a provision for enforcement of violations of an out-of-service order to State responsibilities in 49 CFR 384.

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	07/00/97	

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

2177. 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

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	10/00/97	

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. Zywokarte, Health and Welfare Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2981

RIN: 2125–AC63

2178. +MINIMUM TRAINING REQUIREMENTS FOR OPERATORS AND TRAINING INSTRUCTORS OF MULTIPLE TRAILER COMBINATION VEHICLES

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

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 Period End	03/16/93	
NPRM	06/00/97	

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

2179. +TRAINING FOR ENTRY-LEVEL DRIVERS OF COMMERCIAL MOTOR VEHICLES

Priority: Other Significant

Legal Authority: PL 102-240, sec 4007

CFR Citation: 49 CFR 383

Legal Deadline:
NPRM, Statutory, December 18, 1992.
Final, Statutory, December 18, 1993.
Other, Statutory, January 18, 1994, Other deadline is for areport to Congress.

Abstract: This action is in response to section 4007 of the Motor Carrier Act of 1991 (title IV of the Intermodal Surface Transportation Efficiency Act of 1991). The Department has initiated a rulemaking on the need to require training of all entry-level drivers of commercial motor vehicles. The agency has submitted a report to Congress (02/05/96) on the effectiveness of private sector efforts to ensure adequate training of all entry-level drivers. This report included a cost-benefit study of requiring training of entry-level drivers. Public comments have been solicited on the report. This rulemaking action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	06/21/93	58 FR 33874
ANPRM Comment Period End	08/20/93	
Report to Congress	02/05/96	
Notice of availability	04/25/96	61 FR 18355
NPRM	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The report is available through the National Technical Information Service (Order #PB96-141536). For further information, please call 703-487-4650.

Agency Contact: Ron Finn, Transportation Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0647

RIN: 2125–AD05

2180. +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 develop regulations governing the proposed merger of the State-administered CDL procedures and the driver physical qualifications requirements. This action is significant due to anticipated substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	07/15/94	59 FR 36338
ANPRM Comment Period End	11/14/94	
Notice of Intent to Establish Advisory Committee	04/29/96	61 FR 18713
Notice of Advisory Committee Meeting	07/26/96	61 FR 38133
Notice of Advisory Committee Meetings	08/26/96	61 FR 43725
Notice of Advisory Committee Meeting	10/07/96	61 FR 52401
Notice of Advisory Committee Meeting	11/05/96	61 FR 56936
Notice of Advisory Committee Meeting	12/17/96	61 FR 66250
NPRM	10/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Teresa Doggett, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4001

RIN: 2125–AD20

2181. +PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; LIGHTING DEVICES, REFLECTORS, AND ELECTRICAL EQUIPMENT

Priority: Other Significant

Legal Authority: 49 USC 3102; PL 101-50, sec 15(f)

CFR Citation: 49 CFR 393

Legal Deadline: None

Abstract: The FHWA is proposing measures for reducing the incidence and severity of collisions with large trailers during conditions of darkness or reduced visibility. Specifically, the agency is proposing requirements for the use of retroreflective sheeting or reflex reflectors for certain trailers manufactured prior to December 1, 1993, the effective date of the National Highway Traffic Safety Administration's final rule on conspicuity for newly manufactured trailers. This action is considered significant due to substantial public and congressional interest.

Timetable:

Action	Date	FR Cite
ANPRM	01/19/94	59 FR 2811
ANPRM Comment Period End	03/21/94	
Notice of Intent to Issue NPRM	08/06/96	61 FR 40781
NPRM	06/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: The FHWA intends to consider carefully the costs and benefits associated with various alternative requirements, including the economic impacts of potential changes on small entities.

Agency Contact: Richard Singer, Mechanical Engineer, Office of Motor Carrier Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2125–AD27

2182. +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 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 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	09/00/97	

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

2183. 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	04/00/97	

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

2184. +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

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 formerly 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 before beginning operations; and (5) move 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	12/00/97	

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

2185. +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	08/00/97	

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

2186. 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	
SNPRM	06/00/97	

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

2187. 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 proposed to amend the provision of the Federal Motor Carrier Safety Regulations (FMCSRs) concerning television viewers or screens in commercial motor vehicles. The FHWA is concerned that the current restrictions on the locations of such devices may have the unintended effect of discouraging the use of certain Intelligent Transportation System (ITS) technologies such as collision avoidance and traveler information systems which could improve the safety and efficiency of commercial vehicle operations. In response to comments to the April 3, 1993, notice of proposed rulemaking (61 FR 14733) to rescind the regulation concerning television viewers or screens, the FHWA is considering an SNPRM to propose retaining an explicit prohibition against television viewers or screens but revising the regulation to ensure that it does not impede the development and use of ITS-related technologies.

Timetable:

Action	Date	FR Cite
NPRM	04/03/96	61 FR 14733
NPRM Comment Period End	06/03/96	
SNPRM	09/00/97	

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

2188. +MOTOR CARRIER REPLACEMENT INFORMATION/REGISTRATION SYSTEM

Priority: Other Significant

Legal Authority: 49 USC 13908

CFR Citation: 49 CFR 36

Legal Deadline:
Final, Statutory, January 1, 1998, See 49 U.S.C. 13908 for moredetailed information.

Abstract: This action is in response to the requirements of section 103 of the Interstate Commerce Commission Termination Act of 1995, which added 49 USC 13908. This section requires the Secretary to initiate a rulemaking proceeding to replace the current DOT identification number system, single State registration system, the registration/licensing system, and the financial responsibility system, with a single, on-line Federal system. This action is considered significant due to substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	08/26/96	61 FR 43816
ANPRM Comment Period End	10/25/96	
NPRM	10/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Dixie E. Horton, Office of Motor Carrier Planning and, Customer Liaison, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4340

RIN: 2125–AD91

2189. ELECTRONIC FILING OF SURETY BONDS, TRUST FUND AGREEMENTS, INSURANCE CERTIFICATES; CANCELLATIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-88

CFR Citation: 49 CFR 387

Legal Deadline: None

Abstract: This action proposes requiring all filings of surety bonds, trust fund agreements, insurance certificates and cancellations of these instruments to be accomplished electronically. Optional electronic filing has proven economical and efficient for both the FHWA and for electronic filers. Given this success, cost of processing paper filings can no longer be justified. Mandatory electronic filings should not impose any significant costs or burdens on either the FHWA or the filers.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Patricia A. Burke, Department of Transportation, Federal Highway Administration, 400 Seventh St. SW., Washington, DC 20590 Phone: 202 358-7041

RIN: 2125–AD94

2190. REGISTRATION OF FOR-HIRE MOTOR CARRIERS, PROPERTY BROKERS, AND FREIGHT FORWARDERS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 553; 5 USC 559; 16 USC 1456; 49 USC 13101; 49 USC 13301; 49 USC 13901 to 13906; 49 USC 14708; 49 USC 31138; 49 USC 31144

CFR Citation: 49 CFR 365; 49 CFR 385

Legal Deadline: None

Abstract: The FHWA is adopting an interim final rule governing registration of for-hire motor property and passenger carriers, property brokers, and freight forwarders. This action is required by 49 USC 13901 to 13905, which mandates that a registration system be administered by the Secretary of Transportation to replace the former Interstate Commerce Commission's licensing system for motor carriers, property brokers, and freight forwarders. The registration system prescribed in 49 USC 13901 to 13905 is intended to be a temporary and stand-alone procedure while the FHWA undertakes to design and implement the revised system through the 49 USC 13908 rulemaking mandated by Congress to be completed by January 1, 1998.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Suzanne O'Malley, Office of Motor Carrier Research & Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-1790

RIN: 2125–AE01

2191. +DEVELOPMENT OF A NORTH AMERICAN STANDARD FOR PROTECTION AGAINST SHIFTING AND FALLING CARGO

Priority: Other Significant

Legal Authority: 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 393; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA is considering proposing amendments to its regulations concerning cargo securement requirements for commercial motor vehicles engaged in interstate commerce. The FHWA intends to consider adopting new cargo securement guidelines that will be based upon the results of a multi-year comprehensive research program to evaluate current regulations and industry practices. The FHWA is also requesting comments on the process to be used in developing these preliminary cargo securement guidelines. The FHWA is currently working on this research program with the Canadian Council of Motor Transport Administrators (CCMTA), State and Provincial agencies responsible for motor carrier safety activities, the Commercial Vehicle Safety Alliance (CVSA), and U.S. and Canadian industry groups. This research program is scheduled for completion by the end of 1996 with the final report to be published shortly thereafter.

Timetable:

Action	Date	FR Cite
ANPRM	10/17/96	61 FR 54142
ANPRM Comment Period End	12/16/96	
NPRM	10/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Larry Minor, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-4009

RIN: 2125–AE05

2192. ● +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; HOURS-OF-SERVICE AND CDL EXEMPTIONS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: PL 104-59, sec 345

CFR Citation: 49 CFR 382; 49 CFR 395

Legal Deadline: None

Abstract: In this action, the FHWA is proposing to clarify its rule incorporating certain exemptions from the hours-of-service and commercial driver's license requirements of the Federal motor carrier safety regulations, created by section 345 of the National Highway System Designation Act of 1995.

The FHWA is also proposing a monitoring program to measure the safety impact of the exemptions. The FHWA would use information obtained from the monitoring program to determine whether the exemptions granted in the NHS Act should be modified or revoked under the standard provided in the authorizing legislation. The FHWA requests comment on the public interest and safety impacts of the exemptions, as well as in the proposed monitoring program.

The final rule that incorporated the exemptions created by section 345 of the NHS Act was issued under RIN 2125-AD83, 4/3/96 (61 FR 14677).

This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

DOT—FHWA

Proposed Rule Stage

Agency Contact: Paul Brennan, Director, 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–AE09

2193. ● MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MEXICAN MOTOR CARRIERS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 31138; 49 USC 31139

CFR Citation: 49 CFR 387; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA is proposing to amend part 387, Minimum Levels of Financial Responsibility for Motor Carriers to clarify and amend the financial responsibility requirement for Mexican motor carriers.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

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–AE14

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Highway Administration (FHWA)

Final Rule Stage

2194. 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	
Interim Final Rule	04/25/96	61 FR 18246
Interim Final Rule Effective	05/28/96	
Final Action	04/00/97	

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.

Agency Contact: Robert A. Johnson, Acting Chief, Program Services Division, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2020

RIN: 2125–AC17

2195. +SAFETY FITNESS PROCEDURES; SAFETY RATINGS

Priority: Other Significant

Legal Authority: 49 USC app 2512; 49 USC 104; 49 USC 504; 49 USC 521(b)(5)(A); 49 USC 3102; 49 USC app 1814; PL 101-500

CFR Citation: 49 CFR 385

Legal Deadline: None

Abstract: This action will amend the Federal Motor Carrier Safety Regulations to implement provisions of the Motor Carrier Safety Act of 1990 (section 15 of PL 101-500). This enactment prohibits a motor carrier that receives an ''unsatisfactory'' safety rating from operating commercial motor vehicles to transport hazardous materials in quantities for which vehicle placarding is required or to transport more than 15 passengers, including the driver. The prohibition is effective 45 days after receipt of an unsatisfactory rating and remains in effect until a satisfactory or conditional rating is secured. This action is considered significant because of substantial public and congressional interest. The FHWA has analyzed public comments received in response to the interim final rule and the September 1994 notice. The FHWA proposed changes to 49 CFR 385 in an NPRM issued under RIN 2125-AD64.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/16/91	56 FR 40801
Notice: Request for Comments	09/14/94	59 FR 47203
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/16/91 (56 FR 40801)

Additional Information: The interim final rule was effective upon publication 08/16/91. Statutory

prohibition became effective January 1, 1991.

Agency Contact: William Hill, Office of Motor Carrier, Safety and Technology, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6347

RIN: 2125–AC71

2196. TRANSPORTATION OF HAZARDOUS MATERIALS; TECHNICAL AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 1801 et seq; PL 101-615

CFR Citation: 49 CFR 397; 49 CFR 1.48

Legal Deadline:
Final, Statutory, May 16, 1992.

Abstract: This action revises the FHWA's transportation of hazardous materials regulations to update cross-references to the definitions of class 7 (radioactive) materials in the Federal Hazardous Materials Regulations (HMRs) to provide a current publication for routing of non-radioactive hazardous materials (NRHM) in the Federal standards, to update the address to which States and Indian tribes must provide information for routing designations, and to remove obsolete dates, to correct erroneous references, and to clarify the definition of a preferred route. The amendments are necessary to correct minor errors in citations for sections 397.101(b)(1), (b)(2), (d) and (g).

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/24/92	57 FR 44129
Final Action	08/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 09/24/92 (57 FR 44129)

Additional Information: Pursuant to 5 U.S.C. 553(b), requirements for notice and public comment are not applicable since this action involves a matter of agency practice and procedure. Originally, this action contained language incorporating (without substantive change) the RSPA's regulation at 49 CFR 397, subpart E. However, it was determined that this incorporation should be a part of RIN 2125-AC80, ''Transportation of Hazardous Materials; Highway Routing.'' The final rule for RIN 2125-AC80 was published on October 12, 1994, at 59 FR 51824.

Agency Contact: Nathan Root, Office of Motor Carriers, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8759

RIN: 2125–AD00

2197. VALUE ENGINEERING

Priority: Substantive, Nonsignificant

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 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.

Timetable:

Action	Date	FR Cite
NPRM	11/16/94	59 FR 59182
NPRM Comment Period End	01/17/95	
Final Action	04/00/97	

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

2198. 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 on 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 on 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 NHS. Several areas of the regulations text will also be changed to reflect establishment of the NHS and update terminology.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/22/96	61 FR 17566
Final Action	04/00/97	

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.

Agency Contact: Seppo I. Sillan, Chief, Geometric And Roadside Design Branch, Department of Transportation, Federal Highway Administration

Phone: 202 366-1327

RIN: 2125–AD38

2199. 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	04/23/96	61 FR 18014
NPRM Comment Period End	06/24/96	
Final Action	10/00/97	

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

2200. 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: The FHWA is proposing to amend the Federal Motor Carrier Safety Regulations (FMCSRs) to require that air-braked truck tractors manufactured on or after March 1, 1997, and air-braked single-unit trucks, buses, trailers, and converter dollies manufactured on or after March 1, 1998, be equipped with antilock brake systems (ABSs) that meet the requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 121. The FHWA is also proposing that hydraulic braked trucks and buses manufactured on or after March 1, 1999, be equipped with ABSs that meet the requirements of FMVSS No. 105. This rulemaking is intended to ensure that the in-service brake standards of the FMCSRs are consistent with the FMVSSs and to improve the safety of operation of commercial motor vehicles (CMVs) by reducing the incidence of accidents caused by jackknifing and other losses of directional stability and control during braking. With regard to CMVs manufactured prior to the dates previously mentioned, the FHWA is not proposing that motor carriers be required to retrofit such vehicles with ABSs. this subject.

Timetable:

Action	Date	FR Cite
Notice of intent	03/10/95	60 FR 13306
NPRM	07/12/96	61 FR 36691
NPRM Comment Period End	09/10/96	
Final Action	05/00/97	

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

2201. 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	04/00/97	

Small Entities Affected: None

Government Levels Affected: State

Analysis: Regulatory Evaluation 04/00/97

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

2202. 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	06/11/96	61 FR 29624
Interim Final Rule Effective	06/11/96	
Final Action	05/00/97	

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

2203. 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.

Timetable:

Action	Date	FR Cite
NPRM	04/29/96	61 FR 18866
NPRM Comment Period End	07/29/96	
Extended Comment Period End 9/13/96	08/06/96	61 FR 40781
SNPRM Comment Period End	10/20/96	
SNPRM	10/21/96	61 FR 54601
Final Action	10/00/97	

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

2204. 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
NPRM	08/02/96	61 FR 40484
NPRM Comment Period End	05/02/97	
Final Action	10/00/97	

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

2205. ZERO-BASE REVIEW OF THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS: REGULATORY REMOVALS AND SUBSTANTIVE AMENDMENTS (SECTION 610 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 31502; 49 USC 31101 et seq; 49 USC 31136; 49 USC 322; 49 USC 504; 49 USC 31133; 49 USC 31138; 49 USC 31139; 49 USC 31502; 49 USC 31504

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: The FHWA is requesting comments on whether to remove,

amend, and redesignate certain regulations on a variety of subjects. (for example: financial responsibility; general applicability and definitions; accident recordkeeping requirements; qualifications of drivers; driving of commercial motor vehicles; hours of service of drivers; and the transportation of hazardous materials.) This action is in response to the FHWA's Zero Base Regulatory Review. As part of this action, a small entities review under 5 USC Section 610 will be included.

Timetable:

Action	Date	FR Cite
NPRM	01/27/97	62 FR 3855
NPRM Comment Period End	03/22/97	
Final Action	12/00/97	

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

2206. 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),(2),(3); 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.

The FHWA intends to issue an interim final rule with an opportunity for public comment. The FHWA believes that prior notice and opportunity for comment are unnecessary within the meaning of 5 U.S.C. 553(b)(3)(B) because this rule will amend existing regulations in accordance with the requirements of ISTEA and will simplify administrative procedures, minimize regulatory burdens, and provide flexibility for accomplishing required system actions. This rule amends regulations that the states comply with as part of the Federal-aid highway program. The FHWA has worked closely with the states, and the states have operated under the basic policies covered by this regulation for many years.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/97	

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

2207. 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: The FHWA is proposing to prohibit operators of commercial motor vehicles 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	04/00/97	

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
Phone: 202 366-5763

RIN: 2125–AD75

2208. MITIGATION OF IMPACTS TO WETLANDS

Priority: Info./Admin./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	06/17/96	61 FR 30553
NPRM Comment Period End	08/16/96	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Additional authority DOT Order 5660.1A

Agency Contact: Paul Garrett, Natural and Cultural Resources Team HEP-40, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC
Phone: 202 366-2067
Fax: 202 366-3409
Email: PGARRETT@INTERGATE.DOT.GOV

RIN: 2125–AD78

2209. 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

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	07/00/97	

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-10, Department of Transportation, Federal Highway Administration, Federal-aid Programs and Design Division, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-4656

RIN: 2125–AD86

2210. PROCEDURES FOR ABATEMENT OF HIGHWAY TRAFFIC NOISE AND CONSTRUCTION NOISE

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-59; 23 USC 109(h); 23 USC 109(i); 42 USC 4331; 42 USC 4332

CFR Citation: 23 CFR 772

Legal Deadline: None

Abstract: This action revises the FHWA regulation that allows Federal participation for Type II noise abatement projects. Type II projects are proposed Federal or Federal-aid highway projects for noise abatement on an existing highway. This revision will make the regulation consistent with the National Highway System Designation Act of 1995, Pub. L. 104-59, 109 Stat. 605.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/29/96	61 FR 45319
Effective Date	09/30/96	
Comment Period End	11/27/96	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The FHWA has determined that prior notice and opportunity for comment are unnecessary under 5 U.S.C. 553(b)(3) because this action, in amending FHWA's regulation on highway traffic noise to restrict Federal participation in Type II abatement, does not impose any new obligation or requirement on States.

Agency Contact: Robert Armstrong, Office of Environment and Planning, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2073

RIN: 2125–AD97

2211. GENERAL JURISDICTION OVER FREIGHT FORWARDER SERVICE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 13701; 49 USC 13709; 49 USC 13906; 49 USC 14101; 49 USC 14706

CFR Citation: 49 CFR 373

Legal Deadline: None

Abstract: This action gives notice of the FHWA's general jurisdiction over all segments of the freight forwarding industry (not just household good freight forwarders), in accordance with the ICC Termination Act of 1995, proposes changes to existing regulations to comport with those mandated by Congress, and clarifies the FHWA's jurisdiction over freight forwarders in other areas.

Timetable:

Action	Date	FR Cite
NPRM	01/28/97	62 FR 4096
NPRM Comment Period End	03/31/97	
Final Action	01/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Larry Minor, Office of Motor Carrier Research & Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4012

RIN: 2125–AE00

2212. COMPENSATED INTERCORPORATE HAULING

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 13505

CFR Citation: 49 CFR 369

Legal Deadline: None

Abstract: This action proposes to remove the regulation that delineates the scope and notice filing requirements of the statutory exemption for compensated intercorporate hauling. Section 103 of the ICC Termination Act removed the requirement that a notice be filed before initiation of compensated intercorporate hauling operations. Removal of the regulation is consistent with the overall intent of the ICC Termination Act to eliminate unnecessary regulation.

Timetable:

Action	Date	FR Cite
NPRM	10/21/96	61 FR 54711
NPRM Comment Period End	12/20/96	
Final Action	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Thomas Vining, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 358-7033

RIN: 2125–AE02

2213. EXEMPTION FROM NOTICE FILING REQUIREMENTS FOR AGRICULTURAL COOPERATIVE ASSOCIATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 13506

CFR Citation: 49 CFR 372

Legal Deadline: None

Abstract: The FHWA proposes to remove the regulation that specifies the notice filing requirements for agricultural cooperative associations which conduct compensated operations for nonmembers. These operations are exempt from regulation if certain statutory limitations on their scope are observed. Section 103 of the ICC Termination Act removed the requirement that a notice be filed before initiation of operations under the exemption. Removal of the regulation would reflect this statutory change and is consistent with the overall intent of the ICC Termination Act to eliminate unnecessary regulation.

Timetable:

Action	Date	FR Cite
NPRM	10/21/96	61 FR 54712
NPRM Comment Period End	12/20/96	
Final Action	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Thomas T. Vining, Office of Motor Carrier Information Analysis, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 358-7033

RIN: 2125–AE03

2214. TRUCK SIZE AND WEIGHT; NATIONAL NETWORK; NORTH CAROLINA

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 127; 23 USC 315; 49 USC 31111 to 31115

CFR Citation: 23 CFR 658

Legal Deadline: None

Abstract: The FHWA proposes to modify The National Network for Commercial Motor Vehicles by adding a route in North Carolina.

Timetable:

Action	Date	FR Cite
NPRM	10/21/96	61 FR 54588
NPRM Comment Period End	12/20/96	
Final Action	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Thomas Klimek, Office of Motor Carrier Info. Management, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2976

RIN: 2125–AE04

2215. ● MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS OF PROPERTY; GENERAL DEFINITIONS; HOURS OF SERVICE OF DRIVERS; CORRECTING AMENDMENTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 31138; 49 USC 31139

CFR Citation: 49 CFR 387; 49 CFR 390; 49 CFR 395; 49 CFR 1.48

Legal Deadline: None

Abstract: In this action, the FHWA makes three technical amendments to Federal motor carrier safety regulations. (1) a definition of the term ''State'' is being added to 49 CFR 387.5, the financial responsibility regulations for motor carriers of property; (2) the definition of farm-to-market agricultural transportation is being removed because it is unnecessary; and (3) finally, this action clarifies the intent to require a CMV driver to show either the number assigned by the motor carrier or the license number and licensing State of each CMV operated during a 24-hour period on his/her record of duty status.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This action is being issued as a final rule because the FHWA believes that prior notice and opportunity for comment on these amendments are unnecessary. The changes being made by this rule are technical changes not making any substantive change in these regulations.

Agency Contact: Peter C. Chandler, Office of Motor Carriers Research and, Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington DC 20590
Phone: 202 366-5763

RIN: 2125–AE07

2216. ● TRUCK SIZE AND WEIGHT; TECHNICAL CORRECTIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 23 USC 127; 23 USC 141; 49 USC 31111 to 31114; PL 95-599, sec 123, 92 stat 2689; PL 102-240, 105 stat 1914

CFR Citation: 23 CFR 657; 23 CFR 658

Legal Deadline: None

Abstract: In this action, the FHWA is amending the truck size and weight limit regulations to incorporate statutory changes made by the National Highway System Designation Act of 1995 and to correct or clarify existing requirements. Changes with regard to either length or weight limitations for commercial motor vehicles (CMVs) on the Interstate system will impact the following States: Alaska, Arizona, Nebraska, South Dakota, Iowa, Oregon, Michigan, Missouri, Wisconsin and Pennsylvania.

In addition, the regulations are being amended to reflect changes mandated by the NHS Act to an exemption pertaining to axle weight limitations for intrastate public transit buses when operating on the Interstate system. The new exemption does not indicate that transit buses are exempt from axle weight limits, only that the FHWA may not impose financial sanctions on States that allow transit buses with axle weights in excess of Federal limits to operate on the Interstate System.

Finally, technical changes are being made to clarify the ''overhang'' regulations for automobile transporters,

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to clarify what citations or civil assessments must be reported by the States in their annual certifications, and to update statutory references.

Timetable:

Action	Date	FR Cite
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This action is being issued as a final rule due to the technical nature of this rulemaking.

Agency Contact: Thomas Klimek, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington DC 20590 Phone: 202 366-1354

RIN: 2125–AE08

2217. ● MOTOR CARRIER ROUTING REGULATIONS; DISPOSITION OF LOSS AND DAMAGE CLAIMS AND PROCESSING SALVAGE; PRESERVATION OF RECORDS

Priority: Info./Admin./Other

Major: Undetermined

Legal Authority: PL 104-88, sec 204

CFR Citation: 49 CFR 370; 49 CFR 356; 49 CFR 379

Legal Deadline: None

Abstract: Final rule which adds to 49 CFR, chapter III certain motor carrier regulations, also codified in 49 CFR, Chapter X, which involve functions delegated to both the FHWA and the Surface Transportation Board under the ICC Termination Act of 1995. These regulations govern motor carrier routing, processing of claims for loss and damage, and preservation of records. The rules make no substantive changes to the chapter X regulations but do contain technical changes to reflect FHWA jurisdiction and updated statutory and regulatory references.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Michael Falk, Trial Attorney, Department of Transportation, Federal Highway Administration, 400 Seventh Steet SW., Washington DC 20590 Phone: 202 366-1384

RIN: 2125–AE10

2218. ● TRAFFIC CONTROL DEVICES, MARKINGS, SIGNALS, AND SYSTEMS FOR RAILROAD-HIGHWAY GRADE CROSSINGS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

CFR Citation: 23 CFR 655

Legal Deadline: None

Abstract: This document proposes new text for the Manual on Uniform Traffic Control Devices (MUTCD) in part III, markings; in part IV, signals; and in part VIII, traffic control systems for railroad-highway grade crossings. The purpose of these amendments is to include metric dimensions and values for the design and installation of traffic control devices and to improve the organization and discussion of the contents of the MUTCD.

Timetable:

Action	Date	FR Cite
Notice of Proposed Amendments	01/06/97	62 FR 691
Comment Period End	08/30/97	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Linda L. Brown, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington DC 20590 Phone: 202 366-2192

RIN: 2125–AE11

2219. ● TECHNICAL AMENDMENTS TO FORMER INTERSTATE COMMERCE COMMISSION REGULATIONS IN ACCORDANCE WITH THE ICC TERMINATION ACT

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: 49 CFR 367; 49 CFR 368; 49 CFR 371; 49 CFR 372; 49 CFR 373; 49 CFR 374; 49 CFR 376; 49 CFR 377

Legal Deadline: None

Abstract: This document makes technical amendments to former Interstate Commerce Commission (ICC) regulations which were transferred to the Secretary of Transportation and the FHWA.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: The FHWA believes that prior notice and opportunity for comment are unnecessary because this rule merely replaces outdated language with terms consistent with current statutory authority and codifies the transfer of regulatory responsibilities from the ICC to the DOT.

Agency Contact: Michael J. Falk, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-1384

RIN: 2125–AE12

DEPARTMENT OF TRANSPORTATION (DOT) — Long-Term Actions

Federal Highway Administration (FHWA)

2220. +QUALIFICATION OF DRIVERS; DIABETES

Priority: Other Significant

Legal Authority: 49 USC 3102; 49 USC app 2505; 23 USC 315

CFR Citation: 49 CFR 391.41(b)(3)

Legal Deadline: None

Abstract: The FHWA is considering revising the driver qualification requirements to allow certain insulin-using diabetics to operate commercial motor vehicles in interstate commerce. The FHWA issued a final disposition accepting waiver applications under certain conditions. The deadline for submitting applications was April 30, 1994. The waiver program was

instituted and is scheduled to conclude March 31, 1996. It was instituted to permit the FHWA to observe and collect data on the driving experience of a group of insulin-using drivers. This action is considered significant because of substantial public interest.

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

Analysis: Regulatory Evaluation 10/05/90 (55 FR 41028)

Additional Information: With the closing of the diabetes waiver study (03-03-96), no definitive empirical results were produced. Therefore, the FHWA initiated a retrospective case-referent study to assess the level of risk associated with the operation of commercial motor vehicles by insulin-using diabetic drivers. This is not a waiver study. Further rulemaking on diabetes is deferred until the completion of the retrospective case-referent study (09-31-97).

Agency Contact: Sandra L. Zywokarte, Health and Welfare Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-2981

RIN: 2125–AB91

2221. +COMMERCIAL DRIVER'S LICENSE STANDARDS; BIOMETRIC IDENTIFIER

Priority: Other Significant

Legal Authority: PL 100-690, sec 9105

CFR Citation: 49 CFR 383

Legal Deadline: Final, Statutory, December 31, 1990.

Abstract: This action was initiated to improve identification systems for truck and bus drivers as identified by the Congress in the Truck and Bus Regulatory Reform Act of 1988. Alternatives that were considered included retinal eye scans and advanced fingerprint technologies. After (1) further review, (2) a careful analysis of public comments submitted to the ANPRM, and (3) a review of demonstration project results, the FHWA has determined that current technology has not progressed to the point where an identification system could be established nationwide in a cost-effective manner and still provide the benefits for which a system was intended. Therefore, the FHWA has published an informational notice to summarize the results of the pilot study and the comments to the ANPRM to demonstrate how the technologies studied fall short of the demands in a commercial licensing environment. Additional studies are being conducted to assess the current state of the art of technology in biometric identification systems. The public docket will remain open while this research is being conducted. This project is considered significant because of substantial public interest.

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

Analysis: Regulatory Evaluation

Agency Contact: Phil Forjan, Transportation Specialist, Office of Motor Carrier Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-8759

RIN: 2125–AC24

2222. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL; PERIODIC REGISTRATION REQUIREMENTS FOR MOTOR CARRIERS

Priority: Other Significant

Legal Authority: 49 USC 31502; 49 USC 31103; 49 USC 31136

CFR Citation: 49 CFR 390

Legal Deadline: None

Abstract: The FHWA is proposing to require all motor carriers subject to the Federal Motor Carrier Safety Regulations (FMCSRs) to periodically update certain company information maintained by the agency in a national interstate motor carrier census file. This proposal delineates the information which motor carriers may be required to update every 2 years, as well as the methods motor carriers may have available to them to provide such information.

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

Analysis: Regulatory Evaluation

Additional Information: Please note that this action (2125-AC28) was previously titled ''Federal Motor Carrier Safety Regulations; General; Motor Vehicle Marking.'' A new RIN has been assigned for this subject. See 2125-AD49 for further information about motor vehicle marking. 1992 Agenda.

Agency Contact: Philip Roke, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-5884

RIN: 2125–AC28

2223. 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 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
Next Action Undetermined		

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

2224. 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.

Legal Authority: 23 USC 127; 23 USC 141; 23 USC 315

CFR Citation: 23 CFR 657

Legal Deadline: None

Abstract: This rulemaking action proposes to amend existing regulations contained in 23 CFR 657 by changing the requirements for State enforcement plans and certifications as well as the FHWA evaluation of State operations under the enforcement plans. The revised requirements will be determined through the rulemaking process. The revisions will result in evaluations and certifications being based more closely on the approved plans.

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

Analysis: Regulatory Evaluation

Agency Contact: Kathy Busby, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-2976

RIN: 2125–AC60

2225. +QUALIFICATION OF DRIVERS; VISION

Priority: Other Significant

Legal Authority: 49 USC 2505; 49 USC 3102

CFR Citation: 49 CFR 391

Legal Deadline: None

Abstract: As part of a review of the medical qualification standards applicable to interstate CMV drivers, the FHWA requested comments on the need, if any, to amend its driver qualification requirements relating to the vision standard. A temporary waiver program was initiated and was concluded on March 31, 1996, to permit the FHWA to observe and collect data on the driving experience of a group of vision deficient drivers who meet certain preconditions. Additionally, the FHWA is considering further research to develop comprehensive performance-based visual standards for all commercial drivers. Information about the proposed research plan and public hearing on the subject was published in the Federal Register on June 5, 1996, at 61 FR 28547.

Timetable:

Action	Date	FR Cite
ANPRM	02/28/92	57 FR 6793
ANPRM Comment Period End	04/28/92	
Notice request for comments	06/05/96	61 FR 28547
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation

Additional Information: (SEE notices published at 57 FR 6793, February 28, 1992; 57 FR 10295, March 25, 1992; 57 FR 22370, June 3, 1992; 59 FR 50887, October 6, 1994; 59 FR 59386, November 17, 1994; 61 FR 606, January 8, 1996; 61 FR 13338, March 26, 1996.)

Agency Contact: Sandra L. Zywokarte, Health and Welfare Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-2981

RIN: 2125–AC62

2226. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION: INTERMODAL CARGO CONTAINERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 3102; 49 USC 31136; 49 USC

CFR Citation: 49 CFR 393; 49 CFR 1.48

Legal Deadline: None

Abstract: This rulemaking action addresses the requirements of the Federal Motor Carrier Safety Regulations for securing intermodal cargo containers to trailers.

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

Analysis: Regulatory Evaluation

Agency Contact: Peter C. Chandler, Transportation Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-5763

RIN: 2125–AC74

2227. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL TRANSPORTATION OF HAZARDOUS MATERIALS

Priority: Other Significant

Legal Authority: 49 USC app 2503; 49 USC app 2505; 49 USC 3102; 49 USC 3104

CFR Citation: 49 CFR 390.3; 49 CFR 397

Legal Deadline:

Final, Statutory, November 15, 1991.

Abstract: This rulemaking will implement the statutory requirements of sections 8 and 15 of the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) of 1990. Section 8 addresses the establishment of motor carrier safety permit regulations for motor carriers transporting Class A or B explosives, liquefied natural gases, hazardous materials designated as extremely toxic by inhalation, or highway route controlled quantity radioactive materials. Section 15 of the HMTUSA requires inspection of vehicles transporting those radioactive materials before each trip. The proposed rule will incorporate those provisions into the safety permit regulations. This action is considered significant because of substantial public and congressional interest and safety implications.

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

Analysis: Regulatory Evaluation 06/17/93 (58 FR 33418)

Agency Contact: Richard Singer, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-4009

RIN: 2125–AC78

2228. +QUALIFICATIONS OF DRIVERS: HEARING DEFICIENCIES

Priority: Other Significant

Legal Authority: 49 USC 3102; 49 USC app 2505

CFR Citation: 49 CFR 391; 49 CFR 1.48

Abstract: FHWA is considering amending its driver qualification requirements relating to the hearing standard found at 49 CFR 391.41(b)(11). FHWA believes that a review of the standard is necessary to assess the effect advances in medical science and technology may have on the standard. Such advances may lead to amending the current standard. The FHWA published an ANPRM (FHWA Docket No. MC-93-30) seeking comment on the hearing standard. This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	12/15/93	58 FR 65634
ANPRM Comment Period Extended to 04/05/94	02/04/94	59 FR 5376
ANPRM Comment Period End	02/14/94	
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation

Additional Information: A related notice regarding possible waivers was published at 58 FR 65638 (Dec. 15, 1993). The FHWA has decided not to issue waivers in light of the recent decision of the U.S. Court of Appeals for the DC Circuit in Advocates for Highway and Auto Safety v. the Federal Highway Administration, No. 92-1411, August 2, 1994. In that case, the FHWA rule allowing commercial drivers with impaired vision in one eye to apply for waivers from the federal vision standard was struck down because the court of Appeals held that the agency lacked the data necessary to support its determination that the vision waiver program ''is consistent with the safe operation of commercial motor vehicles.'' The FHWA initiated research in FY 1995 to determine if the hearing requirement is necessary and if so, what criteria it should encompass in relationship to driving tasks.

Agency Contact: Albert Alvarez, Transportation Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-4706

RIN: 2125–AD22

2229. 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 have been reviewing these regulations with the intent to focus on changes necessitated by ISTEA. We are continuing this review in order to be able to accommodate additions or changes effected by reauthorization of ISTEA.

Timetable: Next Action Undetermined

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

2230. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; SLEEPER BERTHS ON MOTOR COACHES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 393; 49 CFR 1.48

Legal Deadline: None

Abstract: Comments have been sought on the suitability of existing driver sleeper berth regulations for motor coaches and possible amendment to account for design differences between trucks and motor coaches.

Timetable:

Action	Date	FR Cite
ANPRM	01/12/94	59 FR 1706
ANPRM Comment Period End	03/14/94	
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: Richard Singer, Office of Motor Carrier Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2994

RIN: 2125–AD25

2231. MOTOR CARRIER SAFETY ASSISTANCE PROGRAM (MCSAP) ALLOCATION FORMULA

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-240, sec 4002

CFR Citation: 49 CFR 350

Legal Deadline: None

Abstract: This action would modify the Motor Carrier Safety Assistance Program (MCSAP) distribution formula to allow States with incompatible intrastate regulations limited participation in the basic grant program beyond October 1, 1994. It does not change the distribution formula pertaining to those States that have achieved compatibility with respect to both interstate and intrastate transportation.

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

Analysis: Regulatory Evaluation

Agency Contact: Linda Taylor, Office of Motor Carrier Field Operations, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6308

RIN: 2125–AD30

2232. NATIONAL STANDARDS FOR TRAFFIC CONTROL DEVICES; TEMPORARY TRAFFIC SIGNALS

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

Legal Deadline: None

Abstract: Part VI of the MUTCD was revised on September 3, 1993, and incorporated by reference into 23 CFR part 655 on December 10, 1993. As revised, the last sentence of the last paragraphs in section 6F-8C, inadvertently disallowed the use of certain temporary signalling devices, new in use, which employ neither hard-wiring nor radio-controlled technology. In order to allow the use of such devices the last sentence of the paragraph has been removed. As revised, the section imposes a performance standard, and not a design standard, on all such devices.

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, Highway Engineer, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2193

RIN: 2125–AD45

2233. ADVANCED CONSTRUCTION OF FEDERAL AID PROJECTS

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 101(a); 23 USC 104; 23 USC 105; 23 USC 106; 23 USC 109; 23 USC 110; 23 USC 113; 23 USC 115; 23 USC 118; 23 USC 120(e); 23 USC 121(c); 23 USC 125; 23 USC 134; 23 USC 315; 23 USC 320

CFR Citation: 23 CFR 630; 23 CFR 1.32; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA is amending its regulation on advance construction of Federal-aid highway projects to incorporate changes made by the Dire Emergency Supplemental Appropriations Act, 1992, Pub. L. 102-302, 106 Stat. 248, and to provide more flexible funding arrangements for the States.

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, Office of Fiscal Services, Department of Transportation, Federal Highway Administration, 400 Seventh Street, Washington, DC 20590
Phone: 202 366-2853

RIN: 2125–AD59

2234. 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: 23 USC 402

CFR Citation: 23 CFR 1200

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: Next Action Undetermined

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

2235. TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING/PARKING 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 31132; 49 USC 31136; 49 USC 31502; 49 USC 31504

CFR Citation: 49 CFR 397; 49 CFR 1.48

Legal Deadline: None

Abstract: In response to the President's Regulatory Reinvention initiative, the FHWA reviewed part 397 and believes this subpart contains requirements that are obsolete and redundant. The FHWA is coordinating with the Research and Special Programs Administration on possible changes to part 397.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Nathan Root, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8759

RIN: 2125–AD80

2236. +TRANSPORTATION OF MIGRANT WORKERS (SECTION 610 REVIEW)

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

Abstract: The Federal Highway Administration would 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. The FHWA is considering these changes to make it easier for small entities to comply with Federal safety rules. This is considered significant due to substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	

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

2237. 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: Next Action Undetermined

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

2238. 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: The FHWA is suspending its proposal for rulemaking action deleting Subpart E of 23 USC 750 in order to be able to accommodate possible changes effected by the reauthorization of ISTEA. 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 would be 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 would be that it eliminates a regulation that has become obsolete due to later Federal legislative action.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Additional Information: See also RIN 2125-AD24 ''Highway Beautification''.

Agency Contact: Robert Harter, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2026

RIN: 2125–AD88

DOT—FHWA

Long-Term Actions

2239. NATIONAL STANDARDS FOR TRAFFIC CONTROL DEVICES; PEDESTRIAN, BICYCLE, AND SCHOOL WARNING SIGNS

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 109(d); 23 USC 114(a); 23 USC 315; 23 USC 402(a)

CFR Citation: 23 CFR 655

Legal Deadline: None

Abstract: The FHWA announced its intent to rewrite and reformat the MUTCD on January 10, 1992, at 57 FR 1134. In this action, the FHWA is inviting comments on a proposed change to the MUTCD which would assign the color florescent yellow-green for pedestrian, bicycle, and school warning signs.

Timetable:

Action	Date	FR Cite
Notice of Proposed Amendments	06/07/96	61 FR 29234
Extension of comment period	10/17/96	61 FR 54111
Final Amendments	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

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–AD89

2240. +HOURS OF SERVICE OF DRIVERS (SECTION 610 REVIEW)

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

Legal Authority: PL 104-88

CFR Citation: 49 CFR 395

Legal Deadline: None

Abstract: In this action, the FHWA is proposing revision of the FHWA's hours of service regulations. This action is mandated by the Interstate Commerce Commission Termination Act of 1995. The agency is currently in the process of completing several research projects and is interested in obtaining the results of other research (both in the U.S. and in foreign countries); such information will be used by the agency in developing a revised program for the hours of service of commercial motor vehicle drivers. As part of this rulemaking, the FHWA will consider the impacts of the hours of service requirements on small entities. This is considered significant due to substantial congressional and public interest.

Timetable:

Action	Date	FR Cite
ANPRM	11/05/96	61 FR 57251
ANPRM Comment Period End	03/31/97	
NPRM	06/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State

Agency Contact: David Miller, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1790

RIN: 2125–AD93

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Highway Administration (FHWA)

Completed Actions

2241. +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; PL 104-59, sec 205

CFR Citation: 23 CFR 500; 49 CFR 614

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

Abstract: This action implements a statutory requirement that directs the Secretary of Transportation to issue regulations for State development, establishment, and implementation of certain pavement, bridge, highway safety, traffic congestion, and public transportation and intermodal transportation facilities and equipment management and traffic monitoring systems. The FHWA published an interim final rule on 12/1/93, to carry out this provision. However, the National Highway System Designation Act of 1995 (PL 104-95, 11/28/95) provides that States may elect, at any time, not to implement, in whole or in part, one or more of the management systems. The new Act also prohibits the Secretary from imposing any sanction on a State for making such an election. On December 19, 1996, the FHWA published a final rule jointly with the FTA (RIN 2132-AA47) to carry out the changes made by section 205 of the 1995 Act. The economic impact of the this final rule is minimal. This regulation is considered to be significant because of the 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	12/19/96	61 FR 67166
Final Action Effective	01/21/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Evaluation 12/01/93 (58 FR 63442)

Additional Information: The final rule was effective on January 21, 1997.

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

2242. 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 summarized FHWA's position concerning 41 requests for changes to the MUTCD. The adopted 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	01/09/97	62 FR 1364

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

2243. 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 amended 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 will 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 will be increased from $5 million to $20 million; and the term ''Federal-aid highway systems'' will 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 will 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	12/20/96	61 FR 67207
Final Action Effective	01/21/97	

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

2244. 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 Federal Register on October 12, 1978. A final policy is being 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	11/06/96	61 FR 57330
Final Action Effective	12/06/97	

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: Jack Wasley, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-4658

RIN: 2125–AD62

2245. 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
Final Action	04/25/96	61 FR 18246
Action Terminated	04/25/96	61 FR 18246

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

2246. SINGLE STATE INSURANCE REGISTRATION RECEIPT

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-88

CFR Citation: 49 CFR 1023.5

Legal Deadline: None

Abstract: This action continued the effect of the temporary receipt rule found at 49 CFR 1023.5, until the Department adopts final rules according to the requirements of 49 U.S.C. 13908, which directs the Secretary to replace several information systems, including the Single State Registration System, with a single, on-line Federal system.

Timetable:

Action	Date	FR Cite
Final Action	12/04/96	61 FR 64295

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dixie E. Horton, Office of Motor Carriers, Planning and Customer Liaison, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4340

RIN: 2125–AD92

2247. MOTOR CARRIER TRANSPORTATION; REDESIGNATION OF REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-88; 49 USC 104; 49 USC 721(a)

CFR Citation: 49 CFR 3; 49 CFR 10

Legal Deadline: None

Abstract: This action transfers and redesignates certain motor carrier transportation regulations currently found in 49 CFR Chapter X to the FHWA in 49 CFR Chapter III. The ICC Termination Act abolished the ICC and transferred certain functions and proceedings to the Surface Transportation Board and the FHWA. The Secretary of transportation delegated the motor carrier provisions of the former ICC to the FHWA.

Because the final rule simply provides notice to the public that the motor carrier transportation regulations currently found in 49 CFR Chapter X will be moved to 49 CFR Chapter III without any substantive changes being made to the regulations, the FHWA believes that prior notice and opportunity for comment are unnecessary and that good cause exists to dispense with the 30-day delay in effective date requirement so that the FHWA may administer them. This final rule makes no substantive changes to any of the regulations.

Timetable:

Action	Date	FR Cite
Final Action	10/21/96	61 FR 54706

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul Brennan, Director, Office of Motor Carrier Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1790

RIN: 2125–AD96

2248. ● FEDERAL MOTOR CARRIER SAFETY REGULATIONS; INTERMODAL TRANSPORTATION; WITHDRAWAL OF FINAL RULE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31133; 49 USC 31136; 49 USC 31301; 49 USC 31502

CFR Citation: 49 CFR 382; 49 CFR 383; 49 CFR 390; 49 CFR 1.48

Legal Deadline: None

Abstract: On December 29, 1994, the FHWA published a final rule (59 FR 67544), which implemented the Intermodal Safe Container Transportation Act of 1992 (the 1992 Act). On October 11, 1996, the President signed the Intermodal Safe Container Transportation Amendments Act of 1996 (the 1996 Act), which substantially amended the 1992 Act and removed the requirements that the Secretary of Transportation promulgate implementing regulations. This final rule withdraws the 1994 final rule.

Timetable:

Action	Date	FR Cite
Action Withdrawn	01/09/97	62 FR 1293

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The FHWA has determined that regulations are not necessary to implement the 1992 Act as amended by the 1996 Act. The 1996 Act will become effective on April 9, 1997.

Agency Contact: Peter Chandler, Office of Motor Carrier Research and, Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington DC 20590
Phone: 202 366-5763

RIN: 2125–AE13

DEPARTMENT OF TRANSPORTATION (DOT) — Prerule Stage

National Highway Traffic Safety Administration (NHTSA)

2249. REVIEW: LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

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

Abstract: Standard 108 requires passenger cars sold after October 1, 1985, to be equipped with center high-mounted stop lamps (CHMSLs). NHTSA undertook a staff evaluation of the safety effectiveness, benefits, and cost of CHMSLs. A preliminary report was published in March 1987 and an interim report in August 1989.

Timetable:

Action	Date	FR Cite
ANPRM	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	
Complete Review	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The evaluation report indicated that cars equipped with center high-mounted stop lamps were 17 percent less likely to be struck in the rear while braking than cars without the lamps.

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–AB76

2250. +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
Complete Review	12/00/97	

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. The fatality reduction benefit of air bags for all drivers of passenger cars is an estimated 11 percent. Driver air bags save lives in light trucks, small cars, and large cars. Passenger air bags save lives of right-front passengers age 11 or older. Driver air bags provide a significant supplemental life-saving benefit for drivers who buckle up (as well as saving lives of unbelted drivers). Preliminary analyses show a higher fatality risk for children age 0-12 in cars with current dual air bags than in cars without a passenger air bag. Also, air bags are less effective for drivers age 70 or older than for younger drivers, and they do not have a statistically significant effect for drivers of any age group in oblique-frontal crashes. Request for comments on technical report published October 10, 1996 (61 FR 53260). Comments were due January 8, 1997.

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

2251. 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	
Complete Review	12/00/97	

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–AE95

2252. REVIEW: THEFT PREVENTION—5-YEAR REPORT TO CONGRESS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 33112; 49 USC 33113(b)

CFR Citation: 49 CFR 541

Legal Deadline: Other, Statutory, October 25, 1997.
The Anti Car Theft Act of 1992 was enacted on October 25, 1992. Other Deadline is for Report to Congress.

Abstract: The standard requires certain passenger motor vehicles have identifying numbers or symbols to be

DOT—NHTSA **Prerule Stage**

placed on major parts to reduce the incidence of motor vehicle thefts by facilitating the tracking and recovering of parts from stolen vehicles. Five years after enactment of the Anti Car Theft Act of 1992, the Secretary of Transportation shall submit to congress a report on the effects of the standard on motor vehicle thefts and recoveries.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/95	
Complete Review	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Charles J. Kahane, Acting Chief, Standards 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–AF55

2253. ADD-ON SEAT BELT DEVICES

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 a petition for rulemaking, the agency is requesting comments to determine real world problems caused by after-market (add-on) seat belt devices and how these devices should be tested. Petition was granted.

Timetable:

Action	Date	FR Cite
Request for Comments	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Leon DeLarm, Division Chief, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Wshington, DC 20590
Phone: 202 366-4920
Fax: 202 366-4329

RIN: 2127–AG49

2254. ● +LIGHT TRUCK FUEL ECONOMY STANDARDS FOR MODEL YEARS 2000-2002

Priority: Other Significant

Legal Authority: 49 USC 329

CFR Citation: 49 CFR 533

Legal Deadline:
Final, Statutory, March 31, 1998.

Abstract: The agency is proposing to establish fuel economy standards for light trucks for each model year 2000 to 2002.

Timetable:

Action	Date	FR Cite
Request for Comments	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The statutory date requires that a standard be issued at least 18 months before the start of the affected model year. The March 31, 1998, date applies to Model Year 2000.

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: 202 493-2739

RIN: 2127–AG72

DEPARTMENT OF TRANSPORTATION (DOT) — Proposed Rule Stage
National Highway Traffic Safety Administration (NHTSA)

2255. +WHEELCHAIR LIFTS

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 would establish new requirements for wheelchair lifts used on motor vehicles. The benefits of this action is a reduction in the number of accidents involving wheelchair lifts (these are not crashes). This action is considered significant due to substantial public interest in transportation of the handicapped.

Timetable:

Action	Date	FR Cite
NPRM	02/26/93	58 FR 11562
NPRM Comment Period End	04/27/93	
SNPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 02/26/93 (58 FR 11562)

Agency Contact: Gayle Dalrymple, Safety Standards Engineer, Office of Crash Avoidance, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6559
Fax: 202 366-4329

RIN: 2127–AD50

2256. TIRES ON NEW 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 571.120

Legal Deadline: None

Abstract: In response to a petition for rulemaking, this action is soliciting comments to assist the agency in determining whether to permit the installation of manufacturer-supplied retreaded tires on new trailers. The current requirement states that used or retreaded tires may be installed on new trucks, buses, and trailers only if owned and provided by the vehicle purchaser. Petition was granted.

Timetable:

Action	Date	FR Cite
ANPRM	06/01/95	60 FR 28561

Action	Date	FR Cite
ANPRM Comment Period End	09/29/95	
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steve Kratzke, Acting Director, Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4931
Fax: 202 366-4329

RIN: 2127–AF05

2257. UPGRADE 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 571.301

Legal Deadline: None

Abstract: This action announces the agency's plan to consider upgrading the standard by making the current crash requirements more stringent and by broadening the standard's focus to include mitigation concepts related to fuel system components and environmental and aging tests related to components. This action also requests comments on the agency's plan to explore a three-phase approach to upgrading the standard, data, methods, and strategies which may assist in the agency's regulatory decisions in defining specific requirements and test procedures for upgrading the standard.

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	
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This action will respond to RIN 2127-AE83. This action is currently in research.

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–AF36

2258. 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 2/10/95	12/27/94	59 FR 66504
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AF40

2259. 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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: In the October 1996 agenda, this action incorrectly indicated that an NPRM had been published.

Agency Contact: Richard VanIderstine, 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

2260. +FEDERAL MOTOR VEHICLE SAFETY STANDARDS: HEAD IMPACT 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 571.201

Legal Deadline: None

Abstract: This rulemaking would amend Federal motor vehicle standard No. 201 ''Occupant Protection in Interior Impact'' to modify the performance requirement and test procedures in order to facilitate the introduction and assess the performance of crash deployed restraint systems that will provide occupants with protection in side impacts and other crash modes. This action is considered significant because of substantial public interest.

Statement of Need: Having installed air bags to provide crash-deployed protection in frontal crashes, motor vehicle manufacturers are now developing a variety of technologies for providing crash-deployed protection in other crash modes, including side crashes. However, the manufacturers believe that they cannot do so without amendments to the upper interior head protection requirements of Federal motor vehicle safety standard No. 201.

Those requirements are intended to reduce deaths and injuries to motor

vehicle occupants resulting from impacts with the interior of the passenger compartment. They were adopted in a rulemaking proceeding completed in 1995. In that year, NHTSA published a final rule amending Standard 201 to require passenger cars and trucks, busses, and multipurpose passenger vehicles (collectively, LTVs) with a gross vehicle weight rating (GVWR) of 10,000 pounds or less, to provide protection against injury when an occupant's head strikes upper interior components, including pillars, side rails, headers, and the roof, during a crash (60 FR 43031). The amendments added procedures and performance requirements for a new in-vehicle component test. It is expected that vehicle manufacturers will comply using a variety of energy absorbing materials. The potential benefits of this rulemaking place it among the highest benefit rulemaking in the agency history.

The advent of new dynamic restraint and head protection systems such as side air bags, may require modification of this standard. These dynamic systems, which may offer significant safety benefits, may not conform to the standard as it is currently written. Accordingly, NHTSA is considering amendments to Standard No. 201 that would allow these dynamic systems and specify new requirements and test procedures to assess their performance.

Summary of the Legal Basis: Section 30111, Title 49 of the United States Code, states that the Secretary shall prescribe motor vehicle safety standards. Authority to prescribe such standards is delegated to the Administrator by 49 CFR 501.2.

Alternatives: NHTSA is reviewing comments and suggestions included in petitions for reconsideration of the August 1995 final rule. The agency is in the process of evaluating a variety of performance requirements and test procedures for the purpose of making a tentative assessment of which would most appropriately measure the performance of the dynamic systems, and assure their effectiveness. Given that the petitioners are contemplating significantly different types of technology, more than one set of requirements and test procedures may be necessary.

Anticipated Costs and Benefits: The potential costs and benefits of this action have not yet been determined.

Risks: Even in the future when all cars and light trucks on the road are equipped with air bags, an estimated 1,924 fatalities per year will occur from an occupant's head striking an upper interior surface. A variety of dynamic systems are being considered as an alternative or supplement to simply padding certain portions of these surfaces. Padding is estimated to be able to reduce these fatalities by 873 to 1,045 annually. The effectiveness of dynamic systems, some of which also address additional accident modes, is currently being studied.

Timetable:

Action	Date	FR Cite
ANPRM	03/07/96	61 FR 9136
ANPRM Comment Period End	04/22/96	
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2246

RIN: 2127–AG07

2261. +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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Leon DeLarm, Division Chief, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh St. SW., Washington, DC 20590
Phone: 202 366-4920
Fax: 202 366-4329

RIN: 2127–AG12

2262. WHEELCHAIR LIFTS AND RAMPS

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 571.206

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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: On 05/31/96 (61 FR 27325), the agency published a grant notice. The agency believes that the suggested changes made by the petitioner merits additional study and research.

Agency Contact: Clarke Harper, Division, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916

Fax: 202 366-4329

RIN: 2127–AG16

2263. 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	02/21/97	62 FR 7987
NPRM Comment Period End	04/22/97	
Final Action	08/00/97	

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

2264. AUXILIARY SIGNAL 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 requesting comments from the driving public on the value of several signal lamp ideas which have been suggested to the agency and on whether the agency should permit auxiliary signal lamps in addition to those required by the standard. The agency also seeks comments on a policy for the disposition of petitions for rulemaking that request the agency to require or permit safety lighting inventions and which are submitted without proof of their effectiveness.

Timetable:

Action	Date	FR Cite
Request for Comments	12/13/96	61 FR 65510
Comment Period End	03/13/97	
NPRM	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Richard VanIderstine, Division Chief, Visibility and Control 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–AG38

2265. HYBRID III DUMMY SPECIFICATIONS - CLOTHING

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: The agency is proposing to clarify the Hybrid III dummy clothing and shoes specifications that are to be worn during testing, define an opening in the femur flesh, and the use of the lumbar spine load cell.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4912
Fax: 202 366-4329

RIN: 2127–AG39

2266. MODIFIED VEHICLES TO ACCOMMODATE A PERSON'S DISABILITY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30122(c)

CFR Citation: 49 CFR 571

Legal Deadline: None

Abstract: The agency is proposing to establish new conditions under which a vehicle may be modified to accommodate a person's disability so that the modifier will not be subjected to the statutory prohibition against the ''making inoperative'' requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Gayle Dalrymple, Safety Engineer, Rollover and Adapted Vehicle Group, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5559
Fax: 202 366-4329

RIN: 2127–AG40

2267. REMOVE OBSOLETE PROVISIONS TO OCCUPANT CRASH STANDARD

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 20117; 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 revise its occupant crash protection standard to remove obsolete provisions and to reorganize the standard. This revision would substantially clarify and simplify this safety standard without changing any of its substantive requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Action 2127-AG29 is being combined into this action.

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AG42

2268. CENTER OF GRAVITY OF 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

Abstract: In response to a petition for rulemaking, the agency is considering whether to modify the upper torso of the six year old child dummy by moving the location of the center of gravity of the thorax forward from the current location. Petition was granted.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4912
Fax: 202 366-4329

RIN: 2127–AG44

2269. REFLEX REFLECTORS FOR REAR OF TRUCK TRACTORS

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 considering whether to allow only testing under SAE J594f in the horizontal position for rear reflectors of truck tractors. The petitioner believes that given the relatively high position of the vertical pieces, a horizontal designed reflector should work better than a vertical piece, since it would allow for thirty degrees up and down versus left and right. The agency's current requirement is two vertical twelve inch pieces on the rear of the tractor or trailer. Petition was granted.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Richard VanIderstine, 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–AG47

2270. PELVIC RESTRAINTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.209

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is considering whether to delete S4.1(b), Pelvic Restraint, from the standard because this provision is redundant of other, more specific, requirements in Federal Motor Vehicle Safety Standards No. 208 and No. 210. Petition was granted.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AG48

2271. +UNIFORM CHILD ANCHORAGES

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

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 several petitions for rulemaking, the agency is proposing to require that motor vehicles and add-on child restraints be equipped with a means independent of vehicle safety belts for securing the child restraints to vehicle seats. The adoption of the proposal would avoid problems of incompatibility between child restraints and vehicle safety belts and increase the correct installation of child restraints. By reducing allowable head excursion, this proposal would have the effect of requiring child restraints to be equipped with an upper tether strap, and would require vehicles to have two factory-installed, user-ready anchor points for attaching the tether. It would also require vehicles to have a rear vehicle seating position equipped with a specialized lower anchorage system, and require child restraints to be equipped with means of attaching to that system. This action is considered significant because of public interest. Petitions were granted.

Timetable:

Action	Date	FR Cite
Public Workshop: Request for Comments	09/10/96	61 FR 47728
Correction	09/20/96	61 FR 49427
NPRM	02/20/97	62 FR 7858
NPRM Comment Period End	05/22/97	
Final Action	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 02/20/97 (62 FR 7858)

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–AG50

2272. UPGRADE ROOF CRASHWORTHINESS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.216

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is considering whether to upgrade the roof crashworthiness particularly since a larger percentage of American vehicles consist of light duty and utility vehicles, a class of vehicles more prone to rollover accidents. Petition was granted.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AG51

2273. UTILITY VEHICLE LABEL

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 575.105

Legal Deadline: None

Abstract: The agency is proposing to revise the content and format of the utility vehicle label requirements for multipurpose passenger vehicles with a wheelbase of 110 inches or less to improve the effectiveness of the label. The agency may also propose changes in the type of vehicles to which the requirement applies.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Noble Bowie, Acting Director, Office of Planning and Consumer Programs, 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–AG53

2274. METRIC CONVERSION - PHASE II

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; PL 100-418, sec 5164

CFR Citation: 49 CFR 571

Legal Deadline: None

Abstract: The agency is proposing to amend selected Federal Motor Vehicle Safety Standards by converting English measurements in those standards to metric measurements. This rulemaking is the second in a series that NHTSA will undertake to implement the Federal policy that the metric system is the preferred system of weights and measures for U.S. trade and commerce. The conversions are not intended to change the stringency of the affected Federal Motor Vehicle Safety Standards.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Noble Bowie, Acting Director, Office of Planning and Consumer Programs, 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–AG55

2275. INSURER REPORTING REQUIREMENTS FOR OCTOBER 1997

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 33112

CFR Citation: 49 CFR 544

Legal Deadline: None

Abstract: The agency proposes to update its lists in appendices A, B, and C of Part 544 of passenger motor vehicle insurers that are required to file reports on their motor vehicle theft loss experiences. If these revised Appendices are adopted in a final rule, each insurer included in any of these Appendices must file a report for calendar year 1994 not later than October 25, 1997. As long as the insurer remains listed, it must submit reports by each subsequent October 25.

Timetable:

Action	Date	FR Cite
NPRM	02/24/97	62 FR 8206
NPRM Comment Period End	04/25/97	
Final Action	08/00/97	

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: 202 366-4807
Fax: 202 366-4329

RIN: 2127–AG56

2276. • DETERMINATION OF FUNCTIONAL EQUIVALENCY ON HARMONIZATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30111; 49 USC 30118; 49 USC 30162

CFR Citation: 49 CFR 552

Legal Deadline: None

Abstract: The agency is proposing new procedural rules for submitting petitions for Rulemaking and Defect and Noncompliance for determination of functional equivalency on harmonization of motor vehicle safety standards with those of other countries.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Rebecca MacPherson, Attorney Advisor, Office of 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–AG62

2277. ● MANUFACTURING INCENTIVES FOR ALTERNATIVE FUEL VEHICLES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 32901; 49 USC 32905

CFR Citation: 49 CFR 538

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is proposing to allow biodiesel and biodiesel blends as alternative fuels and allow biodiesel alternative fuel vehicles to receive Corporate Average Fuel Economy (CAFE) credits. The potential benefits for biodiesel are improving the environment, enhancing national energy security, creating economic development opportunities, and increasing the sale of rural domestic agricultural commodities.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

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: 202 366-2739

RIN: 2127–AG63

2278. ● CERTIFICATION LABELS FOR MULTIPURPOSE PASSENGER VEHICLES AND LIGHT DUTY TRUCKS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 33101; 49 USC 33102; 49 USC 33103; 49 USC 33104

CFR Citation: 49 CFR 567

Legal Deadline: None

Abstract: The agency is proposing to amend the vehicle certification regulation that specifies the contents of certification labels that manufacturers are required to affix to new motor vehicles. The amendment would require the certification label for multipurpose passenger vehicles and trucks with a gross vehicle weight rating of not more than 6,000 pounds to specify that the vehicle complies with all applicable Federal motor vehicle safety and theft prevention standards. The current regulation only requires a statement of compliance with safety standards. The Anti Car Theft Act of 1992 extended the theft prevention standard to multipurpose passenger vehicles and trucks rated at not more than 6,000 pounds.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Coleman Sachs, Trial Attorney, Office of Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5263

RIN: 2127–AG65

2279. ● FIFTH PERCENTILE FEMALE 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: The agency is proposing to adopt the Hybrid III small female size dummy. The notice will specify instrumentation, calibration test procedures, and calibration performance criteria for the Hybrid III small female.

Timetable:

Action	Date	FR Cite
NPRM	08/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This rulemaking action is an additional part of the Adverse Side Effects of Air Bags (RIN 2127-AG14).

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh St. SW., Washington, DC 20590
Phone: 202 366-4912
Fax: 202 366-4329

RIN: 2127–AG66

2280. ● CONSUMER INFORMATION ON TIRE GRADING

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30123

CFR Citation: 49 CFR 575

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is proposing to eliminate the requirement that new car manufacturers provide their dealers consumer information on the tire grading of new car tires. This action will alleviate a paperwork burden on automobile manufacturers and dealers that has little benefit to consumers.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: P.L. Moore, Standards Engineer, Consumer Programs Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5222
Fax: 202 366-4327

RIN: 2127–AG67

2281. ● UNIFORM PROCEDURES FOR THE STATE HIGHWAY SAFETY PROGRAMS AND THE HIGHWAY SAFETY PROGRAMS; DETERMINATIONS OF EFFECTIVENESS

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 1200; 23 USC 402

CFR Citation: 49 CFR 402

Legal Deadline: None

Abstract: The agency is proposing to amend the regulation for the State highway safety program to provide the States more flexibility in implementing their programs, using a performance-based and benchmark approach. Review and approval procedures will be streamlined.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Marlene Markison, Division Chief, Program Support Staff, 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–AG69

2282. ● +SMART AIR BAGS

Priority: Other Significant

Legal Authority: 49 USC 332; 49 USC 30115; 49 USC 30117; 49 USC 30122; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: The agency is proposing to set a phase-in schedule for the next generation of air bags to be in fall 1998 for model year 1999. The proposal will present a definition for ''smart'' air bags and performance tests that may be used by the agency to qualify a system as smart air bags. With the growth of research and competition in air bag technology, the agency believes that ''smart'' air bags will provide significantly greater safety in frontal crash protection and encourage both their rapid deployment and design flexibility. ''Smart'' air bags will effectively ''tailor'' the deployment to the size of the occupant and the crash circumstances. This action is considered significant because of the degree of public interest in this subject.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

Additional Information: This rulemaking action is an additional part of the Adverse Side Effects of Air Bags (RIN 2127-AG14). A technical workshop was held February 11 and 12, 1997, in Washington, DC.

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2264
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RIN: 2127–AG70

2283. ● SCHEDULE OF FEES FOR NONCONFORMING VEHICLES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30141; 31 USC 9701

CFR Citation: 49 CFR 594.10

Legal Deadline: None

Abstract: The agency is proposing to amend its regulations establishing fees for the purpose of reimbursing the agency for certain costs incurred in administering the vehicle importation program. The amendment would establish a fee for the agency's review of conformity statements submitted by registered importers. These statements certify that imported vehicles that were not originally manufactured to conform to all applicable Federal motor vehicle safety standards have been brought into conformity with those standards. The fee would apply to all imported vehicles for which conformity statements are submitted to the agency, including nonconforming vehicles imported from Canada. Currently, Canadian vehicles account for over 98 percent of the vehicle imports that are monitored by NHTSA. This amendment would further departmental objectives for the vehicle importation program to be self-funding.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The proposed rule, if adopted, would have an impact on registered importers of motor vehicles not originally manufactured to conform to all applicable Federal motor vehicle safety standards. By virtue of this registration, these entities are entitled to import, or conform pursuant to contracts with private importers, nonconforming motor vehicles, on the condition that those vehicles be brought into compliance with all applicable standards within 120 days of entry. To demonstrate that a nonconforming vehicle has been brought into compliance with all applicable standards, the registered importer must submit to NHTSA a statement of conformity and appropriate documentation. If the statement meets with the agency's approval, a letter is issued to allow release of a bond that is posted for the vehicle at the time of entry, which secures the obligation that the vehicle be brought into compliance within 120 days. NHTSA has not previously imposed a fee for its review of these conformity statements. This review accounts for a major share of the staff work conducted by the Office of Vehicle Safety Compliance. In view of the Department's desire that the import program be self-funded, the agency has identified a need to begin imposing fees for its review of conformity statements. It is anticipated that the fee will be in the range of $20.00 to $30.00. This cost should not impose a significant burden on registered importers, as it can be passed on to the owner or ultimate purchaser of the vehicle involved.

Agency Contact: Coleman Sachs, Trial Attorney, Office of Chilf Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5238
Fax: 202 366-3820

RIN: 2127–AG73

2284. ● ANTHROPOMORPHIC TEST DUMMY FOR HEAD IMPACT 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 572

Legal Deadline: None

Abstract: The agency is proposing specifications for a new anthropomorphic test dummy to be

DOT—NHTSA **Proposed Rule Stage**

used in new test procedures being proposed in amendments to Federal Motor Vehicle Safety Standard No. 201, Head Protection in Interior Impact (2127-AG07). The new test dummy and procedures are being proposed to facilitate the introduction of new technologies in dynamic restraint systems to provide occupants with side impact protection.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Stanley Backaitis, Principal Engineer, Office of Crashworthiness, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4912
Fax: 202 366-4329

RIN: 2127–AG74

DEPARTMENT OF TRANSPORTATION (DOT) — Final Rule Stage

National Highway Traffic Safety Administration (NHTSA)

2285. +CRASHWORTHINESS RATINGS

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 5

Legal Deadline: None

Abstract: This action would have required manufacturers to disseminate crashworthiness performance information concerning their cars to the public, to provide consumers with comparative information on the crashworthiness performance of new car models. This rulemaking is considered significant because of the impact on manufacturers, the interest shown by consumers, and the potential significant effects on the automotive marketplace. The agency has decided not to continue with any further rulemaking action since the agency has the New Car Assessment Program and the public is able to obtain this information upon request.

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
To Be Terminated	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 01/22/81 (46 FR 7025)

Additional Information: Docket No. 79-17. NPRM, Notice 1.

Agency Contact: Noble Bowie, Acting Director, Office of Planning and Consumer Programs, 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–AA03

2286. +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 571.223; 49 CFR 571.224

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 03/04/92	01/03/92	57 FR 252
Comment Period Extended to 6/08/92	04/09/92	57 FR 12289
Final Rule Effective 01/26/98	01/24/96	61 FR 2003
Petitions Due	03/11/96	
Action on Petitions	04/00/97	

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

2287. +FLAMMABILITY OF INTERIOR MATERIALS - SCHOOL BUSES

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.302

Legal Deadline: None

Abstract: Advance Notice of Proposed Rulemaking requested comments regarding possible upgrade of Standard 302 to reduce the risk of fire to school bus occupants. This rulemaking is

significant because of substantial public interest.

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
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

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–AA44

2288. +REDUCE HEAD INJURIES DUE TO CONTACT WITH UPPER VEHICLE INTERIOR

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

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 09/18/95	08/18/95	60 FR 43031
Petitions Due	09/18/95	
Action on Petitions	04/00/97	

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: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AB85

2289. +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	
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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 03/15/91 (56 FR 11142)

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AC19

2290. 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
NPRM Comment Period End	07/18/94	
Final Action	04/00/97	

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

2291. +ROLLOVER 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 575

Legal Deadline:
NPRM, Statutory, May 31, 1992.
Final, Statutory, March 3, 1994, NHTSA may issue either an ANPRMor NPRM.

Abstract: As part of its comprehensive efforts to address the problem of light vehicle rollover, the agency is proposing a new consumer information regulation that will require that passenger cars, and light multipurpose passenger vehicles and trucks be labeled with information about their resistance to rollover. The agency would like public comments on the National Academy of Science (NAS) study and how that study should be reflected in the agency's rulemaking decisions on requirements for rollover stability labeling. This action is considered significant as it concerns a matter of substantial public interest.

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
Correction	07/26/94	59 FR 38038
Comment Period Extended to 10/21/94	08/26/94	59 FR 44121
Comment Period Reopened to 08/05/96	06/05/96	61 FR 28560
NPRM Comment Period End	08/05/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 06/28/94 (59 FR 33254)

Additional Information: A notice of availability of a planning document for this rulemaking was published 09/29/92 (57 FR 44721). In the NPRM, the agency terminated rulemaking to establish a vehicle stability standard. Based on the agency's analysis, it was decided to defer any further action on this subject until such time as information becomes available demonstrating the cost effectiveness of the establishment of such a standard. The agency denied petitions for reconsideration of this termination on 06/05/96 (61-FR-28550). Notice reopening the comment period was inadvertently published under RIN 2127-AC54.

Agency Contact: Gayle Dalrymple, Safety Standards Engineer, Office of Crash Avoidance, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6559
Fax: 202 366-4329

RIN: 2127–AC64

2292. 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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steve Kratzke, Acting Director, Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4931
Fax: 202 366-4329

RIN: 2127–AC66

2293. +FILM TRANSMITTANCE OF GLAZING MATERIALS

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.205

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency proposed to revise the light transmittance requirements to replicate real-world conditions more closely and to measure light transmittance of window glazing in a laboratory test at the angle at which the window is mounted in a vehicle. This proposal also makes the light transmittance requirements consistent with passenger cars and light trucks. This rulemaking is considered significant because of the substantial public and congressional interest.

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
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 01/22/92 (57 FR 2496)

Agency Contact: Richard VanIderstine, 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–AC85

2294. 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	04/00/97	

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 VanIderstine, 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–AE97

2295. 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: After reviewing comments received in response to the September 22, 1994 (59 FR 48589) notice, the agency has proposed to set the minimum driving range only for dual fueled electric passenger automobiles, otherwise known as hybrid electric vehicles (HEVs), at 17.7 miles when operating on electricity alone. The purpose of establishing the range is to meet a statutory requirement intended to encourage the production of HEVs. An HEV which meets the range requirement would qualify to have its fuel economy calculated according to a special procedure that would facilitate the efforts of its manufacturer to comply with the corporate average fuel economy standard. The agency has also proposed to establish a procedure through which manufacturers of HEVs that do not meet the minimum driving range requirements may petition the agency for relief.

Timetable:

Action	Date	FR Cite
Request for Comments by 11/24/94	09/22/94	59 FR 48589
NPRM	01/03/97	62 FR 375
NPRM Comment Period End	03/04/97	
Final Action	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 01/03/97 (62 FR 375)

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

2296. 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 rule has amended the specifications for the Hybrid III test dummy. The dummy is specified by the agency for use in compliance testing under Federal Motor Safety Standard No. 208, Occupant Crash Protection. These amendments make minor modifications of the femurs and ankles to improve biofidelity. While there may be some minimal effect on HIC, chest, and femur test data, the improvement in data quality and reliability will more than offset these differences and make the dummy more useful in tests at more severe impact conditions of some research and vehicle development programs. This rule does not include any amendments based on a proposal to adopt a neck shield for the Hybrid III test dummy.

Timetable:

Action	Date	FR Cite
NPRM	06/30/95	60 FR 34213
NPRM Comment Period End	08/29/95	
Final Action	12/26/96	61 FR 67953
Petitions Due	02/10/97	
Final Action Effective	06/25/97	
Action on Petitions	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/26/96 (61 FR 67953)

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4912
Fax: 202 366-4329

RIN: 2127–AF41

2297. 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 requires that the rear of truck tractors be equipped with retroreflective material similar to that required on the rear of the trailers they tow to increase nighttime conspicuity. Manufacturers may choose either retroreflective sheeting or reflex reflectors. In the case of truck tractors delivered with a temporary mudflap arrangement rather than permanent equipment, the requirement for retroreflective material near the top of the mudflap may be satisfied with material carried by the temporary mudflap brackets that is transferable to the permanent mudflap system.

Retroreflective material is also required near the top of the cab in a pattern similar to that used on trailers. NHTSA estimates that the incidence of crashes involving truck tractors struck in the rear by other vehicles in darkness could be reduced by 15 to 25 percent by enhancing conspicuity as required by this rule.

Timetable:

Action	Date	FR Cite
NPRM	06/12/95	60 FR 30820
NPRM Comment Period End	09/11/95	
Final Rule Effective 07/01/97	08/08/96	61 FR 41355
Petitions Due	09/23/96	
Actions of Petitions	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/08/96 (61 FR 41355)

Agency Contact: Richard VanIderstine, 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–AF59

2298. 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 Period End	08/14/95	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 06/13/95 (60 FR 31132)

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AF66

2299. 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 deletes the colorfastness requirements for seat belt assemblies. The agency 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 Period End	08/18/95	
Final Rule Effective 06/20/96	05/06/96	61 FR 20170
Petitions Due	06/20/96	
Action on Petitions	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 05/06/96 (61 FR 20170)

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AF67

2300. 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 proposing to require that each air brake-equipped truck, truck tractor, and bus be equipped with a means of automatically removing moisture and contaminants from the air system. The purpose of this proposal is to improve the safety of air-braked vehicles by improving the reliability and durability of antilock braking system (ABS) modulator valves and pneumatic control valves.

Timetable:

Action	Date	FR Cite
Request for Comments	07/24/95	60 FR 37864
Correction	08/17/95	60 FR 42830
NPRM	11/05/96	61 FR 56652
NPRM Comment Period End	01/03/97	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 11/04/96 (61 FR 56652)

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

2301. 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: The agency is proposing to afford an option to existing headlamp aiming specifications which is intended to improve the objectivity and accuracy

of motor vehicle headlamp aim when headlamps are aimed visually and/or optically. This proposal reflects the consensus of the agency's Advisory Committee on Regulatory Negotiation concerning the improvement of headlamp aimability performance and visual/optical headlamp aiming. The Committee was composed of representatives of government, industry, and consumer interest groups.

Timetable:

Action	Date	FR Cite
Notice to Conduct a Regulatory Negotiation	06/09/95	60 FR 30506
NPRM	07/10/96	61 FR 36334
Correction	08/08/96	61 FR 43033
NPRM Comment Period End	10/08/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 07/10/96 (61 FR 36334)

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). Announces final meetings and location published May 29, 1996 (61 FR 26872).

Agency Contact: Richard VanIderstine, 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

2302. 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	
Action on Petitions	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 06/26/95 (60 FR 32935)

Agency Contact: Richard VanIderstine, 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

2303. 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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 10/26/95 (60 FR 54833)

Agency Contact: Richard VanIderstine, 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–AF75

2304. 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 proposing to change the scope of the standard on accelerator control systems to accommodate 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	04/30/96	61 FR 19020
NPRM Comment Period End	06/14/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/30/96 (61 FR 19020)

Agency Contact: Richard VanIderstine, 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–AF76

2305. RESCISSION OF WARNING DEVICES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.125

Legal Deadline: None

Abstract: In response to the President's regulatory reinvention initiative, the agency proposed to rescind the warning device standard for all motor vehicles. The standard is referenced by Federal Highway Administration for Motor Carrier Use Regulations. NHTSA is terminating this rulemaking to ensure uninterrupted continuation of FHWA's requirements on use of triangular warning devices.

Timetable:

Action	Date	FR Cite
NPRM	06/10/96	61 FR 29337
NPRM Comment Period End	07/25/96	
To Be Terminated	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 06/10/96 (61 FR 29337)

Agency Contact: Richard VanIderstine, 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

2306. 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 permitting optional photometric performances for motorcycle and motor-driven cycle headlamps. The benefits are to reduce the risk of accidents associated with night time driving.

Timetable:

Action	Date	FR Cite
NPRM	02/21/96	61 FR 6616
NPRM Comment Period End	04/22/96	
Final Rule Effective 10/15/96	08/29/96	61 FR 45359
Petitions Due	10/05/96	
Action on Petitions	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 02/20/96 (61 FR 6616)

Agency Contact: Richard VanIderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC
Phone: 202 366-5280
Fax: 202 366-4329

RIN: 2127–AF78

2307. 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	06/04/96	61 FR 28124
Correction	06/14/96	61 FR 30209
NPRM Comment Period End	08/05/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 06/04/96 (61 FR 28124)

Agency Contact: Richard VanIderstine, 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–AF83

2308. 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
NPRM	05/30/96	61 FR 27039

Action	Date	FR Cite
NPRM Comment Period End	07/15/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 05/30/96 (61 FR 27039)

Agency Contact: Richard VanIderstine, 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

2309. RESCIND WINDSHIELD DEFROSTING AND DEFOGGING 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 571.103

Legal Deadline: None

Abstract: In response to the President's regulatory reinvention initiative, the agency had proposed to rescind this standard. The agency had tentatively concluded that market forces would continue current practices. After reviewing the public comments, the agency has decided to terminate this action because the agency now intends to harmonize this standard with international motor vehicle standards, a goal that would not be achieved simply by the action of market forces.

Timetable:

Action	Date	FR Cite
NPRM	04/08/96	61 FR 15449
NPRM Comment Period End	05/23/96	
To Be Terminated	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/08/96 (61 FR 15449)

Agency Contact: Richard VanIderstine, 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
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RIN: 2127–AF87

2310. RESCIND WINDSHIELD WIPING AND WASHING 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 571.104

Legal Deadline: None

Abstract: In response to the President's regulatory reinvention initiative, the agency had proposed to rescind this standard. The agency had tentatively concluded that market forces would continue current practices. After reviewing the public comments, the agency has decided to terminate this action because the agency now intends to harmonize this standard with international motor vehicle standards, a goal that would not be achieved simply by the action of market forces.

Timetable:

Action	Date	FR Cite
NPRM	04/08/96	61 FR 15446
NPRM Comment Period End	05/23/96	
To Be Terminated	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/08/96 (61 FR 15446)

Agency Contact: Richard VanIderstine, 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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Fax: 202 366-4329

RIN: 2127–AF88

2311. 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

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	05/14/96	61 FR 24265
NPRM Comment Period End	07/15/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 05/14/96 (61 FR 24265)

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AF91

2312. 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) 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 03/01/97	12/13/95	60 FR 63965
Action on Petitions	02/15/96	61 FR 5949

Action	Date	FR Cite
Further Action on Petitions	04/00/97	

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

2313. 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	05/13/96	61 FR 22010
NPRM Comment Period End	07/12/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 05/13/96 (61 FR 22010)

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

2314. 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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 11/16/95 (60 FR 57565)

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AG01

2315. 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 revising the whip resistance test conditions. As amended, the test conditions permit the use of a supplemental support in attaching certain brake hose assemblies for the purpose of compliance testing. This rulemaking amends a provision that had the unintended consequence of prohibiting the manufacture and sale for use on the public roads of a type of brake hose assembly that may have safety advantages.

Timetable:

Action	Date	FR Cite
NPRM	11/16/95	60 FR 57562
NPRM Comment Period End	01/16/96	
Final Rule Effective 10/08/96	08/09/96	61 FR 41510
Petitions Due	09/23/96	
Action on Petitions	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/09/96 (61 FR 41510)

Agency Contact: Steve Kratzke, Acting Director, Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington DC 20590
Phone: 202 366-4931
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RIN: 2127–AG02

2316. 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	04/00/97	

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: Steve Kratzke, Acting Director, Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4931
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RIN: 2127–AG05

2317. 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: This action specifies the location, labeling, color, activation protocol, and photometric intensity of antilock brake system (ABS) malfunction indicator lamps on the exterior of trailers and trailer converter dollies. The purpose of the malfunction indicator lamp is to inform drivers, and maintenance and inspection personnel, of malfunctions in a trailer's ABS.

Timetable:

Action	Date	FR Cite
NPRM	12/13/95	60 FR 64010
NPRM Comment Period End	02/12/96	
Final Rule Effective 3/1/97	09/23/96	61 FR 49691
Petitions Due	11/07/96	
Action on Petitions	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 12/13/95 (60 FR 64010)

Agency Contact: Steve Kratzke, Acting Director, Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4931
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RIN: 2127–AG06

2318. +FEDERAL MOTOR VEHICLE SAFETY STANDARDS; OCCUPANT CRASH 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 571.208

Legal Deadline: None

Abstract: The agency has amended the occupant crash protection standard and child restraint standard to reduce the adverse effects of air bags, especially those on children. One method is requiring new, attention getting labels. This rule requires vehicles with air bags to bear three new warning labels. Two of the labels replace existing labels on the sun visor. The third is a temporary label on the dash. Eventually, either through market forces or government regulation, the NHTSA expects that ''smart'' passenger-side air bags will be installed in passenger cars and light trucks to mitigate these adverse effects. The agency considers smart air bags to include any system that automatically prevents an air bag from injuring the two groups of children that experience has shown to be at special risk from air bags: infants in rear-facing child seats and children who are out-of-position (because they are unbelted or improperly belted) when the air bag deploys. This is considered significant because of substantial public interest.

Statement of Need: As of August 1, 1996, NHTSA had identified 36 crashes in which the deployment of the passenger-side air bag resulted in fatal injuries to a child. In addition, the agency had investigated 5 cases of serious injuries to children in air-bag-related crashes. The fatalities are believed to reflect a complete census of all fatalities related to air bags and small children. The injuries are not a census; they simply are cases that have come to NHTSA's attention. The number of fatalities and injuries is expected to grow dramatically as the number of passenger-side air bags in the fleet grows dramatically. Between 1995 and 2000, the number of passenger-side air bags will increase by a factor of six. Out-of-position adult injuries and fatalities are also being investigated.

Summary of the Legal Basis: Section 30111, title 49 of the United States Code, states that the Secretary shall prescribe motor vehicle safety standards. Section 30127, title 49, states that the Secretary shall require the installation of air bags in the driver's and right front passenger's seating positions in passenger cars and light trucks. Authority to prescribe such standards is delegated to the Administrator by 49 CFR 501.2.

Alternatives: Several alternatives are being examined to reduce the risks. These include: labeling, manual cutoff switches, and ''smart'' air bags (including weight sensors to preclude air bag deployment in the presence of children).

Anticipated Costs and Benefits: The costs of this rulemaking are dependent on the nature of the alternatives ultimately adopted by the agency. NHTSA estimates that the costs of the new or enhanced labels that would be required by the proposed rule at between 15 and 25 cents per vehicle. The enhanced labels for child restraints would add between $0.05 and $1.00 per child restraint. The costs of automatic cutoff devices, or other automatic systems to prevent injuries from bags, varies considerably, although the agency does not have accurate estimates of these costs. A weight sensor may cost $20 or more; a smart air bag system incorporating other technologies may add $50 or more in incremental cost; an air bag that utilizes different fold patterns and inflators may add very little incremental cost to the current air bag system. These are all rough estimates. NHTSA estimates the cost of a manual cutoff device at a little over five dollars. Such a device would be optional, not required.

The potential benefits of this action have not yet been determined.

Risks: This is one of NHTSA's most significant rulemakings regarding children. The alternatives include labeling, manual cut-off switches, and ''smart'' air bags (including weight sensors to preclude air bag deployment in the presence of children). The reduction in risk due to improved labeling and expanding the option for manufacturers to install manual cut-off switches has not been quantified. The effectiveness of smart air bags for children and adults is believed to be high but has not yet been estimated. As an illustration of their possible effectiveness, if passenger weight sensors had been used with a minimum deployment threshold of 30 kilograms, in 19 of the 21 child fatality cases described above, the air bag would not have deployed. As a result, the child would likely not have been either fatally or even seriously injured.

Timetable:

Action	Date	FR Cite
Request for Comments: Comment Period End 12/26/95	11/09/95	60 FR 56554
NPRM	08/06/96	61 FR 40784
NPRM Comment Period End	09/20/96	
Final Action	11/27/96	61 FR 60206
Correction	12/04/96	61 FR 64297
Correction	12/11/96	61 FR 65187
Final Action Effective	12/26/96	
Petitions Due	01/13/97	
Action on Petitions	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 11/27/96 (61 FR 60206)

Additional Information: Passenger cars, light trucks, and vans that are equipped with passenger air bags that do not qualify as ''smart'' air bags that are manufactured on or after February 25, 1997, must include the new, attention-getting labels specified in this rule. Child restraint systems that can be used in a rear-facing position and are manufactured on or after May 27, 1997, must include the new, attention-getting label specified in this rule. Manufacturers may voluntarily substitute the new labels for the currently required labels prior to these dates.

Agency Contact: Mary Versailles, Attorney Advisor, Planning and Review Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2057

RIN: 2127–AG14

2319. 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; 49 CFR 572

Legal Deadline: None

Abstract: NHTSA proposes to amend a provision in the occupant crash protection standard which specifies that, during crash tests, all portions of a test dummy must remain in the vehicle throughout the test. NHTSA is considering a range of alternative requirements. It is taking this action to ensure that the standard's requirements are practicable. This action results from a petition for rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	08/30/96	61 FR 45927
NPRM Comment Period End	10/29/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 08/30/96 (61 FR 45927)

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4912
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RIN: 2127–AG17

2320. 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: The agency is initiating a study to evaluate the safety effects of the conspicuity systems requirement (Section 5.7) of Federal Motor Vehicle Safety Standard No. 108. To carry out the study, the agency has requested that special motor vehicle crash data be collected by two state law enforcement agencies. The agency is soliciting public comment on the proposed collection of this information.

Timetable:

Action	Date	FR Cite
Begin Review	09/01/95	
Request for Comment Comment Period End 08/30/96	07/01/96	61 FR 33891
Preliminary Evaluation Report	09/00/97	
Interim Evaluation Report	09/00/98	
Complete 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

2321. TRANSITION PROCEDURES FROM CURRENT TO NEW NATIONAL DRIVER REGISTER

Priority: Info./Admin./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 April 1, 1997.

Timetable:

Action	Date	FR Cite
NPRM	04/17/96	61 FR 16729
NPRM Comment Period End	06/03/96	
Final Action	04/00/97	

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

2322. 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 extending 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 was granted.

Timetable:

Action	Date	FR Cite
NPRM	07/29/96	61 FR 39432
NPRM Comment Period End	09/12/96	
Final Action	01/10/97	62 FR 1401
Petitions Due	02/24/97	
Action on Petitions	06/00/97	
Final Action Effective	09/01/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 01/10/97 (62 FR 1401)

Agency Contact: Clarke Harker, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AG24

2323. 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

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	07/00/97	

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

2324. EXTEND APPLICABILITY OF BRAKING REQUIREMENTS 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.

Timetable:

Action	Date	FR Cite
NPRM	05/02/96	61 FR 19602
NPRM Comment Period End	07/01/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 05/02/96 (61 FR 19602)

Agency Contact: Steve Kratzke, Acting Director, Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4931
Fax: 202 366-4329

RIN: 2127–AG35

2325. POWER WINDOW SAFETY SWITCHES

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 denying the request to commence rulemaking to require that all power windows automatically reverse power when they encounter resistance. The agency has concluded that such a requirement would be unreasonably costly. But the agency is granting the other request by proposing to require each power operated window, interior partition, and roof panel in a motor vehicle to be equipped with a switch designed so that contact by a form representing a child's knee would not cause the window, partition, or panel to close.

Timetable:

Action	Date	FR Cite
NPRM	11/15/96	61 FR 58504
NPRM Comment Period End	01/14/97	
Final Action	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 11/15/96 (61 FR 58504)

Agency Contact: Richard VanIderstine, 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–AG36

2326. PLASTIC SPACER-INSERTS FOR TEST DUMMIES

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; 49 CFR 572

Legal Deadline: None

Abstract: The agency is proposing to add plastic spacer-inserts to the lumbar spine of the test dummies to prevent snapping (instant movement) of the spine preload cable within the internal diameter (ID) of the throughhole in the lumbar spine and to modify FMVSS No. 214 test procedure to assure that the damper piston is in the fully extended position prior to the test. Vehicle manufacturers are in favor of using the spacer-inserts because it would reduce or eliminate contamination of the data by noise spikes. They are also in favor of the placement of the damper piston because it will reduce the dummy's response variability.

Timetable:

Action	Date	FR Cite
NPRM	09/24/96	61 FR 49992
NPRM Comment Period End	11/25/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 09/24/96 (61 FR 49992)

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4912
Fax: 202 366-4329

RIN: 2127–AG37

2327. SCHEDULE OF FEES FOR IMPORTERS

Priority: Info./Admin./Other

Legal Authority: 49 USC 30141

CFR Citation: 49 CFR 594

Legal Deadline:
NPRM, Statutory, October 1996.

Abstract: The agency is proposing fees for Fiscal Year (FY) 1997 as authorized by 49 USC 30141 relating to the registration of importers and the importation of motor vehicles not certified as conforming to the Federal motor vehicle safety standards (FMVSS).

Timetable:

Action	Date	FR Cite
NPRM	06/24/96	61 FR 32411
NPRM Comment Period End	08/08/96	
Final Action	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Entwistle, Engineer, Office of Vehicle Safety Compliance, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5306
Fax: 202 366-1024

RIN: 2127–AG43

2328. MOTOR VEHICLE CONTENT LABELING

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 32304

CFR Citation: 49 CFR 583

Legal Deadline: None

Abstract: In response to a petition for rulemaking the agency is making a limited, temporary amendment to its content calculation procedures to provide vehicle manufacturers added flexibility in making content determinations where outside suppliers have not responded to requests for content information. This flexibility will only be available for up to 10 percent, by value, of a car line's total parts content from outside suppliers, and only for car lines offered for sale prior to January 1, 1997. The agency is requesting comments on whether to provide this added flexibility for a longer period of time.

Timetable:

Action	Date	FR Cite
Temporary Final Rule; Comment Period End 10/3/96	09/03/96	61 FR 46383
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Orror Kee, Division Chief, Consumer Programs Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4936
Fax: 202 366-4329

RIN: 2127–AG46

2329. CONSUMER INFORMATION REGULATIONS; FEES FOR COURSE MONITORING TIRES

Priority: Info./Admin./Other

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30123

CFR Citation: 49 CFR 575

Legal Deadline: None

Abstract: This rule amends consumer information regulations on uniform tire quality grading (UTQG) by reducing the fee for the purchase of treadwear course monitoring tires sold by NHTSA at its UTQG test facility in San Angelo, TX. Fee reduction will eliminate charges for testing to establish tires' base course wear rate, which will no longer be performed by NHTSA in view of the agency's decision to fix the base course wear rate for all tires sold in the future at its current value.

Timetable:

Action	Date	FR Cite
Final Rule Effective 10/11/96	09/11/96	61 FR 47825
Petitions Due	10/28/96	
Action on Petitions	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Because this rule will only benefit the public by reducing existing fee, the agency has good cause to dispense with a notice for comment and will make the rule effective upon publication. See RIN 2127-AF17, Uniform Tire Quality Grading final rule 9/9/96 (61 FR 47437) for revised treadwear test procedures.

Agency Contact: Coleman Sachs, Trial Attorney, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5238
Fax: 202 366-3820

RIN: 2127–AG54

2330. ● LIST OF NONCONFORMING VEHICLES ELIGIBLE FOR IMPORTATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30141

CFR Citation: 49 CFR 593

Legal Deadline: None

Abstract: This final action amends the regulation establishing procedures for decisions on whether a vehicle not originally manufactured to conform to the Federal motor vehicle safety standards is eligible for importation. By adding this appendix, the agency will list all vehicles that are now eligible for importation. Because this rule only furnishes information and imposes no regulatory requirement, the agency has good cause to dispense with a proposed notice for comment.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Coleman Sachs, Trial Attorney, Office of Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-3820
Fax: 202 366-3820

RIN: 2127–AG57

2331. ● LOW-SPEED 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

Legal Deadline: None

Abstract: The agency is proposing that a new category of motor vehicle be established called ''low-speed vehicle.'' A low-speed vehicle (LSV) would be any motor vehicle, other than a motorcycle, whose top speed does not exceed 25 mph. Under a proposed new standard, Federal Motor Vehicle Safety Standard No. 100, LSVs would be equipped with certain basic items of motor vehicle safety equipment, such as seat belts, in lieu of complying with the Federal motor vehicle safety and bumper standards that would apply if the vehicles were categorized according to existing vehicle types. LSVs would also have a label warning against driving them at speeds that exceed 25 mph.

Timetable:

Action	Date	FR Cite
NPRM	01/08/97	62 FR 1077
NPRM Comment Period End	02/24/97	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This is in response to oral and written comments received from two public meetings held on July 18, 1996, in Palm Desert, CA. and on July 25, 1996, held in NHTSA Headquarters.

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–AG58

2332. ● +DEPOWERING OF AIR BAGS

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30115; 49 USC 30117; 49 USC 30122; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: The agency is proposing to temporarily amend the occupant crash protection standard to ensure that vehicle manufacturers can depower all air bags so that they inflate less aggressively. The agency is taking this action as part of its comprehensive efforts to reduce the fatalities and injuries that current air bag designs are causing in relatively low speed crashes to small, but growing numbers of children, and occasionally to adult drivers. Taken together, these efforts would affect all existing air bag vehicles, as well as those produced in the next several model years. This action is considered significant because of the degree of public interest in this subject.

Timetable:

Action	Date	FR Cite
NPRM	01/06/97	62 FR 807
NPRM Comment Period End	02/06/97	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 01/06/97 (62 FR 807)

Additional Information: This rulemaking action is an additional part the the Adverse Side Effects of Air Bags (RIN 2127-AG14).

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2264
Fax: 202 366-4329

RIN: 2127–AG59

2333. ● +PASSENGER-SIDE MANUAL CUTOFF SWITCH FOR AIR BAGS

Priority: Other Significant

Legal Authority: 49 USC 332; 49 USC 30115; 49 USC 30117; 49 USC 30122; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: This rule extends until September 1, 2000, the time period during which vehicle manufacturers are permitted to offer manual cutoff switches for the passenger-side air bag for vehicles without rear seats or with rear seats that are too small to accommodate rear facing infant seats. Rear facing infant seats cannot be used safely in front of an air bag, and should ordinarily be placed in the back seat. The purpose of the option for manual cutoff switches is to ensure that the vehicle manufacturers have a means of accommodating their customers' need to carry rear facing infant seats in vehicles without rear seats or with rear seats that are too small for these devices. The agency is extending the time period for the option to ensure that manufacturers have adequate time to implement better, automatic solutions. This action is considered significant because of the degree of public interest in this subject.

Timetable:

Action	Date	FR Cite
Final Action	01/06/97	62 FR 798
Final Action Effective	02/05/97	
Petitions Due	02/20/97	
Action on Petitions	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 01/06/97 (62 FR 798)

Additional Information: This rulemaking action is an additional part of the Adverse Side Effects of Air Bags (RIN 2127-AG14).

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2265
Fax: 202 366-4329

RIN: 2127–AG60

2334. ● +DEACTIVATION OF AIR BAGS

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30122; 49 USC 30166

CFR Citation: 49 CFR 595

Legal Deadline: None

Abstract: The agency is proposing to allow dealers and repair businesses, upon written authorization of a vehicle owner, to deactivate either the passenger-side air bag, the driver-side air bag, or both. Dealers and repair businesses are statutorily prohibited from making Federally required safety equipment inoperative, but NHTSA may exempt them from the prohibition in appropriate circumstances. In order to qualify for the exemption, the dealer or repair business would be required to provide the owner with a NHTSA information sheet describing the circumstances in which deactivation may be appropriate, based upon the comparison of the risks in those circumstances of turning the air bag off versus leaving it on. The authorization would contain a statement that the owner has received and read that sheet. The agency is proposing to require that warning labels be installed as a condition of deactivation. Deactivating an air bag would not be permitted if the vehicle were equipped with a manual cutoff switch for the air bag, or if the air bag were a ''smart'' air bag, i.e., one capable of either shutting off in appropriate circumstances or controlling its deployment so as to protect against injuring a wide range of occupants. This action is considered significant because of the degree of public interest in this subject.

Timetable:

Action	Date	FR Cite
NPRM	01/06/97	62 FR 831
NPRM Comment Period End	02/05/97	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 01/06/97 (62 FR 831)

Additional Information: This rulemaking action is an additional part of the Adverse Side Effects of Air Bags (RIN 2127-AG14).

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2264
Fax: 202 366-4329

RIN: 2127–AG61

2335. ● +LIGHT TRUCK FUEL ECONOMY STANDARDS FOR MODEL YEAR 1999

Priority: Other Significant

Legal Authority: 49 USC 329; PL 104-205

CFR Citation: 49 CFR 533

Legal Deadline:
Final, Statutory, March 31, 1997.

Abstract: This final rule establishes the average fuel economy standard for light truck fleets for model year 1999. It is a direct final rule conforming to the instruction in the Department of Transportation Appropriation Act for FY 1997 that requires the standard not be set at any level that differs from standards promulgated prior to enactment of the Act.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/00/97

Additional Information: This action is not economically significant because the standard for MY 99 is the same as for MY 98.

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: 202 366-2739

RIN: 2127–AG64

DOT—NHTSA

Final Rule Stage

2336. ● PROCEDURES FOR PARTICIPATING IN AND RECEIVING DATA FROM THE NATIONAL DRIVER REGISTER PROBLEM DRIVER POINTER SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 1327

CFR Citation: 49 CFR 303

Legal Deadline:
Other, Statutory, February 6, 1997.

Abstract: As a result of a recent statutory change, the agency is amending the rule implementing the National Driver Register (NDR) to allow air carriers seeking to hire pilots to obtain information from the NDR about their driving records.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: Statute requires access to records to be provided within 120 days after enactment.

Agency Contact: Williams Holden, Division Chief, National Driver Register and Traffic Records, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4800
Fax: 202 366-2729

RIN: 2127–AG68

2337. ● HIGH-THEFT LINES FOR MODEL YEAR 1998

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 33104

CFR Citation: 49 CFR 541

Legal Deadline: None

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 requirement for Model Year 1998.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Rosalind Proctor, Group Leader, Theft Prevention Group, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0846
Fax: 202 493-2739

RIN: 2127–AG71

DEPARTMENT OF TRANSPORTATION (DOT)

National Highway Traffic Safety Administration (NHTSA)

Long-Term Actions

2338. 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: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

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

2339. SEATING SYSTEMS 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 571.207

Legal Deadline: None

Abstract: Environmental Research and Safety Technologists of Flagstaff, AZ, petitioned the agency to reexamine the seatback performance requirements of the standard in rear impact crashes.

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

Additional Information: Petitions for rulemaking were granted 07/24/89. See a related rulemaking action involving these petitioners under RIN 2127-AC57.

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AD08

2340. SEAT ADJUSTMENT POSITION

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

Abstract: The agency solicited comments on a proposal to amend the performance requirements of the standard to provide that the lap belt angle would be measured for rear adjustable seats with the seats in the rearmost adjustment position. This proposal is intended to resolve ambiguities regarding the seat adjustment position for the current requirements.

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

Analysis: Regulatory Evaluation 12/04/91 (56 FR 63473)

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4931
Fax: 202 366-4329

RIN: 2127–AE22

2341. CERTIFICATION REQUIREMENTS OF MULTISTAGE 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 567; 49 CFR 568; 49 CFR 1.50

Legal Deadline: None

Abstract: This action proposed to amend the certification requirements that applies to incomplete vehicles other than chassis-cabs. Incomplete vehicles are vehicles that include at least a frame and chassis structure, power train, steering system, suspension system, and brake system, but need further manufacturing performed on them to become completed vehicles. This action would extend the certification requirements currently applying to chassis-cabs to all types of incomplete vehicles. The agency recognizes that manufacturers who build vehicles in more than one stage are faced with somewhat different problems than manufacturers who build vehicles in a single stage, especially when it comes to certifying vehicles to meet Federal Motor Vehicle Safety Standards (FMVSS). Therefore, the agency announced a public meeting to listen to the views of these groups and others with respect to improving the vehicle certification process.

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

Analysis: Regulatory Evaluation 12/03/91 (56 FR 61392)

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–AE27

2342. RADIATOR SAFETY CAP

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

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency has requested comments on the feasibility of and necessity for rulemaking to require the installation of thermal locking radiator caps or other devices on motor vehicles with water-cooled engines to prevent scalding injuries. Although the notice referred only to thermal locking radiator caps, comments were solicited on any device or technology designed to prevent such scalding injuries. Petition was granted.

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

Government Levels Affected: None

Agency Contact: Richard VanIderstine, 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–AE59

2343. ELECTRIC VEHICLE SAFETY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 1.50; 49 CFR 501.8

Abstract: The agency is requesting public comment to help assess the need to regulate electric vehicles (EVs) with respect to battery electrolyte spillage in a crash or rollover, and electric shock hazard in a crash or rollover, and during repair and maintenance.

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, 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–AF43

2344. CONVERSION OF VEHICLES TO COMPRESSED NATURAL GAS

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

Abstract: The agency is considering specifications for converting vehicles to run on compressed natural gas. These requirements would be used in lieu of crash testing, which the standard requires.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

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–AF50

2345. CYLINDER 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 571.304

Legal Deadline: None

Abstract: In response to petitions for rulemaking, the agency is considering modifications to cylinder material requirements to allow a new series of aluminum alloy. The benefits of this action would allow the use of material other than those specified in the standard in the manufacture of compressed natural gas fuel containers. Petitions were granted.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

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–AF51

2346. REVIEW: ODOMETER FRAUD

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 580

Legal Deadline: None

Abstract: This review involves analysis of the incident rates and costs of odometer fraud and an assessment of state and Federal efforts to combat odometer fraud. Congress has directed the agency to conduct this review.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/95	
Complete Review	06/00/98	

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
Fax: 202 366-2559

RIN: 2127–AF53

2347. +REVIEW: SIDE IMPACT 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 571.214

Legal Deadline: None

Abstract: This standard requires passenger cars manufactured after September 1, 1996, to provide occupant protection when impacted in the side by a moving deformable barrier. The agency will compare the actual risk of occupant injury in side impact crashes of cars meeting the standard to the risk in pre-standard cars. The cost of the standard will also be estimated. This regulation was selected for review because of its costs, potential benefits, and public interest.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/94	
Complete Review	12/00/99	

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–AF54

2348. 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	
Complete 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
Fax: 202 366-2559

RIN: 2127–AG18

2349. CONVEX CROSS VIEW MIRRORS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.111

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is requesting comments on the issue of rear mounted cross view mirrors on light and medium duty trucks for the purpose of eliminating the blind spot directly behind the vehicle. The petitioner requested that these mirrors be mandated to eliminate backing accidents where children could be seriously injured or killed. Petition was granted.

Timetable:

Action	Date	FR Cite
Request for Comments Comment Period End 10/15/96	06/17/96	61 FR 30586
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Additional Information: After reviewing the comments, a decision was make to do research.

Agency Contact: Richard VanIderstine, Division Chief, Visibility and Control Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC
Phone: 202 366-5280
Fax: 202 366-4329

RIN: 2127–AG41

DEPARTMENT OF TRANSPORTATION (DOT) — Completed Actions
National Highway Traffic Safety Administration (NHTSA)

2350. 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

Abstract: In response to the President's Regulatory Reinvention Initiative, an interim final rule amended the regulations on incentive grant criteria for drunk driving prevention programs to reflect changes that were made to the Section 410 program by the National Highway System Designation Act of 1995. This interim final rule supplemented grant criterion that requires that States ''deem persons under age 21 who operate a motor vehicle with a BAC of 0.02 or greater to be driving while intoxicated'' had been changed to a basic grant criterion. The regulation provided for an alternative method for some States to demonstrate compliance with the basic grant criterion that requires that States have a ''statewide program for stopping vehicles.'' The Federal Highway Administration (FHWA) published a separate notice of proposed rulemaking for implementing a new ''zero tolerance'' sanction program which is similar to Section 410 ''0.02 BAC'' basic grant criterion. The agency requested comments regarding the changes made by the interim final rule. This final rule announces that these changes will remain in effect. In addition, this final rule amends the regulation by simplifying the application process for subsequent year grants.

Timetable:

Action	Date	FR Cite
Comment Period Extended to 05/23/95	03/24/95	60 FR 15479
Interim Final Rule	03/07/96	61 FR 9101
Interim Final Rule Comment Period End 04/22/96	03/07/96	
Final Action	10/25/96	61 FR 55218

Small Entities Affected: None

Government Levels Affected: State

Analysis: Regulatory Evaluation 10/25/96 (61 FR 55218)

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

2351. 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 amended 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 added 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 resumed once revisions to the current voluntary industry standard for CNG containers are completed. In response to petitions for reconsideration, the agency modified the labeling requirements with respect to the inspection interval and deleted reference to certain pamphlets.

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 Action	11/24/95	60 FR 57943
Final Action Effective	09/01/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 11/24/95 (60 FR 57943)

Additional Information: Response to petitions for reconsideration published September 6, 1996, 61 FR 47086. No other petitions were received.

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–AF14

2352. +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 amends the Uniform Tire Quality Grading Standards by revising treadwear testing procedures to maintain the base course wear rate of course monitoring tires at its current value of 1.34. This revision is expected to eliminate treadwear grade inflation, reduce testing expenses, and reduce the environmental consequences of operating testing convoys for the purpose of calculating the base course wear rate for each new batch of course monitoring tires and added a top end traction grading category of ''AA'' to the current traction grading categories of A, B, and C. The new AA category will make possible the differentiation of tires with the very highest traction characteristics from those with lower traction characteristics. DOT Appropriations Act of 1996 and 1997 prohibited the obligation of expenditure of any funds for activity or work which replaces the temperature resistance grading standard with a rolling resistance/fuel economy grading standard. 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	09/09/96	61 FR 47437
Final Action Effective	03/09/98	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 05/24/95 (60 FR 27472); Regulatory Evaluation 09/09/96 (61 FR 47437)

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. No petitions for reconsideration were received.

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–AF17

2353. 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 permits the installation of a new item of motor vehicle glazing, Item 4A- Rigid Plastic for Use in Side Windows, in motor vehicles. In issuing this final rule, the agency seeks 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	08/12/96	61 FR 41739
Final Action Effective	09/11/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 03/14/95 (60 FR 13688); Regulatory Evaluation 08/12/96 (61 FR 41739)

Additional Information: No petitions for reconsideration were received.

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AF28

2354. 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. In response to a petition for reconsideration, the agency has amended the air pressure at which a bus's air compressor must automatically activate. A bus manufacturer will be allowed to set the air compressor governor cut-in pressure at 85 psi or greater, instead of 100 psi to greater, before the air compressor is required to cut in. This should provide a more appropriate activation pressure.

Timetable:

Action	Date	FR Cite
NPRM	06/13/95	60 FR 31135
NPRM Comment Period End	08/14/95	
Final Rule	02/16/96	61 FR 6173
Final Rule Effective	03/18/96	61 FR 60063
Final Action	11/29/96	61 FR 60635
Final Action Effective	01/28/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 11/29/96 (61 FR 60063)

Additional Information: Compliance with the amendment will be required on and after March 1, 1997. No petitions for reconsideration were received.

Agency Contact: Steve Kratzke, Acting Director, Office of Crash Avoidance Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4931
Fax: 202 366-4329

RIN: 2127–AF63

2355. 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: In response to the President's regulatory reinvention initiative, the agency has clarified the test procedures by replacing the phrase ''rearmost portion of the head form'' with a reference to the portion of the head form in contact with the head restraint. This proposal on which this rule is based contained two other proposed amendments to the standard; this document terminates rulemaking on those proposals.

Timetable:

Action	Date	FR Cite
NPRM	10/24/95	60 FR 54467
NPRM Comment Period End	12/26/95	
Final Action Effective 07/15/96	05/30/96	61 FR 27023

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 05/30/96 (61 FR 27023)

Additional Information: No petitions for reconsideration were received.

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AF70

2356. 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 transferring most of the Federal motor vehicle safety standard on the headlamp concealment devices to the safety standard on lamps, reflective devices and associated equipment. The remaining requirements of the standard on headlamp concealment devices are rescinded. This rule adopts most of the amendments proposed in the NPRM. However, instead of rescinding a requirement that both headlamp concealment devices be operated by one switch, as proposed, this action transfers that requirement to the lighting standard.

Timetable:

Action	Date	FR Cite
NPRM	04/11/96	61 FR 16073
NPRM Comment Period End	06/10/96	
Final Rule	09/24/96	61 FR 49976
Final Action	09/24/96	61 FR 49976
Final Action Effective	10/24/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/11/96 (61 FR 16073); Regulatory Evaluation 09/24/96 (61 FR 49976)

Additional Information: No petitions for reconsideration received.

Agency Contact: Richard VanIderstine, 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–AF90

2357. 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 implementing 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. This final rule clarifies what States must do to avoid the withholding of funds.

Timetable:

Action	Date	FR Cite
NPRM	03/07/96	61 FR 9121
NPRM Comment Period End	04/22/96	
Final Action	10/25/96	61 FR 55218
Final Action Effective	11/25/96	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Marlene Markison, 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

2358. 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 amending the reservoir requirements for trucks, buses, and trailers equipped with air brakes. The agency believes that the revision will improve the braking efficiency of such vehicles and reduce the number of brakes found to be out of adjustment during inspections. It will do this by removing a design restriction that tends to discourage the use of long-stroke brake chambers, a technology with potentially significant safety benefits.

Timetable:

Action	Date	FR Cite
Final Action	07/11/96	61 FR 36516
Final Action Effective	09/09/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steve Kratzke, Acting Director, Office of Crash Avoidance

DOT—NHTSA — Completed Actions

Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2720
Fax: 202 366-4329

RIN: 2127–AG25

2359. 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
Action Terminated	02/03/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This action is being combined with RIN 2127-AG42.

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4916
Fax: 202 366-4329

RIN: 2127–AG29

2360. MANUFACTURER'S RESPONSIBILITIES FOR DEFECT AND NONCOMPLIANCE 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 30111

CFR Citation: 49 CFR 573; 49 CFR 579

Legal Deadline: None

Abstract: In response to the President's Regulatory Reinvention Initiative, the agency is transferring 49 CFR 579.4, Definition, into 49 CFR 573 and then eliminating the remainder of 49 CFR 579. This will combine all of the manufacturer's responsibilities for Defect and Noncompliance Reporting in one area.

Timetable:

Action	Date	FR Cite
Action Terminated	02/03/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The agency has found that the proposed changes would be unfeasible as they would have required substantive changes in manufacturer's burdens and responsibilities.

Agency Contact: Otto Matheke, Attorney, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5253
Fax: 202 366-3870

RIN: 2127–AG45

DEPARTMENT OF TRANSPORTATION (DOT) — Prerule Stage
Federal Railroad Administration (FRA)

2361. +HOURS OF SERVICE ELECTRONIC RECORDKEEPING PROJECT

Priority: Other Significant

Unfunded Mandates: Undetermined

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. This is considered significant due to public interest.

Timetable:

Action	Date	FR Cite
Grant or Deny Master Waiver Application	04/00/97	

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: 202 632-3191

RIN: 2130–AB04

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Railroad Administration (FRA)

Proposed Rule Stage

2362. +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	04/00/97	

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: 202 632-3171

RIN: 2130–AA71

2363. 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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/09/93 (58 FR 18982)

Additional Information: On October 31, 1996, FRA tasked the revisions of these qualifications to the Railroad Safety Advisory Committee (''RSAC''), which the agency established on March 26, 1996 (61 FR 9740). See Notice of RSAC Meeting, 61 FR 54698, Oct. 21, 1996. When FRA receives the advice and recommendations of the RSAC, the agency will move forward with an NPRM.

Agency Contact: Alan Nagler, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 632-3187

RIN: 2130–AA74

2364. +TRACK SAFETY STANDARDS

Priority: Other Significant

Unfunded Mandates: Undetermined

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: FRA had proposed to comprehensively review the track regulations for the first time in over a decade. This revision of FRA's track safety standards was mandated by Congress in the Rail Safety Enforcement and Review Act (PL 102-365) and requested by the Brotherhood of Maintenance of Way workers in their petition requesting several modifications of existing track standards. On April 1-2, 1996, however, FRA tasked the revision of these standards to the Railroad Safety Advisory Committee (''RSAC'') which the agency established on March 26, 1996 (61 FR 9740). (See Notice of Task Acceptance, 61 FR 29164, June 7, 1996). After receiving the advice and recommendations of the RSAC, the agency will move forward with an NPRM. 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	06/00/97	

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).

Agency Contact: Nancy Lummen Lewis, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 632-3174

RIN: 2130–AA75

2365. +LOCOMOTIVE CRASHWORTHINESS AND WORKING CONDITIONS

Priority: Other Significant

Unfunded Mandates: Undetermined

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). After reporting its findings to Congress at the conclusion of its investigation, the agency will promulgate rules addressing this issue if it is determined that regulatory action is necessary. This project is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Open Meeting Notice	07/22/94	59 FR 37528
Report to Congress	09/18/96	
NPRM	07/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: On October 31, 1996 the Railroad Safety Advisory Committee (''RSAC''), established by FRA on March 26, 1996 (61 FR 9740), accepted a preliminary planning task, which is scheduled to commence not later than January 15, 1997. The Locomotive Crew Safety Planning Group met on January 23, 1997 to develop task statements that will be forwarded to the full RSAC.

Agency Contact: Christine Beyer, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 632-3177

RIN: 2130–AA89

2366. +ENVIRONMENTAL IMPACT AND RELATED PROCEDURES (FRA, FTA, FHWA)

Priority: Other Significant

Unfunded Mandates: Undetermined

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	04/00/97	

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: 202 632-3163

RIN: 2130–AA93

2367. +RADIO COMMUNICATION-ADVANCED TRAIN CONTROL SYSTEM

Priority: Other Significant

Unfunded Mandates: Undetermined

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 220

Legal Deadline: None

Abstract: Based on a Congressionally mandated safety inquiry about radio communications and train control, FRA committed to revise its radio rules for more flexibility and to achieve the following: (1) include requirements for the presence of radios; (2) seek to test the transmission of orders via digital radio; (3) identify high risk corridors for mandatory Positive Train Control (PTC); (4) continue the interest in PTC technology testing and compatibility; and (5) establish the deployment of PTC technology on high risk rail corridors by the year 2000. On April 1-2, 1996 the agency tasked the revision of these standards to the Railroad Safety Advisory Committee (RSAC), established by FRA on March 26, 1996 (61 FR 9740) (See Notice of Task Acceptance, 61 FR 29164, June 7, 1996). After considering RSAC's advice and recommendations, the agency will move forward with an NPRM. This action is considered significant due to the substantial interest of both the public and the industry.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Patricia V. Sun, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 632-3183

RIN: 2130–AA94

2368. +PASSENGER EQUIPMENT SAFETY STANDARDS

Priority: Other Significant

Unfunded Mandates: Undetermined

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:
Final, Statutory, November 2, 1997.
Final, Statutory, November 2, 1999.

Abstract: Pursuant to the Federal Railroad Safety Authorization Act of 1994, FRA is proposing to prescribe regulations establishing comprehensive federal safety standards for railroad passengers equipment. This is considered significant due to public interest.

Timetable:

Action	Date	FR Cite
ANPRM	06/17/96	61 FR 30672
ANPRM Comment Period End	07/09/96	
NPRM	04/00/97	

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: 202 632-3186

RIN: 2130–AA95

2369. +RAIL PASSENGER SERVICE: EMERGENCY PREPAREDNESS

Priority: Other Significant

Unfunded Mandates: Undetermined

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:
NPRM, Statutory, November 2, 1997.
Final, Statutory, November 2, 1997.
Final, Statutory, November 2, 1999.

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. The NPRM will provide substantial flexibility to each railroad to establish procedures and policies appropriate to its particular operations, subject to review and approval by the FRA. This is considered significant due to public interest.

Statement of Need: After the 1993 derailment of the ''Sunset Limited'' near Mobile, Alabama, the NTSB found that rescue efforts were delayed by a lack of prompt and accurate communication between Amtrak and emergency responders. Even before this, the FRA had commissioned a study by the Volpe Transportation Systems Center, which resulted in a publication containing guidelines for emergency preparedness for passenger train operators. Finally, some passengers in the MARC train collision in Silver Spring, Maryland last year had difficulty finding and opening emergency window exits.

Alternatives: The proposed rule is expected to incorporate a variety of alternatives, in order to allow each railroad to adapt the basic requirements to its specific operations. In addition, the NPRM will invite comment on whether certain additional emergency preparations should be mandatory for all railroads conducting passenger operations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

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: 202 632-3191

RIN: 2130–AA96

2370. 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, and at the initiative of several industry members, FRA has undertaken to modernize Part 230 to reflect current operating realities and, perhaps, to allow greater flexibility in the steam locomotive inspection waiver process. On July 24-25, 1996, the agency tasked the revision of these standards to the Railroad Safety Advisory Committee (''RSAC''), established by FRA on March 26, 1996 (61 FR 9740) (See Notice of RSAC Meeting, July 10, 1996, 61 FR 36415). Upon receipt of the advice and recommendations of the RSAC, the agency will move forward with an NPRM.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lisa L. Levine, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 632-3189

RIN: 2130–AB07

2371. ● +FLORIDA OVERLAND EXPRESS HIGH SPEED RAIL RULE OF PARTICULAR APPLICABILITY

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 CFR 20103

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: FRA has begun work on safety standards for a high speed rail project in the state of Florida. As proposed, the system will operate from Miami to Tampa via Orlando, and will be modeled on the French TGV. As currently designed, the operation will travel at 200 mph on dedicated rail with no grade crossings, and will be used exclusively for passenger service. Florida anticipated beginning operations in the year 2004.

FRA will promulgate safety standards for the system in a rule of particular applicability. Because the equipment, signal system, and operating procedures in this system will differ significantly from any other entity currently operating in the United States, many existing standards of general applicability would not effectively address safety concerns. The rule will take a systems approach, covering equipment, track, signals, operating practices, emergency preparedness, power distribution, personnel qualification requirements, system qualification requirements, and system safety plan.

FRA and the industry hope to have proposed standards published by May 1997, and final standards in place by November 1997. This action is considered significant due to industry interest.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	
NPRM Comment Period End	07/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Christine Beyer, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20593
Phone: 202 362-3177

Fax: 202 632-3709

RIN: 2130–AB14

2372. ● +POWER BRAKE REGULATIONS: FREIGHT POWER BRAKE REVISIONS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

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 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: Pursuant to the Federal Railroad Safety Enforcement and Review Act of 1992, FRA is revising the power brake rules. After separating proposed revisions regarding freight power brakes from passenger power brakes, FRA tasked the revision of freight power brake standards on April 1-2, 1996 to the Railroad Safety Advisory Committee (RSAC), established by FRA on March 26, 1996 (61 FR 9740). However, the working group under RSAC is expected to recommend that FRA proceed on its own initiative. This rulemaking is considered significant because of its potential economic impact and congressional and public interest.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: A portion of the task to revise the power brake rules has been completed. FRA revised the existing power brake regulations to mandate the use of two-way end-of-train telemetry devices, RIN 2130-AA73, in a final rule published on January 2, 1997 (62 FR 278). Furthermore, proposal for passenger brake revisions are being developed with the assistance of a passenger equipment standards working group.

Agency Contact: Thomas Herrmann, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 632-3178

RIN: 2130–AB16

DEPARTMENT OF TRANSPORTATION (DOT) — Final Rule Stage
Federal Railroad Administration (FRA)

2373. 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	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

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: 202 632-3277

RIN: 2130–AA60

2374. 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	04/00/97	

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: 202 632-3183

RIN: 2130–AA63

2375. +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 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	09/00/97	

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). Due to various contentious issues raised during the NPRM Comment period, FRA believes it may be advantageous to resolve differences in an open forum. Therefore, this action is being considered for possible referral to the Railroad Safety Advisory Committee (''RSAC''), established by FRA on March 26, 1996 (61 FR 9740).

Agency Contact: Billie Stultz, Dep. Asst. Chief Counsel, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 632-3167

RIN: 2130–AA68

2376. POWER BRAKE REGULATIONS: TWO-WAY END-OF-TRAIN TELEMETRY DEVICES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

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 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: FRA amended the existing power brake regulations to mandate the use of two-way end-of-train telemetry devices. 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	
Extended Comment Period End 2/27/95 for Passenger Brake Issues	01/17/95	60 FR 3375
Extended Comment Period End 4/01/95 for Freight Issues	01/17/95	
Public Regulatory Conference (Two-way end-of-train telemetry devices only)	03/05/96	61 FR 6610
Final Rule Effective 7/1/97	01/02/97	62 FR 278
Action on Petitions	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: This action focused solely on Two-Way End-of-Train (EOT) devices. The next action anticipated by FRA is an NPRM to revise the Freight Power Brake Provisions (RIN Number 2130-AB16). Passenger Brake Issues are currently being developed with the assistance of a passenger equipment standards working group.

Agency Contact: Thomas Herrmann, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 632-3178

RIN: 2130–AA73

2377. +ROADWAY WORKER PROTECTION

Priority: Other Significant

Unfunded Mandates: Undetermined

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 established 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	
Notice of Public Hearing 7/11/96	06/19/96	61 FR 31085
Final Rule Effective 1/15/97	12/16/96	61 FR 65959
Petitions Due	02/14/97	
Action on Petitions	06/00/97	

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: 202 632-3188

RIN: 2130–AA86

2378. 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.

Legal Authority: 49 USC 20103; 49 USC 20111 to 20113; 49 USC 20301 to 20311

CFR Citation: 49 CFR 234; 49 CFR 1.49(f); 49 CFR 1.49(g); 49 CFR 1.49(m)

Legal Deadline:
Final, Statutory, June 22, 1989.

Abstract: FRA is making technical changes and minor amendments to final regulations which were published on September 30, 1994. These regulations require that railroads take specific and timely actions to protect the travelling public and railroad employees from the hazards posed by malfunctioning highway-rail grade crossing warning systems, and that railroads follow specific standards for maintenance, inspection, and testing of those systems. The amendments clarify issues arising from implementation of this new regulatory program. No new costs are expected.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/20/96	61 FR 31802
Comment Period End	07/22/96	
Interim Final Rule Effective	08/19/96	
Final Action	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local

Additional Information: The final rule, RIN 2130-AA70, was published 9/30/94 (59 FR 50086), and was effective 1/1/95. In response to a petition for reconsideration, FRA conducted a review, together with rail labor and rail management, to address various implementation issues that had surfaced since the rule was enacted. After meeting with these parties in March, 1995, FRA issued an Implementation Manual on April 14, 1995. An interim final rule intended to clarify implementation issues by making minor technical amendments was published on June 20, 1996, effective August 19, 1996. Response to the comments on that interim rule may result in further amendment of the rule.

Agency Contact: Mark H. Tessler, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 632-3171

RIN: 2130–AA97

2379. STATEMENT OF POLICY REGARDING SAFETY OF RAILROAD BRIDGES

Priority: Info./Admin./Other

Unfunded Mandates: Undetermined

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
Comment Period End	06/26/95	
Final Policy Statement	06/00/97	

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: 202 632-3174

RIN: 2130–AA99

2380. REINVENTION OF REGULATIONS ADDRESSING DISCONTINUANCE OR MODIFICATION OF SIGNAL SYSTEMS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

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. The amendments clarify issues arising from implementation of this new regulatory program. No new costs are expected.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/01/96	61 FR 33871
Comment Period End	07/31/96	
Interim Final Rule Effective	08/30/96	
Final Action	04/00/97	

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: 202 632-3171

RIN: 2130–AB05

2381. 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 is amending its signal system reporting requirements (Part 233) to reduce signal system reporting burdens on the rail industry. The amendments clarify issues arising from implementation of this new regulatory program. No new costs are expected.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/01/96	61 FR 33871
Comment Period End	07/31/96	
Interim Final Rule Effective	08/30/96	
Final Action	04/00/97	

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: 202 632-3171

RIN: 2130–AB06

2382. 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	10/00/97	

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: 202 632-3185

RIN: 2130–AB09

2383. ● USE OF REMOTELY CONTROLLED LOCOMOTIVES IN RAIL OPERATIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 21301 to 21311; 49 USC 20103

CFR Citation: 49 CFR 211.51; 49 CFR 229.7

Legal Deadline: None

Abstract: Concerned with the complex and immediate safety issues posed by rail operations involving the use of remotely controlled locomotives, FRA proposes to promulgate an interim final rule to conduct a nation wide pilot program on remote control operations. FRA will require all railroads which propose to use remote control locomotives to enroll in a pilot program and agree to conform to the safety conditions set forth by FRA. The purpose of the pilot program is to determine under what conditions, if any, remote control operations can be operated safely.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: An Informal Safety Inquiry concerning a proposal by Wisconsin Central Ltd. to expand its use of remote control operations and one-person crews was held by FRA on December 4 and 5, 1997 (61 FR 58736, November 18, 1996).

Agency Contact: Mark Tessler, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 632-3171

RIN: 2130–AB17

2384. ● USE OF ONE-PERSON CREWS IN RAIL OPERATIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 20103; 49 USC 21301 to 21311

CFR Citation: 49 CFR 211.51; 49 CFR 229.7

Legal Deadline: None

Abstract: Concerned with the complex and immediate safety issues posed by rail operations involving the use of one-person crews, FRA proposes to promulgate an interim final rule to prohibit, except in carefully controlled instances, the use of one-person operations. FRA will require all railroads which propose to use one-person crew operations to enroll in a pilot program and agree to conform to the safety conditions set forth by FRA. The purpose of the pilot program is to determine under what conditions, if any, one-person crew operations can be safely operated.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: An Informal Safety Inquiry concerning a proposal by Wisconsin Central Ltd. to expand its use of one-person crew and remote control operations was held by FRA on December 4 and 5, 1996 (61 FR 58736, November 18, 1996).

DOT—FRA **Final Rule Stage**

Agency Contact: Elizabeth Fallace, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 632-3193

RIN: 2130–AB18

DEPARTMENT OF TRANSPORTATION (DOT) — Long-Term Actions
Federal Railroad Administration (FRA)

2385. AMTRAK WASTE DISPOSAL

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: PL 101-610

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: The National and Community Service Act requires the Secretary of Transportation to promulgate such regulations as may be necessary to mitigate the impact of discharge of human waste from railroad passenger cars on areas that may be considered environmentally sensitive.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Agency Contact: William Fashouer, Senior Attorney, Department of Transportation, Federal Railroad Administration, Office of Chief Counsel, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 632-3163

RIN: 2130–AA84

2386. PROTECTION OF UTILITY EMPLOYEES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103; 49 USC 20131; 49 USC 20111 to 20113; 49 USC 21301 to 21311

CFR Citation: 49 CFR 218

Legal Deadline: None

Abstract: FRA is in the process of reconsidering Amendments to its ''Blue Signal'' regulations, which prescribe minimum requirements for the protection of railroad employees engaged in the inspection, testing, repair, and servicing of rolling equipment. The original ''blue signal'' rule did not include train and yard crews in this protection, with limited exceptions. The final rule, intended to redress this problem, allowed augmentation of a crew by using a ''utility'' employee, which would increase a railroad's efficient use of its employees. Based on petitions to reconsider several aspects of its final rule treating this subject, FRA issued amendments to this rule. Based on comments received, the agency suspended those amendments and reopened the comment period to further develop this proposal. The agency is currently receiving and reviewing such comments in consideration of revision to the final amendments.

Timetable:

Action	Date	FR Cite
Final Rule Amendments: Comment Period End 5/1/95	03/01/95	60 FR 11047
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

Additional Information: The final rule on utility employees was published August 16, 1993 (58 FR 43287), RIN 2130-AA77.

Agency Contact: Daniel Alpert, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 632-3186

RIN: 2130–AA90

2387. +SELECTION AND INSTALLATION OF GRADE CROSSING WARNING SYSTEMS

Priority: Other Significant

Legal Authority: 49 USC 20103; 49 USC 20107; 49 USC 20111 to 20113; 49 USC 21301 to 21311

CFR Citation: 49 CFR 234

Legal Deadline: None

Abstract: This action would prohibit railroads from unilaterally selecting and installing highway-rail grade crossing warning systems at public highway-rail crossings. It would also require that railroads furnish State highway authorities with information necessary for State grade crossing project planning and prioritization purposes. This is considered significant due to substantial public interest.

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

Analysis: Regulatory Evaluation

Agency Contact: Mark Tessler, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 632-3171

RIN: 2130–AA92

2388. TOURIST AND HISTORIC WORKING GROUP REGULATORY REVIEW (SECTION 610 REVIEW)

Priority: Substantive, Nonsignificant

Legal Authority: PL 92-463; 5 USC app 2

CFR Citation: None

Legal Deadline: None

Abstract: The Tourist and Historic Working Group of the Railroad Safety Advisory Committee was established to review existing and proposed regulations, in accordance with section 610 of the Regulatory Flexibility Act, for their appropriate applicability to one segment of FRA's small business customers, the tourist and historic railroads. In addition, the group is examining FRA's policy with respect to exercise of jurisdiction over railroads off the general system of rail transportation.

DOT—FRA

Long-Term Actions

Timetable:

Action	Date	FR Cite
Begin Review	04/01/96	
Complete Review	04/01/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: The group was created in April of 1996 and met on June 17 - 18, 1996. Thus far, the group has reviewed the Steam Locomotive standards and provided recommendations regarding their applicability to the tourist and historic railroad industry. (See Notice of Meeting, 61 FR 54698) The group will operate at least through March of 1998, at which time the current Railroad Safety Advisory Committee charter will be renewed or expire.

Agency Contact: Lisa Levine, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20593
Phone: 202 362-3189

RIN: 2130–AB12

2389. ● SMALL RAILROADS; POLICY STATEMENT ON ENFORCEMENT PROGRAM

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 5 USC 601 et seq; PL 104-121; 49 USC 20101 et seq

CFR Citation: 49 CFR 209

Legal Deadline: Other, Statutory, March 29, 1997.

Abstract: The Small Business Regulatory Enforcement Act (SBREFA) of 1996 amended the Regulatory Flexibility Act and required, among other things, that each agency establish a program to reduce or waive civil penalties for small entities under certain circumstances.

Pursuant to SBREFA, FRA will formally amend its enforcement policy of the Federal Railroad Safety Laws as set forth in Appendix A to 49 CFR Part 209 to reflect enforcement efforts against small entities in the railroad industry. FRA's informal existing policies with respect to small entities are consistent with SBREFA, and so the agency will incorporate those policies into the enforcement procedures set forth in 49 CFR Part 209. Also, FRA may undertake a new definition of ''small entity'' in this process.

Timetable:

Action	Date	FR Cite
Issue Policy Statement	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Christine Beyer, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20593
Phone: 202 632-3177

RIN: 2130–AB15

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Railroad Administration (FRA)

Completed Actions

2390. ● RAILROAD ACCIDENT REPORTING; MISCELLANEOUS AMENDMENTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

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 2011 to 20113; 49 USC 21301 to 21311; 49 USC 103

CFR Citation: 49 CFR 225

Legal Deadline: None

Abstract: On June 18, November 22, and November 29, 1996, FRA published final rules amending the railroad accident reporting regulations at 49 CFR Part 225, 61 FR 30940, 61 FR 59368, 61 CFR 60632, respectively. These final rules aim to minimize underreporting and inaccurate reporting of railroad injuries, illnesses, and accidents meeting FRA reportability requirements; respond to some of the issues raised in the petitions for reconsideration of the final rule published June 18, 1996; and also increase from $6,300 to $6,500 the monetary threshold for reporting rail equipment accidents/incidents involving railroad property damage that occurred on or after January 1, 1997. On December 23, 1996, FRA responded to the remaining issues raised in the petitions for reconsideration, issued amendments addressing some of those concerns, and made some technical minor amendments (61 FR 67477).

Timetable:

Action	Date	FR Cite
Notice to Deny Petitions for Stay	11/22/96	61 FR 59368
Final Rule Amendments	11/29/96	61 FR 60632
Final Action	12/23/96	61 FR 67477
Final Action Effective	01/01/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The original RIN number for this rulemaking was 2130-AA58. Subsequent to publication of the final rule, the new RIN number for this rulemaking is 2130-AB13.

Agency Contact: Nancy L. Goldman, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 632-3174

RIN: 2130–AB13

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Transit Administration (FTA)

Proposed Rule Stage

2391. +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.

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	

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

2392. PREVENTION OF ALCOHOL MISUSE IN TRANSIT OPERATIONS; PREVENTION OF PROHIBITED DRUG USE IN TRANSIT OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5331

CFR Citation: 49 CFR 653; 49 CFR 654

Abstract: FTA is proposing to amend its drug and alcohol rules to allow employers to use the results of a drug or alcohol test administered by state and local law enforcement personnel after an accident has occurred. The existing drug and alcohol rule was published on February 15, 1994, and previously reported under RIN 2132-AA37 and 2132-AA38. The change would make FTA's rule parallel with FHWA's and responds to a request from a transit authority.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal

Agency Contact: Nancy Zaczek, Attorney Advisor, Department of Transportation, Federal Transit Administration, 400 Seventy Street SW., Washington, DC 20590
Phone: 202 366-4011

RIN: 2132–AA56

2393. ● CHARTER SERVICES DEMONSTRATION PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-240, sec 3040

CFR Citation: 49 CFR 604

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

Abstract: This rulemaking presents the results and conclusions drawn from the charter services demonstration program, previously reported under RIN 2132-AA40, which was mandated by section 3040 of the Intermodal Surface Transportation Efficiency Act. That provision directed FTA to conduct a demonstration program in four states to permit public operators to provide needed charter services in addition to certain civic and community groups. In addition to setting forth program results, this rulemaking seeks recommendations regarding improvements to the charter service regulation.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

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–AA58

DEPARTMENT OF TRANSPORTATION (DOT) — Final Rule Stage
Federal Transit Administration (FTA)

2394. +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
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	10/00/97	

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

DEPARTMENT OF TRANSPORTATION (DOT) — Completed Actions
Federal Transit Administration (FTA)

2395. +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; PL 104-59, sec 205

CFR Citation: 49 CFR 614; 23 CFR 500

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

Abstract: This action implements a statutory requirement that directs the Secretary of Transportation to issue regulations for State development, establishment, and implementation of certain pavement, bridge, highway safety, traffic congestion, and public transportation and intermodal transportation facilities and equipment management and traffic monitoring systems. An Interim final rule was published 12/1/93, to carry out this provision. However, the National Highway System Designation Act of 1995 (PL 104-95, 11/28/95) provides that States may elect, at any time, not to implement, in whole or in part, one or more of the management systems. The new Act also prohibits the Secretary from imposing any sanction on a State for making such an election. On December 19, 1996, the FTA published a final rule jointly with FHWA (RIN 2125-AC97) to carry out the changes made by section 205 of the 1995 Act. The economic impact of this final rule is expected to be minimal. This regulation is considered to be significant because of the 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	12/19/96	61 FR 67166
Final Action Effective	01/21/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility 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.

Agency Contact: Ron Jensen-Fisher, Senior Community Planner, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590

DOT—FTA — Completed Actions

Phone: 202 366-0257

RIN: 2132–AA47

2396. +NEW STARTS CRITERIA

Priority: Other Significant

Legal Authority: 49 USC 5309(e)(4)(A)

CFR Citation: 49 CFR 611

Legal Deadline: None

Abstract: The Intermodal Surface Transportation Efficiency Act requires new criteria to be used in determining whether a major new construction project is eligible for funding. On December 19, 1996, the FTA issued a notice describing the criteria it will use for the Fiscal year 1999, to evaluate candidate projects for discretionary new starts funding under 49 USC 5309, which was modified by ISTEA.

Timetable:

Action	Date	FR Cite
Final Action	12/19/96	61 FR 67093

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ron Jensen-Fisher, Senior Community Planner, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0096

RIN: 2132–AA50

2397. RAIL FIXED GUIDEWAY SYSTEMS: STATE SAFETY OVERSIGHT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5330

CFR Citation: 49 CFR 659

Legal Deadline: None

Abstract: FTA is making technical corrections to this rule, which requires States to oversee the safety of rail fixed guideway systems not regulated by the Federal Railroad Administration. intended to clarify the existing rule. The regulation was published on December 27, 1995, effective January 26, 1996, and previously reported under RIN 2132-AA39.

Timetable:

Action	Date	FR Cite
Final Action	12/23/96	61 FR 67492

Small Entities Affected: None

Government Levels Affected: None

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–AA57

DEPARTMENT OF TRANSPORTATION (DOT) — Proposed Rule Stage
Saint Lawrence Seaway Development Corporation (SLSDC)

2398. ● GREAT LAKES PILOTAGE POINTS SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 8105; 46 USC 9393; 46 USC 9304

CFR Citation: 33 CFR 405; 49 CFR 1.52

Legal Deadline: None

Abstract: This action would amend the Great Lakes Pilotage regulations by adding a points system whereby Great Lakes registered pilots who commit speeding and other safety violations will accumulate points against their registration.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Scott A. Poyer, Chief Economist, Department of Transportation, Saint Lawrence Seaway Development Corporation, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-7147

RIN: 2135–AA10

DEPARTMENT OF TRANSPORTATION (DOT) — Completed Actions
Saint Lawrence Seaway Development Corporation (SLSDC)

2399. GREAT LAKES PILOTAGE RATE INCREASE

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 6101; 46 USC 7701; 46 USC 8105; 46 USC 9303; 46 USC 3507

CFR Citation: 33 CFR 403; 33 CFR 407

Legal Deadline: None

Abstract: This action increases Great Lakes pilotage rates. The increase is necessary because pilot compensation had fallen below established compensation targets. This rulemaking represents the first time the new methodology (published 5/9/96, 61 FR 21081) is being used to set Great Lakes pilotage rates. It is the first full rate review since 1987 and the first rate adjustment since 1992. In the future, pilotage rates will be reviewed at least once a year.

Timetable:

Action	Date	FR Cite
NPRM	09/25/96	61 FR 50258
NPRM Comment Period End	11/12/96	
Final Action	02/10/97	62 FR 5917
Final Action Effective	03/01/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Public Hearing held 10/22/96 in Romulus, Michigan.

Agency Contact: Marc C. Owen, Chief Counsel, Department of Transportation, Saint Lawrence Seaway Development Corporation, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0091
Fax: 202 366-7147

RIN: 2135–AA08

DOT—SLSDC — Completed Actions

2400. ● INFLATION ADJUSTMENT OF CIVIL MONETARY PENALTY

Priority: Info./Admin./Other

Legal Authority: 33 USC 981 to 990; 33 USC 1231 to 1232

CFR Citation: 33 CFR 401; 49 CFR 1.52

Legal Deadline:
Final, Statutory, October 23, 1996.

Abstract: The final rule implements the Federal Civil Penalties Inflation Adjustment Act of 1990 as amended by the Debt Collection Improvement Act of 1996. The rule adjusts the amount of the statutory civil penalty for violation of the Seaway regulations and rules under the authority of the Ports and Waterways Safety Act of 1972. The purpose of the adjustment is to ensure that the penalties continue to retain their deterrent value.

Timetable:

Action	Date	FR Cite
Final Action	10/22/96	61 FR 54733

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Marc C. Owen, Chief Counsel, Department of Transportation, Saint Lawrence Seaway Development Corporation, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6823
TDD: 202 366-7147

RIN: 2135–AA09

DEPARTMENT OF TRANSPORTATION (DOT) — Prerule Stage
Research and Special Programs Administration (RSPA)

2401. +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: An NPRM proposed qualification standards for pipeline personnel who perform, or directly supervise those persons performing, regulated operation, maintenance, and emergency-response functions. Public input received through a public meeting, written comments on the NPRM, pipeline advisory committee review, and a petition for withdrawal of the NPRM filed by the American Gas Association led to a decision to convert the rulemaking into a negotiated rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	03/23/87	52 FR 9189
ANPRM Comment Period End	05/07/87	
NPRM	08/03/94	59 FR 39506
Extended Comment Period End 10/31/94	09/07/94	59 FR 46219
Public Meeting Notice	09/07/94	59 FR 46219
NPRM Comment Period End	10/03/94	
Notice of Intent to Form a Negotiated Rulemaking Committee	07/02/96	61 FR 34410
NPRM Withdrawn	07/02/96	61 FR 34413
Public Meeting Notice	02/21/97	62 FR 7985
Formation of Negotiated Rulemaking Committee	04/00/97	

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 underway.

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

DEPARTMENT OF TRANSPORTATION (DOT) — Proposed Rule Stage
Research and Special Programs Administration (RSPA)

2402. REQUIREMENTS FOR CYLINDERS (SECTION 610 REVIEW)

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 proposes 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. As part of this action, a small entities review under 5 USC Section 610 will be included.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	

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: Theresa Gwynn, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137–AA92

2403. +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.

Timetable:

Action	Date	FR Cite
NPRM	09/25/91	56 FR 48505
NPRM Comment Period End	11/25/91	
SNPRM	04/00/97	

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: Cesar DeLeon, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4583

RIN: 2137–AB15

2404. +MAPS AND RECORDS OF PIPELINE LOCATIONS 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	10/00/97	

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

2405. 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 have been discovered developing cracks during service, and occasionally leaks developed that resulted 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	06/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation

Additional Information: Docket No. HM-176A This action is being combined with Docket HM-220, RIN 2137-AA92, 12/97.

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–AB51

2406. 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	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

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

2407. AREAS UNUSUALLY SENSITIVE TO ENVIRONMENTAL DAMAGE (USAS)

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 195

Legal Deadline:
Final, Statutory, October 24, 1994.

Abstract: This notice would propose criteria for identifying areas unusually sensitive to environmental damage from a hazardous liquid pipeline release. The criteria are needed to carry out statutory requirements.

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	
Extended Comment Period End 8/25/95	07/10/95	60 FR 35549
NPRM	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Was originally Docket PS-130B ''Environmentally Sensitive Areas,'' for part 194. Changed to address Part 195. A series of public workshops were conducted in 1996 and 1997. Additional workshops will be scheduled as necessary.

Agency Contact: Christina Sames, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-4561

RIN: 2137–AC34

2408. +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 would prescribe circumstances under which such inspections must 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	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

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

2409. +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 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	08/00/97	

Small Entities Affected: None

Government Levels Affected: None

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

2410. TRANSPORTATION OF HAZARDOUS MATERIALS MISCELLANEOUS AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171 to 178

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. After notice and comment, RSPA would make a variety of changes, such as updating incorporations by reference, responding to petitions for rulemaking, clarifying requirements and providing regulatory relief.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. HM-166Y.

Agency Contact: Joan McIntyre, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-8553

RIN: 2137–AC41

2411. 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. elimination of the Keep Away From Food Label by the UN.

Timetable:

Action	Date	FR Cite
ANPRM	11/08/93	58 FR 59224
ANPRM Comment Period End	01/10/94	
NPRM	04/00/97	

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: 202 366-8553

RIN: 2137–AC47

2412. REGULATED GAS AND HAZARDOUS LIQUID GATHERING LINES

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	12/00/97	

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

2413. 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, 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	07/00/97	

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

2414. 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. Retention of shipping papers is a current requirement as specified in 49 U.S.C. 5110(e).

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. HM-207B.

Agency Contact: Deborah Boothe, Transportation Regulation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-8553

RIN: 2137–AC64

2415. +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 provide a risk-based alternative to the existing pressure testing rule for older hazardous liquid and carbon dioxide pipelines. On June 7, 1994 (59 FR 29379), 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. On June 23, 1995, the American Petroleum Institute (API) filed a petition on behalf of many liquid pipeline operators that proposed a risk-based alternative to the required pressure testing rule. RSPA finds considerable merit in a risk-based approach to pressure testing and thus has suspended the time for compliance with the final rule issued on June 7, 1994, to allow for evaluation of the API petition. The risk-based alternative would allow operators to elect an approach to evaluating the integrity of these lines that takes into account individual risk factors. higher-risk pipelines and effect a greater reduction in the overall risk from pipeline accidents.

Timetable:

Action	Date	FR Cite
Notice of Public Meeting	03/08/96	61 FR 9415
NPRM	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: Docket No. PS-144. See a related action, RIN 2137-AC83. A final rule issued 8/20/96 (61 FR 43026) extends time for compliance.

Agency Contact: Mike Israni, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4571

RIN: 2137–AC78

2416. 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 would require that an employee who tests positive for drugs be evaluated by a substance abuse professional prior to returning to performing his/her covered function.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. PS-128. This rulemaking would modify 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

2417. HAZARDOUS LIQUID PIPELINES OPERATED AT 20 PERCENT OR LESS OF SPECIFIED MINIMUM YIELD STRENGTH

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 195

Legal Deadline: None

Abstract: The rule will reexamine the applicability of pipeline safety regulations to certain pipelines operated at low stress levels. A final rule 7/12/94 (59 FR 35465) extended safety regulation to three pipelines operating at low stress levels: 1) pipelines that transport highly volatile liquids; 2) pipelines or pipeline segments in populated areas; and 3) pipelines or pipeline segments in navigable waterways. Various pipeline companies and chemical manufacturers have expressed concern over the scope of these regulations. In particular, regulation of very short segments of pipeline carrying petroleum products, including certain transfer lines in port facilities regulated by the Coast Guard and short segments of pipeline carrying various chemicals between plant sites, may pose difficulties in compliance.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: The final rule on hazardous liquid pipelines was issued 7/12/94 (59 FR 35465) under RIN 2137-AB86. Docket No. PS-117.

Agency Contact: L.M. Furrow, Senior Engineer, Department of Transportation, Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-4559

RIN: 2137–AC87

2418. REQUIREMENTS FOR CARGO TANKS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 107; 49 CFR 173; 49 CFR 178; 49 CFR 180

Legal Deadline: None

Abstract: This rulemaking proposes to revise and clarify certain manufacturing, maintenance and use requirements pertaining to cargo tank motor vehicles in the Hazardous Materials Regulations. FHWA inspections have resulted in a preliminary determination that these regulations need to be amended to make them more practical, understandable, and enforceable.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: HM-213.

Agency Contact: Jennifer Karim, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137–AC90

2419. • METRICATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60125 to 60125

CFR Citation: 49 CFR 192; 49 CFR 193; 49 CFR 194; 49 CFR 195

DOT—RSPA **Proposed Rule Stage**

Legal Deadline: None

Abstract: This rulemaking would provide metric equivalents for all pipeline safety regulations as required by Executive Order 12770 ''Metric Usage in Federal Government Programs'' (July 25, 1991).

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Marvin Fell, Economist, Department of Transportation, Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-6205
Fax: 202 366-4566

RIN: 2137–AC98

DEPARTMENT OF TRANSPORTATION (DOT) — Final Rule Stage
Research and Special Programs Administration (RSPA)

2420. +HAZARDOUS MATERIALS IN INTRASTATE COMMERCE (SECTION 610 REVIEW)

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 extends 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 materials transportation by promoting uniformity of the regulations. Previously the regulations generally did not apply to intrastate carriage by highway, with the exception of hazardous wastes, hazardous substances, marine pollutants, and flammable cryogenic liquids in portable tanks and cargo tanks. mandatory compliance date for regulations applicable to certain cargo tanks, and provides a ''materials of trade'' exception for relatively small quantities of hazardous materials contained on service vehicles operated by plumbing, welding, lawn service, and other non-transportation businesses. As part of this action, a small entities review under 5 USC Section 610 was done.

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 stated 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 issued a supplemental notice reducing the scope of the proposed requirements.

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 Federal regulations to the intrastate transportation of hazardous materials by motor vehicle.

Anticipated Costs and Benefits: The 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 provision for ''materials of trade'' has the potential for annual savings by small businesses of about $25 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 communities. 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. Adoption of, and proficiency in using, one set of regulations will enhance the effectiveness of State and local emergency response and enforcement programs and improve transportation safety with respect to both intrastate and interstate transportation of hazardous materials.

This rule addresses is legitimate public concerns about incidents involving hazardous materials in intrastate commerce. Such incidents have led to public concern regarding the transportation of hazardous materials and the risks associated with such movements. This public concern has resulted in increased State and local activity 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
Extended Comment Period End 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
Extended Comment Period End 8/16/96	05/17/96	61 FR 24904
Final Rule Effective 10/01/97	01/08/97	62 FR 1208
Action on Petitions	05/09/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

Analysis: Regulatory Evaluation 01/08/97 (62 FR 1208)

Additional Information: Docket No. HM-200.

Agency Contact: Diane LaValle, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137–AB37

2421. 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 proposed that exposed gas pipelines with evidence of harmful corrosion be investigated to determine the extent of the corrosion.

Timetable:

Action	Date	FR Cite
NPRM	06/27/89	54 FR 27041
NPRM Comment Period End	09/25/89	
Final Action	04/00/97	

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: A. Garnett, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2036

RIN: 2137–AB50

2422. 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. 60102(f). 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
Limited Suspension of Enforcement	02/07/95	60 FR 7133
Final Action	06/00/97	

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, into 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

2423. IMPROVEMENTS TO HAZARDOUS MATERIALS IDENTIFICATION SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 172

Legal Deadline:
Final, Statutory, June 16, 1992.
Final, Statutory, May 16, 1993.

Abstract: This rulemaking makes 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.

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	12/04/94	
Final Action	01/08/97	62 FR 1217
Action on Petitions	05/00/97	
Final Action Effective	10/01/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 01/08/97 (62 FR 1217)

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: 202 366-8553

RIN: 2137–AB75

2424. ADOPTION OF INDUSTRY STANDARDS FOR 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, construction, operation and maintenance of pipeline breakout tanks.

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation

Additional Information: Docket No. RSPA-97-2095. This action incorporates by reference the applicable standards for breakout tank design and construction that are contained in American Petroleum Institute Standard 650-653 and other national standards. These standards are already widely followed in the pipeline industry. Based on input from a Regulatory Reinvention Initiative meeting and a Texas A&M tank study, RSPA intends to issue a non-controversial direct final rule.

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

2425. 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	06/00/97	

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: 202 366-8553

RIN: 2137–AC24

2426. +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
Comment Period End	02/19/93	
Notice: Public Meeting 6/28/94	06/15/94	59 FR 30755
Public Meeting Comment Period End	08/01/94	
Notice of Public Hearing	11/29/96	61 FR 60679
Correction	01/21/97	61 FR 2989
Final Action	06/00/97	

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

DOT—RSPA **Final Rule Stage**

2427. 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	06/27/96	61 FR 33476
NPRM Comment Period End	08/26/96	
Final rule	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

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

2428. 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 the operators of onshore gas, hazardous liquid, and carbon dioxide pipelines to participate in qualified one-call systems as part of the required excavation damage prevention programs. The proposed rule would also limit the current exclusion of certain small gas systems from compliance with the damage prevention program requirements.

Timetable:

Action	Date	FR Cite
NPRM	03/20/95	60 FR 14714
NPRM Comment Period End	05/19/95	
Final Action	04/00/97	

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

2429. PIPELINE SAFETY USER FEES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60301

CFR Citation: 49 CFR 190

Legal Deadline: None

Abstract: This action clarifies agency definitions and procedures for administering user fee assessments for natural gas, liquefied natural gas, and hazardous liquid pipeline facilities. issues discussed in the notice were addressed in another docket (PS-138) or will be addressed in a future docket.

Timetable:

Action	Date	FR Cite
Notice: Comment Period End 3/6/95	02/03/95	60 FR 6767
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. PS-138.

This is not a rulemaking and is being withdrawn from the agenda.

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

2430. 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 to 60125

CFR Citation: 49 CFR 199

Legal Deadline: None

Abstract: This amendment will alleviate the burden for pipeline operators located outside the territory of the U.S. from having to comply with the requirement to subject their employees that perform a covered function (i.e., SCADA operators) to the drug testing regulations. Presently there are a small number of pipeline operators with covered employees that are located in Canada performing a covered function. It is not cost effective to require these foreign employees to comply with the regulation. RSPA does not have sufficient resources to inspect these foreign-located employees for compliance with Part 199. RSPA does not impose any other safety regulations on any pipeline operator that is located outside the U.S.

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. PS-102.

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

2431. HARMONIZATION WITH UNITED NATIONS RECOMMENDATIONS, INTERNATIONAL MARITIME DANGEROUS 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 makes 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 necessitate adoption of parallel domestic provisions to ensure basic consistency between domestic and international regulations and to facilitate the international transportation of hazardous materials. A supplemental final rule will be issued to address the remaining proposed changes to the Hazardous Materials Regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/26/96	61 FR 55364
NPRM Comment Period End	11/25/96	
Final Rule	12/16/96	61 FR 65958
Supplemental Final Rule	04/00/97	
Final Action Effective	06/01/97	

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

2432. LIQUEFIED NATURAL GAS REGULATIONS; MISCELLANEOUS AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 193

Legal Deadline: None

Abstract: This direct final rule adopts current industry safety standards for liquefied natural gas (LNG) by replacing the current flammable vapor-gas dispersion protection method with the dense gas dispersion (DEGADIS) model, and replacing the current thermal radiation protection method with a method based on the LNGFIRE program model. In addition, this final rule incorporates by reference the National Fire Protection Association safety requirements for mobile and temporary LNG facilities.

Timetable:

Action	Date	FR Cite
Direct Final Rule	12/12/96	61 FR 65364
Final Action Effective	06/25/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. PS-151.

Agency Contact: M. Israni, Senior Engineer, Department of Transportation, Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-2036

RIN: 2137–AC88

2433. +PROHIBITION OF OXIDIZERS ABOARD AIRCRAFT

Priority: Other Significant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 175

Legal Deadline: None

Abstract: RSPA is proposing to amend the Hazardous Materials Regulations to prohibit the carriage of oxidizers, including compressed oxygen, aboard passenger-carrying aircraft. The effect of this prohibition would be to limit oxidizers to accessible locations on cargo aircraft. The December 30, 1996, notice of proposed rulemaking analyzed Class D cargo compartments and proposed to add a shipping description to the Hazardous Materials Table for chemical oxygen generators and to require approval of a chemical oxygen generator that is transported with its means of initiation attached. prohibition of oxidizers in Class B and C cargo compartments. This rulemaking is significant due to potential congressional and public interest in the potential hazards presented by the materials when transported as cargo on passenger aircraft.

Timetable:

Action	Date	FR Cite
NPRM	12/30/96	61 FR 68955
NPRM Comment Period End	02/28/97	
SNPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: HM-224A. See related actions, Prohibition of Oxygen Generators as Cargo in Passenger Aircraft (RIN 2137-AC89), and Hazardous Materials; Shipping Description and Packaging of Oxygen Generators (RIN 2127-AD02).

Agency Contact: John A. Gale, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137–AC92

2434. ● CONTROL OF DRUG USE AND ALCOHOL MISUSE IN NATURAL GAS, LIQUEFIED NATURAL GAS, AND HAZARDOUS LIQUID PIPELINE OPERATIONS: AMENDMENT TO REPORTING OF DRUG AND ALCOHOL TESTING RESULTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 199.25; 49 CFR 199.229

Legal Deadline: None

Abstract: This rulemaking allows the alternative of electronic filing of drug and alcohol testing results. A Direct Final Rule allows pipeline companies subject to the reporting requirements of the drug and alcohol testing regulations the option of filing their annual reports on computer disks provided by RSPA. This rule will ease the reporting burden on industry and the preparation of drug and alcohol testing statistics by RSPA.

Timetable:

Action	Date	FR Cite
Direct Final Rule	12/12/96	61 FR 65364
Confirmation of Direct Final Rule	02/21/97	62 FR 7946
Final Action Effective	04/11/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. PS-152

Agency Contact: Marvin Fell, Economist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington DC 20590 Phone: 202 366-6205

RIN: 2137–AC95

2435. ● REGULATIONS IMPLEMENTING MEMORANDUM OF UNDERSTANDING WITH THE DEPARTMENT OF THE INTERIOR

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: None

Abstract: This rulemaking would implement a provision of a December 10, 1996 Memorandum of Understanding between the Department of Transportation (DOT) and the Department of the Interior concerning pipelines on the Outer Continental Shelf by revising the boundary description for pipelines regulated by DOT.

Timetable:

Action	Date	FR Cite
Direct Final Rule	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. RSPA-97-2096

Agency Contact: L. E. Herrick, Offshore Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-5523

RIN: 2137–AC99

2436. ● AVAILABILITY OF INTERPRETATIONS OF RSPA REGULATIONS

Priority: Info./Admin./Other

Legal Authority: PL 104-121, sec 213(b)

CFR Citation: 49 CFR 107.14; 49 CFR 190.11

Legal Deadline: None

Abstract: The Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) directs Federal agencies which regulate small entities to include in the agency's procedures a program providing informal guidance and regulatory interpretative assistance to small entities. This informational final rule complies with SBREFA by amending the RSPA regulations to set out the details of the informal guidance programs of the Office of Hazardous Materials Safety and the Office of Pipeline Safety, respectively. Because this is a non-controversial, information rule, it is appropriate for publication as a Final Rule without notice or comment.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Kathleen S. Molinar, Attorney, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-4400

RIN: 2137–AD00

2437. ● +FURTHER REGULATORY REVIEW; GAS PIPELINE SAFETY STANDARDS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

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: In RSPA docket PS-124, entitled ''Regulatory Review; Gas Pipeline Safety Standards,'' RSPA undertook a comprehensive review of Federal gas pipeline safety regulations and published a final rule on June 6, 1996 (61 FR 28770) that made revisions to those regulations. RSPA is publishing a second final rule that will address comments and issues that were raised in docket PS-124, but not addressed in the June 1996 final rule.

Timetable:

Action	Date	FR Cite
NPRM	09/09/93	58 FR 59431
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: In 1992, RSPA began an extensive review of Federal gas pipeline safety regulations (49 CFR Part 192) and invited public participation (54 FR 4745; Feb. 7, 1992). RSPA published an NPRM proposing changes to part 192 (57 FR 39572; Aug. 3l, 1992). At the same time, the National Association of Pipeline Safety Representatives (NAPSR) reported on its review of Part 192. Because the NAPSR report discussed regulations covered by the NPRM and had goals similar to RSPA's, RSPA published the report and requested comments on NAPSR's proposed rule changes (58 FR 59431; Nov. 9, 1993). RSPA extended the comment period on December 27, 1992 (58 FR 68382; Dec. 27, 1993) A final rule was published on June 6, 1996 (61 FR 28770; June 6, 1996), but did not address all proposed changes to part 192. A further review of th regulations in Part 192, based on the record in this docket, was initiated in late 1996. This further review identified proposals from the Gas Piping Technology Committee, the ASME B31.8 (gas pipeline safety standards) committee, and NAPSR that have not yet been addressed. This final rule will address those proposals and is related to RIN 2127-AC25.

Agency Contact: Cesar DeLeon, Deputy Associate Administrator for Pipeline Safety, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-4595

RIN: 2137–AD01

2438. ● +HAZARDOUS MATERIALS: SHIPPING DESCRIPTION AND PACKAGING OF OXYGEN GENERATORS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171; 49 CFR 172; 49 CFR 173; 49 CFR 174

Legal Deadline: None

DOT—RSPA — Final Rule Stage

Abstract: RSPA is proposing to amend the Hazardous Materials Regulations to add a specific shipping description for chemical oxygen generators and to require approval of a chemical oxygen generator and certain packaging, in order to transport a chemical oxygen generator with its means of initiation attached. RSPA is also proposing to eliminate an exception that allows passengers to check small personal oxygen generators as baggage on airplanes. Because these subjects are ripe for rulemaking and comments have been received on them, this final rule is being published separately from a related rulemaking on prohibition of oxidizers aboard aircraft (See Additional Information)

Timetable:

Action	Date	FR Cite
NPRM	12/30/96	61 FR 68955
NPRM Comment Period End	02/28/97	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket HM-224A. This rulemaking was originally part of RIN 2127-AC92. It has been separated in order to issue a final rule separately from the other proposed in HM-224A to prohibit the transportation of oxidizers as cargo on passenger-carrying aircraft.

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

RIN: 2137–AD02

DEPARTMENT OF TRANSPORTATION (DOT) — Long-Term Actions
Research and Special Programs Administration (RSPA)

2439. QUANTITY LIMITATIONS ABOARD AIRCRAFT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 175

Legal Deadline: None

Abstract: This action proposed to remove the fifty-pound limit on the quantity of hazardous materials that may be stowed in an inaccessible cargo location on passenger-carrying aircraft. Comments to the NPRM indicated that further evaluation is needed. Therefore, RSPA is reevaluating the proposal and the alternatives available.

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 Period End	05/30/85	
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: Undetermined

Analysis: Regulatory Evaluation 02/13/85 (50 FR 6013)

Additional Information: This project was formerly entitled: Limitation Aboard Aircraft. Docket HM-192.

Agency Contact: Beth Romo, Transportation Reg. Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137–AA85

2440. +SAFEGUARDING FOOD FROM CONTAMINATION DURING TRANSPORTATION

Priority: Other Significant

Legal Authority: 49 USC 5701 to 5714

CFR Citation: 49 CFR 1

Legal Deadline:
Final, Statutory, August 1, 1991.

Abstract: The Sanitary Food Transportation Act of 1990 (49 USC 5701, et. seq.) requires the Secretary of Transportation, in consultation with the Secretaries of Agriculture and Health and Human Services and the Administrator of the Environmental Protection Agency, to issue regulations concerning the transportation of food, food additives, drugs, devices, and cosmetics in motor and rail vehicles also used to transport nonfood products that could pose an unreasonable danger to human or animal health when so transported. This rulemaking will implement the statutory requirements. This rulemaking is significant because of substantial public and congressional interest.

Timetable:

Action	Date	FR Cite
ANPRM	02/20/91	56 FR 6934
Extended Comment Period End 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

Analysis: Regulatory Evaluation 05/21/93 (58 FR 29698)

Additional Information: Docket FS-1. The Department will resubmit to Congress legislation proposing to significantly change the provisions of SFTA.

Agency Contact: J. Gale, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-8553

RIN: 2137–AC00

2441. 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.

DOT—RSPA

Long-Term Actions

Timetable:

Action	Date	FR Cite
ANPRM	07/29/96	61 FR 39522
Comment Period End	11/30/96	
Next Action Undetermined		

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: Docket No. HM-223.

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

2442. FILLING OF PROPANE CYLINDERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 173

Legal Deadline: None

Abstract: The ANPRM solicited comments on the merits of a petition for rulemaking to require registration and training of persons who fill propane cylinders, certification of filling equipment operators, and proof of financial responsibility. The proposal is also to allow filling of propane cylinders by volume rather than by weight, which is currently required by the hazardous material regulations.

Timetable:

Action	Date	FR Cite
ANPRM	09/23/96	61 FR 43515
ANPRM Comment Period End	11/21/96	
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Eileen Edmonson, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137–AC86

2443. ● +HAZARDOUS MATERIALS: CARGO TANK MOTOR VEHICLES IN LIQUEFIED COMPRESSED GAS SERVICE; INTERIM FINAL RULE

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171

Legal Deadline: None

Abstract: RSPA is amending the Hazardous Materials Regulations to specify the conditions under which certain cargo tank motor vehicles may continue to be used on an interim basis, even though they are equipped with emergency discharge control systems that may not function as required by the regulations under all operating conditions. This rule addresses specification MC 330, MC 331, and certain non-specification cargo tank motor vehicles which are used to deliver propane and other liquefied compressed gases. It responds to a recently discovered safety deficiency which may affect many of these cargo tank motor vehicles and which constitutes an emergency situation. The intended effect of this action is to ensure on an interim basis, an acceptable level of safety for delivery of liquefied compressed gases while a permanent solution is developed and implemented.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/19/97	62 FR 7638
Next Action Undetermined		

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: HM-225

Agency Contact: Ron Kirkpatrick, General Engineer, Department of Transportation, Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-3753

RIN: 2137–AC97

DEPARTMENT OF TRANSPORTATION (DOT)

Research and Special Programs Administration (RSPA)

Completed Actions

2444. +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 final rule specifies performance standards for EFVs that are installed in single-residence gas service lines. This rulemaking is considered significant because it concerns a matter of substantial public and congressional interest.

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
Notice of Meeting: Comment Period End 7/6/93	06/15/93	58 FR 33064
NPRM Comment Period End	06/21/93	
Extended Comment Period End 10/03/94	08/02/94	59 FR 39319
Final Rule	06/20/96	61 FR 31449
Petitions Due	07/18/96	
Final Rule Response to Petitions for Reconsideration	01/17/97	62 FR 2618

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Evaluation 04/21/93 (58 FR 21524)

Additional Information: Docket No. PS-118.

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

2445. REGULATORY REINVENTION INITIATIVE: PIPELINE SAFETY PROGRAM PROCEDURES; REPORTING REQUIREMENTS; GAS PIPELINE STANDARDS; AND LIQUEFIED NATURAL GAS FACILITIES 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: The final rule changes the practices for administrative hearings in which the allegation of violations are contested and makes minor modifications to requirements for gas detection, protective enclosures, and pipeline testing temperatures. The rule also makes editorial updates and corrections. These changes provide clarity, eliminate unnecessary or overly burdensome requirements, and reduce costs in the pipeline industry.

Timetable:

Action	Date	FR Cite
NPRM	11/06/92	57 FR 53085
NPRM Comment Period End	12/07/92	
Final Rule	06/03/96	61 FR 27789
Correction	08/30/96	61 FR 45905

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

2446. SAFETY PERMITS—SHIPPER'S RESPONSIBILITY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171

Legal Deadline:
NPRM, Statutory, November 16, 1991.

Abstract: The purpose of this rule is to prohibit shippers from offering to motor carriers certain hazardous materials for transportation, if such motor carriers are required to have a safety permit but do not. Action under this rulemaking was to be coordinated with a rulemaking being conducted by the Federal Highway Administration (FHWA) to require motor carriers transporting hazardous materials to obtain a safety permit (RIN 2125-AC78). Because the FHWA has not issued a final rule requiring carriers to have a safety permit, this rulemaking is unnecessary.

Timetable:

Action	Date	FR Cite
Action Terminated	08/15/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket HM-218.

Agency Contact: Helen Engrum, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137–AC45

2447. 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 revises 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 provides guidance to the regulated public and improves the enforceability of the regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/18/95	60 FR 54008
Comment Period End	12/15/95	
Final Rule Effective 10/1/96	05/28/96	61 FR 26750
Action on Petitions	10/01/96	61 FR 51238

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: 202 366-8553

RIN: 2137–AC59

2448. REVISION OF EXEMPTION, APPROVAL, REGISTRATION, AND REPORTING 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: 33 USC 1321; 49 USC 5101 to 5127

CFR Citation: 49 CFR 106; 49 CFR 107; 49 CFR 171

Legal Deadline: None

Abstract: This action makes necessary revisions to update and clarify the rulemaking, exemption, and approval processes. In addition, this action codifies 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 Rule	05/09/96	61 FR 21084
Action on Petitions	10/01/96	61 FR 51241
Denial of Petition	10/01/96	61 FR 51235

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. HM-207C.

Agency Contact: Diane LaValle, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001
Phone: 202 366-8553

RIN: 2137–AC63

2449. 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 implements miscellaneous changes to rail requirements for transportation of hazardous materials. It reduces markings on tank cars and other regulatory burdens based on petitions from industry, requests from other agencies and RSPA's own initiative.

Timetable:

Action	Date	FR Cite
NPRM	12/19/95	60 FR 65492
NPRM Comment Period End	02/22/96	
Final Rule	06/05/96	61 FR 28666
Action on Petitions	07/25/96	61 FR 38642
Final Action	10/01/96	
Final Action Effective	10/01/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. HM-216. No additional petitions received.

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

2450. 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 updates the pipeline safety regulations and the existing references to voluntary specifications and standards cited to reflect more recently published editions of each document. This final rule 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 Rule Effective 6/24/96	05/24/96	61 FR 26121
Correction	07/15/96	61 FR 36825

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket No. PS-143.

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

2451. 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 revised miscellaneous provisions contained in the Hazardous Materials Regulations based on RSPA's review of those regulations and written and oral comments received at several public meetings held nationwide. This rulemaking action responded to President Clinton's directive that all agencies review their regulations for obsolete and unduly burdensome requirements and to get out of Washington and create grassroots partnerships with people affected by the regulations. The rule reduced 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 Rule	05/30/96	61 FR 27166
Final Action Effective	10/01/96	
Action on Petitions	10/01/96	61 FR 51236

Small Entities Affected: None

Government Levels Affected: None

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

2452. 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 updated and corrected 49 CFR 190 (Pipeline Safety Program

Procedures) by amending nomenclature, addresses, and penalty amounts. These amendments were related to pipeline safety program administration and do not impact specific pipeline safety technical requirements.

Timetable:

Action	Date	FR Cite
Final Rule; Correcting Amendments	04/26/96	61 FR 8512
Correction	07/24/96	61 FR 38403

Small Entities Affected: None

Government Levels Affected: None

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

2453. 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 revises 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. These changes generally are 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	06/26/96	61 FR 33216
NPRM Comment Period End	08/02/96	
Final Action	09/26/96	61 FR 50616
Final Action Effective	01/01/97	
Response to Petitions	03/26/97	62 FR 14334

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: 202 366-8700
Fax: 202 366-3753

RIN: 2137–AC80

2454. 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 was part of the Reinventing Government effort. It revised text in the CFR to reduce redundancy in the various cylinder specifications.

Timetable:

Action	Date	FR Cite
NPRM	03/04/96	61 FR 8320
NPRM Comment Period End	04/26/96	
Final Action	05/23/96	61 FR 25940
Final Action Effective	10/01/96	

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

2455. +PROHIBITION OF OXYGEN GENERATORS AS CARGO IN PASSENGER AIRCRAFT

Priority: Other Significant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171.8; 49 CFR 173.21

Legal Deadline: None

Abstract: This final rule prohibits, with limited exception, transportation in passenger aircraft and the offering for transportation in passenger aircraft of any oxygen generator. This rule applies to both foreign and domestic passenger aircraft entering, leaving, or operating in the United States and to any person offering an oxygen generator for transportation on any of these aircraft. This action is significant due to congressional and public concerns and recommendations from the NTSB regarding the potential hazards presented by this material on passenger aircraft.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/24/96	61 FR 26518
Comment Period End	07/23/96	
Final Action	12/30/96	61 FR 68952
Final Action Effective	12/31/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: HM-224. See related action, Prohibiting Transportation of Oxidizers Aboard Aircraft (RIN 2137-AC92).

Agency Contact: John Gale, Senior Transportation Specialist, OHMS, Department of Transportation, Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-4831

RIN: 2137–AC89

2456. HAZARDOUS MATERIALS REGULATIONS: EDITORIAL CORRECTIONS AND CLARIFICATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 107; 49 CFR 171 to 180

Legal Deadline: None

Abstract: This final rule, without notice and comment, makes minor changes such as updating phone numbers and organization names, correcting cross-references, correcting spelling errors in the prior CFR editions, and eliminating grammatical errors.

Timetable:

Action	Date	FR Cite
Final Action	10/01/96	61 FR 51334

Small Entities Affected: None

Government Levels Affected: None

DOT—RSPA — Completed Actions

Additional Information: HM-189M. The last rule of this nature was published 9/21/95 (60 FR 49106).

Agency Contact: Joan McIntyre, Writer/Editor (Regulations), Department of Transportation, Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137–AC93

2457. ● PIPELINE SAFETY RULEMAKING PROCEDURES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 5101 et seq; 49 USC 60101 et seq

CFR Citation: 9 CFR 106; 9 CFR 190

Legal Deadline: None

Abstract: This rulemaking replicates in 49 CFR part 190 the rulemaking procedures presently in 49 C.F.R. part 106. This action will persons in the pipeline industry to obtain a single volume of the Code of Federal Regulations that contains both the pipeline safety program regulations and the pipeline rulemaking procedures. This will enable RSPA to issue two separate, stand-alone volumes of the Code of Federal Regulations, one each for the Hazardous Materials Regulations and the Pipeline Safety Regulations.

Timetable:

Action	Date	FR Cite
Final Rule	09/27/96	61 FR 50908
Final Action	10/01/96	61 FR 50908
Final Action Effective	10/01/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket RSP-2

Agency Contact: Paul Sanchez, Attorney, Department of Transportation, Research and Special Programs Administration, 400 7th Street SW., Washington DC
Phone: 202 366-4400

RIN: 2137–AC94

2458. ● HAZARDOUS MATERIALS REGULATIONS; PENALTY GUIDELINES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 49 USC 5101 to 5127; PL 104-134

CFR Citation: 49 CFR 107; 49 CFR 171

Legal Deadline: None

Abstract: This action adjusts the maximum civil penalty for inflation and publishes revisions to the civil penalty guidelines that RSPA uses in enforcing the hazardous materials transportation regulations. This action provides the regulated community and the general public with guidance as to the factors that RSPA considers in proposing and assessing civil penalties for violations of the Federal hazardous material law and regulations.

Timetable:

Action	Date	FR Cite
Final Action	01/21/97	62 FR 2970

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Docket HM-207F

Agency Contact: John O'Connell, Department of Transportation, Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590
Phone: 202 366-4700

RIN: 2137–AC96

DEPARTMENT OF TRANSPORTATION (DOT) — Proposed Rule Stage

Maritime Administration (MARAD)

2459. +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 USC app 1114(b); 46 USC app 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. The NPRM will be consistent with maritime reform legislation enacted in October 1996 (PL 104-239).

Timetable:

Action	Date	FR Cite
ANPRM	04/19/95	60 FR 19559
ANPRM Comment Period End	06/19/95	
NPRM	02/28/97	62 FR 9143
NPRM Comment Period End	04/29/97	

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

2460. CRITERIA FOR GRANTING WAIVERS OF REQUIREMENT FOR EXCLUSIVE U.S.-FLAG VESSEL CARRIAGE OF CERTAIN EXPORT CARGOES

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 app 1241-1

CFR Citation: 46 CFR 384

DOT—MARAD

Proposed Rule Stage

Legal Deadline: None

Abstract: MARAD is soliciting public comment concerning the need to revise and codify the criteria that MARAD uses for granting waivers of the U.S.-flag preference cargo carriage requirement for Ex-Im Bank financed cargoes.

Timetable:

Action	Date	FR Cite
ANPRM	10/28/96	61 FR 55614
ANPRM Comment Period Extended	12/24/96	61 FR 67764
ANPRM Comment Period End	12/27/96	
Extended Comment Period End	02/10/97	
NPRM	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James J. Zok, Associate Administrator for Ship Financial Assistance and Cargo Preference, Department of Transportation, Maritime Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0364

RIN: 2133–AB26

2461. ● APPROVAL OF CERTAIN TRANSACTIONS BEFORE VESSEL'S DOCUMENTATION

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 104-324

CFR Citation: 46 CFR 221

Legal Deadline: None

Abstract: This action implements statutory provisions that give MARAD the discretion to grant approval of foreign transfer of vessels before they are actually documented under U.S. flag. This should encourage expansion of the U.S. fleet.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Edmund T. Sommer, Jr., Chief, Division of General and Administrative Law, Department of Transportation, Maritime Administration, 400 Seveth Street SW., Washington, DC 20590
Phone: 202 366-5181
Fax: 202 366-7485

RIN: 2133–AB30

DEPARTMENT OF TRANSPORTATION (DOT)

Maritime Administration (MARAD)

Final Rule Stage

2462. +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 USC app 1114(b); 46 USC app 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. Final action will include any changes required by recent maritime reform legislation, the Maritime Security Act of 1996 (PL 104-239).

Timetable:

Action	Date	FR Cite
NPRM	04/26/95	60 FR 20069
NPRM Comment Period End	06/23/95	
Final Action	06/00/97	

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

2463. +MARITIME SECURITY PROGRAM

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 104-239

CFR Citation: 46 CFR 295

Legal Deadline:
Final, Statutory, July 13, 1997.

Abstract: This rule provides procedures to implement the provisions of the Maritime Security Act of 1996 which establishes 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	10/16/96	61 FR 53861
Effective Date	10/18/96	
Comment Period End	11/15/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Raymond Barberesi, Director, Office of Sealift Support, Department of Transportation, Maritime Administration, 400 Seventh Street SW., Washington, DC 20590

DOT—MARAD — Final Rule Stage

Phone: 202 366-2323

RIN: 2133–AB24

2464. ● ELIMINATION OF MORTGAGEE AND TRUSTEE RESTRICTIONS

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 104-324

CFR Citation: 46 CFR 221

Legal Deadline: None

Abstract: This action will eliminate existing requirements that impose restrictions on preferred mortgagees and trustees for certain vessel transactions. This action is taken to conform MARAD regulations to provisions in PL 104-324 (10/19/96).

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Edmund T. Sommer, Jr., Chief, Division of General and International Law, Department of Transportation, Maritime Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5181
Fax: 202 366-7485

RIN: 2133–AB29

DEPARTMENT OF TRANSPORTATION (DOT) — Completed Actions
Maritime Administration (MARAD)

2465. ● REEMPLOYMENT RIGHTS OF CERTAIN MERCHANT SEAMEN

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 104-239

CFR Citation: 46 CFR 349

Legal Deadline:
Final, Statutory, February 5, 1997.

Abstract: MARAD issued this procedural rule to implement provisions of the Maritime Security Act of 1996 (PL 104-239). These provisions amend the Merchant Marine Act, 1936. The rule grants reemployment rights and other benefits to certain merchant seamen serving on vessels used by the United States for a war, armed conflict, national emergency or maritime mobilization need. This rule establishes the procedure for obtaining the necessary MARAD certification for reemployment rights and other benefits conferred by statute and its assistance in pursuing these statutory rights and benefits.

Timetable:

Action	Date	FR Cite
Final Action	02/04/97	62 FR 5158
Final Action Effective	02/06/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Christopher E. Krusa, Maritime Training Specialist, Department of Transportation, Maritime Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2648

RIN: 2133–AB28

DEPARTMENT OF TRANSPORTATION (DOT) — Prerule Stage
Bureau of Transportation Statistics (BTS)

2466. 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 change-of-gauge 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	05/00/97	

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

2467. MODERNIZING THE MOTOR CARRIERS OF PROPERTY FINANCIAL DATA COLLECTIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

DOT—BTS **Prerule Stage**

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 14122 to 14123

CFR Citation: 14 CFR 1249

Legal Deadline: None

Abstract: The motor carriers of property financial data collection program was transferred to DOT from the Interstate Commerce Commission by the ICC Termination Act of 1995, which went into effect 1/1/96. The Secretary of Transportation has delegated responsibility for this program to BTS. BTS plans to conduct a rulemaking to review and revise the current program. Revision is necessary because the laws governing data collection were changed slightly by the Act. Also, the data needs of the public and private sectors have changed, an the technology to collect, process, and disseminate data has been vastly improved. Finally, Congress has explicitly called on DOT to streamline and simplify reporting requirements to the maximum extend practicable. BTS is exploring the option of using negotiated rulemaking to accomplish these objectives.

Timetable:

Action	Date	FR Cite
Notice: Negotiated Rulemaking	12/09/96	61 FR 64849
Comment Period Extended	01/23/97	62 FR 3492
Comment Period Extended	02/07/97	62 FR 5792
Decision on Rulemaking Committee	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: BTS proposed the establishment of a negotiated rulemaking advisory committee in December 1996 and in February extended the comment period and set a public meeting date of 3/31/97 to help decide whether a negotiated rulemaking advisory committee is needed and if so, to help determine the committee membership and issues for consideration.

Agency Contact: David Mednick, Analyst, K-2, Department of Transportation, Bureau of Transportation Statistics, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8871
Fax: 202 366-3640

RIN: 2139–AA05

DEPARTMENT OF TRANSPORTATION (DOT) — Final Rule Stage
Bureau of Transportation Statistics (BTS)

2468. +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	
Extended Comment Period End 8/5/95	07/06/95	60 FR 35158
Final Action	04/00/97	

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-AAOO 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

2469. 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 information will be used to assess the effects of code-sharing alliances in air transportation. The rule also proposes to standardize the character record layout that is used for electronic submissions and to expand by one position the field entitled ''Total Dollar Value of Ticket'' to accommodate current charges. However, the outcome of this rulemaking may be affected by the conclusions reached in a related action in RIN 2139-AA01, Modernizing the Passenger Origin-Destination Survey, and finalization of this rule may be delayed pending the outcome of the modernizing rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	06/24/96	61 FR 32375
NPRM Comment Period End	08/23/96	
Interim Final Rule	04/00/97	

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

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